



Sonoma County AB 109 Reentry Best Practice Review

Purpose

The purpose of this guide is to support Sonoma County's ongoing work toward building an evidence-based reentry system that promotes a safe and thriving community. The principles laid out here apply generally to all justice-involved individuals, but are particularly relevant for work with the AB 109 population, who are commonly serving longer, more significant sentences and may need a more comprehensive set of supports for successful reentry. Key areas required for this work include: system coordination, skilled/trained professionals, evidence-based decision-making, and treatment and supportive services.

System Coordination

What does this mean? Close coordination among criminal justice agencies, including probation, the sheriff's office, attorneys, the courts, and community-based providers, is crucial to successful reentry.¹ As clients exit jail and attempt to rebuild a life in the community, they often find themselves unprepared.² Many have lost *connection to family* and other *social supports*, which hampers their likelihood of successful reentry.³ It is not uncommon to experience *lag time* between release and connection to services, which also affects outcomes.⁴ Furthermore, when the supports that clients receive are *fragmented*, successful reentry becomes less likely,⁵ underscoring the importance of creating a more seamless experience for the reentering individual.

AB 109 offers an opportunity for California counties to allocate resources toward coordinated reentry planning, although counties vary greatly in how they have (and have not) taken up this opportunity.⁶ In order to take full advantage of this opportunity, agencies should coordinate to ensure that reentry planning begins as close to intake as possible. Best practice in jail reentry includes early planning and a focus on skill development,⁷ as well as intentional efforts to connect (or re-connect) individuals with resources and supports in the community.⁸ The literature also suggests that lag time and fragmentation in support should be minimized,⁹ recognizing that the highest risk for recidivism occurs in the first 12 months after release.¹⁰ Research also asserts that, to the extent possible, supports should be offered by community-based organizations located in clients' communities.¹¹

The Risk-Need-Responsivity (RNR) model has been widely researched and implemented in probation departments across the country.¹² RNR presents a functional framework for working with justice-involved individuals in a system oriented to minimizing the risk of recidivism and maximizing public safety. The RNR frame can also serve as a unifying approach as criminal justice agencies and organizations work together toward a coordinated system that serves individuals and the community more effectively. In Sonoma, it can be a starting place for developing a shared vision across members of the Sonoma County Community Corrections Partnership (CCP).



Sonoma County Community Corrections Partnership
AB 109 Evaluation: Reentry Best Practices Review Brief

Below are some practices that can be adopted to move criminal justice agencies and partners toward a research-informed and coordinated system of reentry supports, consistent with the RNR model.

<i>What do we do?</i> Practices that should be put in place	<i>What changes do we expect?</i> How to know that progress is being made	<i>What's the point?</i> The impact on recidivism and community safety
Probation and jail coordinate services and supports so that reentry planning can begin in jail well before release date (reframe jail time as reentry prep time)	Documentation of jail services show intensification of reentry planning and connection to family and community-based supports while clients are in jail	Clients leave jail psychologically and practically prepared for reentry
While clients are in jail, focus on developing the <i>skills</i> they will need for successful reentry (partner with public and private agencies that can provide skill-development)	Program records show that larger numbers of clients are participating in in-custody skill-building programming	Clients leave jail with skills to resist antisocial peers, avoid unsafe coping mechanisms, find and keep jobs, etc.
Coordinate reentry so that upon release, clients receive <i>immediate</i> support from probation, family, and community-based providers	Probation officers monitoring of client contact with program shows an increase in same-day connection to supports	Clients are more likely to remain engaged in services that support their successful reentry
Probation and jail initiate formalized partnerships with community-based organizations for both in-custody and reentry supports (and include quality assurance measures in partnership agreements)	Probation and jail documentation show increased formalized partnerships with community-based organizations; clients demonstrate increased accessing of community-based supports during reentry	Clients have easier access to services and supports that support their successful reentry



Professional Skills & Training

What does this mean? The professionals who provide reentry supports are a central force behind successful reentry approaches.¹³ As staffs’ skills, values, and confidence drive any reentry program, supporting these professionals is crucial to building a strong reentry system. Many criminal justice systems have adopted the Risk Need Responsivity (RNR) model. However, though many agencies have “officially” adopted an RNR model, they have not shifted day-to-day practices and have struggled to maintain fidelity as they implement the model.¹⁴ Often, professionals who have been working with criminal justice involved individuals are reluctant to embrace the assumptions and core ideologies that underlie the RNR model – namely, the shift from an orientation of punishment and control to one that is more therapeutic and rehabilitative.¹⁵ For these reasons, trainings should recognize participants’ resistance and trainers should work with trainees to identify how the RNR approaches advance common values, as these practices have been shown to be effective in professional development in general.¹⁶ Furthermore, training of criminal justice professionals is far more impactful when it is made relevant to trainees’ day-to-day practices, and when professionals are recognized and rewarded when they put new skills into practice.¹⁷ Below are some practices to help ensure that the professionals at the heart of the work get the support they need to implement a reliable reentry system.

