

Example 21. Indiana's Gap Analysis and Targets of Change

INDIANA OFFENDER REINTEGRATION PROJECT *First Report: Laying the Foundation*

Overview

The State of Indiana was selected by the National Institute of Corrections (NIC) to participate in the model reentry project titled, "Transition from Prison to Community Initiative" (TPC). Indiana's Offender Reintegration Project (IORP) is based on the TPC model. IORP is designed to promote successful offender community reintegration upon release from prison by employing research-based practices in a case management approach to effectively address offender risks and needs while protecting public safety. This public safety-focused model is ". . . organized around identifying factors that put offenders at increased risk of recidivism, and engaging those offenders in treatment, programming, or supervision strategies that modify those factors, thereby lowering their odds of committing crimes after release."

Indiana's Offender Reintegration Project represents a substantial shift in criminal justice practices based on proven methods for ending the cycle of recidivism. IORP promotes collaborative efforts to help offenders return to their communities as productive citizens. Through the project, state and local agencies, organizations, and businesses will join forces to identify and provide the unique combination of services needed to successfully guide these men and women as they leave the criminal justice system and return home.

The goals of the Indiana Offender Reintegration Project are to promote public safety *and* reduce recidivism.

Analysis Findings and Recommendations

The Steering Committee for Indiana's Offender Reintegration Project conducted a "gap analysis" to compare Indiana's current policies and practices related to the transition from prison to community to a National Institute of Corrections' model for offender reentry. Work Groups comprised of Steering Committee members were formed to answer strategic planning questions in each of the seven functional areas potentially requiring reform based on the model. Recommendations stemming from Indiana's gap analysis are:

1. Resource allocation must be focused on offenders who are at highest risk to re-offend and pose the greatest threat to public safety upon release.
2. Develop a system for sharing information among the various components of the criminal justice system and its community partners to obtain comprehensive and timely offender information.
3. Enhance and implement comprehensive procedures to systematically assess offender security risk level and program/treatment/service needs upon admission to the Department of Correction.

4. Ensure each offender is housed in the most appropriate custody level while maintaining access to programs and services needed to reduce recidivism upon release.
5. Periodically update offender assessments, including prior to release from prison.
6. Develop Transition Accountability Plans (TAP; i.e., an offender's reintegration plan) for all offenders upon admission to the Department of Correction.
7. Identify justice system and community stakeholders to be involved in the development of the TAP and create procedures for this interdisciplinary work.
8. TAP must be based on comprehensive assessments of offender risk, background, criminal history, treatment/program/service needs, etc.
9. The TAP should be used as a guide or blueprint for the treatment, programs, and /services an offenders needs, beginning in the correctional setting.
10. The TAP should be considered as an evolving blueprint and should be updated as necessary based on new assessments and information about the progress of intervention efforts.
11. TAP programs should (a) be research-based and positively affect factors which lead to recidivism upon release, (b) address identified dynamic risk factors, and (c) employ standardized curricula system-wide.
12. Identify staff responsible for implementation of the TAP when an offender is under correctional custody.
13. Establish rewards and sanctions to hold offenders accountable to the TAP (both in prison and upon release to the community).
14. Establish procedures to transition the TAP from the Department of Correction to the community when an offender is released.
15. Identify parties responsible for implementation of the TAP when an offender is released into the community.
16. Review existing laws, rules, and administrative practices which might bar offenders from basic needs (e.g., employment) and services (e.g., welfare benefits).
17. The TAP should be considered as an evolving blueprint and should be updated as necessary based on new assessments and information about the progress of community intervention efforts.
18. Community supervision levels and services should follow from the TAP.
19. Identify staff responsible for implementation of community supervision responsibilities under the TAP.
20. Examine programs currently being offered in communities to ensure (a) that they are research-based and sustain reductions in recidivism upon release and (b) enhance

community capacity to achieve baseline programs and services needed by offenders (e.g., housing, jobs, food, mental/medical health, substance abuse, etc.).

21. Develop performance-based accountability procedures for community providers offering programs and treatment to offenders who are still under the jurisdiction of the justice system.
22. Develop standardized responses (i.e., sanctions and rewards) for TAP violations and accomplishments.
23. Tie responses to violations and accomplishments to the TAP.
24. Develop a standardized process for early discharge from community supervision based on demonstrated reduction in dynamic risk factors.
25. Establish a process to transition responsibility for post-discharge activities to the ex-offender and the community.

THE TPC MODEL: ASSESSMENT AND CLASSIFICATION

Assessment occurs soon after offenders are admitted to prison and is the process by which information is obtained about offenders that is needed to make decisions about their placement, management, and programming while confined, and about the timing and conditions of their release to the community. Assessments are used to measure offenders' risk of engaging in behaviors of concern (e.g., escape while confined, recidivism after release, etc.) or the presence of specific strengths or deficits. Different assessments are used for measuring different aspects of offenders' strengths or needs. Instruments used to predict risk of recidivism should be empirically based, validated on the population of offenders to which they will be applied, and should rely on objective and uniformly accessible variables.

