



Crime and Justice Institute at
Community Resources for Justice

Exploring the role of responsivity and assessment with Hispanic and American Indian offenders

Authors:

Michael Kane

Kristin Bechtel

Jesse Revicki

Erin McLaughlin

Janice McCall



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Introduction

This report presents findings from an exploration of cultural responsiveness in risk and needs assessment in community corrections agencies. As risk and needs assessment becomes more popular in community corrections, more researchers have begun to study issues involving the specific characteristics of offenders and how they interact with assessment and programming to impact outcomes, a concept commonly known as responsiveness. In particular, two cultural groups were selected for study: Hispanics and American Indians. Initial plans for the current project involved the development of a new tool or 'trailer' for use in assessing Hispanic and American Indian populations. In the early stages of the project, however, the project team and its advisors determined that the creation of a new tool would be premature. Instead, the project focused efforts on: 1) describing current practices in assessing and working with Hispanic and American Indian offenders; 2) determining how well current assessment tools and practices predict recidivism for these offender groups; and 3) suggesting ways to improve tools and practices to make them more culturally competent and responsive.

The report that follows will describe assessment and cultural responsiveness, describe current practices in culturally responsive assessment, and detail the findings of research activities including data analysis and focus groups.

Chapter 1 provides a literature review on the topic of risk assessment and culture. This section will describe the evolution of risk assessment in community corrections, summarize research on evidence-based practices, describe the Hispanic and American Indian populations in the United States and their context in corrections systems nationwide, suggest a model for understanding cultural competency, and describe some popular risk and needs assessment tools.

Chapter 2 provides information on a Roundtable of assessment and corrections experts and results from a national survey of probation and parole agencies. The chapter describes the project team's understanding of the current state of community corrections practice in assessing and supervising American Indian and Hispanic offenders.

Chapter 3 summarizes findings from discussions with experts in Hispanic and American Indian culture and focus groups conducted with community corrections staff and Hispanic and American Indian offenders in five sites. Based on this feedback, the project team provides recommendations for improving assessment practices. Focus groups addressed cultural and linguistic barriers in supervision and assessment, specific cultural factors that may impact the scoring of risk and needs assessment, cultural competency during the assessment process, cultural competency training available to officers and supervisors, and suggestions for improving supervision and assessment with Hispanic and American Indian offenders.

Chapter 4 presents findings from analysis of assessment and outcome data provided by five community corrections agencies and provides recommendations for improving the effectiveness of assessment tools. Predictive validity analysis was conducted for each site, and a combined analysis

examining whether Hispanic and American Indian offenders are scoring differently on risk assessments compared to other offenders, and if agency-level cultural competency practices result in reductions in recidivism.

Chapter 1: Literature Review

Introduction

In community correctional practice, the use of objective assessment to predict an offender's likelihood of committing a new crime, as well as to direct resources to offenders who need it, has grown in popularity over the past 50 years. The evolution of assessment approaches has spanned from clinical to actuarial tools, moved from measuring solely static factors to including dynamic factors, and most recently begun incorporating the concept of offender responsivity. Recent developments in correctional assessment tools include approaches using standardized and objective factors perceived as being more reliable and predictive.

In recent years, research has helped to make both incremental changes in how an offender's level of risk to reoffend is determined and what static and dynamic factors lead criminal offenders to reoffend, commonly called criminogenic needs (Andrews, Zinger, Hoge, Bonta, Gendreau, and Cullen, 1990; Gendreau, Little, and Goggin, 1996). These changes have enabled practitioners to provide recommendations for appropriate interventions that may reduce the risk of recidivism for offenders under supervision. If properly identified and adequately treated, the effective deterrence or reduction in future criminal activity is improved (Andrews et al., 1990). Research in adult correctional programs has found that successful interventions for adult offenders may reduce the risk of recidivism 10 to 15 percent (Aos, et al. 2006).

Despite the availability of risk and need assessment tools, there remains a lack of evidence on the validation and use of correctional assessment tools when administered to minority populations, in this instance Hispanic and American Indian offenders. This review summarizes the evolution of correctional assessment tools and examines research on the importance of culturally responsive assessment tools and practices, explores characteristics of the Hispanic and American Indian populations, including correctional involvement, and discusses socio-cultural challenges which correctional institutions may face. As issues of reducing offender recidivism, enhancing public and individual safety, and effective use of public resources continue to be scrutinized, there exists a sense of urgency to more critically examine the use of assessment tools to ensure the ongoing utility they may bring to society at large. Ultimately, the goal of research such as this is to improve the process for assessing the risk and needs of all offender groups so that any assessment is accurate and may be used to properly supervise offenders and refer them to appropriate and needed programming and services.

The Principles of Effective Intervention

Over the past 30 years, there has been a shift toward reaffirming rehabilitative concepts and producing quality research to identify the best practices in working with offending populations. In particular, a primary component of this movement has been to develop and evaluate assessments, interventions, and programming that are grounded in theory and are subject to rigorous analytical examination. This paradigm shift is often attributed in response to Martinson's (1974) "Nothing Works" evaluation and the political and public support for incapacitation and retributive or deterrence-based ideologies. The generalized conclusion of Martinson's narrative review of offender treatment and programming suggested that rehabilitation did not have an impact on recidivism. A follow-up study examined the same 82 studies in Martinson's work and found that 48 percent of the studies actually demonstrated a reduction in recidivism (Palmer, 1975).¹ As a result, the empirical approach is now aimed at identifying what interventions work best, on which populations, and under what conditions. This call to research is what began the evolution of the "What Works" literature. The efforts by researchers to focus on identifying effective program characteristics and targeting appropriate populations for specific treatment and services is more commonly known as the principles of effective intervention. The discussion that follows will provide a general overview of the primary three principles of effective intervention: risk, need and responsivity (Andrews et al., 1990).

The Risk Principle

The risk principle indicates who to target for the most intensive of services, supervision and programming. Offenders at the highest risk of committing a new crime should receive the greatest dosage of treatment and intervention. While some might question why all offenders should not receive the highest levels of supervision and intervention, multiple studies and meta-analyses² have repeatedly demonstrated that when low risk offenders receive interventions intended for high risk offenders or when low risk are mixed with high risk groups, recidivism rates increase for the lower risk group (Andrews et al., 1990; Andrews & Dowden, 1999, 2006; Dowden & Andrews, 1999a, 1999b, 2000; Lipsey & Wilson, 1998; Lowenkamp, Latessa & Holsinger, 2006; Lowenkamp & Latessa, 2005; Lowenkamp, Smith, & Bechtel, 2007; Latessa, Lowenkamp & Bechtel, 2008). Findings from one meta-analysis indicated that programs that adhered to the risk principle were able to reduce recidivism by 19 percent, whereas programming that served mixed risk groups had increased recidivism four percent (Andrews and Dowden, 1999). Results from a large halfway house study suggested that intensive programming for higher risk offenders decreased recidivism by ten percent to 30 percent. However, these same programs increased recidivism for the lower risk offenders (Lowenkamp & Latessa, 2005). Related to supervision and intensity of services, one study examining intensive rehabilitation supervision found high risk offenders experienced a 20 percent reduction in recidivism, whereas the lower risk offenders

¹ Recidivism had multiple definitions for the studies reviewed by Martinson.

² A meta-analysis is a summary of existing studies. The finding from a meta-analysis is commonly referred to as the treatment effect and is often presented as a correlation. Larger and positive correlations suggest that a better outcome was produced by the program or intervention being evaluated.

had a 17 percent increase (Bonta, Wallace-Capretta and Rooney, 2000)³. Similarly a meta-analysis evaluating the impact of mixed risk groups for programming and services found an 18 percent increase in recidivism for programs that combined risk levels (Lowenkamp, Smith, and Bechtel, 2007). The empirical support for the risk principle is substantial, and as a result, research is beginning to address the issue of dosage and intensity of supervision and programming. In particular, studies are beginning to examine how much intervention is appropriate based on risk (Serin and Prestin, 2000). There is still considerable exploration to be done in this area; however, current recommendations support programming that targets criminogenic needs for higher risk groups that should be three to nine months in length, and that 40 to 70 percent of the participant time should be spent in structured activities (Bourgon and Armstrong, 2005).

Commonly accepted practice is for classification of risk to be completed through the administration of an actuarial assessment instrument. These assessments are often completed with semi-structured interviews with the offender and extensive file reviews for identifying criminal history factors. Risk assessment instruments are to be validated and normed to the agency's population.⁴ Some assessment tools focus only on criminal history or other static predictors of offending, but there are risk assessment instruments that incorporate both static and dynamic items. While it is commonly recognized that past behavior is the best predictor of future behavior, there are four risk factors that have been empirically identified as those with the strongest correlations to recidivism (Andrews and Bonta, 1994). Known as the "Big Four", these risk factors include a history of antisocial behavior, antisocial personality, antisocial attitudes and antisocial peers. Dynamic risk factors, such as antisocial personality, attitudes and peers are often referred to as criminogenic needs, which are the focus of the need principle .

The Need Principle

The need principle suggests that programmatic and supervision interventions should directly target criminogenic needs. Criminogenic needs are defined as the dynamic factors associated with high risk behaviors, including offending. Research has repeatedly demonstrated that criminogenic needs should be the primary intervention targets (Andrews and Bonta, 1994; Gendreau, French and Taylor, 2002; Gendreau, Smith, and French, 2006). As stated previously, examples of criminogenic needs include: antisocial personality⁵, antisocial attitudes and antisocial peers. While these needs should serve as the primary targets in working with a higher risk population, other secondary criminogenic needs include: substance abuse; employment; education; leisure and recreation; poor communication; and

³ Intensive rehabilitation supervision goes beyond traditional supervision practices and is intended for a higher risk individual where treatment and programming referrals are made that target the high risk criminogenic need areas. In addition, supervising officers are expected to formulate a case management plan around the targeting of these high need areas. Low risk offenders should not be assigned to this type of supervision.

⁴ Validation analysis examines the predictive validity of the instrument, or its ability to predict recidivism. Norming allows for the determination of risk cutoffs that guide practitioner decision-making. For example, ranges to scores on standardized risk assessments can then determine which individuals are low, moderate and high risk and the appropriate resources can be allocated by risk level.

⁵ In particular, antisocial personality includes lack of empathy, impulsivity, aggression/hostility and poor problem solving skills.

low family affection (Andrews and Bonta, 1994). Programming and interventions that have primarily targeted factors not associated with crime producing behaviors have not been as successful in reducing recidivism (Gendreau, French and Taylor, 2002). Examples of non-criminogenic needs include self esteem, trauma, victimization and maturity, and these factors have not been consistently associated with reductions in high risk behaviors and recidivism.

Research indicates that programming and supervision for high risk offenders should target a variety of criminogenic needs rather than focus on one need area. As offenders who are considered high risk are more likely to have more than one criminogenic need area on a standardized risk and needs assessment, there is some logic to this argument. Research has found that programs that target multiple criminogenic needs have been associated with the greatest reductions in high risk behaviors and recidivism (Dowden and Andrews, 1999a, 1999b). Reductions in recidivism rates by as much as 31 percent have been reported when the treatment model or intervention targets four to six more criminogenic needs than non-criminogenic needs (Gendreau, French and Taylor, 2002). A meta-analysis examining the impact of criminogenic needs revealed that the average effect size resulted in a 29 percent reduction in recidivism for the programs that targeted between three to eight criminogenic needs. Programs that targeted one or two criminogenic needs experienced an average reduction in recidivism of 16 percent, and those that did not target any criminogenic needs saw no effect (Gendreau, Smith, and French, 2006). Overall these studies indicate that programs and interventions should target high risk offenders and have a multi-modal model addressing three or more criminogenic need areas.

The Responsivity Principle

The responsivity principle provides guidance on how to deliver programming, supervision and other interventions. Most researchers recognize two types of responsivity: general and specific. General responsivity refers to programming models, such as social learning and cognitive behavioral interventions, which have produced the greatest reductions in antisocial or crime producing behaviors. Narrative reviews and meta-analyses have shown that cognitive behavioral programming results in the greatest reductions in high risk behaviors and recidivism (Gendreau and Ross, 1987; Palmer, 1995; Dowden and Andrews, 2000; MacKenzie, 2000; Gendreau, French and Gionet, 2004; Lipsey, 2009). Specific responsivity is defined as individual barriers that may limit the likelihood for program participation and successful completion (Andrews and Bonta, 1998). Examples of specific responsivity include: motivation, anxiety, different forms of learning styles, language, transportation, gender, and, particularly relevant for this project, culture (Cullen, 2002). Identifying these obstacles prior to treatment, programming and supervision and addressing these before and/or during this period is critical. Practitioners should use responsivity assessment tools to identify responsivity factors and to make recommendations about appropriate placements (Van Voorhis, Braswell and Lester, 2007).

Evolution of Correctional Assessment

As described earlier, correctional agencies and offender programs should administer actuarial risk and needs assessment instruments to determine the risk level of the offender as well as to identify the criminogenic needs to be targeted for intervention. In order to ensure that the tool predicts risk for the specific population and that risk levels are properly identified, these instruments should be validated and normed for the specific population being served. While research now suggests the importance of such practices, offender risk has not always been classified through the use of actuarial assessments. Even today, this is not standard practice across all correctional agencies and programs⁶. A summary of the evolution of risk assessment from first through fourth generation follows.

First generation assessment, more commonly known as unstructured clinical or professional judgment, does not involve the use of any objective or standardized tool. Second generation risk assessment instruments⁷ typically consist of static risk factors that have been found to be significantly correlated with recidivism but are not based on criminological theory (Bonta, 1996). Examples of static risk factors include age at first arrest, criminal history, prior supervision, prior incarceration, history of supervision violations, and current age (Gendreau, Little and Goggin, 1996). Third generation instruments⁸ are often described as risk and needs assessment tools, since these instruments contain both static and dynamic predictors of risk and are theoretically guided (Andrews, Bonta and Wormith, 2006; Bonta, 1996). Finally, fourth generation assessment tools⁹ include the static and dynamic risk factors found on the third generation tools but may also include a case management process as well as identification of responsivity factors, intermediate goals, and reassessment (Andrews, Bonta and Wormith, 2006).

Given the ongoing development of these risk assessment tools as well as the expansion in their overall functionality, from assessing risk to identifying needs and then guiding case management, research has also examined if the move away from solely professional judgment or first generation assessment practices has resulted in more accurate prediction of risk. The importance of accurately identifying the risk level of offenders is underscored by the research demonstrating the potential harm of mixing of risk levels and the targeting of low risk offenders for high risk interventions. Research has found that the use of professional judgment in lieu of an actuarial risk assessment may increase the likelihood for mixing risk levels since actuarial risk instruments are more accurate for risk prediction (Meehl, 1954; Ægisdóttier, White, Spengler et al., 2006; Latessa and Lovins, 2010). Further, these standardized instruments can be validated and normed on the offender populations served by correctional agencies and programs in order to properly manage supervision and treatment services (Latessa and Lovins, 2010). The next section discusses risk assessment research on minority populations.

⁶ Results of a survey conducted as part of this project confirm that many corrections agencies do not use an assessment tool.

⁷ An example of a second generation risk assessment would be the Salient Factor Score (SFS).

⁸ An example of a third generation risk assessment would be the Level of Service Inventory- Revised (LSI-R).

⁹ An example of a fourth generation risk assessment would be the Level of Service – Case Management Inventory (LS/CMI).

Overview of the Hispanic and American Indian Population

Hispanics and American Indians are two minority groups that have distinct cultural factors and values, and both are overrepresented in the criminal offender population when compared to other minority populations in the United States. While correctional assessment approaches have evolved from clinical to actuarial tools, there remains a gap in the research that offers evidence that correctional assessment tools have been successfully used and validated for Hispanic or American Indian offender populations.

General Population Demographics

Hispanic Population

According to the U.S. Census Bureau (2008a), people of Hispanic or Latino origin represent 15 percent (45.4 million persons) of the nation's total population when averaged over the period of 2006 to 2008.¹⁰ Hispanics are one of the fastest growing minority populations, experiencing a 3.2 percent increase in the population between 2007 and 2008. It is estimated that this population will reach 132.8 million and represent 30 percent of the U.S. population by the year 2050 (U.S. Census Bureau, 2008c).

The U.S. government defines a Hispanic or Latino person as one of Mexican, Puerto Rican, Cuban, South or Central American, or other Spanish culture or origin regardless of race (U.S. Census Bureau, 2001). The American Community Survey (2008d) found that among people living in the United States, 9.7 percent (29.3 million) are of Mexican descent, 1.4 percent (4.1 million) are of Puerto Rican descent, and 0.5 percent (1.6 million) are of Cuban descent. The five states with the highest concentrations of Hispanic populations are California (13.0 million), Texas (8.4 million), Florida (3.6 million), New York (3.1 million), and Illinois (1.9 million) (U.S. Census, 2006). As noted by the U.S. Census (2008d), 77 percent of Hispanics speak a language other than English at home (see Table 1-1).

American Indian Population

The U.S. Census category of "American Indian and Alaska Native" refers to people whose origins are in any of the original peoples of North, Central, and South America and who maintains tribal affiliation or community attachment (U.S. Census Bureau, 2002). According to the U.S. Census Bureau (2008e), people of American Indian origin represents 1.2 percent (3.6 million persons) of the nation's total population when averaged over the period of 2006 to 2008. Over half of the American Indian population in the United States do not reside on tribal lands, but will occasionally visit the tribal lands to see family, participate in tribal affairs, or to retire (Bureau of Indian Affairs, 2009).

¹⁰ In general, American Community Survey estimates are period estimates that describe the average characteristics of population and housing over a period of data collection. <http://www.census.gov/acs/www/Downloads/ACS/Accuracy2006-2008ACS3-Year.pdf>

There are more than 560 federally recognized American Indian and Alaska Native tribes in the United States, many of whom have a distinct history, culture, and often a separate language, and over half of these are Alaska Native villages (U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration, 2009). American Indian languages are not widely spoken in the home – most American Indians speak only English. Additionally, there are nearly 245 non-Federally recognized American Indian tribes, many of whom are recognized by their states and are currently seeking federal recognition. Six states are home to American Indian populations of over 100,000 people, including Arizona, California, New Mexico, North Carolina, Oklahoma, and Texas (U.S. Census Bureau, 2011). These six states comprise 50 percent of the total American Indian population, with Arizona, California, and Oklahoma alone containing over a third of the American Indian population. American Indians are the largest ethnic minority group in the following states: Alaska, Arizona, Idaho, Montana, New Mexico, North Dakota, Oklahoma, South Dakota, and Wyoming.

