

Using Social Science to Reduce Violent Offending: A Briefing Paper for Public Policymakers

**Based on the book, *Using Social Science to Reduce Violent Offending*, published
by Oxford University Press, 2011.**

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Getting smart on crime

In May 2011, the Supreme Court ordered California to dramatically cut its prison population, raising public concerns about criminals heading back to the streets. Americans have come to believe that public safety depends on being “hard” on crime, locking up growing numbers of offenders for longer periods of time. We have become so reliant on incarceration that the number of imprisoned people in the U.S. has risen from 300,000 in the early 1970s to more than 2.3 million today—a nearly eightfold increase. Our rate of incarceration is far higher than that of any other nation; though we have less than 5 percent of the world's population, we have nearly a quarter of the world's prisoners.

It would be one thing if this were working. Public safety is a matter of great importance—some would call it the central role of government—and no one disputes the economic, social, and personal havoc wreaked by violent crime. But our current policies wreak their own economic, social, and personal havoc, and they make some criminals more dangerous, not less. We are spending billions of dollars a year on punitive practices that do not increase public safety.

There is a better way. We can change the terms of the discussion from being “hard” or “soft” on crime to being *smart* on crime. And we can do it with the resources we now allocate to policies that are largely ineffective.

A smarter approach and the science behind it are laid out in a new book, *Using Social Science to Reduce Violent Offending*.¹ The book takes as its foundation the most widely accepted model of what works to keep communities safer, an approach known as Risk-Need-Responsivity, or RNR. It calls on some of the world's most noted scholars and researchers to explain why this model is widely accepted yet poorly implemented; to explore its applicability to specific settings (prisons and community programs) and special populations (juveniles, people with mental illness, and sex offenders); and to provide specific recommendations for implementing the model at this opportune moment in history.

What doesn't work

Faced with rising crime rates from the 1970s to the 1990s, the U.S. federal and state governments responded by expanding the use of incarceration. It proved to be a high-cost strategy with poor—and in many cases counterproductive—results. Despite massive investments in prisons nationwide, our crime rates remain the highest in the world.

Incarceration, it turns out, is an extremely inefficient way of lowering crime. For example, longer sentences do not correlate with reduced recidivism²; rather, punishment-only strategies actually *increase* the likelihood that an offender will commit new crimes. What studies show about incarceration and other punitive sanctions is that they work, when they work at all, only for the short term, and only if punishment is swift, certain, and closely tied to the offense. Our current system is none of these. Incarceration, as it is practiced today, fails at the primary purpose of our justice system: making us safer.

¹ *Using Social Science to Reduce Violent Offending*, edited by Joel A. Dvoskin, Jennifer L. Skeem, Raymond W. Novaco, and Kevin S. Douglas. 2011. Oxford University Press. (OUP.com/US)

² Recidivism here and throughout this paper refers to *known* re-offending.

In fact, our punitive correctional policies do a great deal of harm to communities, as well as to offenders and their families. Our high rate of incarceration for some sub-populations means that too many children are raised without fathers, often shifted from relative to relative or a succession of foster homes, and some become criminals themselves. When offenders return to their communities, as the vast majority will do, the problems multiply. Many ex-offenders will be unable to find employment. They and their children may be banned from receiving food stamps and from public housing, leaving families impoverished and homeless. Some states permanently strip felons of their right to vote, ensuring that they have no stake in the system. And for the community as a whole, harsh punishments and surveillance systems meant to deter crime instead sow anger and distrust, both within communities and between communities and law enforcement.

The majority of people we put in jails and prisons are not violent offenders and are not at high risk of re-offending—at least, not when they are first incarcerated. But what happens when we put a low-risk offender behind bars? Multiple studies show that the more time that person spends in prison, the more likely he or she is to take up “criminal values” and to re-offend once released. Furthermore, the mass incarceration of low-risk offenders consumes resources that could be used more effectively to correct the criminal behavior of the offenders who pose the greatest threat to the public.