Classification is the process whereby correctional institutions use information about offenders to make decisions about the conditions under which they will be confined. Classification decisions focus on such things as inmate's custody level and specific housing assignment. Those decisions, in turn, strongly affect the transition process—for example, offenders may be unable to enter a vocational training program (needed to lower a dynamic risk factor—lack of employable skills) until they are transferred to a lower custody level.

Under the TPC both assessment and classification are conceived to be continuous—or at least, periodic and reiterative—processes. Offenders are re-assessed to determine their progress on mitigating dynamic risk factors. They are re-classified to determine if their custody levels should be modified based on their conduct and behavior in their current custody level.

Source: National Institute of Corrections Transition from Prison to Community Initiative Manual

Gap Analysis Findings: Current Practices In Indiana

Systematic dynamic risk assessment is not currently conducted upon intake to prison with one exception—the LSI-R (Level of Service Inventory-Revised) is used to assess risk factors among male youth incarcerated as adults. Some dynamic risk factors are assessed either upon intake to the to the prison system or at an assigned facility, such as educational needs, mental health needs, medical needs, substance abuse and sex offender identification. The department is currently developing risk assessment instruments to be used upon admission to and prior to release from prison.

The department currently employs a classification assessment tool to determine appropriate facility placement during an offender's period of incarceration. An offender's classification assessment is reviewed, at a minimum, on an annual basis. The department's classification assessment tool and process are currently being revised.

Some dynamic risk factors may be continually assessed in response to specific problems or as the offender progresses through applicable program components. Individualized treatment based on an offender-specific case management plan does not currently occur. The department is currently designing a case management approach to offender management.

Steering Committee Recommendations

1. Enhance and implement comprehensive procedures to systematically assess offender security risk level and program/treatment/service needs upon admission to the Department of Correction.
2. Ensure each offender is housed in the most appropriate custody level while maintaining access to programs and services needed to reduce recidivism upon release.
3. Periodically update offender assessments, including prior to release from prison.

THE TPC MODEL: TRANSITION ACCOUNTABILITY PLANS (TAP)

The Transition Accountability Plan (TAP) integrates offenders' transition from prisons to communities by spanning phases in the transition process and agency boundaries. The TAP is a collaborative product involving prison staff, the offender, the releasing authority, community supervision officers, human services providers (public and/or private), victims, and neighborhood and community organizations. The TAP describes actions that must occur to prepare individual offenders for release from prison, defines terms and conditions of their release to communities, specifies the supervision and services they will experience in the community, and describes their eventual discharge to aftercare upon successful completion of supervision. The objective of the TAP is to increase both overall community protection by lowering risk to persons and property and by increasing individual offender's prospects for successful return to and self-sufficiency in the community.

The TAP process begins soon after offenders enter prison and continues during their terms of confinement, through their release from prison, and continues after their discharge from community supervision as an evolving framework for aftercare provided by human service agencies or other means of self-help and support. At each step along this continuum, the TAP is administered by a Transition Management Team, whose members include prison staff, parole supervision staff, and community agencies and service providers. The membership of the Transition Management Team and their respective roles and responsibilities will change over time. During the institutional phase prison staff may lead the team. During the reentry and community supervision phase parole officers may lead the team. During the reintegration phase human services agencies or community services providers may lead the team. After offenders have successfully completed community supervision, their TAP may continue and be managed by staff of human services agencies, if the former offender chooses to continue to seek and receive services or support. At each stage in the process Team members will use a case management model to monitor progress in implementing the plan.

Source: National Institute of Corrections Transition from Prison to Community Initiative Manual

Gap Analysis Findings: Current Practices In Indiana

Individual offender programming and treatment based on a case management/accountability plan is not currently systematically employed by the Department of Correction. Current department procedures and programs that are consistent with the development of a TAP include risk assessment (as noted above); the Adult Program Management Data System; intake classification procedures and annual reviews of offender classification; the department's Transition Program, and parole release procedures; calculation of Earliest Projected Release Dates; and the Victim/Witness Notification Program.