	Total	White*	Hispanic**	American Indian/ Alaska Native***
Population	301.2 million	202.5 million	45.4 million	3.6 million
Largest 3 origins/tribes			Mexican, Puerto Rican, Cuban	Cherokee, Navajo, Chippewa
Largest state populations			California, Texas, Florida	California, Oklahoma, Arizona
Median Age		40.4	27.4	30.7
Avg Household size		2.4	3.5	2.9
Only English spoken at home		94.1%	22.6%	80.5%
High school graduate or greater		89.4%	60.5%	80.2%
Median household income		\$56,514	\$41,630	\$39,119
Poverty rate		9.3%	21.2%	22.6%
Home ownership		73.5%	49.5%	56.5%
*White alone, or in combination with one or more other races, not Hispanic or Latino				
**Hispanic or Latino (of any race)				
*** American Indian or Alaskan Native alone or in any combination				
Source: American Community Survey, 2008a, 2008e, 2008f				

Interactions with the Criminal Justice System

Minorities remain overrepresented in all stages of the criminal justice process from arrest to confinement, rates of delinquent and criminal behavior, and victimization rates (Rosich, 2007; Marshall, 1997). As of January 2008, more than one in every 100 adults in the United States were incarcerated (The Pew Center on the States, 2008) with a significantly higher figure for adult minorities. The National Council on Crime and Delinquency (NCCD, 2009) has characterized this phenomenon as “disproportionate minority contact”, the “differential representation of racial and ethnic groups in the criminal justice system” (p.5).

Hispanics

According to the Bureau of Justice Statistics (2002), Hispanics were the fastest growing group being imprisoned in correctional institutions and were admitted to prison almost twice as often as whites. One of every six Hispanic males will be sentenced to prison within their lifetime, while the probability for White males was one in 17 (Bureau of Justice Statistics, 2003). One in three persons in 2011 (34%) held in U.S. Federal prisons was Hispanic (Bureau of Prisons, 2011). In 2005, Hispanics comprised 20 percent of the state and federal prison population, an increase of 43 percent since 1990 (The Sentencing Project, 2007) and made up 13 percent of the probation population and 18 percent of the parole population—the second largest minority group on probation or parole next to African Americans (Bureau of Justice Statistics, 2006).

Table 1-2: Prison and Jail Incarceration Rates, 2005, Hispanic to White Ratio (rates per 100,000 population)

States with the 10 highest Hispanic to White Ratios

State	White	Hispanic	H-to-W Ratio
1. Connecticut	211	1401	6.6
2. Massachusetts	201	1229	6.1
3. Pennsylvania	305	1714	5.6
4. District of Columbia	56	267	4.8
5. New York	174	778	4.5
6. New Hampshire	289	1063	3.7
7. New Jersey	190	630	3.3
8. Rhode Island	191	631	3.3
9. North Dakota	267	848	3.2
10. Nebraska	290	739	2.5

(Sentencing Project, 2007)

American Indians

As noted previously, American Indians comprise a small minority in the overall demographics of the United States; however, in terms of racial disparities within the criminal justice system, American

Indians are over-represented. American Indians are incarcerated or on parole at over two times the rate of Whites (NCCD, 2009). Since the 2004 Annual Survey of Jails in Indian Country,¹¹ the number of American Indians and Alaska Natives under correctional supervision increased from 68,177 at midyear 2004 to 71,274 at midyear 2007, an increase of 4.5 percent (US DOJ, 2008). Additionally, the number of American Indians confined in jails and prisons nationwide grew from 23,177 to 27,764, approximately 19 percent from 2004 to 2007 (US DOJ, 2008). According to the Bureau of Justice Statistics (2008), “over the 3-year period, the largest growth in the confined American Indian population occurred in Indian country jails (24%), followed by state prison (22%), federal prison (21%), and local jails (15%)” (p.2).

Table 1-3: New Admissions to Prison (State and Federal) by Offense Type, 2003

Offense Type	Total Offenses	White	Hispanic	American Indian/ Alaska Native
Violent	135,476	1.0	2.6	6.0
Property	164,067	1.0	1.4	2.7
Drug	167,627	1.0	2.5	2.8
Public Order	77,529	1.0	1.3	10.8
Other	4,256	1.0	1.1	7.5
Total	548,955	1.0	1.9	4.7

Note: This table represents relative rate indices that compare rates for each racial group to the rate of admissions of whites. Rates are calculated as the number of individuals in the criminal justice system per 100,000 of the same race/ethnicity in the general population. Whites are given a standard value of 1. Values over 1 for each racial group indicate the rate that the group is overrepresented compared to whites while values less than 1 indicate that the group is less represented than whites.
National Council on Crime and Delinquency (2009)

At midyear 2007, tribal, federal, and state prison or jail authorities held 942 American Indians per 100,000-- an incarceration rate based on 27,674 American Indians in custody and 2.9 million in the U.S. resident population (Bureau of Justice Statistics, 2008). American Indians and Alaskan Natives comprise a rate nearly five times that of whites for new admissions at the State and Federal prison levels (National Council on Crime and Delinquency, 2009).

Assessment of Hispanic and American Indian Corrections Populations

As the United States and its criminal justice population become increasingly diverse, paying greater attention to specific practices and policies when working with minority populations and incorporating their unique experiences, cultural history, and norms may become increasingly important. At the current time, many assessment tools are recognized as generally predictive but research has called into question the ability of prediction tools to generalize across all offender populations (Wright, Clear, & Dickson, 1984; Smykla, 1986). The tools and practices used in various jurisdictions around the United States vary greatly in terms of quality and ability to appropriately predict risk and need for all demographics reflected in their diverse offender population. The construction and early validation

¹¹ The Annual Survey of Jails in Indian Country is a series which was begun in 1998 by the United States Bureau of Justice Statistics to examine data on all adult and juvenile jail facilities and detention centers in Indian reservations, pueblos, rancherias, and other Native American and Alaska Native communities throughout the United States.

samples for many popular assessment tools consisted of mostly white males, which may call into question their accuracy in predicting recidivism for other offender populations, including minorities and females.

These differences are of particular concern in areas of the country with large minority offender populations, where currently available correctional tools have not been validated for the specific population, or where culturally-relevant versions are not readily available. Best practices urge departments using a risk and need assessment to norm and validate their assessment tool and disaggregate results by race and ethnicity to ensure that it accurately predicts recidivism for all offender groups.

Historical and Cultural Context Considerations

Hispanic Historical and Cultural Context

The Hispanic experience in the United States is one that is characterized by important factors including language, class, and identity. Being monolingual Spanish-speaking, having been raised in a comparatively poor community, and feeling discriminated against based on Hispanic identity are factors that researchers recognize as components of the Hispanic experience in the United States (Castro, Harmon, Coe, & Tafoya-Barraza, 1994). This is not to suggest that the Hispanic experience is a homogenous one, however. Despite the fact that Hispanics come from 26 nations with significant differences among language, economic resources, status structures, and customs, researchers have noted a tendency by social workers to generalize characteristics that are assumed to be shared among subgroups, with a particular tendency to focus on Mexican American, Puerto Rican and Cuban attributes (Castex, 1994). Hispanics comprise a diverse racial group, and there has been little discussion of these differences and similarities and how they may affect the provision of services. Within the broader Hispanic ethnicity, Mexicans have been in the United States longer than any other Hispanic subgroup following the Mexican War (1846-1848); for many Cubans, their migration to the United States was prompted by their choice to flee a communist government (US DHHS, 2001). Furthermore, many immigrants from Central America experience war-related trauma, are at high risk for post-traumatic stress disorders, and are not recognized as political refugees (US DHHS, 2001). The diversity experienced in the various countries of origin and the experiences of immigration and adjusting to a new way of life require a greater contextual understanding of Hispanics as a multilayered, heterogeneous cultural group.

Acknowledging that there are many differences between Hispanic subgroups, researchers have attempted to describe some of the traditional values that are common throughout the Hispanic World. Galanti (2003) described traditional Hispanic values in terms such as:

- Familismo, or the primacy of the family unit, described as “loyalty, reciprocity, and solidarity within the immediate and extended family” (p.181);
- Self-care, or lack thereof, is described as a conflict of American values as family members may “interfere” by “doing things for [individuals]” (p.182);

- Personalismo, or having intimate, personal relationships, may be expected in many Hispanic cultures; and
- Machismo and patriarchal authority are two key features of male roles in Hispanic culture. While machismo may derive both positive and negative connotations, it “dictates that men are expected to behave valiantly to protect the honor and welfare of their families” (p.183).
- In addition, marianismo and modesty are features of traditional female roles in Hispanic culture. Similar to machismo, marianismo may also derive both positive and negative connotations, but implies women’s role as nurturing, self-sacrificing, and pious (Galanti, 2003).

Apart from individual cultural characteristics, some studies have reported on Hispanic culture’s impact on behavior as documented in Hispanics’ lower levels of seeking social services due to avoidance of immigration and social service policies (Wirth & Dollar, 2004). Instead, some research has noted that Hispanics are more likely to seek advice from trusted family and community members than service professionals (Briones, Chalfant, Roberts, Aguirre-Hauchbaum, & Farr, 1990).

American Indian Historical and Cultural Context

The American Indian historical context is informed by a series of generational traumas which include forced assimilation, loss of tribal sovereignty, destruction by European infectious diseases, and discriminatory social policy (US HHS SAMHSA, 2009). One critical example of discriminatory social policy came in the form of off-reservation boarding schools during the period between 1868 to 1950, which forcibly removed American Indian children from their families and tribal lands to enroll them in boarding schools intended to expedite assimilation into mainstream American society, and to “kill the Indian, save the child” (US HHS SAMHSA, 2009). Children were forbidden from speaking their native tongue, and forced to cut their hair and to wear clothing that was reflective of their white, European counterparts. Many children were removed from their home, not to return until years of schooling had been completed. Upon return to their tribal land, many children were unable to communicate with family members and many of the tribal ways had been removed from memory. This forced assimilation left multiple generations of American Indians without role models and without their cultural elders to teach them the values and morals from their native heritage. Some authors have theorized that the historical loss of these values and lessons from their cultural background may contribute to the absence of protective factors, which are those things that may inhibit the effect of risk factors (Pridemore, 2004).

Despite the distresses experienced by American Indians, a preservation of traditional values continues to exist in each unique tribe’s distinct culture, history, and separate languages. Some researchers have compared what have been deemed traditional American Indian values with conflicting European values (Garrett & Garrett, 1994). Table 1-4 below illustrates this comparison:

AMERICAN INDIAN	EUROPEAN/MAINSTREAM U.S.
▪ Sharing	▪ Saving
▪ Cooperation	▪ Domination, competition, aggression
▪ Being	▪ Doing
▪ The group and extended family	▪ Individualism and nuclear family
▪ Noninterference	▪ Winning as much as possible, “clock watching”
▪ Harmony with nature	▪ Mastery over nature
▪ A time orientation toward living in the present	▪ A time orientation toward living for the future
▪ Preference for explanation of natural phenomena to the supernatural	▪ A preference for scientific explanations of everything
▪ Deep respect for elders	▪ Reverence for youth

Source: Garrett & Garrett, 1994, p.135

In many ways the American Indian traditional values described above are in direct opposition to “mainstream” values. For some American Indians, this opposition has led to them feeling like they live in two worlds (Fahey, King & Kane, 2011).

Cumulative Needs

Both Hispanics and American Indian ethnic minority populations face high level of adversity, including mental health issues, substance abuse, low education attainment levels, unemployment, and lack of affordable housing (US DHHS, 2009). These factors may need to be addressed, along with criminogenic needs, in order to more effectively supervise these populations.

Research has demonstrated multiple contextual factors that may influence Hispanics’ involvement with the criminal justice system, including that they are more likely to be low-income, be less educated, live in poverty, and experience higher rates of housing hardship than the general population (The Sentencing Project, 2003). In addition to these difficulties, Hispanics experience cultural and language differences, immigration barriers, and racism.

Similarly, factors that may affect American Indians’ more than other populations are higher levels of poverty, substance abuse, and physical and mental health problems. American Indians also experience higher rates of morbidity than whites due to alcoholism (770 percent higher than whites) and suicide (190 percent higher than whites) (National Alliance for Mental Illness, 2003).

The American Indian population also underutilizes mental health and other services and have high therapy dropout rates (NAMI, 2003). Researchers noted that discomfort with the interview process was a major reason why detainees were not candid in answering questions about health and the use of alcohol and drugs (US DOJ, Office of Justice Programs, 2005). This discomfort can become heightened as differences between clinician and client are magnified by different worldviews (Dana, 2005).

Culturally Competent Practices

Counseling research has shown the importance for professionals in multicultural settings to develop cultural knowledge and awareness and then adapt practices and skills to effectively help clients (Straussner, 2002; Pedersen, 2003; Chung & Bernak, 2002). This approach is not defined by the maintenance or establishment of diversity in staffing. A useful definition of cultural competency in this context is:

A set of congruent behaviors, attitudes, and policies that come together in a system, agency, or among professionals that enable them to work effectively in cross-cultural situations. Cultural competency is the acceptance and respect for difference, a continuous self-assessment regarding culture, an attention to the dynamics of difference, the ongoing development of cultural knowledge, and the resources and flexibility within service models to meet the needs of minority populations (Cross, Bazron, Dennis, & Isaacs, 1989).

Davis (1997) also defined cultural competency as:

the integration and transformation of knowledge, information, and data about individuals and groups of people into specific clinical standards, skills, service approaches, techniques, and marketing programs that match the individual's culture and increase the quality and appropriateness of [services] and outcomes.

The key features of these definitions are that cultural competency is not an immutable fact that can be learned, but is a combination of approaches, skills, and behaviors.

Basic Competency Areas

Correctional assessment tools comprised of mostly static information, like those of the second generation, can be gleaned from a case file and require minimal training of staff. Third and fourth generational tools, however, which incorporate both static and dynamic factors, require that staff are trained to perform a skillful, well-structured interview (Austin, 2004). Interviews with minority offenders require an officer who can generate a variety of responses to every situation or problem based on multicultural knowledge and awareness, with special attention given to communication styles, customs, and cultural heritage (Pederson, 2003; Holsinger et al., 2003).

Some have argued that there are some essential areas of knowledge, skills, and attributes in developing cultural competence. These include knowledge of:

- Individuals' culture (history, traditions, values, family systems, artistic expressions)
- The impact of racism and poverty on behavior, attitudes, values, and disabilities
- Help-seeking behaviors of ethnic minority individuals
- Roles of language, speech patterns, and communication styles in different communities
- The impact of the social service policies on people of color

- Resources (i.e., agencies, persons, informal helping networks, research) available for ethnic minority families and communities
- How professional values may either conflict with or accommodate the needs of families from different cultures
- How power relationships within communities or institutions impact different cultures (National Alliance on Mental Illness, 2004)

Examples of cultural competence skills include:

- Processes for learning about the culture of other ethnic group
- Ability to use cross-cultural communication techniques and strategies
- Openness to discussing racial and ethnic differences
- Ability to recognize and react to culturally based signals
- Ability to judge the importance of ethnicity for individual clients and their families (National Alliance on Mental Illness, 2004)

Organizational training and education on effective communication styles is also an asset to building relationships with clients, particularly as “the ways of expressing ourselves have been influenced by the culture in which we were raised. These styles can vary dramatically for people from other backgrounds” (NAMI, 2004). Culture can impact communication in a myriad of ways. Examples include:

- **Personal Space:** the distance at which people may choose to stand apart to conduct a personal conversation may vary greatly across cultures.
- **Interruption and Turn-taking Behaviors:** In some Western cultures, conversation is structured primarily into turns, with parties alternating speaking. Other cultures may be more accustomed to parties speaking at the same time, which requires different listening skills.
- **Gesturing:** The use of hand and arm gestures in conversation can vary greatly cross-culturally. In some Western cultures, excessive gesturing can sometimes indicate excitement while in other cultures this may be the norm.
- **Facial Expression:** Interpretation of facial expression may also vary greatly. Some cultures may present a very flat affect or minimal facial expression while others may be very expressive.
- **Eye Contact and Feedback Behaviors:** Interest in the conversation in Western culture is typically communicated through eye contact, leaning forward, and other behaviors including smiling and nodding. In some cultures, avoiding eye contact or more passive participation in the conversation may be a method for conveying respect or deference.
- **Silence:** Some cultures are more tolerant of silent periods in conversation. Some people may feel uncomfortable during silence and may seek to fill the void with conversation.
- **Dominance Behaviors:** Behaviors which communicate dominance or disapproval including prolonged eye contact, stiff posture, hand on hips and head held high can vary in other cultures.

- **Volume:** Speaking volume can vary greatly within and across cultures. In some cases, it may seem as if a person is yelling when in fact they feel they are communicating normally. This can contribute to irritation or frustration in the conversation if the other party is not aware.
- **Touching:** Norms regarding the acceptance of touching vary greatly. In some cultures, touching or standing close to a person is quite normal, while some people may interpret such behavior as rude or inappropriate. (NAMI, 2004)

Competency strategies include adapting practice skills to fit the client's background; reaching out to resources within the client's community (Straussner, 2002); having empathy for possible trauma caused by historical background, immigration, oppression, and discrimination (Chung & Bernak, 2002); and knowledge of the client's culture (Pederson, 2003). Possessing knowledge of a client's culture could help correctional staff understand that cultural factors may dictate, for example, a Hispanic offender's late arrival to appointments and close body positioning, and an American Indian offender's value for silence and reflection, or the tendency of both to use low-key and indirect communication (Sue & Sue, 1999).

Ethnic/Cultural Match

Research suggests that using culturally competent strategies may improve the effectiveness of correctional assessments for minority populations. Such strategies may include matching the race or ethnicity of the staff to the offender, and training staff on specific cultures represented, and cultural norms exhibited, within the offender population (Holsinger et al., 2003; 2006). Researchers have noted that due to historical trauma from imposed acculturation, some American Indians may distrust White professionals (LaFromboise & Dixon, 1981; Morrisette, 1994). A survey of American Indian women living on a reservation found that the women prefer staff that are ethnically similar and culturally sensitive, and the preferences were stronger among women who were more committed to their American Indian culture (Bichsel & Mallinckrodt, 2001). Another study compared outcomes for American Indian youth entering standard inpatient drug and alcohol treatment to inpatient treatment based on a culturally responsive model. The latter provided cultural and traditional services such as sweat lodge ceremonies, the study of individual tribal histories, wilderness outings, native crafts, drumming and singing, relaxation therapy, access to spiritual elders, as well as enhanced interventions with family members. Results from the study indicated a correlation between culturally responsive treatment interventions and higher participation rates and levels of abstinence from drugs and alcohol (Boyd-Ball, 2003).

Ethnic matching is considered by some to be a component to providing culturally responsive services to Hispanic clients, based on the assumption that ethnically-similar staff are familiar with cultural considerations, increasing client trust in the professional. Several studies have found that ethnic matching increased Hispanic client participation and improved outcomes of mental health services for adolescents (Yeh, Eastman, & Cheung, 1994; Gamst, Dana, Der-Karabetian, & Kramer, 2004). Some authors further argue that culture can serve to reduce the negative impact of adversity on these populations (Castro, et al., 1994). Some studies have illustrated that through ethnic matching, Hispanic staff used different approaches with Hispanic clients than non-Hispanic clients, such as making phone calls to clients after missed appointments, providing more outreach to clients before closing cases, and

obtaining more personal information (Manoleas, Organista, Negron-Velasquez, & McCormick, 2000). These behaviors create impressions of *personalismo* and trust, two characteristics that have been shown to be important among the Hispanic population (Manoleas, et al., 2000; Galanti, 2003).