Taxpayers are paying a great deal of money for a system that does not adequately target supervision and services to high-risk offenders, and appears to have a harmful affect on many low-risk offenders. Corrections spending by state and federal governments rose from \$6.9 billion in 1980 to \$74 billion in 2007. At a time of budget crises at every level of government, states have been forced to take funds from education, health, and other public services to support a corrections system that does not optimally reduce crime, and that confines far too many non-violent and low-risk offenders. Politicians across the spectrum agree that this is unsustainable. So what are we to do?

Social science can now offer sensible, evidence-based solutions—solutions that can win wide public support and be applied by policy-makers and corrections professionals. We can determine, with considerable confidence, which offenders can be better dealt with in a supervised community setting. We can transfer resources from incarceration to effective community programs, leaving prisons for dangerous, high-risk offenders. We can ensure that, whether in prison or in the community, we implement programs that are designed to make offenders better, not worse.

What works

The criminologist Robert Martinson, in an influential 1974 article³, concluded that "nothing works" to reduce recidivism. Since then, American justice systems have adopted the position that only punishment can dissuade criminals from crime. The concepts of public safety, rehabilitation, and corrections have been replaced with a system that is unapologetically punitive.

³ Martinson, R. (1974) 'What Works? Questions and Answers about Prison Reform', *The Public Interest* 35: 22-54.

But social science has made significant strides since Martinson's article was published. We know much more now about human behavior, including the factors that lead to crime and how to change those outcomes. An important product of this knowledge is the Risk-Need-Responsivity model, which rests heavily upon the work of Donald Andrews and his colleagues, who empirically demonstrated its power in changing criminal behavior.

The RNR principle is grounded in three core principles:

- **Risk.** The first principle requires that we identify which offenders are at highest risk of recidivism and provide them with the most intensive services. Although these offenders are often difficult and unpleasant to work with, research tells us that they are precisely the individuals we should be working the hardest to supervise and treat. Because prisons are so expensive to build and operate, they should be used for people whose high risk precludes safe treatment in the community.

It is also important to recognize that many criminal justice interventions can make low-risk offenders more likely to commit violent crime. Therefore, we need to identify these low-risk offenders and be less eager to incarcerate them. Whenever possible we should avoid mixing low-risk and high-risk offenders.

- **Need.** The second principle tells us to target the factors in individual lives that are strongly associated with crime and violence. (Social scientists call these factors "criminogenic needs." However, the term includes not only needs or deficits, but also the personal characteristics, relationships, and situations that lead people into crime.)

Research has identified eight generic criminogenic needs—factors that apply broadly to criminals of various types. They include early antisocial behavior, impulsive personality patterns, negative or criminal attitudes and values, delinquent or criminal associates, dysfunctional family relationships, poor investment in school or work, little involvement in legitimate leisure pursuits, and substance abuse, especially of alcohol and stimulants.

Individual assessment of each offender's pathway into criminality will likely reveal additional, idiosyncratic factors. For one offender, unemployment might be pivotal, while for another, violence might be driven by episodic rage.

- **Responsivity.** Once an offender's risk factors are identified, they can be directly addressed through cognitive-behavioral programs, skill-building, and especially positive reinforcement—systematically using praise and rewards for socially acceptable behavior. Positive reinforcement has been found to be the most powerful force in changing behavior, and can help offenders to internalize positive social values.

But how we provide these services is critical. We must deliver them in a manner that is responsive to the individual's learning styles, motivations, strengths, and abilities. Programs must target offenders' individual risk factors and build on their existing skills and strengths to help them get their needs met in positive, socially acceptable ways. Even offenders who appear resistant to change will often become amenable with an approach that is individually tailored and culturally and ethnically sensitive, that involves them actively in the process, and that helps them consider the pros and cons of behavior change.

The RNR model does not preclude severe sentences for serious crimes. At the same time, it is clear that long sentences alone do little to change criminal behavior—a critical goal, since most offenders will eventually return to their communities. What is needed is a prison system that teaches, rewards, and requires that inmates attain and demonstrate pro-social skills. For most offenders, this will not mean an “easier” time in prison; many inmates would prefer to sit idly rather than attend school, vocational training, or psychosocial treatment programs. The goal is not to make prison more enjoyable, but rather to provide each inmate with the skills to live a crime-free life. While some offenders will still choose to commit more crimes, enhancing pro-social skills will improve the odds and result in fewer criminals and fewer crimes.

