



# National Institute of Corrections

Prisons Division - Issues in Brief

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## Findings in Prison Classification and Risk Assessment

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The past three decades have witnessed considerable changes to prison classification systems. Before 1980, only the California Department of Corrections and the Federal Bureau of Prisons used objective classification systems. Subjective classification, which relied heavily upon the judgment of a wide array of prison officials to determine where a prisoner would be housed, and under what forms of supervision and security, was used at that time by practically all of the state prison systems. Since 1980, virtually all 50 states as well as Puerto Rico and the Virgin Islands have fully implemented objective systems.

In summary, the core distinguishing features of an objective classification system are as follows:

- The use of criteria that has been proven through research to use both reliable and valid factors to assess a prisoner's custody level;
- A centralized classification unit that is adequately staffed with well trained professional personnel who have control over all inter-agency transfers;
- A centralized classification unit that is responsible for monitoring the classification unit and preparing all policies and procedures that pertain to classification;
- A fully automated classification system such that each classification decision, and the factors used to make each decision, is recorded and available for analysis;
- An initial and reclassification process where all prisoners are reviewed at least annually to update and possibly modify the prisoner's current classification level; and,
- The use of over-rides to allow staff to depart from the scored classification level for reasons approved by the agency.

Out of the wide proliferation of objective classification systems has grown a body of literature that has helped to shape and modify the first generation of prison classification systems. Some of these classification studies have been conducted by state prison systems while others have been sponsored by federal agencies—in particular the National Institute of Corrections and the National Institute of Justice.

The purpose of this report is to summarize the new information and knowledge learned. Based on these "lessons learned," suggestions are offered to show that credible and valid classification and risk assessment systems are needed now, more than ever, to improve correctional operations and performance while reducing costs and recidivism.

## Differences Between Prison Classification and Public Risk Assessment

As prison classification and other risk assessment systems advance, so does the evolution of a growing and more sophisticated terminology. By design, prison classification systems place prisoners in one of several custody levels that will directly affect the type of facility to which they will be assigned, and once there, the level of supervision they will receive. While many classification factors used for this purpose relate to public risk factors, many do not. In short, prison classification systems are largely interested in identifying those prisoners who pose a risk to escape, or will be potential management problems.

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Public risk assessment systems are primarily concerned with factors associated with criminal behavior. In corrections, these systems are used by probation, parole, and parole boards to identify offenders who are likely to continue to engage in criminal activities either in lieu of, or after incarceration. Some of the better known public risk systems used to assign offenders to a recidivism risk category are: Salient Factor Risk Instrument; COMPASS; STATIC 99; RAZOR; LSI-R; and LSI-SV. These systems have been normed on samples of persons placed on probation or parole based on their arrest, supervision violation, or re-incarceration rate and should not be used for making custody/security designations. Although some of the factors used in risk assessment are the same factors used for prison classification, there are several that either do not apply (e.g., current employment status, current marital status, etc.) or are not predictive of prison conduct (e.g., age at first arrest, associations with criminal peer groups, etc.).

## Differences Between External and Internal Prison Classification Systems

Within the prison classification domain, there are two systems—external prison classification and internal prison classification—used by state prison systems. External classification places a prisoner at a custody level that will determine where the prisoner will be housed. Once the prisoner arrives at a facility, internal classification determines which cell or housing unit, as well as, which facility programs (e.g., education, vocational, counseling, and work assignments) the prisoner will be assigned. Well structured internal classification systems are still in their infancy stages while external classification systems are far more advanced and established within most state prison systems.

## Standards in Evaluating Prisoner Classification and Other Risk Assessment Instruments

Although prison classification and other risk assessment instruments are now common, there is a disturbing trend that suggests that many of these systems were implemented without first being properly designed and tested. Some jurisdictions simply adopt another system without first testing the system's reliability and validity in relation to the agency's offender population. As will be suggested below, any classification system must be tested before implementation. Once implemented, there must also be a process to regularly monitor and re-evaluate the overall effectiveness of the classification or risk assessment system.

## The Logic of Prison Classification Systems

The typical external prison classification system consists of two scoring or assessment forms which produce a scored, and final custody level. Most states use custody level names—minimum, medium, close,

or maximum custody—while others use a level system—Level I, II, III, or IV. Discretionary and non-discretionary overrides can change a prisoner’s scored custody level. Discretionary overrides, which should occur in 5 to 15 percent of all classified prisoners, reflect the professional judgment of trained classification personnel to account for other factors not explicitly used in the scoring process. Non-discretionary overrides reflect an agency’s policy, which typically restricts the placement of certain prisoners in minimum/low security facilities.

At the time of admission, an initial classification instrument is applied. Because little is known about the institutional conduct of a prisoner with no history of incarceration, the initial form places greater emphasis on the prisoner’s current offense, prior record, and other background attributes.