When given a choice, some American Indians have shown the propensity to seek out native services and prefer native traditions such as sweat lodge ceremonies, spiritual healing, and herbal remedies (Marbella, Harris, Diehr, Ignace, & Ignace, 1998). Some researchers have reported that some American Indian communities distrust mental health services operated by the general population because some services are perceived as lacking traditional spiritual and cultural practices (Allen, LeMaster, & Deters, 2004). However, practitioners are cautioned not to generalize spirituality to all American Indian people as “this romantic stereotype can be just as damaging as other more negative stereotypes” (US HHS SAMHSA, 2009). Another complicating factor may be the underestimation of the number of persons who consider themselves to be Native American in correctional institutions (Abril, 2003). Some programs are responding by integrating cultural ceremonies and events into interventions, with a focus on family involvement (Fisher & Ball, 2002).

Linguistic Capacity

Culturally responsive strategies for working with American Indians include staff training in cultural awareness and understanding (LaFromboise, Coleman, & Gerton, 1993). With regards to Hispanic offenders, difficulty with the English language, general lack of knowledge about or distrust of the criminal justice system, and an unwillingness to cooperate with authorities out of fear of deportation should be considered (McGovern, Demuth, & Jacoby, 2009; Brennan & Spohn, 2008). It is important for all correctional staff to be able to effectively communicate with all offenders, but particularly with the newly emigrated offender populations. Optimal communication via same-language or bilingual interviews with few interpreter errors have shown to increase the client’s satisfaction with a health or mental health professional, which may improve outcomes (Peifer, Hu, & Vega, 2000; Flores, 2005; Perez-Stable, Naapoles-Springer, & Miramontes, 1997).

Validity and Reliability of Assessment Tools for Hispanic and American Indian Populations

While it is important that assessment tools have a theoretical basis and are supported by data, it is also key that the assessment tool administered is valid and reliable. Validity for a risk assessment tool captures whether the tool accurately measures risk. Reliability refers to the consistency of results when administered to offenders with similar characteristics or when administered by different staff (Holsinger, Lurigio, & Latessa, 2001). Reliability and validity of an instrument are generally incorporated during the tool development process through tests on multiple populations under varying conditions or measuring against an external data source purporting to measure the same thing. In addition, to achieve a reliable and valid assessment across all populations, two characteristics need to be present: 1) assessment tools need to be racially and ethnically unbiased; and 2) assessment practices need to be culturally responsive (Villareal & Walker, 2002).

While correctional assessment has evolved from clinical to actuarial assessment, a significant gap remains in well-constructed studies that offer consistent validation of different assessment tools as they pertain to use on nearly any ethnic, racial, or cultural subgroup, including Hispanic and American Indian individuals. Common practice assumes that risk and need assessment tools are applicable for use with all offender populations, including minority groups; however, it is important to note that most correctional assessment tools were validated on male, Caucasians (Lindsey, 1998; Schlager & Simourd, 2007). Holsinger et al. (2003) noted that “[t]here exists widespread concern regarding the reliability (and validity) of objective standardized risk-need assessment instruments applied to specific (nonmajority) populations.” Many agencies buy or adapt assessment instruments that have been developed on populations that may not reflect the attributes of their own. Research has indicated that within universal classification systems it is unlikely for a single instrument to have universal applicability (Smykla, 1986; Wright, Clear, & Dickson, 1984). Therefore, researchers urge institutions and agencies to conduct inter-rater reliability and validity tests on their own population (Holsinger, et al., 2001), particularly when a jurisdiction has a higher than average representation of a particular subgroup of the general population (Holsinger, Lowenkamp, & Latessa, 2006).

The validation issue presented itself on an international scale in the form of the question of whether these assessment instruments--originally validated on non-Aboriginal offenders--could be comparable across Aboriginal groups (Rugge, 2006). Rugge’s (2006) research illustrated that, despite the abundance of research challenging cross-cultural validity of correctional tools, the “majority of risk factors are applicable to male Aboriginal offenders” and that the Statistical Information on Recidivism (SIR) and Level of Service Inventory-Revised (LSI-R) instruments “are equally valid and predict recidivism equally well for male Aboriginal offenders, even though they were designed on non-Aboriginal populations” (p. i). Nonetheless, the issue of assessment tool validity and the demographics of offender populations pose serious questions on whether available assessment tools are reliable and valid for ethnic minority offender groups in ways that these tools have been deemed reliable and valid for the population of adult, White, male individuals. The lack of consensus in this arena indicates that further research is warranted.

Two of the most recognized actuarial assessments are the third generation tools the Wisconsin Client Management Classification System (Wisconsin) and the Level of Service Inventory (LSI) (Andrews, et al., 2006). A national survey of probation and parole agencies conducted by the University of Cincinnati (Hubbard, et al., 2001) found that the Wisconsin instrument was the most commonly used instrument and the Level of Service Inventory (LSI) was the second most commonly used instrument. The next two sections present a brief overview of these two tools, related validation studies, and use with minority offender populations.

Wisconsin Client Management Classification System

The Wisconsin classification system emerged from the Wisconsin Department of Corrections in 1975. It originally consisted of a risk scale that included static factors and a need scale that included dynamic factors. This instrument was used in combination with case management strategies, such as

matching offenders to programs and providing supervision strategies, and was designed to be user-friendly for any administrator.

Early studies on the Wisconsin risk and need assessment found its application for supervision decisions was effective in reducing recidivism and increasing employment for high-risk probationers, and a separate study found that its proper application reduced recidivism for medium and high-risk parolees (Lerner, Arling, & Baird, 1986). In a later study, Harris (1994) found that the Wisconsin system successfully predicted risk and minimized false positives (i.e. probationers incorrectly identified as high-risk) among Texas probationers of which 31 percent were Hispanic.

Level of Service Inventory

The Level of Service Inventory, a third generation correctional assessment instrument, was developed in 1982 by Donald Andrews as an interview-based assessment instrument that provided a risk assessment component but also identified some areas of need that could be used toward treatment planning (Clements, 1996). Currently, the most commonly used version of the Level of Service Inventory is the Level of Service Inventory-Revised¹² (LSI-R), revised by Donald Andrews and James Bonta in 1995. This instrument consists of 54 questions in 10 different domains including 1) criminal history, 2) education and employment, 3) financial, 4) family and marital relationships, 5) accommodation, 6) leisure/recreation, 7) peers/companions, 8) alcohol/drug problems, 9) emotional/mental health, and 10) attitudes/orientation (Andrews & Bonta, 1995; Holsinger, et al., 2003).

The LSI-R combines identification of risk and needs into one instrument and has been found to be one of the best available instruments in terms of predicting risk (Latessa, 2003-2004; Hanson, 2005). However, several studies have demonstrated that the LSI-R predicts risk and need differently across racial and ethnic populations. One study found significant differences between American Indian and non-American Indian offenders in the overall composite risk score and in seven of the ten domains of the tool, concluding that, among other possible causes, “there could be a need to modify current correctional options in order to make them more responsive to the cultural differences of the Native American population” (Holsinger et al., 2003). In another study, the instrument was found to have more classification errors for African Americans than for either Whites or Hispanics (Whiteacre, 2006).

Validity research on the LSI-R using a sample entirely comprised of African American and Hispanic populations resulted in predictive validity lower than previous studies on the instrument, prompting the researchers to encourage further investigation of the LSI-R on minority offender populations (Schlager & Simourd, 2007). Other research on the predictive validity of the LSI-R found disparity between White, African American, and Hispanic offenders, prompting researchers to conclude that not only further research in other populations is needed, but so is an examination of the risk and needs factors that predict recidivism for specific populations (Fass, et al., 2008).

¹² The Level of Service Inventory, a proprietary assessment tool, was first developed in Canada in the 1970s. The instrument was revised in the 1980s and consists of its 54-items as they are in current use today.

Conclusion

The use and delivery of appropriate assessment tools provides key information that is paramount to the identification of interventions and supervision level that matches the risk and needs of these offenders, particularly for Hispanics and American Indians who are significantly overrepresented in the United States criminal justice system. In a roundtable of experts convened in 2007, advisors to the project provided a series of recommendations and observations, including:

- “There have been relatively few studies examining the utility of risk assessment tools with minority populations;
- Respecting different cultural norms is critical to an effective assessment interview;
- Language of assessment tools have different meanings to different cultures; and
- More attention to the responsivity principle will lead to more accurate assessment of risk and need and improved engagement in treatment and service assignment” (CJI Cultural Competency Team, personal communication, August 2007).

Despite the introduction of the responsivity principle and wider adoption of fourth-generation risk-need assessment tools and approaches, culturally competent assessment practices have received little attention in the area of criminal justice while culturally competent assessment practices have been mandated by other professions. For example, the American Psychological Association has required culturally competent assessment practices for clinical work since 1992, and components of practice for mental health practitioners include the use of a culturally acceptable service delivery style, appropriate language skills, delineation of cultural identity status prior to services, and knowledge of culture-specific tests (Dana, 1995). Correctional professions have yet to widely implement such standards, but correctional assessment continues to progress as it further incorporates responsivity into the assessment of offenders’ risk levels and needs. Ensuring that services and programs provide minority populations with an equal opportunity to succeed—to avoid reoffending—should be a goal of our nation’s criminal justice policy makers and practitioners.

Chapter 2: A snapshot of competency and assessment in probation and parole

Introduction

In August 2007, the Crime and Justice Institute at Community Resources for Justice brought together a diverse group of criminal justice professionals, practitioners, researchers, and cultural experts to discuss the implications of demographic and cultural factors in corrections assessments. The meeting served as the kick off for the research project that involved three interrelated stages:

- 1) A survey of existing post-adjudication general recidivism assessment tools to determine availability, strengths and weaknesses, and suitability when administered to American Indian and Hispanic/Latino correctional client populations within targeted state and tribal agencies.
- 2) The identification of key cultural components for both the American Indian and Hispanic/Latino populations to ascertain if these cultural aspects are present in the existing assessment tools in order to guide the development of more culturally sensitive and effective instruments for the specific needs of the sub-groups.
- 3) The testing of questions, methods, or procedures which may increase the effectiveness and/or accuracy of assessment tools for American Indian and Hispanic/Latino correctional client populations.

The moderated discussion highlighted many issues that shaped the scope of work of the project, guided the design, and built important relationships with experts who contributed greatly throughout the project. The roundtable participants viewed and gave presentations which addressed the evolution of risk assessment, principles of effective intervention, responsivity approaches, and the cultural groups themselves, providing information on the history and prominent cultural elements for the American Indian and Hispanic populations.

Participants also observed a role-play interaction demonstrating two scenarios involving a clinician interviewing an American Indian, female client using an actuarial risk assessment interview guide: one which demonstrated an interaction that showed limited ability to understand the culture of the offender and in which the officer did little to elicit more information; and a second in which the officer showed greater understanding of cultural differences and demonstrated a better ability to elicit complete responses.

Experts were asked to discuss some ways in which cultural differences could impact risk and needs assessment for the two cultural groups. In particular, the group concentrated on two domains, family and substance abuse, that had been previously identified as domains that may impact these two groups differently from others. For American Indians, the group reached the following conclusions:

- Questions relating to family and parents should be expanded to acknowledge the prevalence of surrogates and extended family;
- There should be questions related to tribal affiliation or identification with clans;
- Questions regarding family criminal history do not account for whether or not the issues have been successfully resolved;
- Questions regarding alcohol abuse should not rely on “frequency” as a reliable measure.
- Questions should be asked to assess protective factors;
- Respect is important;
- Arguing is generally viewed differently by American Indians; the resolution is to leave the situation rather than argue;
- Questions regarding family ‘business’ and spirituality are private; and
- Questions should address support networks.

The group that focused on Hispanics observed:

- Many questions are considered private and would be hard for a Hispanic person to answer honestly;
- A Hispanic male would probably answer “No” to any yes/no questions because saying yes might imply admitting weakness or needing help, which are against Hispanic male cultural values;
- The term “unwanted pregnancy” would be considered differently by a male or a female; it may be better to use the term “unexpected” or “unplanned”;
- The word “argue” is ambiguous; many Hispanic women would not use this word and would more commonly use the word “disagreement”;
- There should be more questions regarding the influence of extended family;
- Questions regarding marriage do not strongly relate because many people within the culture have children without being married or in a relationship;
- It might serve the client to have a question such as, “In times of trouble, who do you turn to for help?”; and
- The definition of an “alcohol problem” is very individualized,. Alcohol is highly involved in social events, so some offenders may not see its consumption in excess to be an issue.

Recommendations made by the group included gathering information directly from the stakeholders (e.g. probation and parole agencies, supervisory and frontline staff, and American Indian and Hispanic correctional clients) and conducting a more-intensive review of the data to determine whether or not culture plays a role in the scoring of assessment instruments.

Following the recommendations from the Roundtable group, the research team decided to administer a survey to probation and parole agencies in order to better understand the variety of practices and policies regarding assessment and responsivity with various cultural populations. This section will review the methodology and results of that survey.

Survey design and administration

The project team designed and administered a survey, beginning in April of 2008, to the nation's probation and parole agencies. A list of 1,201 agencies was obtained from publicly available sources including lists published by the American Probation and Parole Association, Bureau of Justice Assistance, and information available on state's websites. The survey was available in both electronic and written formats.

The goal of the survey was to learn more about current assessment and related practices as they pertain to Hispanic and American Indian clients. The survey asked about agency organizational factors (e.g., region, size) and agency practices (e.g., assessments used, types of staff training). A total of 209 out of 1,201 recipients responded to the survey, primarily from small, rural, locally run agencies. The survey itself contained approximately 73 items and covered the following domains: characteristics of the agency, characteristics of clients, use of pre-service risk and need assessments, specialized assessment use and responsivity considerations.

Concerned that the length of the survey had adversely impacted the response rate, the project team decided to re-administer an abbreviated version of the survey to all non-responding agencies, again in electronic and paper formats. In addition to electronic reminders, postcards were sent to all non-responding agencies. With the help of these efforts, the study team received an additional 182 responses, for a total of 391 responses or a 33 percent response rate. The project team acknowledges that this may have biased results and that the responding agencies do not constitute a sample of national corrections agencies. All results described below are descriptive of only the subset of responding agencies. Copies of both surveys can be found in Appendix A.

Out of the 391 completed surveys, 85 agencies did not use any assessment tool. Participation in the latter stages of the project requires the use of a risk and need tool in order to determine if there are any differences in scoring or outcomes for Hispanic and American Indian offenders when compared to the general population. Because the survey was to serve as a screening tool, in addition to collecting information about the scope of practices pertaining to working with Hispanic and American Indian offenders, the analysis that follows will exclude those agencies that did not use a risk and needs assessment. If a department conducts no risk and needs assessment at all, concerns regarding responsivity for these populations are secondary. A good place to start for these agencies would be the implementation of a validated assessment tool. Removing the agencies that do not conduct any assessment from the subset leaves a total of 306 agencies¹³.

¹³ Some tables may not total to 306 due to missing values.

Survey results

By region¹⁴, the Midwest was the most represented region of the country while the least represented was the Northeast. The majority of responding agencies were classified as local (i.e., county or district rather than state or federal). Only three tribal supervision agencies responded to the survey. The South contained the most federal and state agencies, and the fewest local agencies. The South and West had the highest percentages of Hispanic clients, and the Midwest had the highest percentage of American Indian clients.

There was great variation in terms of department size, however most respondents reported that they serve a relatively small number of offenders each year. The average number of client intakes was about 5,000, with about half of all agencies having fewer than 1,000 client intakes in 2007. The average daily population was about 6,800, with about half of all agencies supervising fewer than 1,000 clients a day in 2007. Federal agencies had a significantly lower average population than both State and Local agencies, and Tribal agencies were the smallest by a large margin. Agencies in the Midwest had a significantly lower average population than the South and West.

	n (%)	mean 2007 Intakes	mean 2007 Average
<i>Agency Type</i>			
Federal	20 (6.6%)	5,017	6,815
State	42 (13.8%)	1,081	1,275
Local	240 (78.7%)	23,731	34,174
Tribal	3 (1.0%)	183	179
<i>Geographic Location</i>			
Northeast	48 (15.8%)	6,951	9,488
Midwest	124 (40.8%)	2,175	3,037
South	76 (25.0%)	7,088	10,182
West	56 (18.4%)	6,812	8,490

¹⁴ States have been divided into four regions according to those used by the Bureau of Justice Statistics. For more information, please see <http://bjs.ojp.usdoj.gov/content/pub/pdf/ppus09.pdf>.

Most agencies that use an assessment tool use a standardized risk assessment tool or a tool that is modified from a standardized tool and not a tool that they created themselves. About a third of agencies use the Level of Service Inventory – Revised (LSI-R) as a risk assessment tool, and over half of all agencies used either the LSI-R, the Correctional Assessment and Intervention System (CAIS)¹⁵, or Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) risk assessment tools. Six agencies reported that they used a Hispanic or Native American specific assessment tool¹⁶, and only about fourteen percent had ever validated or normed their tool for their population.

Table 2-2: Assessment tool information		
	N	%
<i>Standardized Risk Assessment Tool</i>		
LSI-R	103	33.7%
CAIS	46	15.0%
COMPAS	29	9.5%
Other	128	41.8%
<i>Race Specific Tool</i>		
No	299	98.0%
Yes	6	2.0%
<i>Assessment Tool Validation</i>		
No	263	85.9%
Yes	43	14.1%

With respect to working with Hispanic and American Indian offenders, it was much more common for agencies to have experience working with Hispanic clients. Reporting agencies averaged about 16 percent Hispanic clientele. Over half of respondents reported having between one percent and ten percent Hispanic clients. The survey also asked about the racial and ethnic composition of staff. Hispanic representation among staff lagged slightly behind that of clientele; agencies averaged almost 11 percent Hispanic staff, and almost eight percent of staff spoke Spanish. There was a significant positive association between the percentage of Hispanic clients and the percentage of Hispanic staff.

It was much rarer for agencies to report that they worked with American Indian clients. The total number of American Indian clients averaged about 3.5 percent, and almost 50 percent had no American Indian clients. Agencies averaged about one percent American Indian staff. There was also a significant positive association between the percentage of American Indian clients and the percentage of American Indian staff, indicating that sites that serve larger percentages of American Indian offenders are more likely to have greater numbers of American Indian staff.

Many responding agencies reported that they collect data about the specific characteristics of a client that could be used to make programming and treatment decisions more responsive. Nearly a

¹⁵Also known as the Wisconsin Assessment.

¹⁶ When respondents were asked to provide information about the name of the tool, only 3 responded. Responses included “Spanish SASSI” and “COMPAS in Spanish”.

quarter of responding agencies gathered information on a client’s religious preference, while about 60 percent gathered information on their language preference. A majority of agencies assess a client’s race or ethnicity through client self-identification, through background files, or a through a combination of both. Many agencies also make an effort to ensure that their staff are sensitive to cultural differences that they may encounter in the client population. About 65 percent of all agencies had some sort of general cultural competency training, although few had Hispanic or American Indian-specific training.

Table 2-3: Agency assessing practices, strategies, and training		
	n	%
<i>Assessing Practices</i>		
Gather religious preference	72	23.8%
Gather language preference	183	60.0%
<i>Assessing Strategies^a</i>		
Client self-identification	218	71.2%
Employee identification	56	18.3%
Background file information	119	38.9%
Other means	10	3.3%
<i>Cultural Competency Training</i>	200	65.4%

^a Categories are not mutually exclusive.