The RNR approach is sensible, cost-efficient, and practical. It is not restricted to well-funded, over-staffed “demonstration programs”; it is an approach to correctional programming that can be implemented in a variety of ways, both in prisons and in communities, and often within existing resources. It has been shown in numerous studies to effectively decrease crime and violence across demographic groups. Indeed, when used as intended, focusing on criminogenic factors, RNR-based interventions have reduced measures of criminal recidivism by as much as 35 to 40 percent.

RNR programs may take different forms, but the *quality* of the program and its implementation are critical. Assessments of offenders—for the likelihood of re-offending, criminogenic needs, and other individual factors—must be done with proven instruments. Assessments alone, however, will do little or nothing to reduce risk; they must be used to inform intervention programs. Those programs in turn must be based on sound evidence and must have measurable outcomes, so providers can evaluate the results. And the programs must be delivered precisely as designed. This requires training, commitment by management and staff, and continual evaluation and adjustment. Monitoring, feedback, and corrective action are essential to maintain the integrity of programs over time.

Special populations

Most of the research supporting the Risk-Need-Responsivity approach has been done with the general population of violent offenders. More limited research addresses special groups such as juveniles, offenders with mental illness, and sex offenders; each of these groups also includes some who commit violent crimes. In theory (and in gradually emerging research), the basic principles of RNR—including the eight major factors described in the section “What works”—should apply across all populations. However, we offer some special considerations for each group.

Youthful offenders

The justice and corrections systems historically have recognized that children and teenagers are developmentally different from adults, in ways very relevant to this discussion. They are more amenable to treatment and, even without interventions, most desist from criminal behavior on their own. As with adult offenders, however, those who do not desist are in need of intervention programs, and are more likely to benefit from them. Also as with adults, purely punitive responses tend to backfire. The most effective interventions are those that target a given youth’s specific risk factors—not only individual factors, but family, school, peers, and community—and build on their particular strengths.

The best evidence to date supports community-based programs, rather than incarceration, for the vast majority of youths. Restorative justice—which involves conferences that include the offender and his or her family, the victim, and members of the community—helps connect many youths to positive social values, and has been quite successful for those who have social ties. Others will need more structured, comprehensive, multilevel approaches that target a broad range of risk factors and needs across multiple settings—family, school, community—and use both cognitive-behavioral and skills training. Such programs have been designed for youths living in juvenile facilities, in group homes, with their own families, or in foster care.

Offenders with mental illness

Despite lurid media stories, people with mental illness are very similar to the general population when it comes to criminal behavior. Their risk of committing a violent act is only modestly higher than the norm. Most commit crimes for the same reasons other people do, and the generic predictors of recidivism, such as antisocial attitudes, apply equally to them.

For most offenders with mental illness, their condition is a concomitant to their crime, not a direct or leading cause. They should of course receive mental health services, but this will do little to affect their risk of violence, except in those relatively rare cases where the mental illness itself was the cause of the crime.

While empirical evidence is sparse, theory suggests that the same interventions that work for the general population of high-risk offenders should work for high-risk offenders with mental illness. A few additional recommendations are also important. First, it is well known that much of the violence committed by people with serious mental illness is associated with co-occurring substance abuse problems; both disorders should be addressed in a tightly integrated treatment approach. Second, it may be necessary for the courts to mandate treatment—or to offer treatment in lieu of jail—to ensure that these offenders adhere to their treatment in the community. And finally, it is important to recognize that mental illness rarely follows a linear path; it is likely that interventions will be needed at multiple points both during and after incarceration.

Offenders who commit sex crimes

The American public has come to believe that all sex offenders are predatory and cannot be changed—that they will continue to commit sex offenses unless they are kept locked up or under close supervision. In fact, the evidence indicates that those who commit sex offenses are likely to commit other kinds of crimes as well, and that violent sex offenders who do re-offend are more likely to be convicted for other kinds of violence, or for non-violent crimes, than for new sex crimes after they are released from prison.