<i>What do we do?</i> Practices that should be put in place	<i>What changes do we expect?</i> How to know that progress is being made	<i>What’s the point?</i> The impact on recidivism and community safety
Training for all staff across CCP member agencies in areas such as: <ul style="list-style-type: none"> • Trauma-informed and gender-responsive practices; • Effective case planning; • Facilitating connections to prosocial community members during and after incarceration (families, peer mentors, community-based service providers); • Motivational interviewing and cognitive behavioral interventions; and • Implicit bias and cultural competency 	CCP member agencies each create a training plan that prioritizes these important topics, identifying specific training goals for each member agency (e.g., no less than X hours of training on each topic for all client-facing personnel, etc.) Training records show that at least 90% of training goals are met annually	Staff time with clients is focused on reducing dynamic criminogenic risks (needs) and increasing resiliency, which have been shown to reduce the likelihood of recidivism
In recognition that training alone does not result in behavior change among professionals, create structures for personnel	Each CCP member agency will create a review and recognition system for personnel to reinforce	Client-facing personnel have greater motivation to



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<i>review and recognition</i> that correspond to RNR principles and other training (i.e., building incentives, revising employee performance review tools)	lessons, skills, and practices imparted in training Client-facing personnel will practice new skills and these changes in day-to-day practice will be registered through the review and recognition system	learn skills to improve clients' odds of success

Evidence-Based Decision-Making

What does this mean? A good deal of what is meant by evidence-based decision-making is guided by the Risk-Need-Responsivity (RNR) model. This model advances several key practices, including systematically assessing for risk and allocating resources and interventions toward high-risk clients, while minimizing interventions and contact with low-risk clients.¹⁸ It also pushes for the consistent use of *graduated sanctions* and *rewards* with clients, consistent with the principles of social learning theory.¹⁹ Recent evidence also points to reducing the use of intensive supervision, suggesting that it is costly and does not improve public safety.²⁰ Adhering to these research-based practices can lead to more perceived fairness and respect in the relationships between probation officers and clients,²¹ which is important as the quality of these relationships has been shown to correlate with more positive client outcomes, including reduced recidivism.²²

RNR implementation requires attention to potential racial and gender inequities. It is important to recognize that policies and practices built into most justice systems may unintentionally contribute to an inequitable system. For example, some analyses show that racial bias is present within many risk assessment tools.²³ Members of non-white communities are far more likely to indicate unstable housing, intermittent employment, neighborhood crime, and cynicism about the legal system on risk assessments, due to historical and systematic discrimination in housing, policing, and criminal justice laws.²⁴ Gender is also a consideration in implementing RNR. Some research supports the idea that risk assessments that were developed based on men's criminogenic needs are, nevertheless, equally predictive when used with women.²⁵ Other research, however, shows that the use of these tools may over-classify women into high-risk categories²⁶ and that high-risk should be defined differently for women and men.²⁷ It is, therefore, incumbent upon criminal justice agencies to constantly analyze risk scores and modify or eliminate risk assessment factors that contribute to or detract from fairness in the criminal justice system. Below are some recommended practices to advance evidence-based decision-making.



Sonoma County Community Corrections Partnership
AB 109 Evaluation: Reentry Best Practices Review Brief

<p><i>What do we do?</i></p> <p>Practices that should be put in place</p>	<p><i>What changes do we expect?</i></p> <p>How to know that progress is being made</p>	<p><i>What's the point?</i></p> <p>The impact on recidivism and community safety</p>
<p>Assess for <i>risk</i> and restrict interventions to higher-risk individuals (see Appendix 1: RNR one-page summary)</p>	<p>All clients receive a standardized risk assessment; interventions are only delivered to moderate- or high-risk individuals; low-risk individuals are not participating in interventions meant for higher risk individuals; low-risk individuals receive minimal to no jail time</p>	<p>Low-risk individuals' risk levels do not increase The system conserves resources for interventions to support higher risk individuals</p>
<p>Consistently use structured decision-making processes for probation officers to guide the provision of rewards/incentives and graduated sanctions</p>	<p>Graduated sanctions and rewards/incentives are utilized consistently</p>	<p>Clients develop more positive relationships with probation officers and are more responsive to supports and programming Clients adhere more to probation terms</p>
<p>Increase use of split sentences and diversion; decrease probation violations; decrease use and length of flash incarcerations</p>	<p>The use of flash incarcerations and the probation violations decrease</p>	<p>Individuals do not experience problematic interruptions in treatment or programming; Overall county expenditure on jail time is reduced, freeing up dollars for more effective interventions</p>
<p>Regularly analyze discretionary decision points (prosecutorial decisions, judicial decisions/sentencing, probation revocations, flash incarcerations) to detect systemic inequities (especially regarding African American/Black clients)</p>	<p>CCP member agencies identify and develop strategies to address the points in the criminal justice system where racial bias is at play</p>	<p>Reduction of racial disproportionality in the county's criminal justice system, which may also improve community trust in public agencies</p>
<p>Recognize that risk assessment tools may have built-in biases and conduct a scientific validation analysis to determine how this may affect racial disproportionality and gender-responsiveness</p>	<p>Based on the results of the scientific analysis, risk/need assessments or items may be omitted, revised, or supplemented in order to create the strongest, fairest instruments to guide decision-making</p>	<p>Corrects a system that may erroneously identify lower-risk individuals as higher-risk, which may also improve community trust in public agencies</p>