While there were serious limitations to the survey, in terms of design and administration, it did permit the study team to learn something about the agencies that responded: most agencies used a risk and need assessment tool; most had not validated that tool; the most common tools were the LSI-R and “the Wisconsin”; most agencies collected information on language preference; and over half of the reporting agencies said they did some type of cultural competency training.

The next two chapters will describe the research team’s efforts to learn more about the practice of assessment with Hispanic and American Indian offenders in five sites selected to participate in the research.

Chapter 3: Insights from Experts, Community Corrections Staff, and Clients

Introduction and cultural competency teams

A key element in the research plan was collecting qualitative information from those who work with the targeted populations and the target populations themselves. The first method for collecting information was convening groups of experts in Hispanic and American Indian culture. The second method for gathering qualitative data was through facilitated, structured focus group sessions with community corrections staff and clients.

Two groups of experts, or Cultural Competency Teams (CCTs), assisted the project team with determining what cultural responsiveness with the targeted populations might resemble. One key element identified by the CCTs was the importance of identifying probationer and parolee 'strengths' that may serve as protective factors, or those things that reduce the impact of criminogenic risk factors. According to the cultural experts, identifying strengths may be more important with these populations, in which cultural attachment may serve as a protective factor.

CCTs identified key elements of their respective cultures. For Hispanic offenders the following list of cultural characteristics was seen as important:

- A shared sense of the experience of colonialism
- Responses to authority that may reflect the fact that historically most Hispanics have been conquered militarily
- Comfort with physical contact and closer physical proximity in everyday social interactions
- The important role of food in Hispanic culture and its role in defining regional subgroups which describe social identity
- The importance of privacy, especially in relation to the family and stoicism (or 'passive machismo') which might tie into distrust of authority and a shared history of subordination
- Polarization of gender roles and traditional machismo
- As opposed to male Hispanic values, female values of openness, friendliness

Key elements of American Indian culture identified by the CCTs include:

- Pride in their heritage
- Strong cultural identity
- Historically aware of the impact of colonization and cultural repression. This may lead to a strong desire to protect values from outside influence.
- Many American Indians have lost their language, which contributes to a sense of fear regarding language.

- Traditional cultural values including carrying a medicine bundle, using sweetgrass, and participating in powwows and other ceremonies
- Spiritual expression in everyday life. For example, some Navajo will rise early in the morning to make sure one is engaged in nature.
- Importance of privacy. American Indians can be standoffish prior to developing trust but this can vary by age and generation.

While the groups identified these characteristics, they were not able to demonstrate precisely how these factors might impact the assessment and supervision process. However, they did feel that many of these characteristics have broad implications in many social interactions and in particular in interactions with authority figures.

Focus group methodology

The purpose of the focus groups was to gather information from community corrections supervisors, officers, and offenders about the process of assessment and supervision. Five sites were selected, based on their responses to the survey, for variety in cultural competency practices and geographic diversity. In sites that had both offender cultural populations, two focus groups were conducted with each offender population. In sites that had significant proportions of a single offender cultural population, three offender focus groups were conducted. A single focus group was conducted with officers and a single group was conducted with supervisors in each site. As a result, the study team conducted up to six focus groups per site.

In some sites, officers and supervisors were randomly selected or all officers from the area were invited. In other sites, specific officers were selected by the department to participate in the focus groups, usually because they had extensive experience working with the offender groups in question. The process for selecting offenders differed in that sites provided the research team with a list of offenders who met the project criteria. Offenders were then selected to receive an invitation to the focus group and asked to confirm their intention to attend.

The sessions were typically between an hour and an hour and a half. Offender participants were recruited by obtaining a list of actively supervised individuals who were in one of the study's ethnic populations. For ease of analysis and to enable offenders to feel more comfortable speaking about their cultural experiences, focus groups were homogenous by cultural population in sites that had both American Indian and Hispanic individuals. Offenders were provided with a gift card as incentive to participate. Officer and supervisor participation was voluntary, but the focus groups tended to attract officers and supervisors that had substantial experience working with the relevant offender groups.

Focus groups followed a protocol, with a single facilitator responsible for asking questions. All groups were recorded for transcription at a later date. In addition to recording, at least two note takers were present at all focus groups to ensure that any material that was inaudible on the recording was captured and to act as a failsafe in the event of equipment failure. While the content of the focus groups

varied depending upon the participants, there was a great deal of overlap. Offender focus groups discussed the participants' cultural upbringing, interactions with community corrections, and ethnic stereotyping witnessed or experienced. Supervisor focus groups included questions about the participants' cultural perspective, cultural competency training, client-worker rapport, assessment and supervision planning, and staff characteristics. Officers were asked many of the same questions as supervisors as well as a series of questions pertaining to the risk assessment and supervision practices within their agency. Copies of the focus group protocols are included in Appendix B.

The following section summarizes the focus group discussions. All opinions described here are those of the participants. On occasion, focus group participants shared opinions or stated facts that are not supported by the evidence. In some rare instances, the project team has felt it appropriate to indicate that these opinions are not supported by the facts or that they may be erroneous.

Cultural and linguistic barriers

To learn more about the specific characteristics of American Indian and Hispanic culture at the sites, all participants (i.e., offenders, supervisors/managers, and officers) were asked to identify cultural practices and the potential barriers they present while on probation.

A common characteristic that American Indian and Hispanic offenders shared was a strong sense of pride when speaking about their culture. For American Indian offenders, this pride often manifested itself in the way that they spoke about the traditional practices many were taught from a young age and, for some, still practice now. For those that grew up on reservations or tribal lands, participation in sweat lodges, ceremonies, initiations, church, powwows, and dances was common, as was the use of traditional medicines including tobacco, cedar, sage, and sweetgrass. Several offenders said participating in these traditions helps them stay sober and keeps them in touch with their spiritual and cultural traditions. Many offenders spoke about the pride and honor they felt about the opportunity to learn and practice their traditional ways. Many talked about being taught from a young age to respect all things, but especially elders, fellow tribe members, and the land. American Indian offenders discussed the importance of making future generations knowledgeable about their culture to ensure the traditions are carried forward through future generations. These feelings and sentiments were by no means unanimous, however. Several offenders discussed how disconnected they are from American Indian culture and traditions. Typically, these participants were not introduced to cultural practices until later in life and expressed disappointment that they were never given the opportunity to learn about their heritage at a younger age.

When Hispanic offenders discussed culture, pride was again a dominant theme. From an early age, they were taught to be proud of where they came from (e.g., Mexico, Puerto Rico, United States) and to never allow people to "look down on them" for who they are. An equally common theme with Hispanic participants was the importance of family. According to the participants, in Hispanic culture, the family, which is traditionally large, comes before everything. Privacy was another common theme that emerged in the Hispanic focus groups. Hispanic offenders shared that they were instructed not to share their "business" with others outside of the family, which may impact their willingness to fully

express their needs and challenges when speaking with community corrections officers. Language was also important to most Hispanic offenders; many grew up speaking the Spanish language and have passed it on to their children, although all offenders who participated in the focus groups spoke English. The final commonality among the Hispanic focus groups was a strong respect for authority.

According to officers and supervisors, when supervising and communicating with Hispanic and American Indian offenders, issues such as native language, comprehension, and dialect can become barriers for both parties. Officers indicated that language issues may arise with Hispanic offenders even when both parties speak Spanish fluently. As discussed in previous sections, the term Hispanic encompasses a wide variety of individuals and cultures and this variation has implications for language. One way that this can impact the departments involved in this study is that they may supervise offenders with various Spanish dialects. Officers have also observed dialect issues in the courtroom, especially when offenders are assigned an interpreter. While attending court, one officer stated, “I speak Spanish and I couldn’t even understand what the interpreter was saying [because of dialect differences].” Language barriers can also cause misunderstanding between officers and offenders, particularly when information gets lost in translation. For example, at one site, the probation department was holding a coat drive. An officer told one of their Spanish-speaking offenders to bring in what in local dialect would be ‘coat’. However, in the offender’s dialect, the same word meant suit, so that is what the offender brought. As probation and parole departments work to address language issues, there are times when officers have felt offenders are not always being honest when they say they have difficulty with English. According to officers, on certain occasions, when an offender has violated conditions, the individual may act as if he or she cannot speak English. However, the officers said that when they are compliant, the offender is capable of communicating in English fluently.

Lack of language-appropriate services can have a profound impact on offenders in all areas of the criminal justice system. When in court, English-speaking offenders can confer with their defense attorneys and may receive a better plea agreement as a result of the improved communication. Officers and supervisors report often observing Spanish-speaking offenders agreeing to their initial offer from the prosecutor. After they report to probation, Spanish-speaking offenders may be presented with numerous obstacles including not being assigned to a Spanish-speaking officer, the limited availability of Spanish-speaking aftercare services, and on-going delays during the assessment process. At two of the sites, access to Spanish-speaking programming, resources, and providers is limited and expensive. In some cases, offenders are required to personally pay for Spanish-speaking services, while English-speaking offenders pay little or nothing for the services they receive.

Comprehension and understanding issues were common with both populations. This was in spite of the fact that none of the officers or supervisors in the focus groups had encountered an American Indian offender who did not speak English. Some issues arise out of the cultural and legal differences between the geographic area where they previously resided and their current environment. Offenders who have emigrated from another country or spent most of their lives on a reservation may be unaware of differences in the law, especially regarding issues of domestic violence, disciplining their children, and driving while under the influence. On the reservation, the tribe may have jurisdiction over many minor crimes and penalties might be much less severe than in state court. Jurisdiction of crimes

on the reservation can vary state-by-state and can depend on factors including the race of the offender and victim (see, for example Fahey et al., 2011). Officers have had to educate offenders on the differences in the systems, including, in one site, that “if they get pulled over for a DUI on the reservation, the offense is ... a misdemeanor. On the other hand, if [they] commit the same offense three miles down the road, it will be a class four felony.” Similarly, some Hispanic offenders have emigrated from countries with much different laws and legal systems. An officer in one group gave the example of her experience with an immigrant offender who was on her caseload for domestic violence. To the offender, “it was not a big deal to physically abuse his wife, and he treated [the officer] as if [she] had no right to even supervise him.” Several officers discussed the differences between the drinking and driving laws in the United States and Mexico. When arrested for Driving Under the Influence (DUI), some Hispanic offenders are unaware they have committed an illegal act.

In addition to jurisdictional variations in the law, supervisors and officers also discussed the difficulties Hispanic and American Indian offenders must overcome to comprehend the United States legal process. According to one officer, “there is a lack of understanding on [the offender’s] part about what is expected of them.... What is a referral? What does that exactly mean? What [is the officer] talking about when [they] say inpatient? Does that mean [they] go live somewhere else?” In an effort to increase comprehension, officers work to identify the education level of the offenders to assist them in understanding the conditions of their probation. Probation and parole staff that participated in the focus groups saw culture and education as highly inter-related in the Hispanic and American Indian populations. According to officers, the education levels of these offender populations tend to be lower than average, requiring additional effort from the officer to ensure that the offender understands what is required from them. One officer gave the example of interacting with an American Indian offender with a low level of educational attainment; this situation necessitated that the officer simplify the explanation to a second or third grade level and use multiple visual examples and metaphors to increase comprehension. With respect to Spanish-speaking offenders, one officer said, “You’re trying to guide them more so than you would do the English speakers, because again, it could go back to the education, the cultural or even just the understanding.”

To address language related issues, probation and parole departments are developing procedures and resources to assist in the supervision of non-English speakers. One probation department is piloting an on-staff translator while also trying to staff its offices more strategically based on their language needs. In addition to piloting an on-staff translator, this department has created the telephonic bilingual service line (TBS) to give officers the opportunity to call a language line, use the line for 30 to 45 minutes, and gather information from the offenders in a three-way conversation with a translator. Some officers have begun to use the TBS via their cell phones to address issues or questions that arise while conducting visits during field work. The department is also working to identify the various forms used by probation officers and have them translated into the languages most commonly spoken by clients.

Risk and need assessments

To determine if the risk and need assessments used by the five participating probation departments address culturally specific populations, supervisors/managers and probation officers were asked to discuss the assessment their department uses. During these discussions, they identified overall and specific cultural issues with the assessment tools. All were then asked to suggest changes to the tools that they feel should be considered and were asked about assessment processes.

Supervisors and officers, when asked if the risk and need assessments they use address the cultural differences of American Indian and/or Hispanic offenders, identified both overall and specific issues with the assessment tools. While the tools used in the research sites varied¹⁷, according to officers, the assessments they use were created to assess the risk levels and needs of the following populations: high school educated individuals; English speakers; white Canadians; and/or Midwestern populations. While it is true that several common risk and needs assessment instruments were developed using test populations that fit these descriptions, many have been validated and normed in jurisdictions that contain diverse populations. Staff in probation and parole departments that supervise offenders who may be illegally residing in the United States discussed how the tools were intended to assess the risk and needs of legal citizens of the United States, who have the right to access many resources and programs. Supervisors and officers also discussed how the risk and need assessments currently used lack cultural sensitivity, containing questions that are not applicable to all populations. Of the five sites participating in the research, only one has chosen an assessment tool that they claim was developed to consider specific cultural characteristics of its population.

Probation staff who believed that the tool captured the right information to determine the risk and need levels of the Hispanic and American Indian populations believed that increasing officers' cultural competency would be more effective in improving the cultural responsiveness of the tool. In this context, cultural competency refers to an officer's awareness and knowledge of the offender's culture and the officer's ability to assess and supervise the offender objectively. Supervisors and officers believe the results of an assessment can be directly linked to the interview skills of an officer and that, instead of trying to identify the areas where culture might impact each tool, the probation department should focus its efforts on improving the interview skills of their officers. This includes teaching them to extract the necessary information regardless of an offender's background.

Three domains were identified by the officers and supervisors as having the most potential for American Indian and Hispanic cultures to impact assessment: employment and education; housing; and family. Additionally, offenders, officers, and supervisors provided recommendations on how to improve the assessment process and increase cultural competency.

Employment and education

When assessing an American Indian offender's economic stability and employment, officers have to decide if the per capita money (monetary compensation an American Indian might receive from the tribe as the result of tribal businesses or business agreements) should count as income. Some

¹⁷ More information about the tools can be found in the next chapter.

officers counted such payments as income, while others did not. Concern was also raised that some tools may not accurately measure vocational training and skills. Some assessment tools may only consider formal vocational or educational attainment and neglect experience or informal apprenticeship. An officer offered the example of a Hispanic immigrant who may have a second or third grade education level, but has been a carpenter for 20 years. In the tool the officer used, an individual with vocational training would score higher than the person with 20 years of experience. As a result, there can be some ambiguity in how an officer should score an individual like this in the employment category.

Housing

For Hispanic offenders in several sites, officers felt that citizenship status has the potential to create unique issues when conducting an assessment as the housing options for offenders who are not legally in the United States can be limited (e.g., public housing). Officers also said that in an effort to avoid detection by immigration authorities, illegal immigrants may move from place to place frequently or return to their country of origin. Officers felt that this transience may reflect a different phenomenon than other offender groups, which might not have the same impact on risk of recidivism.

Family

The family domain of some assessment tools takes into account an offender's family stability and the type of support system they possess. According to officers and supervisors, many Hispanic offenders have large families that may include persons who are not related by blood. Some assessment tools have specific definitions regarding who should be considered family, sometimes restricting it to immediate family. This may affect assessment results for some Hispanic offenders whose family structure is larger and more diverse. Marital relations are also specifically defined. In some cases, officers must make their clients aware that co-habitation, regardless of the number of years, is not recognized as marriage for the purposes of the assessment. Officers and supervisors said that some American Indian cultures also have an extensive extended family structure, which may complicate scoring of the family domain and could result in an inaccurate assessment score.

Assessment process and cultural competency

Throughout the focus group discussions, supervisors, officers, and offenders identified issues with the process of assessment, rather than the tool itself, that need to be addressed to increase the use and effectiveness of risk and needs assessment. Officers emphasized the importance of building a relationship with the offenders and the time it takes to accomplish this goal. By conducting the risk and need assessment during an offender's initial meeting with probation, officers ask the offender to disclose personal information to a person unknown to him or her, potentially leading to embarrassment and an strain on the relationship. One officer explained how that could be uncomfortable for anyone, "I wouldn't want to do that. I wouldn't want to just spill it all out there, knowing that someone is basically ... judging me off of everything that I've done or what's in my family history." Offenders, for the most part, shared the sentiment of the officers that the process of sharing personal information with a

“stranger” was stressful. Fearful of the consequences of admitting their past crimes and choices, offenders shared that they had lied during this process to avoid increased conditions. While some offenders felt embarrassed about the assessment process, others viewed it as similar to an interview, giving officers the opportunity to collect more information and believing the information collected from this process would be used to refer offender to useful resources. When conducting a risk and need assessment stressed the officers and supervisors, working with the offender to complete the assessment was crucial, regardless of the time it may take. When given the opportunity and time to properly administer the assessment, the results allow officers to more effectively supervise offenders.

Officers participating in one focus group said they do not trust the results of the assessment tool and only complete it because they are required to do so. One officer discussed manipulating the tool used by their department to produce the results they were looking for. Several officers said, “the tool is just a tool,” meaning that the tool is something they have and can incorporate into supervision, but it is no more important than other aspects of supervision. Many participants believe an individual’s risk and needs can be determined with consistent offender interactions that work towards building a relationship between the two parties¹⁸.

Training

The following section of the report addresses the cultural trainings that probation staff receives. Suggestions by supervisors and officers about possible future trainings will also be discussed.

According to both supervisors and officers, only two of the five probation departments participating in the focus groups require staff members to attend a cultural training (e.g., cultural impact training or cultural diversity training). Of the remaining three departments, one offers voluntary cultural diversity trainings while the remaining two departments do not have any cultural training available to members of their staff. Both the required and voluntary trainings made available general information but lack information intended to help officers more effectively work with the specific populations they interact with daily. Officers in one department said that they had asked their supervisors to provide more culturally specific trainings. As a result, supervisors organized a series of in-house trainings that addressed topics relative to officers’ daily experiences.

Supervisors and officers in the focus groups said that, in the absence of training, much of the specific cultural knowledge they had obtained was from experience gained in their current position, experience gained in previous employment, and from conducting personal research. Both supervisors and officers suggested that future training opportunities should be mandatory to ensure officer attendance. Some officers and supervisors thought trainings should contain relevant, culturally specific

¹⁸ This sentiment is contrary to research demonstrating that subjective assessments of offenders are not accurate predictors of risk and often lead to the mixing of risk level. (Ægisdóttier, S., White, M. J., Spengler, P. M. et al. , 2006).

information that officers can immediately bring back to the office and begin using in the short term while others suggested focusing on a core group of transferable skills and abilities that can be used when interacting with a variety of cultures and offenders. Specific suggestions by supervisors and officers included:

- 1) Inviting members of the cultural communities (e.g., from culturally specific programs and health centers, and respected members of the community) into the department to conduct trainings and answer questions.
- 2) Having a counselor conduct a training on how to best elicit honest and complete responses and have a productive conversation during contacts.
- 3) Officers at one site wanted the opportunity to learn basic Spanish to assist them in building a rapport with Spanish-speaking offenders.
- 4) Probation staff requested a training to address culturally specific programming and resources that are both available in their community and recognized by probation.

