

NEEDS ASSESSMENT IN THE FEDERAL BUREAU OF PRISONS

August 2020 Update

Background

Just over one year ago, responsive to the requirements of the First Step Act of 2018 (FSA), the Department of Justice (DOJ) announced the adoption of the Prisoner Assessment Tool Targeting Estimated Risk and Needs (PATTERN) as the Federal Bureau of Prisons' (BOP) risk assessment tool. Shortly thereafter, BOP published a document¹ describing aspects of the current BOP needs assessment system. As noted in that report, the BOP begins focusing on reentry when an inmate first enters custody. BOP has long had a process of assessing needs as part of the intake assessment, with reassessment occurring at least semi-annually throughout an inmate's incarceration term. Inmates with criminogenic or other needs meet with BOP staff to discuss assessment findings and are referred for appropriate programs based on these results.

With the launch of the PATTERN risk assessment tool, BOP turned to formalizing and enhancing the needs assessment system. Although the FSA allows two years to phase-in and complete this process, BOP implemented a series of systemic improvements in January 2020.

This report describes the steps BOP has taken to build upon and enhance current processes, resulting in the present improved needs assessment system.

Needs Assessment Enhancements

Prior to the launch of PATTERN, DOJ hosted a number of meetings with subject matter experts including researchers and correctional practitioners. While the focus was on risk assessment, needs assessment was also discussed. These internal discussions provided some direction as to enhancements that could be applied to other systems.

Formulation of Needs In September 2019, BOP convened a needs assessment symposium. Attendees included representatives from BOP, DOJ, and the Independent Review Committee (IRC), as well as academic scholars and correctional leaders representing departments with strong needs assessment systems.

As a result of this symposium and input from the assembled experts, thirteen (13) clearly defined needs are now assessed under BOP's system. The expert group identified twelve of the needs; the thirteenth need, dyslexia, is statutorily required by the FSA.

¹ See "Key Components of the Federal Bureau of Prisons' Current Needs Assessment System": https://www.bop.gov/inmates/fsa/docs/bop_current_needs_assessment_tools.pdf

The BOP need areas being assessed are:

- Anger/Hostility
- Antisocial Peers
- Cognitions
- Education
- Dyslexia
- Family/Parenting
- Finance/Poverty
- Medical
- Mental Health
- Recreation/Leisure/Fitness
- Substance Abuse
- Trauma
- Work

Measures of Needs Measures or data sources for the assessment of each need were adopted or formalized. For needs that rely on historical data, information is drawn from the comprehensive legal and social history in the Presentence Investigation Report (PSI) completed by the United States Probation and Pretrial Services Office. Other needs require psychological or educational assessments, and the tools used to assess them are delineated below:

- The **Antisocial Peers Need** and **Criminal Cognitions Need** are assessed by the Measures of Criminal Attitudes and Associates (MCAA; Mills & Kroner, 2001) assessment. The MCAA is used to assess the needs of Antisocial Peers and Cognitions.
- The **Dyslexia Need** must be assessed with measures that meet certain specifications outlined in the FSA. The BOP instituted a two-phase screening process. First, all inmates complete a screening instrument that examines symptoms across functional domains. Inmates who reach the threshold are then administered the Woodcock Johnson IV, a reliable and psychometrically robust test capable of formal diagnosis.
- The **Education Need** is assessed by the presence or absence of a high school diploma or its equivalent. Measures used for assessing the literacy level are the Test of Adult Base Education (TABE) and the Comprehensive Adult Student Assessments (CASAS).
- The **Medical Need** is assessed through a history drawn from PSI documents and in-person interview and physical performed by a medical practitioner at a BOP institution.
- The **Mental Health Need** is assessed by the diagnoses and frequency of services identified via the Psychology Services Intake Questionnaire (PSIQ)², a structured interview tool developed by BOP.
- The **Trauma Need** is assessed using the Adverse Childhood Experiences Scale.

² The Psychological Services Intake Questionnaire (PSIQ) is an inmate self-report screening tool used to identify mental health and substance use histories (prior two years) including physical and mental health symptoms (prior two weeks); current or past treatment for substance abuse and mental illness; and any history of suicide attempts or ideation.

Tracking of Needs Other important steps undertaken and completed to improve the BOP needs assessment system involved implementation of technology and tracking to ensure proper recording of information being collected. Unique identifiers were created within the agency's inmate management database for each of the approved FSA Evidence-Based Recidivism Reduction (EBRR) programs and Productive Activities (PAs). These identifiers are used when an inmate participates in and completes the program; the information is recorded and historized to assist in tracking and calculating FSA time credits.

Additionally, the BOP case management tool has been modified to display needs assessment information and new assignments stored in the inmate management database. These assignments allow BOP to run nationwide rosters of inmates based on any unique need area for the evaluation of both staffing resource needs and program capacity.

The improved BOP needs assessment system was launched in January 2020. At that time, every inmate who had been in BOP custody over 30 days was provided with their individual results from both the risk and needs assessments, and inmates began enrolling in programs designed to address identified needs.

BOP Programs

The FSA defines two categories of programs to be offered by the BOP—as mentioned above, Evidence-Based Recidivism Reduction (EBRR) programs and Productive Activities (PAs). In collaboration with the IRC and DOJ, BOP published a list of more than 70 EBRR and PA programs in January 2020. Every program maps to the need(s) it addresses. When an inmate successfully completes a recommended program in an identified need area, he or she may be able to earn FSA time credit or other incentives³.

BOP has a variety of programs, the most robust of which are Cognitive Behavioral Therapy (CBT) interventions for mental health and substance abuse disorders, anger management, and criminal thinking elimination. Literacy and occupational training programs are also widely available, and reentry-focused programs such as parenting are offered at all sites.

The BOP continues to expand its programmatic offerings in two ways. External vendors or program developers may submit existing programs for initial review by an independent research organization engaged by the BOP⁴; this review determines if the program satisfies the requirements of the FSA and that determination is later reviewed by the BOP. The BOP also develops programs internally for its own use. As one of the largest employers of doctoral level psychologists, as well as an employer of chaplains, teachers, and medical professionals, the agency is well suited to identify gaps in programming and create services grounded in evidence that fit federal population parameters.

³ Under the FSA, certain inmates convicted of disqualifying offenses are ineligible to earn time credits. See https://www.bop.gov/inmates/fsa/time_credits_disqualifying_offenses.jsp

⁴ See <https://www.bop.gov/inmates/fsa/> ("Submit proven programs to reduce recidivism through the FSA External Program Review process.")

Moving Forward

The BOP's needs assessment will continue to update and modify various systems to simplify data entry and collection. BOP will also soon implement a process for the reassessment of needs to determine whether, over time, an inmate's need still exists, if programming eliminated the need, or if new needs have arisen. The agency has also draft policies (program statements) prepared that codify the system; those program statements are pending negotiation with the National Union.