

Interim Judiciary Committee
Progress Report on SB267
(ORS 182.525)

September 30, 2020



TABLE OF CONTENTS

THE OREGON YOUTH AUTHORITY	3
SUMMARY OF AGENCY SB267 RESULTS	3
PROGRAMS INCLUDED UNDER ORS 182.515-182.525	3
Evidence-Based Services at OYA	4
OYA BUDGET FOR EVIDENCE-BASED SERVICES	4
Summary of Expenditures.....	5
ASSESSING EVIDENCE-BASED SERVICES AT THE OREGON YOUTH AUTHORITY.....	6
The Correctional Program Checklist (CPC).....	6
The Structured Program Evaluation Protocol (SPEP).....	6
Improvements to Risk/Need Assessment at OYA (RNA).....	7
RNA Project Goals	8
Measuring Psychosocial Maturity.....	8
SUMMARY	9
REFERENCES.....	9

THE OREGON YOUTH AUTHORITY

The mission of the Oregon Youth Authority (OYA) is to protect the public and reduce crime by holding youth accountable and providing opportunities for reformation in safe environments. The agency's vision is that youth who leave OYA will go on to lead productive, crime-free lives.

OYA exercises legal and physical custody of youth committed to OYA by juvenile courts, and physical custody of youth committed to the Oregon Department of Corrections by adult courts. OYA is responsible for the supervision, management, and administration of youth correctional facilities and transition programs, state parole and probation services, community-based out-of-home placements for youth, and other functions related to state programs for youth corrections.

The agency is dedicated to increasing the effectiveness of youth correctional treatment through ongoing research, program evaluation, and quality improvement. The agency's mission statement, vision, and goals are closely monitored through the OYA Performance Management System (OPMS), Key Performance Measures, Performance-Based Standards, facility safety security reviews, and other evaluative functions.

OYA is committed to continuous improvement and aligning resources with evidence-based programs that show measurable results. Since 2010, OYA has been using OPMS to monitor the agency's key processes and determine agency effectiveness. The system involves measuring core agency processes through meaningful metrics (i.e., process and outcome measures), which allows the agency to determine overall effectiveness. Additionally, OPMS empowers employees to improve work processes that help achieve the organization's goals.

SUMMARY OF AGENCY SB267 RESULTS

OYA has consistently exceeded the legislative thresholds of 25%, 50%, and now 75% for the percentage of programming funds used for evidence-based programs. OYA spends 88 percent of General Fund and 91 percent of total funds subject to Oregon's Senate Bill 267 (SB267) on evidence-based programming, as defined by SB267.

PROGRAMS INCLUDED UNDER ORS 182.515-182.525

Enacted during the 2003 Oregon Legislative session, SB267 promotes the use of evidence-based programming and requires particular agencies or groups to evaluate programs offered to their clients. The legislation was intended to promote the use of evidence-based programming and improve the outcomes of clients served by the social service and correctional systems. In 2005-07, agencies were required to demonstrate 25 percent of state-funded treatment was evidence-based. Agencies are now required to demonstrate that 75 percent of state-funded treatment is evidence-based and have been since 2009-11.

OYA worked with external stakeholders to develop the following list of treatment interventions used by close-custody living units, contracted community-based residential providers, and county programs funded through OYA as subject to ORS 182.515-182.525. Over the past 2 years, OYA has continued to provide treatment in these areas.

Evidence-Based Services at OYA

- Cognitive behavioral treatment
- Behavior modification
- Family counseling
- Skill building (e.g., mentoring, anger management, social skills, vocational counseling, etc.)
- Sex offense treatment
- Treatment for Inappropriate Use of Fire
- Drug and alcohol treatment
- Violent offender treatment
- Parent training
- Gender-specific treatment
- Mental health treatment (including crisis intervention)
- Gang intervention treatment
- Culturally specific treatment

OYA BUDGET FOR EVIDENCE-BASED SERVICES

OYA spends 88 percent of General Fund and 91 percent of Total Funds subject to SB267 on evidence-based programming, as defined by SB267. This exceeds the statutory target of 75 percent.