But that does not necessarily speak to our ability to assess their risk of further violent offending (sexual or otherwise), to know where to target interventions, or to determine the most effective interventions. The assessment tools often used with sex offenders, including physiological measures of sexual interest, may not accurately predict future behavior. Emerging science suggests that the eight major risk factors discussed earlier in this paper may be better predictors of recidivism, and that cognitive-behavioral interventions targeting those factors work better than

other approaches for this population. It will take much stronger evidence, however, to convince a wary public.

What we *can* say with confidence is that the current approach—inpatient commitment after offenders have served their criminal sentence—is very expensive, and there is scant evidence that it is working. It is certainly worth seeking options, such as intensive community supervision, that will allow supervision of far more offenders at far less cost. For example, Texas has elected to provide intensive supervision in the community to sex offenders who would otherwise be committed, allowing the system to supervise five times as many offenders at significantly lower cost.

What will a smart corrections system look like?

An effective, cost-efficient corrections system will take a comprehensive approach, focusing expensive interventions on high-risk prisoners during and after their incarceration, as opposed to low- and moderate-risk offenders who do not require incarceration. These are some general guidelines, applicable to both prison- and community-based programs:

- Conduct risk and needs assessments of every offender, using validated instruments.
- Incarcerate only those at high risk of re-offending; stop sending low-risk and juvenile offenders to “crime school.”
- Provide all offenders with individually tailored intervention programs, but focus the majority of resources on those at highest risk. Offer specialized programs for certain categories of offenders, such as women, older adults, youths, ex-military, sex offenders, and individuals with mental illness.
- Closely integrate prison-based release and reentry programs with post-release, community-based programs.
- Adequately staff both prisons and community corrections programs, and ensure that staff are well trained in the new approaches and interventions they will use. Keep in mind that the quality of the professional relationships between correctional staff and offenders is critical to the success of these programs.

In prisons

“Smart” prisons will look very different from those we see today. Staff will engage offenders in progressive steps to pro-social behavior change. Their interactions with offenders will be structured, informed, and professional. They will use positive reinforcement to encourage socially acceptable behavior. Their mission, training, and ethos will embrace the community-based rehabilitation of prisoners before and after their release. Partnerships with commercial organizations will help bridge the gap between prison and employment.

The goals and processes of work, training, and education in these prisons will be radically different. Programs will be designed to equip offenders for life and employment after their release. Offenders will learn through individualized interventions that provide psycho-social and workplace skills, through media that reinforce positive social values, and through the structure of prison life itself. Offenders will control the conditions of their lives by how they act; they will

earn privileges consistently—and *only*—through prosocial behavior. They will learn to control their emotions and impulses, to set goals, and to communicate effectively in a variety of situations.

This is not a call to be easy on prisoners who have committed serious, violent crimes. Prisons can be tough without being destructive. In a context of toughness, prisons can require inmates to demonstrate pro-social skills in order to earn privileges. Under a smart system, inmates who act better will enjoy more privileges than those who continue to misbehave or refuse to engage in constructive programs—a notion that used to be axiomatic in American prisons. To take a simple example, inmates would not automatically be allowed to watch recreational TV, but would have to earn this privilege by a full day of work or education.

Retribution and punishment do have a place in this system of justice, but not in a manner that increases the risk of future violent crime. We owe it to our communities to make sure that the prison experience, our most costly intervention, is designed to make offenders better, not worse.

In the community

Expanding and improving community-based programs will require far less money than the mass incarceration they replace. Like prison programs, they should focus primarily on high- and moderate-risk offenders, once their terms of incarceration have ended.

In this system, probation and parole officers will not simply supervise and control; they will combine the role of police with that of social workers. As case managers, they will focus on connecting offenders to the programs and services they need, from basic education and job training to highly structured supports such as cognitive-behavioral treatment programs and multi-service halfway houses. When services are delivered through referrals to government or private social service agencies, contracts should require the use of evidence-based programs and services, and providers should be held accountable for the results they achieve.