Treatment and Supportive Services

What does this mean? Individuals who are involved in the criminal justice system often lack key competencies, ranging from emotional skills like self-regulation to practical proficiencies resulting from poor school engagement or performance.²⁸ The absence of some of these skills are thought to be the genesis of their criminal activity, which is why they are labeled “criminogenic needs.”²⁹ The top criminogenic needs are understood to be antisocial personality pattern, procriminal attitudes, social supports for crime, substance abuse, poor family relationships, poor school or work history, and lack of involvement in prosocial leisure activities³⁰ (see Appendix 1: RNR one-page summary). Interestingly, arrest and incarceration were once believed to be the key actions that would help dissuade people from criminal activities.³¹ Years of research have demonstrated, however, that this belief is flawed, and that incarceration may itself exacerbate criminogenic need, rather than ameliorate it. Studies have shown that, controlling for risk factors, suspended sentences result in lower recidivism,³² psycho-social effects of incarceration increase criminogenic risk,³³ and participation in programs specifically designed to reduce recidivism decreases recidivism.³⁴ Research on approaches to reducing the risk of criminal offending points away from incarceration and toward providing supports and treatment that target criminogenic needs alongside stabilization factors that may be prerequisites to accessing supports (e.g., housing, medical, mental health stabilization, primary care, etc.).³⁵

The risk of recidivism upon reentry is closely associated with clients’ ability to access treatment and supports that address their needs, as assessed on an individual basis. Furthermore, conducting a community-level needs assessment/resource map can help a jurisdiction know how to allocate resources effectively. Research shows these supports have the most impact when they are administered in the community.³⁶ It also indicates that these supports should utilize theory-informed practices, such as Motivational Interviewing and cognitive-behavioral interventions, to promote general responsivity to services.³⁷ Further, to promote specific responsivity, services should be trauma-informed,³⁸ gender-responsive,³⁹ and culturally-responsive.⁴⁰

Services and supports targeting criminogenic need will be most effective if clients’ basic needs are also met. If clients do not have stable housing or income, or have unmet primary or mental health care needs, they cannot make use of other supports. Stable housing, for example, has been shown to reduce likelihood to reoffend,⁴¹ as has placement in high quality employment (versus low-quality transitional employment).⁴²

Below are some practices to be adopted to ensure that treatment and supportive services result in improved resiliency and reduced recidivism.



Sonoma County Community Corrections Partnership
AB 109 Evaluation: Reentry Best Practices Review Brief

<i>What do we do?</i> Practices that should be put in place	<i>What changes do we expect?</i> How to know that progress is being made	<i>What's the point?</i> The impact on recidivism and community safety
Assess client needs individually and ensure that clients receive services that correspond to their individual needs (both in custody and after reentry)	A higher proportion of clients engage in supports that correspond to their needs The number and proportion of clients engaging in supports that correspond to their criminogenic and stabilization needs increase	Criminogenic and stabilization needs are effectively addressed
Assess client needs system-wide (mapping needs as a system, especially reentry services, and funding sources)	CCP partners develop improved understanding of existing needs and existing resources to meet the needs; funding plans correspond to identified gaps between needs and resources	There are services and resources to meet the needs of the reentry population
Ensure that clients will respond well to supports by making sure they are evidence-based (utilizing cognitive-behavioral and social learning approaches), easily accessible, culturally responsive, welcoming, and trauma-informed	Access points to community-based services increase; clients access more supports; the quality of supports improves (services use cognitive-behavioral and social learning approaches and are trauma-informed and culturally responsive)	Clients are less likely to recidivate because they are receiving high-quality supports in the community

Conclusion

This brief discusses key elements of a successful reentry system and does not cover all of the research on this complex subject. Aligning current policies and practices with best practices is a process that requires time and commitment. It is clear from the best practices literature that this process is a worthwhile investment. When clients reenter to the community successfully, jurisdictions experience a decreased burden on the jail and probation department, a reduction in associated costs, an increase in productive citizens, and an improvement in public safety. Sonoma County has already begun taking steps to align practices with reentry best practices research and should prioritize continuing its work in this area.