Steering Committee Recommendations

1. Develop Transition Accountability Plans (TAP; i.e., an offender's reintegration plan) for all offenders upon admission to the Department of Correction.
2. Identify justice system and community stakeholders to be involved in the development of the TAP and create procedures for this interdisciplinary work.
3. TAP must be based on comprehensive assessments of offender risk, background, criminal history, treatment/program/service needs, etc.
4. The TAP should be used as a guide or blueprint for the treatment, programs, and /services an offenders needs, beginning in the correctional setting.
5. The TAP should be considered as an evolving blueprint and should be updated as necessary based on new assessments and information about the progress of intervention efforts.
6. TAP programs should (a) be research-based and positively affect factors which lead to recidivism upon release, (b) address identified dynamic risk factors, and (c) employ standardized curricula system-wide.
7. Identify staff responsible for implementation of the TAP when an offender is under correctional custody.
8. Establish rewards and sanctions to hold offenders accountable to the TAP (both in prison and upon release to the community).

THE TPC MODEL: RELEASE FROM PRISON TO THE COMMUNITY

The model requires that jurisdictions establish target release dates for inmates early in their terms of imprisonment. The target release date is the benchmark around which elements of the Transition Accountability Plan are arranged.

Target release dates should be established for individual inmates using processes that are fair, objective, equitable, and based on rational policy objectives (e.g., to impose just punishment, to protect public safety). The public and policy makers should understand that effective transition does not thwart Justice, but occurs after Justice has been served.

Releasing authorities can establish target release dates by release guidelines or by policy statements applicable to general categories of inmates. We recommend that states develop and use structured release guidelines that incorporate validated risk-prediction instruments, and that permit policy-guided overrides for exceptional cases.

We recommend that the corrections agency, releasing authority, and supervision agency have a consistent—even congruent—approach to risk assessment and risk management. Ideally, the partners in the transition process would use the same assessment instruments to predict risk of recidivism. This will reduce duplication and promote a consistent approach to risk management across agencies. If a common risk instrument is not possible, the agencies should use generically similar information to assess offenders' risk.

Source: National Institute of Corrections Transition from Prison to Community Initiative Manual

Gap Analysis Findings: Current Practices In Indiana

For a vast majority of Indiana's incarcerated offenders, the Earliest Projected Release Date (EPRD) is statutorily determined by the length of the determinate sentence, the number of days incarcerated, and credit time earned. Offenders who are serving an indeterminate sentence under Indiana's old criminal code, are released based on the number of days incarcerated and upon review by Indiana's Parole Board. Based on county participation and judicial approval, offenders also may be released 60 to 180 days prior to their EPRD under the Community Transition Program.

Steering Committee Recommendations

1. Establish procedures to transition the TAP from the Department of Correction to the community when an offender is released.
2. Identify parties responsible for implementation of the TAP when an offender is released into the community.
3. Review existing laws, rules, and administrative practices which might bar offenders from basic needs (e.g., employment) and services (e.g., welfare benefits).

THE TPC MODEL: SUPERVISION AND SERVICES IN THE COMMUNITY

In the community phase, the model proposes that supervision should be structured around a case management model. The case manager should develop a case plan for each offender, which shows how the community-phase of the offender's TAP will be implemented. The case management model we envision is consistent with the enforcement of elements of the TAP related to public safety. Case management should strive for parsimony, by allocating high-cost responses, interventions and services to offenders who pose the greatest risk.

The case plan is the foundation for monitoring each offender's progress in the community, to intervene when needed, to advocate on behalf of those affected by the case plan, and to refer offenders to service providers as required.

Source: National Institute of Corrections Transition from Prison to Community Initiative Manual

Gap Analysis Findings: Current Practices In Indiana

Supervision conditions are generally the sole means by which offender management in the community phase is individualized based on offender need. The Department of Correction's Sex Offender Monitoring and Management program utilizes a case plan in a containment team structure during the community supervision phase, but offender assessment and case planning does not currently occur for all offenders during community supervision. The LSI-R (Level of Service Inventory-Revised) is used on a limited basis by certified parole agents. Each parole district has a staff Substance Abuse Counselor who develops a case plan in conjunction with the parole agent to monitor substance abuse. Parole has an electronic program designed to track and maintain individual parolee information.

Accountability is achieved through community supervision conditions and is enforced when violations are detected. Positive reinforcement occurs within the supervision options available (both in intensity of supervision and the conditions imposed), and on an officer-by-officer basis.

Very little formal advocacy occurs on behalf of the offender though this varies from field officer to field officer. Community supervision agencies actively seek community services based on offender need. Little or no proactive advocacy occurs on behalf of victims and other members of the community.

Referrals (i.e., connecting offenders with appropriate community services) are made on a case-by-case basis depending on offender need, the availability of programs and services in the community, and the case officer involved.

Steering Committee Recommendations

1. The TAP should be considered as an evolving blueprint and should be updated as necessary based on new assessments and information about the progress of community intervention efforts.
2. Community supervision levels and services should follow from the TAP.
3. Identify staff responsible for implementation of community supervision responsibilities under the TAP.
4. Examine programs currently being offered in communities to ensure (a) that they are research-based and sustain reductions in recidivism upon release and (b) enhance community capacity to achieve baseline programs and services needed by offenders (e.g., housing, jobs, food, mental/medical health, substance abuse, etc.).
5. Develop performance-based accountability procedures for community providers offering programs and treatment to offenders who are still under the jurisdiction of the justice system.