Reclassification places greater emphasis on the prisoner’s conduct during incarceration. No later than 12 months after admission to prison, a reclassification form is used to score the prisoner on factors such as, the type and number of misconduct reports lodged against the prisoner, the prisoner’s participation in a variety of programs offered by the prison system, and the prisoner’s work performance. As a result, some of the factors assessed at the time of admission may be deleted, reduced in their scoring importance, or have less influence over time.

For example, a prisoner’s current offense may have been scaled so that upon admission, the prisoner received anywhere from 0 to 7 points. At the reclassification review, the number of points is often lowered from 7 to 5. In a similar manner, a prisoner’s history of walk away or escape may only be counted for up to ten years after it occurred. These types of changes, between initial classification and reclassification, allow prisoners to “work” their way to lower custody levels over time. An instrument that does not allow this to happen will result in a significant level of “over-classification” where prisoners who were convicted of serious crimes but now have good conduct records remain in a high custody level for an excessive period.

## Issues in Reliability

There have been several studies completed on some of the more complicated classification and risk assessment instruments. In particular, the LSI-R, LSI-SV, AIMS and AICS systems have had reliability studies completed. All have shown that, unless there are strong staff training and monitoring components, these instruments will fail to perform as designed. Using what are largely a psychometric tests, staff responsible for conducting assessments should be certified to perform such tests. Drawing samples of prisoners can test this by having their classification scores re-computed by another staff person. If there is agreement with the scoring of each item used for a custody rating in at least 80 percent of the cases tested, and there is agreement in the overall custody level for at least 90 percent of the sample, then the system can be said to be reliable. Any percentages below these levels are unacceptable. Moreover, if a classification or risk instrument is unreliable, it is not a valid instrument.

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In general, the more complicated the classification process, the less reliable it will be. For example, Van Voorhis, in her study, *Psychological Classification of the Adult Male Prison Inmate*, (1994) applied five different classification systems, including AIMS, to a sample population at a Federal Bureau of Prisons penitentiary and camp. Van Voorhis found that AIMS had an unacceptably low level of reliability. Van Voorhis also tracked the classified inmates for six months to determine how their classification related to their disciplinary and psychological prison adjustment. She found that in contradiction to the

AIMS prediction, Kappas, especially at the beginning of their terms, were more likely to be prey than Sigmas.<sup>1</sup>

In 2003, Austin et al., found that the LSI-R was not reliable in its application to prisoners appearing before the Pennsylvania Parole Board. Of the 54 items used on the LSI-R, only a handful met the 80 percent threshold criteria. The items that measured the prisoner's criminal history and other factual-based items had the highest level of agreement. Furthermore, there was substantial disagreement between the two LSI-R raters regarding the assigned risk level—high, medium, and low—with agreement occurring in only 71 percent of the cases.<sup>2</sup>

Classification and risk instruments with positive results had less than ten factors, and used official documents instead of a self-administered questionnaire or survey. This again assumes that the classification staff and those associated with the scoring process were professionally trained and tested on their scoring skills.<sup>3</sup> The bottom line is that reliability is a key and essential feature for any objective prison classification system.

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## Issues in Validity

Once a system has passed the reliability test, one can then evaluate the validity of the system. The term “validity” generally pertains, among other things, to face and predictive validity. Face validity has to do with whether the items used for classification make sense to those who are using them. In other words, do they have face value? Predictive validity is whether the items demonstrate a capacity to predict risk based on a statistical test of association. Note that a risk factor can pass the face validity test but not the predictive test and vice versa.

Validation studies are completed by taking a sample of prisoners (e.g., an admission, release or current population cohort) and tracking their misconduct for a designated period. Statistical tests are completed to determine what prisoner attributes are associated with prisoner misconduct.

In general, the vast majority of prisoners never become disruptive or difficult to manage. The most serious disruptive behaviors—homicides, escape, aggravated assault on inmates or staff resulting in serious injuries, and riots—within a prison are rare events. The vast majority of staff and prisoners never become the victims of such incidents. More important, because they are rare events, it is difficult to predict which prisoners and under what circumstances such acts will occur.

In the California 155,000 inmate prison system, which is one of the few states that openly reports these data, the rate of serious incidents—assault and battery, attempted suicide, suicide, possession of a weapon, and possession of controlled substances—is approximately 8 per 100 prisoners per year.<sup>4</sup> Occurrences of assault and battery comprised about half of these incidents. The stabbing rate is 0.4 per 100 prisoners and there were 30 suicides and 13 homicides in 2001. If one were to compute a homicide rate for the CDC population, it would be approximately 8 - 9 per 100,000, which is slightly above the 6.4 rate for the citizens of California. Given the demographics of the CDC population, one can argue that the homicide rate is actually lower for this population while incarcerated than for those who are on the street.