What can be done to improve supervision for Hispanic and Native American offenders

To improve future supervision of Hispanic and American Indian offenders, supervisors were asked to identify the skills and characteristics they seek when hiring for probation officer positions. All participants (i.e., offenders, supervisors, and officers) were then given the opportunity to discuss their suggestions for increasing the effectiveness of supervision for American Indian and Hispanic offenders.

Skills and characteristics of probation officers

To better supervise Hispanic and American Indian offenders, supervisors look for candidates who exhibit superior communication skills, with the ability to engage coworkers, law enforcement, court personnel, and offender populations. Supervisors felt that, more than other officers, those who work with different cultural populations should be approachable, responsive, and creative when supervising offenders.

According to the officers and supervisors in the focus groups, when interacting with Hispanic and American Indian offenders, officers have to be ready to shift into different roles depending on the individual they are supervising. Candidates need to demonstrate adaptability and possess the skills to build a rapport with offenders and members of the offender's family. Supervisors stressed the importance of acknowledging, accepting, and encouraging an offender's cultural beliefs and practices. When working with American Indians, one supervisor said, "I don't think you can do a good job, or your agents can do a good job, unless they get on the reservation, period.... People need to know who [the agents] are." Several officers recognized the importance of being present on the reservation and participating in ceremonies, church, or cultural practices, when appropriate. These actions allow officers to gain a cultural understanding of the offenders they supervise in addition to building a relationship with residents of the reservation for the future. When hiring new officers, supervisors are

searching for individuals who currently possess knowledge of Hispanic and American Indian cultures and others who are willing to take the time to obtain this knowledge on their own.

Supervisor and probation officer suggestions for improving supervision

Supervisors and officers suggested changes that community corrections agencies could make to improve the supervision of Hispanic and American Indian offenders. While it could be applied to all offenders, participants felt it was more important with Hispanic and American Indian offenders to recognize that every offender is different and must be supervised in a unique way that will support them in successfully completing probation. To assist probation officers in determining the most effective supervision strategy, officers should work to gain knowledge of an offender's culture and background including language preference, level of acculturation, and how an offender was raised. Knowing this, officers believe they can identify more applicable resources and programming for the offenders they supervise.

To increase the success of American Indian offenders, officers at one site suggested hiring a liaison, preferably an employee of the tribe, who would work with staff in the probation department and offenders and residents of the reservation. Another suggestion was permitting American Indians to return to the reservation on a more regular basis. In some cases, officers and offenders said that offenders may be prohibited from returning to the reservation due to concerns about absconding. Returning to the reservation more often might not be an option for every American Indian offender, but, for some individuals, going back to the reservation increases the likelihood of successful completion of probation by reconnecting them with important support systems. An officer from one site recognized the importance of returning to the reservation, saying, "Native Americans do not have a central community in the city. [The] blacks live in certain parts of town, they have their churches, they have whatever, they have a sense of community... but the Native Americans, I can't think of one area of town where it's like a Native American neighborhood. Their community is out in the reservation...that's where their support groups are, and their families, their people... if they're living in the city, they lack that, and I think that's a disadvantage."

When supervising Hispanic offenders, officers found that, more than with most other offender groups, getting to know the offender's family was helpful in encouraging the offender to complete the terms of probation while also providing an additional source of information about the offender. During home visits both parties feel more comfortable, presenting the officer with an opportunity to gather more information about an offender's life and the resources they may need. Officers suggest that the expectations the probation department and the criminal justice system as a whole have for Hispanic offenders should consider the lack of Spanish-speaking resources and programming, barring any improvement in access to these resources. Many Spanish-language programs have long waiting lists and are financially unattainable for some offenders, according to officers. To both support Hispanic offenders in completing the terms of their probation and obtaining relevant services, access to lower cost Spanish-speaking services should be increased. Overall, officers recommended that the criminal justice system increase offender access to fluent, Spanish-speaking staff to improve understanding of the criminal justice process before they arrive at probation for their initial meeting.

Offender suggestions for improving supervision

When offenders were asked how supervision can be improved, five main themes appeared:

- Conditions of supervision and fees
- Incentivizing good behavior
- Improving communication between officers and offenders
- Improving access to resources, including but not limited to culturally specific resources
- Incorporating traditions and cultural practices into probation supervision

The majority of improvements suggested by offenders did not address cultural differences at all; rather, they focused on specific resources and changes to probation conditions. Instead of being required to complete the majority of their conditions in the first several months, offenders want the opportunity to lengthen the timeframe during which they must complete their conditions if they are able to obtain employment¹⁹.

Fees were another condition of supervision that offenders felt should be changed. Many participants stressed the need to decrease the amount of fees paid to the probation department. One offender described the obstacles he faced while trying to be on time with his payments, “[you] don’t have a job, you got kids to take care of, we gotta put food on the table, I’m pretty sure you gotta pay some rent... How are we supposed to pull out money for the probation fee?”

Several participants discussed the need for incentives while on probation and when incarcerated, giving the offender motivation to complete their probation requirements. Incentives suggested by offenders included decreasing the amount of time an offender is on probation and reducing drug testing.

According to the offenders in the focus group, improving communication is another way to improve supervision. Offenders stressed the importance of officers being understanding and compassionate, and providing the offender the opportunity for a second chance. Offenders want probation officers to see the obstacles they are trying to overcome and work to with them to understand the struggles they are facing daily. They suggest that officers should be more active in voicing their support for clients and their progress. Officer support could include recognizing when offenders are doing well and offering positive feedback for future improvements.

Perhaps the most commonly noted recommendation suggested by offenders for improving supervision was increasing the resources and programming available to probationers, including accessible information about current resources (e.g., jobs, housing, and drug programs). According to an offender from one site, before an individual is released from custody, they are required to attend a pre-release class. In this class, offenders are told their probation officers will assist them in finding a job

¹⁹ While this may be desirable to offenders, it is not supported by the research which recommends that, for offenders returning from prison, during the initial three to nine months of post release, high risk offenders require 40 to 70 percent occupied with structured services and programs targeted at criminogenic needs. (Gendreau and Goggin, 1995)

and obtaining a bus pass, and will provide the offender with necessary resources. However, according to the offender, after release his officer was not able to provide these resources. Offenders from each site discussed the programs and resources that would assist them while on probation, which included GED classes and other education programs, transportation assistance, substance abuse programming, and employment services. Participants also want the probation department to recognize culturally specific programming and the positive effect they can have on Hispanic and American Indian offenders. For example, probation departments could begin recognizing domestic violence and alcohol treatment on the reservation and culturally specific mental health services.

Finally, to effectively address cultural issues, offenders want officers to identify ways to incorporate traditions and cultural practices into an individual's conditions while on probation. Offenders suggested hiring culturally specific supervision officers. Preferably, these individuals would be American Indian or Hispanic and, although they may not possess specific knowledge of all tribes or cultural practices, they would be more aware of the culture and these offenders' needs. In addition to culturally specific probation officers, offenders identified the need for individuals throughout the criminal justice system who understand Hispanic and American Indian culture. These individuals would be responsible for increasing the knowledge of criminal justice personnel around the importance of cultural beliefs, allowing the offender to feel comfortable and more respected throughout the process.

When supervising American Indians, several offenders discussed how important it is for officers to be knowledgeable of native cultures and traditional ways. To gain this knowledge, offenders suggest that officers maintain a presence on reservations, participating in ceremonies, powwows, and church. American Indian offenders participating in the focus group sometimes alluded to their inability to discuss sacred cultural practices with their officer. If officers were more experienced in American Indian ways, offenders thought they might allow them to travel back and forth from the reservation on a consistent basis while also accepting that there are aspects of their culture that offenders are not able to speak about. Offenders also suggested having a probation check-in or office on the reservation, giving offenders the opportunity to visit or reside on the reservation while ensuring individuals are complying with the terms of their probation. Finally, American Indian offenders want people to be aware they do not want special treatment, but they do have strong cultural beliefs and traditions. The offenders describe it as living in two worlds, constantly working to find a balance between their Native culture and the laws of the "western world".

Conclusions

1. When working with American Indian and Hispanic offenders, officers and offenders agreed that it is important for officers to be knowledgeable of their clients' cultures and traditions. American Indian officers and the offenders they supervise stressed the importance of having a presence on the reservations.
2. Both officers and offenders discussed the need for Hispanic and American Indian liaisons within the probation department. These individuals would work with both parties to address culturally specific issues that arise and offer potential compromises. Liaisons would

work specifically with probation officers to make them more knowledgeable about Hispanic and American Indian culture, giving them more resources to ensure client success. Offenders could use the liaison as an additional resource, a person who could provide guidance if questions arise.

3. Several of the issues that officers identified with risk and need assessment tools could be clarified with clearer definitions that incorporate cultural differences. For example, the Western ideal of the family as being composed of a mother, father and children is not universal. Other areas that may be affected, according to officers and supervisors that participated in the focus groups, are employment, education, and housing. Probation departments should provide definitions that reflect the same concepts without being tied to rigid, culturally defined norms and values.
4. Officers and offenders identified the initial risk and need assessment process as embarrassing and uncomfortable. When conducting the assessments, offenders often lie about their past, fearing they will suffer further consequences for past decisions. Instead, assessments should not be conducted during the first visit. Assessment should take place when the offender feels more comfortable with the officer, if possible. This would give the officer time to both explain the assessment process and begin to develop a relationship with the offender.
5. Probation and parole staff identified a need for future trainings to address culturally specific populations that the department supervises daily. Trainings could include specific information about the offenders being supervised or a core group of transferable skills and abilities that would allow officers to interact with a variety of cultures and offenders.
6. Offenders believed that in jurisdictions where the size of minority population caseloads permit it, it may be beneficial to assign offenders of certain cultural groups to a few selected officers. These officers should possess significant knowledge of the relevant cultures. The officers could be Hispanic or American Indian themselves. Officers with additional knowledge about these populations could more effectively integrate an offender's cultural and traditional practices into the assessment and conditions of their probation. Officers would also continue to gain knowledge and build rapport with specific cultural communities by continuing to be a daily presence in the community.
7. Officers said that due to the common educational deficits, lack of familiarity with the legal system, dialect differences, and cultural differences, they must spend more time communicating with Hispanic and American Indian offenders. Probation departments who encounter these issues should provide guidance and resources to officers that allow them to better communicate with clients.
8. Offenders and officers identified a need for more language and cultural specific programming. In some sites, Spanish-language programming had limited availability and cost more than English programming. Some American Indian offenders wanted the

opportunity to attend programming that incorporated their traditional beliefs, which was not accepted by the department at that time.

9. Offenders and officers did not view the risks and needs of these populations as substantially different from other offender populations. When offenders were asked about what types of services and programs they needed, most focused on employment, transportation and other general services rather than any culturally-specific services.

Chapter 4: Cultural Responsivity and Offender Outcomes

Introduction

In community correctional supervision, the practice of using actuarial risk assessments has grown in popularity over the last 30 years. Actuarial risk assessments are comprised of a series of questions about the offender and his or her history that are used to determine the risk of re-offense. The use of these tools is supported by extensive research (see for example, Gendreau, Little, & Goggin, 1996; Latessa & Allen, 2003; Holsinger, Lurigio, & Latessa, 2001). Specific tools should be validated on a sample of offenders within the jurisdiction employing the tool, although results from the national survey completed for this project suggests that this has not occurred in many departments. Actuarial risk assessments as a whole have been found to be superior to clinical assessments in predicting recidivism (Gottfredson, 1987; Van Voorhis, Braswell & Lester, 2004). Consequently, most jurisdictions, including 78 percent of those who responded to the previously described survey, now conduct a risk assessment during one of the first contacts an offender has with his or her supervising officer. Most probation or parole departments then use the scores from risk assessment to place offenders into supervision levels, determining the frequency of their visits and substance testing as well as the conditions of their supervision. Differentially supervising offenders according to their probability of reoffending is sometimes referred to as adherence to the “risk principle.”

In addition to risk assessment, research has shown that identifying and addressing offenders’ criminogenic needs (i.e., factors or attributes that contribute to the commission of crime that can be changed to reduce recidivism) and protective factors (i.e., factors or attributes that promote conforming behavior and decrease the likelihood of re-offense) can reduce an offender’s likelihood of reoffending (Lowenkamp & Latessa, 2005; Andrews & Bonta, 2003; Bonta, Law, & Hanson 1998; Gendreau, Little, & Goggin, 1996). Examples of criminogenic needs include: antisocial personality characteristics; antisocial attitudes and beliefs; and negative peer associations. Protective factors include personal resiliency, strong family and community ties, and involvement with pro-social peers, for example. As a result of this evidence, in the past 30 years, many departments have added a needs assessment component to their assessment process so that officers can be equipped with information to address the offenders’ needs. The concept of identifying the criminogenic needs of offenders and targeting interventions to address the specific needs of each offender is referred to as the “need principle.”

Finally, effective correctional practices stress a third principle, which is known as the “responsivity principle” (Andrews, Bonta, & Hoge, 1990). This principle states that the style and mode of service should be matched to the cognitive, personality, and sociocultural characteristics of the individual (Andrews, Bonta, & Hoge, 1990; Bonta, 1995). There are two types of responsivity: general and specific. General responsivity refers to using a cognitive-behavioral paradigm in correctional interventions because this approach is best-suited to addressing factors that underlie criminal behavior

(Van Voorhis et al, 2004). Specific responsivity refers to the need for correctional interventions and programming to be delivered in a way that matches the personal characteristics of the offender, including race, gender, culture, cognitive ability, age, learning style, and a variety of other personal characteristics.

This section of the report serves two primary purposes. First, this section will describe the evaluation process and present the findings related to cultural competency across five parole and probation supervision sites. For this study, cultural competence is defined as a site's capacity to implement culturally responsive practices in serving their diverse racial, ethnic and/or religious populations. Second, this section of the report will review how accurate and valid the risk classification of four different risk and needs assessment tools are with Hispanic and American Indian samples. Individual site analyses were completed and separate reports were provided to the five probation and parole departments. The focus of these reports was to examine the predictive validity of each site's respective tool for the total sample as well as specifically by gender, race and ethnicity. Further, an evaluation of the risk level cutoffs for each tool was completed for the total sample and then separately by gender, race and ethnicity. A summary of the site validation findings are included here.

This section is organized into the following topics: (1) methodology; (2) statistical analysis; (3) description of the sites; (4) predictive validity findings by site; (5) cultural competency score findings; (6) overall findings; (7) limitations; and (8) policy implications. Specifically, there are two primary research questions examined:

- First, do Hispanic and American Indian offenders score differently on risk and needs assessments compared to other races and ethnicities?
- Second, do best practices in responsivity result in better outcomes, controlling for risk?

Methodology

The two primary data sources for answering the questions above were client level data from five jurisdictions and information about agency practices collected from the national survey, which informed a site-level scale intended to measure cultural responsivity. Following an overview of these sources is a summary of the methodology, a description of the jurisdictions, or sites, included, as well as the overall findings. This section of the report summarizes the methods employed for this study, the data sources, the primary variables, and their coding.

Individual Site Data

Five sites participated in the research project.²⁰ Sites were selected for both geographical diversity and diversity of practices pertaining to cultural competency. Data were provided both by state and county level jurisdictions.

²⁰ Site names or locations will not be provided per an agreement between the sites and the Crime and Justice Institute at Community Resources for Justice.

Data from each jurisdiction included demographics, risk assessment type and total scores, risk or supervision levels, supervision status (parole or probation), supervision or sentence length, and recidivism.²¹ Assessment tools included in this study are the Level of Service Inventory Revised (LSI-R), the Offender Screening Tool (OST), the Wisconsin Risk Assessment, and the Austin Risk²². Only initial assessment scores were consistently used in the analysis; no analysis was completed using reassessment scoring.

Cultural Competency Scale

In addition to the data analysis from the five sites, a scale was constructed to assess the extent to which agency practices were culturally responsive. The six measures that were examined with respect to cultural responsiveness are:

- (1) The site collects data on language or religion
- (2) Cultural competency training is available at the site
- (3) The site considers ethnicity when assigning cases
- (4) The site considers language when assigning cases
- (5) The site has Hispanic staff
- (6) The site has American Indian staff

Items were selected based on the expert opinions of the Cultural Competency Teams (CCTs). Scoring on the six items was determined by each site's responses to the survey summarized in Chapter 2. Each of the six items was incorporated into a cultural responsiveness scale and the same weight was assigned to each item, allowing for a possible maximum score of six. The scores were used in the overall analysis to determine the relationship between site-level cultural responsiveness and outcomes.

Overall Analysis

Statistical analysis included univariate, bivariate and multivariate statistics to address the two research questions for this study. Crosstabulations and Pearson chi-square statistics are reported to examine the differences in the risk levels and rates of recidivism by race and ethnicity. Analysis of variance (ANOVA), or an F-test, was calculated to compare the difference in average recidivism rates and the use of best practices from the cultural competency scale across sites. With an overall sample size of 9743, p values were set at .01 to examine significance between groups. Given the dichotomous outcome variable, multivariate logistic regression models were conducted to examine if these

²¹ Any variables that were either dichotomous originally or recoded into dichotomous measures were coded as 0=most common category and 1=least common category to assist with interpretation of bivariate correlations and regression models. Measures of recidivism varied across sites. Therefore, the final outcome variable was a combination of all recidivism measures and was coded 0=no recidivism occurred and 1=any recidivism occurred.

²² Also known as the Austin assessment, named after the developer, Jim Austin (Pitts, 2011).

responsivity practices result in better outcomes after controlling for risk. Finally, weighted regression model findings were run to control for differences in sample size across the sites. Results are summarized in this chapter; detailed findings can be found in the full research report at www.cjinsitute.org. Unless noted, findings were not significant. A finding of a significant difference indicates that the researcher can accept that the difference detected did not likely occur due to chance. A commonly accepted value for a significant difference is less than a five percent probability that the difference is due to chance. In the case of analysis of the whole sample, because of the number of cases in the sample, a finding of significance was set at a less than one percent probability that the difference was due to chance.

Site Descriptions

Table 4-1 depicts the characteristics of the overall sample and the five individual sites with respect to gender, race, ethnicity, and age. Seventy-eight percent of the sample is comprised of males and almost 22 percent of the offenders were females. Sixty-two percent of the sample is comprised of white offenders and 13 percent are African American. When Hispanic is defined as a race, nearly 10 percent of the offenders are reported as Hispanic; however, when the data are examined with regard to Hispanic being a race *or* ethnicity, then 28 percent of the sample is comprised of Hispanic offenders²³. There are approximately 14 percent American Indian offenders in the sample. The average age for the offenders was nearly 33 and, between the sites, and there was a significant difference in average age of offenders.

²³ In two sites, Hispanic was defined as a race while in the other three sites, Hispanic was defined as an ethnicity and these offenders then were also identified among the other racial categories. The U.S. Census bureau recognizes Hispanic origin as an ethnicity.