THE TPC MODEL: RESPONSE TO VIOLATIONS AND ACCOMPLISHMENTS WHILE ON COMMUNITY SUPERVISION

States should develop structured policies to govern responses to offenders when they violate conditions of release as well as when they have significant positive accomplishments.

Source: National Institute of Corrections Transition from Prison to Community Initiative Manual

Gap Analysis Findings: Current Practices In Indiana

Probation, parole, and community corrections utilize many of the same responses to violations, including, reprimands/counseling, increased drug testing, more frequent reporting requirements, residence searches, administrative hearings, modification of conditions, revocations, etc. While this list represents a continuum of graduated sanctions, most jurisdictions do not have formal sanctioning guidelines. Proportional sanctioning is available but utilization is. In general, responses to violations are not uniformly handled from jurisdiction to jurisdiction.

The use of a continuum of rewards for accomplishments while on community supervision is less widespread and uniform than responses to violations. Current practices in rewarding positive community adjustment include a decrease in the level of supervision, a decrease in the frequency of reporting requirements, placement in a less restrictive environment, early discharge and rewards such as bus passes, employment and education programs, etc.

Steering Committee Recommendations

1. Develop standardized responses (i.e., sanctions and rewards) for TAP violations and accomplishments.
2. Tie responses to violations and accomplishments to the TAP.

THE TPC MODEL: DISCHARGE FROM COMMUNITY SUPERVISION

Just as release from prison gives inmates an incentive for good behavior and addressing risk-related problems, so discharge from supervision gives offenders incentive to conform to the terms and conditions of their release from supervision. In addition, discharge signals the end of supervision—the end of the active portion of the criminal sanction—and the beginning of a formal re-integration of offenders into the body of civil society.

Source: National Institute of Corrections Transition from Prison to Community Initiative Manual

Gap Analysis Findings: Current Practices In Indiana

By statute, a majority of offenders released from the Department of Correction are on parole for two years unless discharged earlier. Certain sex offenders may remain on parole for up to 10 years. Probationers are on community supervision for the length of their suspended sentence unless they are discharged earlier. The conditions under which offenders are discharged from community supervision are not currently based on standardized responses to demonstrated reductions in risk.

Steering Committee Recommendation

1. Develop a standardized process for early discharge from community supervision based on demonstrated reduction in dynamic risk factors.

THE TPC MODEL: AFTERCARE AND SERVICES FOLLOWING RELEASE FROM COMMUNITY SUPERVISION

The transition process seeks to produce offenders who are law-abiding citizens with the strengths and skills to successfully manage the problems they will face daily. However, as with citizens generally, . . . offenders [discharged from community supervision] may require assistance and services from human service agencies. The offender's TAP contains a framework to guide human service providers, as well as a wealth of information they might need to respond to requests for assistance from the offender.

The TAP process begins soon after offenders enter prison and continues during their terms of confinement, through their release from prison, and continues after their discharge from supervision as an evolving framework for aftercare provided by human service agencies or other means of self-help and support. . . After offenders have successfully completed community supervision, their TAP may continue and be managed by staff of human services agencies, if the former offender chooses to continue to seek and receive services or support.

The discharge phase begins when the offender's sentence ends or when officials make a discretionary choice to end community supervision. In this phase it is the responsibility of the former offender, human services providers, and the former offender's network of community supports, linkages, and mentors to continue relevant aspects of the TAP during the period of aftercare.

Source: National Institute of Corrections Transition from Prison to Community Initiative Manual

Gap Analysis Findings: Current Practices In Indiana

Very little is known about offenders once they are discharged from their obligation to the criminal justice system. The justice system no longer has legal authority over the individual and, for the most part, no further monitoring or follow-up is undertaken.

Steering Committee Recommendation

1. Establish a process to transition responsibility for post-discharge activities to the ex-offender and the community.

CRITICAL NEXT STEPS

1. The following work groups led by Steering Committee members and comprised of subject matter experts will be formed to develop action plans for implementation of the recommendations presented in this report: Community Resource Work Group, Community Supervision Work Group, Personnel Work Group, and Technology Work Group.
2. Three existing Steering Committee Work Groups also will develop action plans to implement recommendations: Adult Case Management Work Group, Employment Work Group, and Risk and Needs Assessment Task Force.
3. Steering Committee activities will be coordinated as necessary with other key groups such as the Department of Correction's IORP Implementation Team and the Indiana General Assembly.
4. Work group progress toward implementation of approved recommendations and critical next steps will be presented to the Policy Group on January 14, 2020.