## Factors Associated with Misconduct

Over the past three decades, considerable research on factors predictive of prisoner behavior and recidivism has been conducted. Despite some of the difficulties associated with prediction, objective prison classification systems that use reliable and valid scoring criteria have repeatedly proven to classify prisoners according to their level of risk in becoming involved

in prison misconduct. Because the rate of violence in prisons is relatively rare, these instruments are less useful in identifying prisoners who are likely to assault or seriously injure fellow prisoners, or even less frequently, staff.

In general, factors considered predictive of prisoner behavior are as follows:

- **Current age:** Older prisoners are less involved in all forms of misconduct.
- **Gender:** Females are less involved in violent incidents.
- **History of violence:** Prisoners with a recent history of violence are more likely to continue that behavior.
- **History of mental illness:** Prisoners with such histories are more likely to be involved in all forms of misconduct.
- **Gang membership:** Gang members are more likely to be involved in all forms of misconduct.
- **Program participation:** Prisoners who are either not involved in, or who have not completed programs, are more likely to be involved in all forms of misconduct.
- **Recent disciplinary actions:** Prisoners who have been recently (past 12 months) involved in misconduct are more likely to continue to be involved in future disruptive behavior.

Perhaps more interesting is the fact that many factors used for classification have little if any predictive capabilities. Rather, they exert a strong influence on the custody designation process. Such non-predictive factors include the following:

- Detainers;
- Drug and Alcohol use.
- History of escape;
- Sentence length;
- Severity of the offense; and
- Time left to serve.

This is not to say that these factors should not be used. In many ways, they reflect correctional policy, which is often held accountable to a non-achievable zero tolerance for error. Very few persons convicted of murder, a sex offense, or with a long prison term become management problems or escape. When one does, the media and political assault on the correctional agency are simply too unbearable to assume even such a level of low risk.

Agencies need to constantly review their classification policies to ensure they are not being overly restrictive. One example of such a policy would be the requirement that the severity of the offense alone would require all such prisoners be housed in maximum security for an extensive period of time when it is clear that many such prisoners could be safely housed in a medium security setting.

Finally, it should be noted that because female prisoners are far less likely to become involved in serious or potentially violent behavior while incarcerated, as a class they are likely to be over-classified under a system that has been normed on the male prisoner population. For this reason, based on a separate study of the female population's misconduct rates, the classification system should be adjusted to ensure that over-classification does not occur.

## **Impact of Prison Management and Environment**

Very little is understood and appreciated on the behavioral influence of environmental factors on prisoners and staff. It would be difficult to find a correctional official, warden, superintendent, or line officer that does not agree that a facility's architectural design has a corresponding influence on prisoner behavior.

Facilities that rely upon open views of housing, dining, and recreation areas, as opposed to those with numerous "blind" spots, tend to produce more disruptive and potentially dangerous behaviors. It is unlikely in today's fiscal environment that either new or remodeled facilities will replace antiquated prison

facilities in the near future. Nonetheless, there are many potential lessons concerning the impact of architectural design in relation to suppressing or controlling inmate behavior. There are few, if any, studies that have assessed the impact of prison architecture on prisoner behavior.

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What is more important, corrections directors have long known that similarly designed facilities with comparatively situated prison populations can produce very different rates of prisoner misconduct, both within and across state prison systems. Each major system with multiple facilities has wardens who are able to “handle” problem prisoners who cannot be handled elsewhere. The field is filled with stories about prisoners who, after transferring from one state to another, suddenly started behaving differently.

Such variations in misconduct rates for prisons, equal in design and prison population, must relate to the differences in the management styles adopted by prison administrators. But here again, with the exception of an occasional book on the great wardens of the last century—those who ruled with an iron fist and a velvet glove—there are no studies on the more recent evaluations of internal classification. A “back to basics” management method, coupled with new methods in risk assessment, offers the best promise of reducing and controlling prison violence.

Essential studies on internal classification also include assessments of the highly controversial “super max” facilities. Specifically, we need answers to on how best to identify high risk prisoners; how long should they remain segregated from the general population; what interventions are needed to control high risk behavior; how should they be released to the general population; and what are their behaviors after being released from these units. Without such basic research,

it is difficult to propose new methods to identify these prisoners and to apply interventions that will help control and manage the high-risk prisoner.

## **The Need to Link Prison Classification, Risk Assessment, and Release Decisions**

Recent developments in prison classification and risk assessment systems suggest that this is an opportune time to apply well-established correctional management and risk assessment tools to assist state correctional agencies facing budgetary and other emerging issues. The past three decades have witnessed an unparalleled increase in the nation’s prison population. In 1970, the state and federal prisons held only 196,429 inmates. Today, that number has climbed to 1.3 million, and does not include another 600,000 inmates in jail, and nearly 110,000 inmates in juvenile facilities. Despite this dramatic increase in the use of incarceration, there are signs that some states are beginning to slow or reduce their prison populations.

