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# Guidelines for Implementing the Criminal Court Assessment Tool

In recent years, justice reform efforts have included the use of risk assessments to inform pretrial decision-making and minimize subjective bias. However, as helpful as this movement is, it has become increasingly controversial. Risk-need tools must be used in a targeted way that reduces detention, identifies salient needs, and alleviates racial disparities. Otherwise, jurisdictions can create further harm by misusing risk data, over-programming individuals, and amplifying disparities. This guidesheet offers strategies for implementing the Criminal Court Assessment Tool (CCAT) to help mitigate bias and create positive case outcomes.

1.  **Reimagine risk-need-responsivity theory to mitigate bias.** Many jurisdictions are grappling with how to use RNR tools to minimize harm while balancing growing concerns over racial bias. To reduce collateral consequences of bias, practitioners implementing the CCAT should carefully consider where in the process the tool is being integrated—such as pretrial, diversion, or probation—and how the information will be used. It is recommended that policies and practices ensure that the tool helps to support individual needs rather than to inform carceral decisions. Good practices, for example, might include using the tool to reduce pretrial use of jail, increase positive recovery outcomes, or tailor supervision and supportive services. Avoid using risk scores to assign pretrial supervision or to mandate overly intensive programming, which may disrupt lives or result in increased risk.

2.  **Convene stakeholders to establish intent and cultivate buy-in.** By inviting a multidisciplinary team to the table—including court administrators, public defenders, prosecutors, probation, and service providers—local jurisdictions can develop policies

to effectively implement the CCAT. Working together, stakeholders can set goals that minimize potential harms, like detention or lengthy programming, and offer support that directly targets individual needs. Consider the following planning questions:

o *What is the goal of using the CCAT?*

o *At what point in the process will the CCAT be most helpful?*

o *Who will administer it and what training is needed?*

o *How will the risk and need outcomes be used to improve outcomes?*

o *What partnerships will be needed to address individual needs?*

Once implemented, maintain regular meetings to audit outcomes (see more below) and ensure the tool is being used as intended.

3. **Map community-based resources to respond to individual needs.** A clear understanding of your community's resources will enable you to develop the aforementioned policies and be responsive to individuals' salient needs. During the resource mapping process, take inventory of existing community-based assets that can meet all need categories—including education, employment, housing, substance use, mental health, and trauma—to serve as potential resources or partners. Once services are identified, it is helpful to establish linkage agreements and liaisons, invite treatment providers to offer onsite services, and promote ongoing collaboration among partner

agencies. For more information, see Mapping Community Resources.

4. **Create decision-making frameworks to promote fairness.** Services should always be tailored to meet individuals' needs; however, it is recommended that jurisdictions create response guidelines based on charge and risk level to ensure that outcomes are consistent and balanced. This will also help reduce arbitrary and potentially biased decision-making. Low-risk individuals charged with low-level offenses, for instance, might all be eligible for voluntary engagement. See Risk-Need-Responsivity: Recommendations for Community Courts for a sample response matrix.

5. **Integrate trauma-informed practices to build trust and rapport.** Recognizing the widespread impact of trauma, the assessment process can be an opportunity to not only reveal salient needs, but also foster connection and improve outcomes. To do this, adhere to the tenants of trauma-informed practice while administering the CCAT. First, allow for time and space—don't rush the assessment, listen and show interest, and invite participants to voice their opinions. Seek to understand the whole story, embrace individual experiences, read body language, and, most importantly, acknowledge resiliency. What's more, be mindful of your own projections and implicit biases and create opportunities for clinical supervision to explore discomfort. If administered properly, the CCAT can be a meaningful introductory tool to understand *why* the individual is justice-involved.

6. **Collect and audit data to monitor outcomes.** Collecting data gleaned from the CCAT can help projects understand the needs of their population, identify resource priorities, inform programming, and be more responsive to the local population. If possible, capture the data in an existing data or case management system to avoid paper assessments and simplify data analysis. Audit the data routinely by generating reports, flagging trends, and establishing a forum to assess how the tool is working and make adjustments if needed. If data is missing, for instance, it might suggest time constraints or that staff are uncomfortable asking certain questions and that further support is needed. While reviewing the data, staff might consider:

   o *What about the CCAT is working?*
   o *What is not working?*
   o *What could we improve?*
   o *What question wording needs tweaking?*
   o *What additional service providers are needed?*

   Understanding the data can also help you describe your project to stakeholders and engage funders.

7. **Invest in local validation to ensure the CCAT is responsive to your population.** Validation is not universally applicable. To ensure the CCAT is accurately predicting risk and providing the support needed in your jurisdiction, consider partnering with a local research organization or university to revalidate the tool on your population. Work with researchers to ensure that the tool is equally accurate for all racial groups, consider false positives and over-classification, and identify and mitigate bias in the tool and in the process.

## FOR MORE INFORMATION

To learn more about implementing the Criminal Court Assessment Tool and access training materials, please email CJTTA@innovatingjustice.org.

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