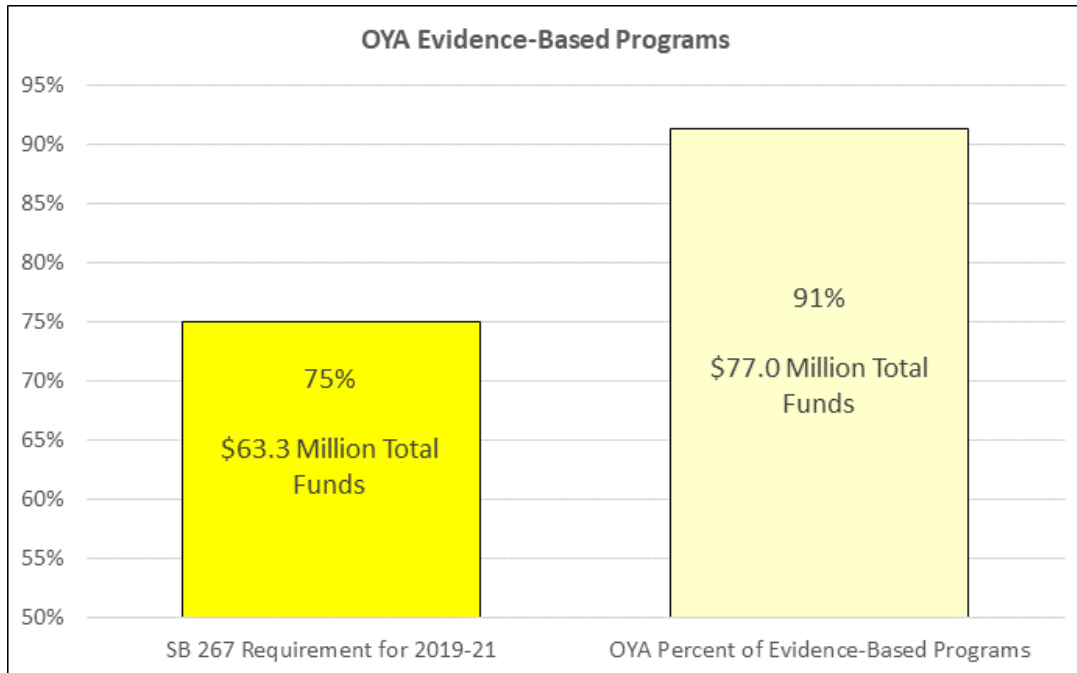
The 2019-21 Legislatively Approved Budget for OYA includes the following funding levels:

- \$ 370.6 million Total Funds
- \$ 319.4 million General Fund

The budget amounts listed below are used for programs determined by the agency as subject to ORS 182.515-182.525 per SB267, and the amounts shown in the chart below have been determined to be evidence-based:

- \$84.4 million Total Funds (\$77.0 million evidence-based)
- \$59.6 million General Fund (\$52.2 million evidence-based)

Summary of Expenditures



Oregon Youth Authority
Summary of Expenditures Subject to SB 267

Dollars in millions

	TOTAL FUNDS	FUND TYPE	
		General Fund	Federal & Other Funds
Facility Services:			
Total Program Expenditures subject to SB 267	\$ 38.2	\$ 38.2	-
Evidence-Based Program Expenditures	\$ 33.6	\$ 33.6	-
Percentage of Total Expenditures Evidence-Based	88%	88%	-
Community Services:			
Total Program Expenditures subject to SB 267	\$ 46.2	\$ 21.4	\$ 24.8
Evidence-Based Program Expenditures	\$ 43.4	\$ 18.6	\$ 24.8
Percentage of Total Expenditures Evidence-Based	94%	87%	100%
Agency Total			
Total Program Expenditures subject to SB 267	\$ 84.4	\$ 59.6	\$ 24.8
Evidence-Based Program Expenditures	\$ 77.0	\$ 52.2	\$ 24.8
Percent of Program Evidence-Based	91%	88%	100%

ASSESSING EVIDENCE-BASED SERVICES AT THE OREGON YOUTH AUTHORITY

Having a tool or process to ensure services are cost effective, evidence-based, and outcome driven is a gap the agency is seeking to fill. The agency has already implemented treatment programs on the basis of prior studies conducted on non-OYA youth that found those programs to be effective; however, the unanswered question is whether those programs are effective in reducing recidivism and increasing positive outcomes for youth in Oregon's system.

Furthermore, OYA wants to move beyond the simple use of expensive, branded programs. Many of these programs are cost-prohibitive for the non-profit agencies with whom OYA contracts in the community. Being able to assess effectiveness — or ensure appropriate dosage and delivery — of all of our programming, whether evidence-based or new and promising, is a crucial next step.