Appendix 1.

The Principles of Effective Programming: Risk, Need, Responsivity

Risk-Need-Responsivity: The model that dominated criminal justice in the latter part of the 20th century emphasized control, enforcement, and punishment. The Risk-Need-Responsivity (RNR) model, which has gained popularity in recent decades as it was proved to be more effective, represents a move away from the traditional, more punitive model. RNR relies on research-based strategies to reduce risk, build skills, and support behavior change.

Risk: The risk principle has two important components: (1) use of a reliable risk assessment tool to predict criminal behavior and (2) appropriately matching level of service to the assessed level of risk. The risk assessment tool identifies “static factors” which are historical markers linked to offending that cannot be changed (e.g., age, gender, criminal history) as well as “dynamic factors” which a client can change (also referred to as “criminogenic needs”). Risk assessments help criminal justice professionals classify individuals as low, moderate or high risk so that they can match risk level to the intensity of treatment. Low risk clients require little to no intervention. Research finds definitively that programs are more effective if they focus on higher risk offenders.

Need: Criminogenic needs are dynamic risk factors that are directly linked to criminal behavior. While clients cannot change their criminal history, childhood exposure to trauma, or parental incarceration, they can change their attitudes toward others, develop skills to manage emotions, relationships, and behaviors, and gain competencies for more successful work/education outcomes. It is important to recognize that everyone has a range of needs, some of which are related to offending (criminogenic needs) and some that are not (non-criminogenic needs). While RNR promotes focus on criminogenic needs, there are non-criminogenic needs associated with stabilizing clients that must also be met. For example, if a client is unhoused, it will be very difficult to ensure that they are engaging in and benefitting from supports. Each client’s case plan should be developed with realistic goals and specific outcomes to address unmet needs.

Major need factor	Indicators	What Supports Should Do
Antisocial personality pattern	Impulsive, adventurous pleasure seeking, restlessly aggressive and irritable	Build problem solving, self-management, empathy, anger management, and coping skills
Procriminal attitudes	Rationalizations for crime, antisocial identity	Counter rationalizations with prosocial attitudes; build up a prosocial identity



Sonoma County Community Corrections Partnership

AB 109 Evaluation: Reentry Best Practices Review Brief

Social supports for crime	Criminal friends, isolation from prosocial others	Replace procriminal friends and associates with prosocial friends and associates
Substance abuse	Abuse of alcohol and/or drugs	Reduce substance abuse, enhance alternatives to substance use
Family/marital relationships	Inappropriate parental disciplining, poor family relationships	Teaching parenting skills, enhance warmth and caring
School/work	Poor performance, low levels of satisfactions	Build soft skills associated with work/school success, build applicable skills for career success, create connections to high-paying stable jobs
Leisure/recreational activities	Lack of involvement in prosocial recreational/leisure activities	Encourage participation in prosocial recreational activities, teach prosocial hobbies and sports

Responsivity: The responsivity principle provides guidance on how to provide treatment. It includes general responsivity and specific responsivity. General responsivity suggests providers should consider a client’s learning style and abilities when determining the style and mode of treatment program delivery, and that *cognitive-behavioral* and *social learning* approaches are the most effective in producing behavior change. Specific responsivity suggests adapting interventions to the biological, social, and psychological characteristics of the individual (e.g., literacy level, learning differences, motivation level). Specific responsivity recognizes that different modes of intervention may be needed based on client characteristics (e.g., services may need to be trauma-informed, culturally-responsive, gender-responsive). This principle asserts that for supports to be effective, criminal justice professionals must establish a warm, respectful and collaborative relationship with the client and deliver programming that intentionally influences clients to change in a prosocial direction through appropriate modeling, reinforcement, and skill-building, as opposed to threats and sanctions.

Putting It All Together: The closer programs adhere to the three RNR principles, the more impactful programs will be in reducing recidivism. Treatment interventions that do not adhere to any of the three principles (that is, they target the non-criminogenic needs of low risk offenders using non-cognitive-behavioral techniques) are criminogenic, meaning that they increase a clients’ risk of offending. Interventions that align with all three principles reduce recidivism.

For more information on the tables provided and the RNR model in general, please see: [Risk-Need-Responsivity Model for Offender Assessment and Rehabilitation](#) by James Bonta and D.A. Andrews.



Sonoma County Community Corrections Partnership AB 109 Evaluation: Reentry Best Practices Review Brief

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Sonoma County Community Corrections Partnership
AB 109 Evaluation: Reentry Best Practices Review Brief

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