Demographics	Overall	Site 1	Site 2	Site 3	Site 4	Site 5
<i>Total</i>	9743	1500	1500	1963	1502	3278
<i>Gender</i>						
Male	7617 (78.2%)	1141 (76.1%)	1189 (79.3%)	1526 (77.7%)	1154 (76.8%)	2607 (79.5%)
Female	2126 (21.8%)	359 (23.9%)	311 (20.7%)	437 (22.3%)	348 (23.2%)	671 (20.5%)
<i>Race</i>						
White	6056 (62.2%)	1044 (69.6%)	645 (43.0%)	792 (40.3%)	1237 (82.4%)	2338 (71.3%)
African American	1271 (13.0%)	427 (28.5%)	345 (23.0%)	173 (8.8%)	90 (6.0%)	236 (7.2%)
Asian	39 (0.4%)	15 (1.0%)	3 (0.2%)	7 (0.4%)	4 (0.3%)	10 (0.3%)
American Indian	1347 (13.8%)	1 (0.1%)	3 (0.2%)	486 (24.8%)	166 (11.1%)	691 (21.1%)
Hispanic	993 (10.2%)		500 (33.3%)	493 (25.1%)		
Other	37 (0.4%)	13 (0.9%)	4 (0.3%)	12 (0.6%)	5 (0.3%)	3 (0.1%)
<i>Hispanic</i>						
No	6996 (71.8%)	1000 (66.7%)	1000 (66.7%)	1470 (74.9%)	1488 (99.1%)	2038 (62.2%)
Yes	2747 (28.2%)	500 (33.3%)	500 (33.3%)	493 (25.15)	14 (0.9%)	1240 (37.8%)
<i>American Indian</i>						
No	8396 (86.2%)	1499 (99.9%)	1497 (99.8%)	1477 (75.2%)	1336 (88.9%)	2587 (78.9%)
Yes	1347 (13.8%)	1 (0.1%)	3 (0.2%)	486 (24.8%)	166 (11.1%)	691 (21.1%)
<i>Age^a</i>						
Mean	32.7	31.2	33.0	31.5	31.6	34.6
SD	10.7	10.7	11.1	9.9	10.6	10.9

^a F=44.013, p ≤ .000.

Table 4-2 below describes the criminal justice measures for the overall sample and the individual sites. These variables include charge type, supervision type, supervision length and sentence length, which are both measured in months. Nearly 60 percent of the sample was comprised of

felonies, 21 percent were misdemeanors and 19 percent were infractions. Eighty-five percent of the sample was probationers and the remainder was parolees. The average supervision length was 29 months but the most common supervision length was 23 months. The average sentence length was 30 months, with the most common sentence length being 24 months with all samples combined. Average supervision and sentence length were found to be significantly different across sites.

Table 4-2: Criminal justice measures for combined and individual samples

CJ Measures	Overall	Site 1	Site 2	Site 3	Site 4	Site 5
<i>Total</i>	9743	1500	1500	1963	1502	3278
<i>Charge Type (n=4962)</i>						
Felony	2960 (59.5%)	1500 (100.0%)	611 (40.7%)	839 (42.8%)		
Misdemeanor	1053 (21.2%)		606 (18.9%)	447 (43.5%)		
Infraction	959 (19.3%)		283 (18.9%)	676 (43.5%)		
<i>Supervision Type</i>						
Probation	8235 (84.5%)	1500 (100.0%)	1500 (100.0%)	1963 (100.0%)	1272 (84.7%)	2000 (61.0%)
Parole	1508 (15.5%)				230 (15.3%)	1278 (39.0%)
<i>Supervision Length^a (Months)</i>						
Mean	28.6	43.2	24.3	21.7	27.1	
SD	21.5	31.5	12.0	16.2	14.5	
Mode	23.0	60.0	24.0	11.1	23.0	
<i>Sentence Length^b (Months)</i>						
Mean	29.9	61.9	26.9	22.4	32.7	17.6
SD	22.5	27.5	12.2	16.2	17.3	9.5
Mode	24.0	60.0	36.0	12.0	35.0	11.0

^a F=375.6, p ≤ .000.
^b F=1847.2, p ≤ .000.

Table 4-3 reports the percentage of recidivists for combined and individual samples and examines if there are significant differences within the sites and in the overall sample when comparing by gender, Hispanic and non-Hispanic groups, and American Indian and non-American Indian groups²⁴. Forty percent of the overall sample did recidivate. When examining gender, 82 percent of those who recidivated were male, compared to 18 percent being females. Sixty-eight percent of recidivists were non-Hispanic offenders and 32 percent of the recidivists were Hispanic offenders. Approximately 84

²⁴ Unfortunately, recidivism measures varied by site. For a full explanation of sites and their recidivism measures please see Appendix C.

percent of the recidivists were non-American Indians whereas only 16 percent of the recidivists were American Indian offenders. There were significant differences found for the combined sample when examining the percentage of recidivists between categories by gender, meaning that males were statistically more likely to recidivate than females. There were also significant differences when examining Hispanic and American Indian offenders; Hispanics and American Indians were statistically more likely to recidivate than non-Hispanics and non-American Indians, respectively. Further, significant differences were noted when comparing the average recidivism rates *between* sites, as opposed to within sites or overall, and then examining by gender and race/ethnicity.

Recidivism	Overall	Site 1	Site 2	Site 3	Site 4	Site 5
<i>Total</i>	9743	1500	1500	1963	1502	3278
<i>Overall^a</i>						
No	59.9%	50.6%	68.0%	70.9%	79.4%	44.9%
Yes	40.1%	49.4%	32.0%	29.1%	29.6%	55.1%
<i>Gender^b</i>	n=3892 ¹	n=725 ²	n=480 ³	n=572 ⁴	n=309	n=1806 ⁵
Male	81.6%	80.1%	84.2%	82.9%	75.7%	82.1%
Female	18.4%	19.9%	15.8%	17.1%	24.3%	17.9%
<i>Hispanic^c</i>	n=3892 ¹	n=725	n=480	n=572 ²	n=309	n=1806 ³
Non-Hispanic	68.0%	66.6%	63.5%	81.8%	99.4%	60.0%
Hispanic	32.0%	33.4%	36.5%	18.2%	0.6%	40.0%
<i>American Indian^d</i>	n=3892 ¹	n=725	n=480	n=572 ²	n=309	n=1806
Non-American Indian	83.8%	99.9%	100.0%	64.5%	88.7%	78.3%
American Indian	16.2%	0.1%		35.5%	11.3%	21.7%

^a F=199.351, p ≤ .000; ^b F=44.412, p ≤ .000; ^c F=47.022, p ≤ .000; ^d F=29.903, p ≤ .000.
Gender – Pearson χ^2 and significance: ¹ F=44.219, p ≤ .000; ² F=13.371, p ≤ .000; ³ F=10.313, p ≤ .001;
⁴ F=12.270, p ≤ .000; ⁵ F=15.808, p ≤ .000.
Hispanic – Pearson χ^2 and significance: ¹ F=29.817, p ≤ .000; ² F=49.904, p ≤ .000; ³ F=8.316, p ≤ .01.
American Indian – Pearson χ^2 and significance: ¹ F=46.805, p ≤ .000; ² F=20.629, p ≤ .000.

Predictive Validity of Risk and Needs Assessments by Site

Individual site analyses revealed that the various risk assessment tools administered with Hispanic and American Indian samples are predictive of recidivism. Further, these tools are predictive of recidivism for the all site samples and by gender. Table 4-4 depicts the bivariate correlations between risk/need and recidivism for each of the five sites for the total sample and then disaggregated by gender, race, and ethnicity. Bivariate correlation is a measure of how associated two variables are. Scores can range from negative one to positive one. A score of zero indicates that the variables have no

association, while a score of one indicates that they are directly associated – a change in one variable produces a proportional change in the other. A score of negative one would indicate that a positive change in one variable would produce a proportional decrease in the other variable. It is not appropriate, statistically, to compare strength of correlation across samples. Generally, any correlation coefficient that is between 0.1 and 0.3 is considered a weak relationship, between 0.3 and 0.5 a moderate relationship, and 0.5 or higher a strong relationship; the same is true for negative coefficients. Overall, the Wisconsin risk assessment tool is moderately predictive of recidivism for both the Hispanic and non-Hispanic samples. Looking across two sites, the LSI-R is weak to moderately strong in terms of predictive validity for American Indian and Hispanic samples, respectively. The OST has a moderately strong predictive validity for both American Indian and Hispanic samples. Finally, the Austin Risk has a weak to moderately strong predictive validity for the Hispanic and American Indian samples, respectively.

Table 4-4: Bivariate correlations examining risk assessment predictive validity

	Assessment	Total	Gender		Race		Ethnicity	
			M	F	NA	non-NA	H	non-H
Site 1	Wisconsin	0.380	0.365	0.413			0.384	0.378
Site 2	LSI-R	0.358	0.349	0.394			0.409	0.330
Site 3	OST	0.335	0.317	0.400	0.347	0.323	0.327	0.337
Site 4	LSI-R	0.311	0.309	0.317	0.218	0.323		
Site 5 Parole	Austin Risk	0.246	0.243	0.241	0.404	0.225	0.182	0.334
Site 5 Probation	Austin Risk	0.251	0.223	0.300	0.319	0.228	0.217	0.262

All correlations are significant at the 0.01 level (2-tailed).

Cultural Competency Scores

Table 4-5 illustrates the individual item scores on the previously described cultural responsiveness scale by jurisdiction as well as the total scores. As depicted below, the range of scores is from 2 to 6. Two items, conducting cultural competency training and considering language barriers when assigning cases, were most commonly practiced by sites -- four of the five sites indicated they had some sort of cultural competency training and considered language. Conversely, one item was only found in one site -- considering ethnicity when assigning cases.

Cultural Competency	Site 1	Site 2	Site 3	Site 4	Site 5
<i>Total Items</i>	1500	1500	1963	1502	3278
Collects data on language or religion	Yes	No	Yes	No	Yes
Cultural competency training available	No	Yes	Yes	Yes	Yes
Considers ethnicity when assigning cases	No	No	Yes	No	No
Considers language when assigning cases	Yes	Yes	Yes	No	Yes
Has Hispanic Staff	No	No	Yes	Yes	Yes
Has American Indian Staff	No	No	Yes	Yes	Yes
<i>Total Score</i>	2	2	6	3	5

Findings

This section summarizes the main findings for the bivariate and multivariate analyses.²⁵

Do Hispanic and American Indian offenders score differently on risk and needs assessments compared to other races and ethnicities?

- Risk level cutoffs were found to be appropriate in terms of direction as there was an increase in recidivism rates by risk level for the combined site sample. By risk level, 19 percent of the low risk offenders, 43 percent of the moderate risk and 64 percent of the high risk were recidivists.
- Risk level cutoffs for American Indians and Hispanics were found to be appropriate. As risk level increased, so too did recidivism rate. This indicates that risk level cutoffs were appropriate in distinguishing difference in risk of recidivism for American Indian and Hispanic offenders in the sample.
- Significant differences in recidivism were noted across risk levels and this was consistent when examining the overall sample and by race/ethnicity.
- By risk level, the average rates of recidivism among Hispanics significantly differ from non-Hispanic offenders. Recidivism rates for Hispanic offenders were significantly higher than rates for non-Hispanic offenders in all risk levels. However, the tools were still predictive for Hispanic offenders, who recidivated at a higher rate.
- When examining American Indians and non-American Indians, the average recidivism rates for low and high risk offenders are not significantly different; however, the average rates did significantly vary for moderate risk American Indians and non-American Indians. The tools were still predictive for American Indian offenders.

²⁵ Please refer to the overall analysis report for a detailed presentation of the statistical analyses including the regression models.

Do best practices in responsivity result in better outcomes, controlling for risk?

- There was a relatively weak relationship between higher cultural competency scores and higher recidivism for the combined sample and the American Indian sample. However, the total score was not significantly associated with recidivism for the Hispanic sample.
- However, the total score for the cultural competency scale was significantly associated with recidivism *after* controlling for other independent variables. Specifically, lower scores were indicative of significant increases in recidivism. Given this distinction between bivariate and multivariate findings, the cultural competency scale may not identify all supervision activities and policies that fully address responsivity for American Indian and Hispanic offenders.
- Sites that ‘collect data on language or religion’ were significantly correlated with an increase in recidivism. Similarly, sites that ‘consider language when assigning cases’ were found to be significantly associated with higher recidivism rates.
- In comparison, ‘having cultural competency training available’ and ‘considering ethnicity when assigning cases’²⁶ were significantly associated with lower recidivism rates.
- For Hispanic offenders, sites that ‘collect data on language or religion,’ ‘consider language when assigning cases,’ ‘have Hispanic staff’, and “have American Indian staff’ are significantly correlated with higher recidivism rates. Alternatively, when examining the Hispanic sample, sites that ‘considered ethnicity when assigning cases’ were significantly associated with lower recidivism rates.
- The American Indian sample had the same significant relationships on the cultural competency scale items and recidivism as the Hispanic sample, with the exception of sites that ‘have Hispanic staff’ or “have American Indian staff.’ However, some of the significant relationships were relatively weak. More research is necessary to determine the meaning of this finding.

To summarize, these findings provide some empirical support for continuing to administer risk and needs assessment tools to offender populations regardless of race and ethnicity and to implement, continue and further develop and evaluate cultural competency practices. Please see Appendix C for a description of the limitations of this analysis.

Policy Implications and Recommendations

Given these findings and considering them within the context of the previously mentioned limitations, there are multiple policy implications to consider for both researchers and practitioners.

- (1) Probation and parole supervision should include an actuarial risk and needs assessment instrument. These results indicate that the tools examined do predict recidivism appropriately for Hispanic and American Indian offenders. It is important to conduct validation analysis on a regular basis, such as every three years, to determine if the instrument continues to be valid in predicting recidivism for the targeted population. Ideally, multiple recidivism measures should

²⁶ Only 1 site reported considering ethnicity when assigning cases.

be collected. A follow up period of at least one year is recommended. Analysis should also examine results by gender, race, and ethnicity.

- (2) In order to ensure that offenders are being appropriately grouped by risk level, risk level cutoffs should be normed regularly. This can be completed at the same time as validity analysis. Similar to the recommendation above, multiple recidivism measures should be examined and normed cutoffs should be considered for different genders as well as racial and ethnic groups.
- (3) Training on risk and needs assessment tools should be a part of initial and ongoing practices within jurisdictions to maintain the fidelity of the tool's administration and the reliability of scoring the items and the overall assessment. Reliability analysis should accompany a jurisdiction's efforts to maintain evidence-based practices.
- (4) Recognizing that there is a distinct difference between culture and other responsivity measures, implementing trainings to address these issues and minimize these barriers for successful supervision should be clearly defined, researched and evaluated in terms of impacting the attitudes and behaviors of the probation and parole staff as well as other intermediate measures and outcome measures of interest. These might include adherence to probation conditions, behavioral and attitude changes, reductions in risk level, reductions in recidivism and longer periods of prosocial behavior.
- (5) Results indicate that having cultural competency training available was associated with decreases in recidivism. Based on this, and recommendations from supervision staff collected in focus groups, community corrections agencies should consider developing training options for officers that provide necessary information about the cultures of the populations with whom they regularly work.

Conclusion

The project attempted to increase knowledge about assessment and cultural responsiveness as it pertains to Hispanics and American Indians. The project team conducted a survey of 391 probation and parole departments and completed 28 focus groups with probation and parole officers, supervisors, and offenders. Finally, agency-level data was analyzed to determine if there were any differences in how American Indian and Hispanic offenders scored compared to the general population, if scores predicted outcomes accurately, and, finally, if culturally competent practices had an impact on the accuracy of the tool.

Findings from the survey included:

- Most departments surveyed use a risk / need assessment tool. (22% of departments surveyed had no risk and needs assessment tool.)
- The most popular tools are the LSI-R and CAIS (Wisconsin).
- Most departments have never validated their tool for their own population.
- 60% of departments collect information on language preference.
- 65% of departments report that they do some sort of cultural competency training although that may be limited to general diversity training, which is not the same as a full-fledged cultural competency training.

Findings from the focus groups included:

- For both American Indians and Hispanics, pride in their culture and heritage was a key component of their identities.
- For American Indians, key cultural features included the importance of tradition and traditional ceremonies, a strong sense of survival, and a deep respect for elders.
- Among Hispanics, key cultural features included the importance of family, a strong desire for privacy, and respect for authority.
- Language-appropriate services, particularly for monolingual Spanish-speakers, and comprehension and dialect were issues with both groups.
- Cultural differences and legal differences can be intertwined and result in misunderstandings for the officer and offender.
- Some officers felt that changes needed to be made to the tools used while others felt that increasing officers' cultural competency in administering the tool would eliminate any inaccuracy or bias.
- Employment and education, housing, and family were identified as areas where assessments may not be culturally competent, according to officers and supervisors.
- Understanding offenders and their backgrounds was an important part of conducting a risk and needs assessment.
- Most sites did not have cultural training, and those that did had generic trainings.

- Officers suggested that trainings should include information on specific cultures as well as transferable skills and abilities that officers could use when interacting with a variety of cultures and offenders.
- For American Indian offenders, officers and offenders suggested:
 - Having a liaison to work directly with American Indian tribes would help with communication and understanding.
 - Permitting offenders to return to the reservation to be active in that community and practice their traditional beliefs was also a suggested improvement.
- For Hispanic offenders, officers suggested:
 - Getting to know the offender's family would help in filling in information and forming rapport.
 - Several sites discussed increasing access to Spanish language programming to improve supervision.
- Offenders offered general suggestions for improving supervision:
 - Reducing the conditions of supervision during the start of a term was a frequent suggestion.
 - Reducing fees that the offender must pay before they are allowed to complete their term
 - Offering incentives for compliance
 - Improving communication between officers and offenders
 - Increased access to resources and programming including transportation and employment assistance

Findings from the analysis included:

- Risk and needs assessment tools used in the research sites were valid predictors of risk for Hispanic and American Indian offenders.
- Risk assessment scoring, when examining average recidivism rates by risk level, varied for Hispanic and non-Hispanic groups.
- There were no differences between American Indians and non-American Indians on risk assessment scoring when examining recidivism by risk level.
- Of the theoretical culturally competent practices tested:
 - Having Hispanic and American Indian staff in probation and parole settings was associated with reductions in recidivism.
 - Offering cultural competency trainings was found to be associated with reduced recidivism.