While prior research has established the importance of employing evidence-based services in juvenile justice systems, less attention has been given to ensuring the services are provided to the right youth, in the correct setting, with appropriate dosage and duration. Those aspects matter, because even evidence-based services must be delivered properly to achieve expected results and ensure maximum benefit.

The Correctional Program Checklist (CPC)

As part of OYA's efforts to analyze the effectiveness of services, the agency sought to identify a tool that would help assess program performance. This research led to a pilot with the Correctional Program Checklist (CPC).

The CPC provides information on how well a particular program adheres to the principles of effective correctional intervention. A CPC score represents how well a program is expected to perform at reducing recidivism.

However, the CPC failed to meet the agency's expectations for several reasons. While the CPC may indicate a program has the capacity to be effective, it was unable to convey whether the program was actually effective. Specifically, OYA found that CPC scores were not correlated with recidivism rates for youth exiting the program.

OYA then attempted to modify the CPC to determine if there were ways to use the tool to improve outcomes for youth. Unfortunately, the agency was unable to find a way to make the CPC work for Oregon in a way that actually showed better outcomes. This led to OYA discontinuing its use of the Correctional Program Checklist.

The Structured Program Evaluation Protocol (SPEP)

OYA then moved on to pilot a capacity and effectiveness tool known as the Standardized

Program Evaluation Protocol (SPEP). The SPEP is a data-driven assessment process that helps to determine how well current programs and services are matched to what research has shown reduces recidivism. Several jurisdictions have piloted the SPEP assessment and have established a relationship between scoring components and juvenile recidivism outcomes (Baglivio, 2018).

OYA has piloted the SPEP process with one of its youth correctional facilities and is preparing to engage in the process with a contracted community residential provider. OYA is approximately halfway through the pilot, having completed the process with one site. During that process, OYA learned that each SPEP assessment requires a significant number of human hours to complete. Although the process did encourage important conversations about the evaluation of services, it has become clear that while the SPEP has demonstrated value to OYA, the agency does not have resources to implement the SPEP across all of the services currently in use by OYA statewide.

Improvements to Risk/Need Assessment at OYA (RNA)

A critical component of evidence-based interventions is ensuring youth are appropriately matched to services that address their underlying developmental and criminogenic needs. Put another way, while it is important for OYA to have evidence-based services available to youth, it is equally important that youth be matched to services that best address their underlying behaviors. Additionally, varying intensity and duration of services based on criminogenic risk has been shown to improve recidivism outcomes (Andrews & Bonta 2015; Lowencamp 2006). We assess youth needs and risk using assessment tools; the results should, ideally, help us match youth with appropriate services for maximum effectiveness.

Youth served by OYA receive a variety of assessments depending on their backgrounds and individual needs. The OYA Risk Needs Assessment (RNA) is the agency's most comprehensive and quantitative evaluation of youth risk, needs, and protective factors. The OYA RNA was adapted from Washington State's Positive Achievement Change Tool (PACT) and shares much in common with the best-validated risk/need assessments used by juvenile justice agencies across the United States (Vincent 2015). However, the use and performance of the OYA RNA has not been comprehensively evaluated since its introduction in 2006. Since that time, there have been changes in OYA's case management and youth reformation approach, as well as national advancements in risk/need assessment best practices. Additionally, the implementation of SB1008 has already caused a shift in youth being committed to OYA who previously would have been sentenced to the Department of Corrections. For these reasons, OYA has launched a review of the RNA.

OYA is currently reviewing the strengths and weaknesses of the current RNA with respect to OYA's case planning and youth reformation goals, as well as to national best practices. The review will likely result in revisions to the RNA that will better align the assessment with key agency goals, national best practices, and a fidelity model that ensures that assessments being completed are high-quality.

RNA Project Goals

1. Evaluate the OYA RNA and conduct revisions necessary to align this assessment with key agency goals, such as:
 - a. supporting youth reformation
 - b. alignment of services and interventions with youth need
 - c. implementation of a developmental approach
 - d. measurement of positive youth outcomes
 - e. having a tool that is dynamic, which will allow staff to demonstrate reductions in risk factors while increasing protective factors
2. If revisions are made, validate the new version of the assessment
3. Develop and implement a fidelity model to ensure high-quality data is gathered as part of the assessment process.