For both incarcerated and community-based offenders, the ultimate goal is to return most individuals—*safely*—to a productive, independent life in the community.

Six steps to reducing violent offending:

1. Understand the limitations of punishment as a tool for positive behavior change.
2. Conduct risk and needs assessments of every offender, and use these assessments to make better decisions. Risk assessment alone accomplishes nothing unless the offender is assigned to the most appropriate programs.
3. Stop incarcerating low-risk offenders, which makes them more likely to commit crimes in the future. Use the freed-up resources to enhance the quality of staffing in all types of criminal and juvenile justice programs.
4. Reserve prisons for high-risk offenders, and require their participation in programs that give them socially positive skills.
5. Stop rewarding bad behavior, and start using earned privileges and positive reinforcement to strengthen pro-social behaviors.
6. Create and implement individualized reentry plans, to improve the odds that a released offender will succeed.

How do we get there from here?

The recommendations in this paper constitute a major overhaul of the nation's corrections system, and there are of course many barriers to change. Beyond the inertia inherent in such a large and complex system, there are political agendas and patronage power struggles; there is resistance from the private corporations and unions that are deeply invested in the status quo; and there is a lack of awareness and understanding of current social science principles. But polls show that the public embraces the goal of public safety, and mounting economic pressures will soon push us past the tipping point. Moreover, social science itself offers models for overcoming barriers to change.

Policy-makers must recognize the difference between being “tough on crime” and merely being tough on criminals. Campaign platforms should attend to the public's wish to be safer. In short, people need to understand that, as a society, we will have to choose between revenge against criminals and safety for our families. In order to foster this change in public attitude, the social sciences must step out of the halls of academia and into the fray of public policy, with evidence-based suggestions for safer communities—such as those in this paper.

There are several modern precedents for changing systems on a grand scale. We have seen the closing of long-term psychiatric hospitals around the globe, beginning in the 1960s; the closure of reform schools in Massachusetts in the early 1970s; and the British Crime Reduction Programme, which began to put research findings into practice in the late 1990s. Each of these examples provides both successes and mistakes we can learn from in restructuring the U.S. corrections system.

Change will have to address both practical and conceptual issues.

On the practical side, the first and simplest step is to stop doing things that have been proven to be ineffective and, often, to make things worse. (When you find yourself in a hole, the first thing to do is stop digging!) For example, we can eliminate expensive and purely punitive measures such as locking up parolees for minor violations, and stop applying the long-discredited “three strikes” rule.

The next step is to slow the growth of the prison population by using alternative sentencing and shorter sentences for those offenders we can identify as low-risk. This alone will significantly reduce recidivism by segregating low-risk from high-risk offenders. Then we can stop building more prisons and instead invest those resources in evidence-based intervention programs in communities and in improving behavior-changing approaches in prisons. The single most powerful determinant of expenditure is how many people we lock up. Reducing the counterproductive and wasteful use of expensive prison beds for low-risk offenders will free up considerable resources. As this paper explains, there are far more productive ways to spend that money.

In the United States Senate, a bill has been introduced that would create a bipartisan commission of experts charged with undertaking a comprehensive review of the nation's criminal justice system and offering concrete recommendations for reform. This would be an excellent opportunity to advance important changes in policy and practice.

Underlying these efforts, we also need a more fundamental change: a major shift in the way we think about criminal justice and how it is delivered. Today's "corrections system" has little to do with corrections, and it is less a system than a piecemeal assortment of national, state, and local policies and practices, based more on expediency than evidence, and implemented without much consistency. We need to create a true system—comprehensive, coherent, and internally consistent in its application of evidence-based practice at all levels of activity, with the full support and cooperation of senior executives and staff throughout the network. This will require a serious effort in public and professional education, but it is eminently feasible.

What is *not* feasible is to continue doing what we are doing now: paying dearly, in dollars and lives, for policies and programs that make people worse, not better—that make each of us less safe, not safer. We are not arguing for an end to incarceration; it is an obvious necessity. We are saying, rather, that this most costly intervention should be reserved for the most dangerous offenders, and that the prison experience should make offenders better and our communities safer.