Recommendations

1. Risk and needs assessment tool – Despite our findings that risk assessment tools used by participating sites predicted recidivism for Hispanic and American Indian populations, in the interest of ensuring that all staff are assessing accurately, probation departments should consider how instructions and definitions provided for completing assessments may reflect cultural values that are not universally held. For example, the Western ideal of the family as being composed of a mother, father and children is not universal. Other areas that may be affected according to officers and supervisors that participated in the focus group are employment, education, and housing. Probation departments should attempt to provide definitions that reflect the same concepts without being tied to rigid culturally defined norms and values.
2. Conduct an offender’s first risk and need assessment during his or her second or third visit – Both officers and offenders identified the initial risk and need assessment process as embarrassing and uncomfortable. When conducting the assessments, according to officers, offenders often lie about their past, fearing they will suffer further consequences for their past decisions. Instead, assessments should be conducted on after an officer has established a rapport with an offender.
3. Cultural trainings – Future trainings made available to probation staff should address culturally specific populations the department supervises daily and a core group of transferable skills and abilities that would allow officers to interact with a variety of cultures and offenders.
4. Adjusting style for different offenders – According to probation officers and their supervisors, every offender is different and must be supervised in a unique way that will support them in successfully completing probation. Officers are responsible for determining the most effect supervision method by getting to know the individual and recognizing how they respond to certain situations.
5. Liaisons – some departments may want to create liaison positions to assist officers in working with certain populations. American Indians, in particular, were a group that officers and supervisors identified that could benefit from the addition of a community liaison.
6. Culturally specific probation officers – In places where the size of minority population caseloads permit it, it might be beneficial to assign offenders of certain cultural group to a few selected officers. These officers should possess significant knowledge of the culture, which in this case is Hispanic or American Indian culture. The officers could be Hispanic or American Indian themselves. By possessing this knowledge, officers could more effectively

integrate an offender's cultural and traditional practices into the assessment and conditions of their probation. Officers would also continue to gain knowledge and rapport with their specific cultural community by continuing to be a daily presence in the community.

7. Language – Particularly when supervising monolingual Spanish-speaking offenders or those with poor English comprehension, officers need to be attentive to communication styles and comprehension. In some cases, dialect differences may present obstacles while in other cases a lack of understanding about the U.S. legal system may present significant barriers. Probation departments who encounter this issue frequently should provide guidance and resources to their officers that allow them to better communicate with their clients. Departments should also be working to identify more cost-effective and readily available Spanish-speaking programs and resources for Hispanic offenders.
8. Assessment and tool validation - Probation and parole agencies should administer an actuarial risk and needs assessment instrument to supervised offenders. Assessment tools should be validated on a regular basis, ideally every three years, to determine if the instrument is still valid in predicting recidivism for the targeted population. Multiple recidivism measures should be collected for use in the validation analysis.
9. Cutoffs - Risk level cutoffs for supervision should be determined using outcome data (normed). Normed cutoffs should consider gender as well as racial and ethnic groups.
10. Training - Training on risk and needs assessment tools should be a part of initial and ongoing practices within jurisdictions to maintain the fidelity of the tool's administration and the reliability of scoring the items and the overall assessment.
11. Reliable assessment - Reliability analysis should accompany a jurisdiction's efforts to maintain evidence-based practices.

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Appendix A: Surveys

Survey Version 1

Section I: Characteristics of the Agency

1. Name of agency :

2. Agency mailing address:

Street:

City:

State:

Zip:

3. Agency physical address:

Street:

City:

State:

Zip:

4. Name of person completing survey:

5. Title of person completing survey:

6. Phone #:

7. Fax #:

8. Email Address:

9. Setting type of agency:

- _____ Federal probation and parole supervision
- _____ State agency probation and parole supervision
- _____ State agency probation supervision only
- _____ County, local, district probation and parole supervision
- _____ County, local, district probation supervision only
- _____ Tribal court/agency
- _____ Tribal jail
- _____ Other (please specify):

10. Geographic type (Mark all that apply.):

- Rural
- Urban
- Suburban

11. What is the total population of your jurisdiction?

- _____ 1 – 25,000
- _____ 25,000 – 50,000
- _____ 50,000 – 100,000
- _____ 100,000 – 500,000
- _____ 500,000 – 1 million
- _____ 1 million – 5 million
- _____ 5 million – 10 million
- _____ Over 10 million

12. What is the annual operating budget of the agency?

1 – 5 million

5 million – 50 million

50 million – 100 million

100 million – 150 million

150 million – 200 million

200 million – 250 million

250 million – 300 million

Over 300 million

13. Number of full-time staff employed at your agency:

14. Number of part-time staff employed at your agency:

In general, the Census Bureau defines ethnicity or origin as the heritage, nationality group, lineage, or country of birth of the person or the person's parents or ancestors before their arrival in the United States. People who identify their origin as Spanish, Hispanic, or Latino may be of any race.

15. Does your agency record race of staff? If not, skip to question #17.

Yes

No

16. What percentages of staff members identify themselves as belonging to the following races? (Round to the nearest whole number between 0 and 100 for each box. The sum of all categories must add up to 100.)

_____ White

_____ Black or African American

_____ Hispanic/Latino of any race

_____ American Indian

_____ Alaska Native

_____ Asian

_____ Native Hawaiian and Other Pacific Islander

_____ Other race

17. Number of staff employed at your agency who proficiently speak Spanish (if unknown enter **unknown**):

18. Number of staff employed at your agency who proficiently speak an American Indian language (if unknown enter **unknown**):

19. Rate the adequacy of staff training related to cultural competency in working with the Hispanic/Latino population:

_____ No training

_____ Very inadequate training

_____ Somewhat inadequate training

_____ Adequate training

_____ Very adequate training

20. Rate the adequacy of staff training related to cultural competency in working with the American Indian population:

_____ No training

_____ Very inadequate training

_____ Somewhat inadequate training

_____Adequate training

_____Very adequate training

Section II: Characteristics of the Clients

Adult correctional clients are referred to as inmates, residents, probationers, and offenders. For the purpose of this survey adult correctional clients will be referred to as clients.

1. Number of clients served: (Use average active caseload for year 2007.)

2. During the assessment process, does your agency gather information regarding clients' religious/spiritual preferences?

_____Yes

_____No

3. Does your agency assess the language preference (first language) of your clients?

_____Yes

_____No

In general, the Census Bureau defines ethnicity or origin as the heritage, nationality group, lineage, or country of birth of the person or the person's parents or ancestors before their arrival in the United States. People who identify their origin as Spanish, Hispanic, or Latino may be of any race.

4. Does your agency keep track of client racial/ethnic background information? If not, skip all of the following questions, and continue to Section III.

_____Yes

_____No

5. How does your agency keep track of client racial/ethnic variables?

_____Automated database

_____Written record

_____Other (please specify):

6. How does your agency assess whether clients belong to a certain racial/ethnic population?
(Mark all that apply.)

- Client identification
- Employee identification
- File/Background information
- Other (please specify):

7. What percentages of your clients are identified as belonging to the following races in the year 2007? (Round to the nearest whole number between 0 and 100 for each box. The sum of all categories must add up to 100.)

_____ White

_____ Black or African American

_____ Hispanic/Latino of any race

_____ American Indian

_____ Alaska Native

_____ Asian

_____ Native Hawaiian and Other Pacific Islander

_____ Other population

8. Does your agency determine to which Hispanic/Latino subgroup a client belongs? If not, skip to question #10.

_____ Yes

_____ No

9. What percentage of Hispanic/Latino clients in the year 2007 belonged to the following subgroups? (Round to the nearest whole number between 0 and 100 for each box. The sum of all categories must add up to 100.)

_____Cuban

_____Puerto Rican

_____Dominican

_____Mexican

_____Central/South American

_____Other Hispanic/Latino

10. Does your agency determine to which American Indian nation, tribe or clan a client belongs? If not, skip the last question (#11) and continue to Section III.

_____Yes

_____No

11. What are three most commonly represented American Indian nations, tribes or clans at your agency? (If it doesn't apply to your case please enter n/a.)

1st most common American Indian tribe:

2nd most common American Indian tribe:

3rd most common American Indian tribe:

Section III F1: Pre-Service Risk/Need Assessment

Does your agency determine client risk level?

Risk refers to the likelihood a client will commit another offense.

_____Yes – If yes, please skip Section IIIA and continue to Section III F2 on Page 9.

_____No – If no, please continue to section IIIA on Page 8.

Section IIIA: Agencies that do not determine client risk level

1. What factors discourage your agency from using a standardized, actuarial instrument to determine client risk level? (Mark all that apply.)

- Current process is adequate
- Lack of administrative support
- Professional judgment is adequate
- Too time consuming
- Too costly
- Staff members are not adequately trained
- Lack of buy-in from staff
- Other (please specify):

2. Is your agency considering using a standardized, actuarial instrument to assess risk/need in the future?

_____Yes

_____No

3. How important is it to your agency to use standardized, actuarial instruments in the future to assess **risk**?

Not important

Important

Very Important

1

2

3

4

5

4. How important is it to your agency to use standardized, actuarial instruments in the future to assess **need**?

Not important

Important

Very Important

1

2

3

4

5

Section III F2: Agencies that determine client risk level

How does your agency determine client risk level?

Standardized, actuarial risk/need instruments are based on empirical research which examines crime producing correlates so that the scores yielded measure the probability of recidivating. Locally developed risk/need instruments are risk assessment tools that have been modified/developed for a department.

_____ Standardized, actuarial instrument – Please continue to Section IIIB on Page 10.

_____ Locally developed instrument – Please continue to Section IIIC on Page 13.

_____ None of the above – Please continue to Section IIID on Page 17.

Section III B: Agencies that use a standardized, actuarial instrument to determine client risk level

1. What standardized, actuarial risk/need instrument does your agency use?

_____ Level of Service Inventory Revised (LSI-R)

_____ Correctional Assessment and Intervention System (CAIS), formerly the Wisconsin

_____ Correctional Offender Management Profile for Alternative Sanctions (COMPAS)

_____ Offender Intake Assessment of Correctional Services Canada

_____ Salient Factor Score

_____ Custody Rating Scale

_____ Corrections Risk Analysis System (C-RAS)

_____ Other (please specify):

2. What additional process is used to determine client risk level? (Mark all that apply.)

- None
- Social work or psychosocial assessment
- Professional judgment only
- Severity of offense
- Informal interview
- File review
- Collateral contacts
- Other (please specify):

Questions 3 and 4 refer to test validation and norming. Validity refers to what characteristic the test measures and how well the test measures that characteristic. A test's validity is established in reference to specific groups. The samples used for test validation and norming must be of adequate size and must be specifically representative to substantiate validity statements to establish appropriate norms and to support conclusions regarding the use of the instrument for the intended purpose.

3. Within the past three years, has your agency conducted test validation and norming studies on the assessment instrument (marked in question 1) for the client population served?

_____Yes

_____No

4. Within the past three years, has your agency conducted test validation and norming studies on the assessment instrument (marked in question 1) for any specific populations? (Mark all that apply.)

- None
- White
- Black or African American
- Hispanic/Latino of any race
- American Indian
- Alaska Native
- Asian
- Native Hawaiian and Other Pacific Islander
- Males
- Females

5. How important is it to your agency to use standardized, actuarial instruments to assess risk?

- | | | | | |
|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|
| Not important | | Important | | Very Important |
| <input type="radio"/> 1 | <input type="radio"/> 2 | <input type="radio"/> 3 | <input type="radio"/> 4 | <input type="radio"/> 5 |

6. How important is it to your agency to use standardized, actuarial instruments to assess need?

- | | | | | |
|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|
| Not important | | Important | | Very Important |
| <input type="radio"/> 1 | <input type="radio"/> 2 | <input type="radio"/> 3 | <input type="radio"/> 4 | <input type="radio"/> 5 |

7. Rate the level of satisfaction with your agency's current process of conducting risk/need assessment:

- | | | | | |
|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|
| Poor | | Satisfactory | | Very Satisfactory |
| <input type="radio"/> 1 | <input type="radio"/> 2 | <input type="radio"/> 3 | <input type="radio"/> 4 | <input type="radio"/> 5 |

8. What percentage of the time are overrides used to adjust the general risk level scores?

- _____ Never
- _____ Less than 5%
- _____ 5 – 10%
- _____ 10 – 20%
- _____ 20 – 30%
- _____ 30 – 40 %
- _____ 40 – 50%
- _____ More than 50%

9. How is assessment information used? (Mark all that apply.)

- Assign supervision levels
- Determine programming levels and services
- Determine completion/termination criteria
- Determine intermediate program outcomes
- Develop specialized caseloads
- Assign officer workloads
- Aid in sentencing decisions
- Other (please specify):

10. Does your agency use risk/need assessment instruments that have been specifically designed for the Hispanic/Latino population?

- _____ Yes (Please name the instrument):
- _____ No

11. Does your agency use risk/need assessment instruments that have been specifically designed for the American Indian population?

- _____ Yes (Please name the instrument):
- _____ No

Section III C: Agencies that use a locally developed instrument to determine client risk level

1. Your agency's locally developed assessment instrument is modified from which of the following standardized, actuarial instruments?

- _____ Level of Service Inventory Revised (LSI-R)
- _____ Correctional Assessment and Intervention System (CAIS), formerly the Wisconsin
- _____ Correctional Offender Management Profile for Alternative Sanctions (COMPAS)
- _____ Offender Intake Assessment of Correctional Services Canada
- _____ Salient Factor Score
- _____ Custody Rating Scale
- _____ Corrections Risk Analysis System (C-RAS)
- _____ Other (please specify):

2. What additional process is used to determine client risk level? (Mark all that apply.)

- None
- Social work or psychosocial assessment
- Professional judgment only
- Severity of offense
- Informal interview
- File review
- Collateral contacts
- Other (please specify):

Questions 3 and 4 refer to test validation and norming. Validity refers to what characteristic the test measures and how well the test measures that characteristic. A test's validity is established in reference to specific groups. The samples used for test validation and norming must be of adequate size and must be specifically representative to substantiate validity statements to establish appropriate norms and to support conclusions regarding the use of the instrument for the intended purpose.

3. Within the past three years, has your agency conducted test validation and norming studies on the assessment instrument (marked in question #1) for the client population served?

_____Yes

_____No

4. Within the past three years, has your agency conducted test validation and norming studies on the assessment instrument (marked in question 1) for any specific populations? (Mark all that apply.)

- None
- White
- Black or African American
- Hispanic/Latino of any race
- American Indian
- Alaska Native
- Asian
- Native Hawaiian and Other Pacific Islander
- Males
- Females

5. What factors discourage your agency from using a standardized, actuarial instrument to determine client risk level? (Mark all that apply.)

- Current process is adequate
- Lack of administrative support
- Professional judgment is adequate
- Too time consuming
- Too costly
- Staff members are not adequately trained
- Lack of buy-in from staff
- Other (please specify):

6. Is your agency considering using a standardized, actuarial instrument in the future to determine risk level?

_____Yes

_____No

7. How important is it to your agency to use standardized, actuarial instruments to assess risk?

Not important

Important

Very Important

1

2

3

4

5

8. How important is it to your agency to use standardized, actuarial instruments to assess need?

Not important

Important

Very Important

1

2

3

4

5

9. Rate the level of satisfaction with your agency's current process of conducting risk/need assessment.

Poor

Satisfactory

Very Satisfactory

1

2

3

4

5

10. What percentage of the time are overrides used to adjust the general risk level scores?

_____ Never

_____ Less than 5%

_____ 5 – 10%

_____ 10 – 20%

_____ 20 – 30%

_____ 30 – 40 %

_____ 40 – 50%

_____ More than 50%

11. How is assessment information used? (Mark all that apply.)

- Assign supervision levels
- Determine programming levels and services
- Determine completion/termination criteria
- Determine intermediate program outcomes
- Develop specialized caseloads
- Assign officer workloads
- Aid in sentencing decisions
- Other (please specify)

12. Does your agency use risk/need assessment instruments that have been specifically designed for the Hispanic/Latino population?

_____ Yes (Please name the instrument):

_____ No

13. Does your agency use risk/need assessment instruments that have been specifically designed for the American Indian population?

_____ Yes (Please name the instrument):

_____ No

Section IIID: Agencies that do not use a standardized or locally developed instrument to determine client risk level.

1. What process is used to determine client risk level? (Mark all that apply.)

- Social work or psychosocial assessment
- Professional judgment only
- Severity of offense
- Informal interview
- File review
- Collateral contacts
- Other (please specify):

2. What factors discourage your agency from using a standardized, actuarial instrument to determine client risk level? (Mark all that apply.)

- Current process is adequate
- Lack of administrative support
- Professional judgment is adequate
- Too time consuming
- Too costly
- Staff members are not adequately trained
- Lack of buy-in from staff
- Other (please specify):

3. Is your agency considering using a standardized, actuarial instrument in the future to determine risk level?

_____Yes

_____No

4. How important is it to your agency to use standardized, actuarial instruments in the future to assess **risk**?

Not important

Important

Very Important

1

2

3

4

5

5. How important is it to your agency to use standardized, actuarial instruments in the future to assess **need**?

Not important

Important

Very Important

1

2

3

4

5

6. Rate the level of satisfaction with your agency's current process of conducting risk/need assessment.

Poor

Satisfactory

Very Satisfactory

1

2

3

4

5

7. How is assessment information used? (Mark all that apply.)

- Assign supervision levels
- Determine programming levels and services
- Determine completion/termination criteria
- Determine intermediate program outcomes
- Develop specialized caseloads
- Assign officer workloads
- Aid in sentencing decisions
- Other (please specify):

8. Does your agency use risk/need assessment instruments that have been specifically designed for the Hispanic/Latino population?

_____ Yes (Please name the instrument):

_____ No

9. Does your agency use risk/need assessment instruments that have been specifically designed for the American Indian population?

_____ Yes (Please name the instrument):

_____ No

Section IV: Specialized Assessment

1. What substance abuse assessments does your agency currently use? (Mark all that apply.)

- None
- Substance Abuse Subtle Screening Inventory-2
- Addiction Severity Index
- Michigan Alcohol Screening Test
- Drug Alcohol Screening Test
- Adult Substance Abuse Survey
- Offender Profile Index
- CAGE
- Alcohol Dependence Scale
- Other (please specify):

2. What personality assessments does your agency currently use? (Mark all that apply.)

- None
- Hare Psychopathy Checklist-Revised
- Minnesota Multiphasic Personality Inventory-2 (MMPI-2)
- Million Clinical Multi-axial Inventory
- Adult Management System (AIMS)
- Other (please specify):

3. What domestic violence assessments does your agency currently use? (Mark all that apply.)

- None
- Domestic Violence Screening Inventory (DVSI)
- DV MOSAIC
- Danger Assessment (DA)
- Ontario Domestic Assault Risk Assessment (ODARA)
- Spousal Assault Risk Assessment Guide (SARA)
- Other (please specify):

4. What assessments does your agency currently use to assess antisocial attitudes? (Mark all that apply.)

- None
- Criminal Sentiments Scale
- How I Think Questionnaire
- Beliefs Inventory
- Pride in Delinquency
- Other (please specify):

5. What assessment instruments does your agency currently use to assess sexual risk/recidivism? (Mark all that apply.)

- None
- STATIC-99/Static 2002
- Sexual Violence Risk-20 (SVR-20)
- Rapid Risk Assessment for Sex Offense Recidivism (RRASOR)
- Minnesota Sex Client Screening Tool-Revised (MnSORT-R)
- Sex Client Needs Assessment Rating (SONAR)
- Sex Client Risk Appraisal Guide (SORAG)
- Other (please specify):

6. What assessment instruments does your agency currently use to assess violent risk/recidivism?
(Mark all that apply.)

- None
- Hare Psychopathy Checklist Revised (PCL-R)
- Violence Risk Appraisal Guide (VRAG)
- HCR-20
- Other (please specify):

7. Does your agency regularly reassess clients? If No, skip to question #9.

_____Yes

_____No

8. What type of reassessment is conducted? (Mark all that apply.)

- General risk/recidivism
- Cognitive/attitudinal (measure antisocial attitudes)
- Substance abuse
- Violence risk/recidivism
- Sexual risk/recidivism
- Personality
- Other (please specify):

9. How often should reassessment be completed, according to policy?

_____No policy for reassessment

_____Every 3 months

_____Every 6 months

_____Every 9 months

_____Yearly

_____Other (please specify):

10. How often does practice follow reassessment policy?

_____ No policy for reassessment

_____ Always or most of the time

_____ Some of the time

_____ Very rarely

_____ Never

Section V: Responsivity Considerations

Responsivity refers to matching the service delivery style of interventions with the client's individual characteristics and traits such as personality, motivation, learning styles, abilities and demographics.