Measuring Psychosocial Maturity

Existing research suggests that youth who report greater levels of psychosocial maturity are significantly less likely, statistically speaking, to continue with criminal activity than youth who report lower levels of psychosocial maturity (Monahan, Steinberg, Cauffman and Mulvey, 2013). Becoming psychosocially mature is dependent upon underlying brain development and changes in cognition. This process occurs at different rates, informed by a youth's unique responsivity factors, including their exposure to environments that support healthy development, trauma history, mental health, and intellectual and developmental capabilities.

Because this maturation is at the heart of youth reformation and correlated with lower recidivism, OYA will be measuring markers of psychosocial maturity in the youth it supervises in both community and facility-based settings. Measurement will include ratings of competencies from the "In-Program Behavioral Assessment" (Latessa, E., 2002) that will be incorporated into the case plan, as well as youth self-report using validated assessments.¹

Markers of psychosocial maturity will be measured on a quarterly basis as part of the multidisciplinary team (MDT) process. The MDT is a team of individuals working collaboratively to develop and maintain an individualized and comprehensive case plan for each youth, including the youth and the youth's parents/guardians, juvenile parole/probation officer, facility case coordinator, qualified mental health professional, and tribal representative (if applicable). Other members may include other service providers, facility treatment and support staff from the youth's living unit, an educational representative, medical staff, mentors, and as appropriate staff from OYA's Office of Inclusion and Intercultural Relations.

By the end of 2020, the agency will also begin re-assessing these markers of psychosocial maturity for youth in close custody at least annually or upon transition, using the OYA Risk

¹ Studies that demonstrate the relationship between psychosocial maturity and reduction in criminality have underscored the value of youth self-report (Monahan, Steinberg, Cauffman and Mulvey, 2013).

Needs Assessment to determine progress on risk area mitigation and increases in protective factors, as compared to the baseline assessment.

SUMMARY

OYA is committed not only to deploying evidence-based programming per the requirements of SB267 but also to the task of matching youth and with the programming that best meets their individual risks and needs.

In the years since, SB267 was passed, juvenile justice best practices have evolved, and the criminogenic and social characteristics of youth supervised by OYA have changed. We have piloted two tools – the CPC and the SPEP – that, in different ways, sought to assess the effectiveness of our existing services. Unfortunately, we found the CPC was not accurate, and the SPEP, while useful, is too cost-intensive to be practical.

However, revalidating—and potentially enhancing—the agency’s risk and need assessment is a key step in assuring OYA continues to provide services that are relevant and cost-efficient. The addition of measures that track psychosocial maturity, will allow OYA to further demonstrate youth development under OYA supervision, and how those improvements specifically translate into improved recidivism outcomes.

REFERENCES

Andrews, D. A., & Bonta, J. (2015). *The Psychology of Criminal Conduct*. London; New York: Routledge.

Baglivio, M. T., Wolff, K. T., Jackowski, K., & Greenwald, M. A. (2015). A Multilevel Examination of Risk/Need Change Scores, Community Context, and Successful Reentry of Committed Juvenile Offenders. *Youth Violence and Juvenile Justice*.

Baglivio, M. T., Wolff, K. T., Howell, J. C., Jackowski, K., & Greenwald, M. A. (2018). The search for the holy grail: Criminogenic needs matching, intervention dosage, and subsequent recidivism among serious juvenile offenders in residential placement. *Journal of Criminal Justice*, 55, 46-57.

Blair, L., Sullivan, C. C., Lux, J., Thielo, A. J., Gormsen, L., & Coen Sullivan, C. (2016). Measuring Drug Court Adherence to the What Works Literature: The Creation of the Evidence-Based Correctional Program Checklist-Drug Court. *International Journal of Offender Therapy & Comparative Criminology*, 60(2), 165–188.

Lowenkamp, C. T., Latessa, E. J., & Holsinger, A. M. (2006). The Risk Principle in Action: What Have We Learned From 13,676 Offenders and 97 Correctional Programs? *Crime & Delinquency*, 52(1), 77-93.

Monahan, K. C., Steinberg, L., Cauffman, E., & Mulvey, E. P. (2013). Psychosocial (im)maturity

from adolescence to early adulthood: Distinguishing between adolescence-limited and persisting antisocial behavior. *Development & Psychopathology*, 25(4pt1), 1093–1105.

Vincent, G. M., Guy, Laura S., and Grisso, Thomas. (2015). *Risk Assessment in Juvenile Justice: A guidebook for Implementation*. Models for Change Series: Systems Reform in Juvenile Justice. MacArthur Foundation. Macfound.org