The U.S. Department of Justice, Bureau of Justice Statistics, reported that the nation’s prison population grew by only 1.6 percent between 1999 and 2000 — the lowest rate of growth since 1990.<sup>5</sup> Perhaps more interesting is the growing trend of a declining prison population in several states. Between 1999 and 2000, 15 states reported either a reduced prison population or one with zero growth. These states included some of the nation’s largest prison populations housed in California, Texas, New York, and Ohio.

Due to the recent decline in crime rates coupled with administrative and legislative actions used to either divert offenders or reduce their period of incarceration, further reductions are expected in several key states. Some states, such as Texas, Kentucky, and Pennsylvania, with indeterminate sentencing structures and discretionary release have implemented new parole guidelines that serve to increase the rate of parole, thereby decreasing the prison population.

Other states are lowering recidivism by restricting the re-admission of parolees who have violated their terms of parole for technical reasons or who have been arrested for misdemeanor level crimes.

There is also a growing interest in prisoner reentry to the community. With nearly 600,000 prisoners completing their sentences each year, there is a growing concern that a greater number of inmates reenter the community annually without parole or subsequent community supervision. Moreover, there is a rising concern on the lack of programming and services both within and outside the prison system.

As the pressure to control or reduce prison populations rises, there will be a related need to use classification and risk assessment instruments to make the following key decisions:

- What level of security and programs should the prisoner be exposed to while incarcerated?
- When should the prisoner be released and under what forms of supervision and services?

In order to answer these two basic questions, there must be well coordinated and virtually seamless classification and risk assessment processes in place that will function from the time a prisoner is admitted to prison, during the prisoner's incarceration, and through a prisoner's successful completion of, or release from, parole or other form of post incarceration supervision. The vast majority of states currently retain indeterminate sentencing structures whereby a parole board has the authority to decide when and how a prisoner is released. By comparison, states that have adopted determinate sentencing typically retain the authority to determine the level and length of post incarceration. Improving our ability to assess and manage the level of risk posed by the millions of persons who pass through the nation's probation, prison, and parole systems each year is a goal we can longer afford to ignore or neglect.

## Additional Resources

For additional information on current issues and how the National Institute of Corrections can assist your state with improving its classification system, please contact: Madeline Ortiz, NIC Prisons Division, 320 First Street, NW, Washington, D.C. 20534; toll-free telephone 800-995-6423, ext. 30481 or (202) 353-0481; or e-mail [mmortiz@bop.gov](mailto:mmortiz@bop.gov).

The NIC Web site, <http://www.nicic.org>, features a special focus topic on offender classification and provides information on training programs, publications, and other announcements.

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## End Notes

1. Van Voorhis, Patricia, *Psychological Classification of the Adult Male Prison Inmate*. Albany, NY: State University of New York Press (1994), p. 134-165.
2. Austin, James, Kelly Dedel-Johnson, and Dana Coleman. *Reliability and Validity of the LSI-R for the Pennsylvania Board of Probation and Parole*. Washington, DC: The George Washington University (2003).
3. Hardyman, Patricia L., James Austin, and Owan C. Tulloch. *Revalidating External Prison Classification Systems*. Washington, DC: National Institute of Corrections (2002).
4. See CDC Facts on the California Department of Corrections Web site: <http://www.cdc.state.ca.us> or <http://www.corr.ca.gov>.
5. Bureau of Justice Statistics, *Prisoners in 2000*. Washington, D.C.; US Department of Justice.

The use of risk and needs assessment in the criminal justice system is not without controversy, however. Proponents of assessment assert that the tools used to measure the risk and needs of inmates are better than the independent judgment of courts and corrections officials alone, and that research on the tools have demonstrated their ability to make relevant distinctions between high- and low-risk offenders.<sup>9</sup> Nonetheless, risk and needs assessment is not 100% accurate. Factors that can affect an inmate's security and custody classification include criminal history, prior substance abuse, education level, public safety factors, and program needs.

Assessment of CDCR's Inmate Classification System. LAO Recommendations. Conclusion. Executive Summary. Overview of California's Inmate Classification System. Inmate classification systems are commonly employed prison management tools that allow prison officials to allocate security resources according to inmates' likelihood of escape or misconduct. These systems typically involve procedures to identify inmates with a high incentive for escape or risk factors that make them statistically more likely to engage in misconduct. This allows prison officials to place such inmates in more secure environments. We discuss each of our findings in more detail below. Figure 9. Review of Inmate Classification System Summary of Major Findings.