1. Does your agency assess responsivity? If No, skip to question 5.

_____ Yes

_____ No

2. Which of the following responsivity factors do you assess? (Mark all that apply.)

Personality

Mental disorders

Motivation

Learning Style

Cognitive level

Race/ethnicity

Other (please specify):

3. How does your agency assess responsivity?

_____ Standardized, actuarial instruments

_____ Social work or psychosocial assessment

_____ Other (please specify):

4. How important is it to your agency to assess responsiveness?

Not important

Important

Very Important

1

2

3

4

5

5. What assessment instruments does your agency use to assess client readiness/motivation?
(Mark all that apply.)

Client readiness/motivation refers to the stages of change that an individual progresses through when attempting to change a behavior.

Do not assess

SOCRATES

University of Rhode Island Change Assessment Scale (URICA)

Formal Interview

Other (please specify):

6. Do direct service staff members receive training in motivational interviewing techniques?

_____ Yes

_____ No

7. Does your agency have specifically designed correctional treatment interventions for the Hispanic/Latino population?

_____ Yes

_____ No

8. Does your agency have specifically designed correctional treatment interventions for the American Indian population?

_____ Yes

_____ No

9. Describe the interview setting with a client:

_____Varies by location

_____Interview is conducted in an office setting that allows little privacy

_____Interview is conducted in an office setting that allows privacy

_____Other (please specify):

10. Describe the interviewer characteristics:

_____Varies by location

_____Interview is conducted by a uniformed correctional/probation officer

_____Interview is conducted by an officer in civilian clothing

_____Interview is conducted by a licensed clinical professional

11. Describe how staff is assigned to conduct interviews with Hispanic/Latino clients:

_____Varies by location

_____Hispanic/Latino staff is assigned to the client

_____Staff with considerable knowledge about the Hispanic/Latino culture is assigned to the client

_____Staff members are assigned based on availability

_____No Hispanic/Latino clients

_____Other (please specify):

12. Describe how staff is assigned to conduct interviews with American Indian clients:

Varies by location

American Indian staff is assigned to the client

Staff with considerable knowledge about the American Indian culture is assigned to the client

Staff members are assigned based on availability

No American Indian clients

Other (please specify):

13. How often does your agency assign a staff member to a client based on language preference?

Varies by location

Always or most of the time

Some of the time

Very rarely

Never

14. Describe how staff is assigned to conduct interviews with clients whose primary language is Spanish.

Varies by location

A staff member who speaks the primary language is assigned to the client

An interpreter is used

Staff members are assigned based on availability

No Hispanic/Latino clients

Other (please specify):

15. Describe how staff is assigned to conduct interviews with clients whose primary language is an American Indian language.

_____Varies by location

_____A staff member who speaks the primary language is assigned to the client

_____An interpreter is used

_____Staff members are assigned based on availability

_____No American Indian clients

_____Other (please specify):

You have completed all sections of the survey. Thank you!

Survey Version 2

Background Information

Name of agency: _____

Agency mailing address: _____

Agency physical address (if different from above): _____

Name of person completing survey: _____

Title of person completing survey: _____

Phone: _____ Fax: _____ Email: _____

What was the total number of client intakes conducted by your agency in 2007 (fiscal or calendar year)? _____

What was your agency's average daily supervision population in 2007? _____

Assessment Tools

1. What tool/method does your agency use to assess client risk and/or client need (e.g. LSI-R, developed own instrument, clinical assessment, don't assess risk/need, etc.)?

2. Does your agency use risk/need assessment instruments that have been specifically designed for the Hispanic and/or the American Indian population?

Yes (please name the instruments): _____

No

3. Has your agency ever conducted test validation and/or norming studies on the assessment instrument (identified in question #1) for the client population served?

Yes (if so, how long ago was it completed? _____ years _____ months)

No

Client Characteristics

4. During the assessment process, does your agency gather information regarding clients':

Religious/spiritual preferences?

- Yes
- No

Language preference (native language)?

- Yes
- No

5. How does your agency assess whether clients belong to a certain racial/ethnic population? (Mark all that apply.)

- Do not assess
- Client self-identification (ask the client to self-identify)
- Employee identification (employees assign racial categories)
- File/Background information
- Other (please specify): _____

6. What percentages of your clients were identified as belonging to the following racial or ethnic groups in the year 2007?

_____ Hispanic of any race
_____ American Indian
_____ Do not collect that information

Agency Characteristics

7. What percentages of staff members were identified as belonging to the following racial or ethnic groups in the year 2007?

_____ Hispanic of any race
_____ American Indian
_____ Do not collect that information

8. Does your agency offer training in cultural competency in working with the Hispanic and/or the American Indian population? (Mark all that apply.)

- General cultural competency training
- Hispanic-specific cultural competency training

- American Indian-specific cultural competency training
- No cultural competency training

9. What percentage of staff employed at your agency proficiently speak (if unknown enter **unknown**):

_____ Spanish

_____ An American Indian language

Appendix B: Focus Group Protocols

Offender-Based Focus Group Questions	
Topics	Questions
Cultural Upbringing	<ul style="list-style-type: none"> • If someone asks you what your race or ethnicity is, how would you respond? <ul style="list-style-type: none"> ○ Probing Question: <ul style="list-style-type: none"> ▪ You are here because the probation department identifies you as Hispanic (American Indian). Is this accurate? What is the word that you prefer to be called for your ethnicity? • What does that “word” mean to you? Does it affect how you act or behave? <ul style="list-style-type: none"> ○ What did you learn about being Hispanic/Indian growing up? ○ If they do discuss what they learned growing up ask: do you still practices or still have any kind of connection with the culture. Why or why not? • Are there any traditional practices that you continue to take part in? What are they? • How has being Hispanic/Indian created different experiences for you? • Are you surrounded by similar people/communities for support and that share your culture?
Interactions with Community Corrections	<ul style="list-style-type: none"> • How well do you feel that your PO knows you personally? <ul style="list-style-type: none"> ○ Based on how they treated you? ○ Their race/ethnicity/age? ○ Their knowledge about your ethnic culture? ○ Barriers due to language? • Please describe your relationship with your current probation officer? • In your current term of supervision, can you talk about the first time that you met with your probation officer? • Has Indian or Hispanic culture or Indian or Hispanic practices ever been discussed with you by your probation officer(s) (e.g. <i>Hispanic</i> – interpersonal relations, avoid individual confrontations, respect,

	<p>family. <i>American Indians</i> – spirituality, family life traditions, recreation, medicine etc)?</p> <ul style="list-style-type: none"> ○ If not, do you see this as important and how could they approach the conversations? ○ If yes, are there any areas in which they can become better at responding to your culture? (e.g. not making the interview/meetings confrontational, showing mutual respect, being respectful of traditions).
Ethnic-Stereotyping	<ul style="list-style-type: none"> ● Do you think you have ever been treated differently based on your ethnicity? <ul style="list-style-type: none"> ○ If so, have you ever felt that you have been treated that same way by your probation officer?
Summary Question	<ul style="list-style-type: none"> ● How could the probation department improve supervision for Hispanic or American Indian offenders? ● If you were a probation officer for Hispanic or American Indian offenders, what would you need to know?

Officer Focus groups	
Topics	Questions
Opening Questions	<ul style="list-style-type: none"> • Can you briefly describe your main responsibilities as a probation officer?
Assessment and Supervision Planning	<ul style="list-style-type: none"> • How are caseloads assigned in your department? • How often do you work with Hispanic and Native American offenders? • What is the risk/need assessment process in your organization? <ul style="list-style-type: none"> ○ Who does the [risk/need assessment]? ○ When is the [risk/need assessment] done? ○ Who does the [re-assessment]? How often is [re-assessment] done? • What information is gathered to complete the [risk/need assessment]? (<i>Keep in mind: In jurisdictions where case assignment occurs at a central location, this question will not be able to be answered since most staff do not complete initial assessments.</i>) • How do you utilize the [risk/need assessment] information? <ul style="list-style-type: none"> ○ Classification ○ Supervision ○ Treatment ○ What do you consider when making referrals to service providers? • In your experience, do you think the assessment process needs improvement in addressing issues of diversity with Hispanic or American Indian populations? Where and How? (<i>Make sure as the facilitator you are emphasizing process</i>). • In your experience, do you think the [assessment tool] needs improvement in addressing issues of diversity with Hispanic or American Indian populations? How?

Worker Client Rapport	<ul style="list-style-type: none"> • What is your supervision philosophy about working with offenders?
Language	<ul style="list-style-type: none"> • Is language preference a factor in your day to day interactions with clients? • How do you address language barriers if you come across them?
Cultural Perspective	<ul style="list-style-type: none"> • Describe your experiences working with different ethnic populations? • Do you have different approaches for working with different groups of offenders? • How do you decide which approach to take? • What are some of the cultural differences that you've observed when working with the Hispanic (or American Indian) population? (e.g. communication style, body language, language, willingness to share information about themselves, etc) • Can you think of an example of a situation where a Hispanic or American Indian offender was somehow treated unfairly by the system? • Have you ever had an experience when you made yourself make a conscious effort not to stereotype someone?
Training	<ul style="list-style-type: none"> • What training, if any, have you attended pertaining to working with minority populations/cultures? • Were these trainings mandatory or voluntary? • During any of the trainings you attended, did any of the content pertain specifically to working with specific minority populations/cultures? <ul style="list-style-type: none"> ○ Probes: <ul style="list-style-type: none"> ▪ What specific cultures did you learn about? • How, if at all, have you implemented what you learned in trainings? (<i>May need to probe here for daily practices</i>). • When was the last time you attended this type of

	<p>training and do booster trainings occur?</p> <ul style="list-style-type: none"> • Do you have any suggestions for future trainings relating to cultural sensitivity?
<p>Summary and recommendations (20 min)</p>	<ul style="list-style-type: none"> • What kind of skills do you think are needed for a probation/parole officer who works with ethnically diverse offender populations? • If you were going to give advice to other supervisors supervising officers working with these populations what would it be? • Do you have any final comments or recommendations for the project team?

Supervisor focus group	
Topics	Questions
Opening Question	<ul style="list-style-type: none"> • Can you briefly describe your main responsibilities as a probation/parole supervisor/manager?
Cultural Perspective	<ul style="list-style-type: none"> • Describe your experiences working with different offender ethnic populations? • Do you have different approaches for working with different groups of offenders? If you don't work with offenders or haven't in a long time, how do you talk to your officers about working with different groups of offenders? • How do you decide which approach to take? How do you talk to your officers about their approach? • What are some of the cultural differences that you've observed when supervising the Hispanic (or American Indian) offender population? (e.g. communication style, body language, language, willingness to share information about themselves, etc.) • Can you think of an example of a situation where a Hispanic or American Indian offender was somehow treated unfairly by the system? • Have you ever had an experience when you needed to make a conscious effort not to stereotype someone?
Training	<ul style="list-style-type: none"> • Have you attended any trainings pertaining to working with minority populations/cultures? • Were these trainings mandatory or voluntary? • Did any of the training content pertain to working with specific minority populations/cultures? <ul style="list-style-type: none"> ○ Probes: <ul style="list-style-type: none"> ▪ What specific cultures did you learn about? • How, if at all, have you used what you learned in trainings? (<i>May need to probe here for daily practices</i>). • When was the last time you attended this type of training and do booster trainings occur? • Do you have any suggestions for future trainings relating to

	cultural awareness?
Client Worker Rapport	<ul style="list-style-type: none"> • What is your supervision philosophy about working with offenders? • How do you observe interactions between your probation/parole officers and the offenders they work with? Follow-up: <ul style="list-style-type: none"> ○ What types of methods (e.g. rap sheets, conversations with previous probation officers, office visits, phone, court, etc.) do you see officers using to identify offender needs or information exchange? ○ What do you see as a productive style of interaction(s) between officers and offenders they are working with?
Assessment and Supervision Planning	<ul style="list-style-type: none"> • What is the ethnic make-up of your officers case loads (or the case load you may carry) (e.g. Hispanic, Native American, other)? • How are cases assigned to your probation/parole officers, and what is your role as a supervisor/manager in how cases are assigned? <ul style="list-style-type: none"> ○ Does the make-up of cases influence the way they are assigned to officers? If so, how/why? • What do you know about a case before it is assigned? Do any characteristics of the case affect how you assign the case to an officer? • What is the [risk/need assessment] process in your organization? <ul style="list-style-type: none"> ○ Who does the [risk/need assessment]? ○ When is the [risk/need assessment] done? ○ Who does the [re-assessment]? How often is [re-assessment] done? • As a supervisor/manager what is your role in the [risk/need assessment] process? <ul style="list-style-type: none"> ○ Probe: What is the oversight process for: <ul style="list-style-type: none"> ▪ Information your probation officers use to complete the [risk/need assessment]? (<i>Keep in mind: In jurisdictions where case assignment occurs at a central location, this question will not be able to be answered since most staff do not complete initial assessments.</i>) ▪ How do your probation officers utilize the [risk/need assessment] information? <ul style="list-style-type: none"> ○ Classification

	<ul style="list-style-type: none"> ○ Supervision ○ Treatment <ul style="list-style-type: none"> ▪ How do your probation officers make referrals to service providers? <ul style="list-style-type: none"> • In your experience, do you think the assessment process is adequate or may need improvement in addressing issues related to Hispanic or American Indian populations? Where and How? <i>(Make sure as the facilitator you are emphasizing process).</i> • In your experience, do you think the [assessment tool] is adequate or may need improvement in addressing issues of diversity with Hispanic or American Indian populations? How?
Staff Characteristics	<ul style="list-style-type: none"> • What characteristics are most important to look for when hiring probation/parole officers? <ul style="list-style-type: none"> ○ Probes: <ul style="list-style-type: none"> ▪ Is there a diverse array (i.e. diversity of ethnicity) among probation/parole officers that represents the community you work in? ▪ Are staff bi-lingual? ▪ Are staff able to adapt services, practice, service delivery to match offenders needs?
Summary Question	<ul style="list-style-type: none"> • What kind of skills do you think are needed for supervisors who manage officers that work with ethnically diverse offender populations? • If you were going to give advice to other officers working with these populations what would it be? • Do you have any final comments or recommendations?

Appendix C: Supplemental tables and limitations

Recidivism Measures

Table A-1: Individual Site Recidivism Measures

	Number of Recidivism Measures	Recidivism Measures
Site 1	2	Successful completion of sentence; Revoked for new offense
Site 2	2	Unsuccessful completion of sentence; Revoked for new offense
Site 3	2	Unsuccessful completion of sentence; Revoked for new offense
Site 4	1	Recommitment to prison
Site 5	1	Acquired a violation

Competency Scoring

Language and religion – During the assessment process, does your agency gather information regarding clients’ religious preference? During the assessment process, does your agency gather information regarding clients’ language preference? Index score = 1 if agency collects religious or language information.

Cultural competency – Does your agency offer training in cultural competency in working with the Hispanic and/or the Native American population? Index score = 1 if agency offers training.

Consider ethnicity – Does your agency consider ethnicity when assigning supervision responsibilities for Hispanic and/or Native American clients? Index score = 1 if agency considers ethnicity.

Consider language – Does your agency consider language when assigning supervision responsibilities for Hispanic and/or Native American clients? Index score = 1 if agency considers language.

Hispanic staff – Percentage of staff members that were identified as Hispanic in the year 2007? Index score = 1 for any percentage greater than zero.

Native American staff – Percentage of staff members that were identified as Native American in the year 2007? Index score = 1 for any percentage greater than zero.

The table below presents the correlation matrix for the competency scale items. It should be noted that the bivariate correlation comparing Hispanic and Native American staff is 1.0, suggesting a perfect correlation. While this finding is interpreted as such, it is important to recognize that there were only six sites, which makes it more likely that such a finding could occur. As such, these findings should be interpreted with caution.

n = 6	1	2	3	4	5	6
1 Language or Religion	1.00					
2 Training Available	-0.29**	1.00				
3 Considers Ethnicity	0.34**	0.21**	1.00			
4 Considers Language	0.64**	-0.18**	0.21**	1.00		
5 Hispanic Staff	0.28**	0.64**	0.34**	-0.29**	1.00	
6 Native American Staff	0.28**	0.64**	0.34**	-0.29**	1.00**	1.00
** Correlation is significant at the 0.01 level (2-tailed)						
* Correlation is significant at the 0.05 level (2-tailed)						
Language or Religion: 1 = agency collects information on client's language or religion; Training Available: 1 = agency provides cultural competency training; Considers Ethnicity: 1 = agency considers client's Ethnicity when assigning cases; Considers Language: 1 = agency considers client's language when assigning cases; Hispanic Staff: 1 = agency has Hispanic staff; Native American Staff: 1 = agency has Native American staff.						

Limitations

- There were multiple methodological decisions that had to be made which may have resulted in sampling bias. These potential limitations include:
 - Combining samples from five different sites with various risk and needs assessment tools, different ranges in total scores, different risk and needs items, and different risk level cutoffs;
 - Combining samples that are not drawn from the same population and with proportionately different racial and ethnic backgrounds; and
 - Having samples comprised of both parole and probation offenders.
- Recidivism measures by site were not consistent. As such, one outcome measure was created for the overall analysis which likely reduces the rigor of these findings since individual site outcomes ranged from violations²⁷ while on supervision to admission into prison. Further, multiple outcome measures examining this range of outcomes would have produced a more robust and comprehensive analysis.
- Scores on the cultural competency scale may not be representative of current best practices by a site. All data were derived from responses to survey questionnaires, and therefore

²⁷ Violations could mean that a report was filed and not necessarily that a revocation occurred for each case. Further, offenders could potentially have multiple violations for one report.

information was provided through self-report which may impact the reliability of the total cultural competency scores.

- A single cultural competency scale was created for both populations. It may have been more appropriate to create two cultural competency scales, one for each population. A single scale may not capture all of the activities and policies that make up cultural responsiveness for both populations. Furthermore, as previously discussed, there is tremendous variation within both Hispanic and American Indian populations. This may complicate the creation of any single scale intended to capture culturally responsive practices for working with either of these populations.
- When disaggregating by race/ethnicity for any analysis, sample sizes were reduced which may have resulted in unreliable findings.
- Only five sites were included in this analysis which limits the generalizability to other jurisdictions. This is of particular importance when the site has a small or a large proportion of offenders representing a specific race or ethnicity.
- Cultural competency was limited to investigating the impact of recidivism on American Indian and Hispanic groups. This study did not examine other intermediate outcomes of potential interest during supervision, including regular reporting for supervision appointments, maintaining employment, involvement in mental health counseling, and attendance and completion of cognitive behavioral programming, for example.