

December 2017

Countering Violent Extremism: The Application of Risk Assessment Tools in the Criminal Justice and Rehabilitation Process

Literature Review

Prepared for

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Technology Directorate
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1. INTRODUCTION

Violent extremism remains a critical concern for the Department of Homeland Security (DHS), other federal and state agencies, local law enforcement, and the American public. Despite a steady increase in attention to both domestic and international terrorism from a growing community of researchers over the past several years, this research has not been systematically applied to evaluate tools at the disposal of professionals such as local law enforcement and community practitioners to effectively identify early signs of radicalization to divert individuals away from the path of violence. The Countering Violent Extremism (CVE): Diversion Program—Assessment Tools to Support Secondary and Tertiary Intervention for Violent Extremism project sponsored by the DHS Science and Technology Directorate (S&T) is designed to leverage existing research and expert input from stakeholders and potential end-users to better understand the need for such tools and the requirements for developing or validating an evidence-based tool. Endeavoring to create a risk assessment tool designed to identify early signs of radicalization and to assess individuals for the likelihood of successfully completing a diversion or rehabilitation program is a tremendously complicated and multifaceted process with potential positive impacts, while also presenting several potential ramifications. Because of these concerns DHS S&T solicited RTI International to develop a summary on the state of the science of risk assessment tools, focusing on studies that highlight and examine the design and application of assessments used in relation to general violence and violent extremism in a post-criminal context.

This literature review begins with an overview of risk assessment tools for general violence and violent extremism and their current usage in the criminal justice field including the types of tools available and their applicability within the current American cultural and legal context. The next section examines the gaps in the violent extremism assessment literature and identifies potential pathways to the development of a validated tool and the evidence-based requirements for validation. Specifically, this discussion highlights the limitations and challenges in validating an assessment tool for violent extremism. This section focuses on the difficulty of collecting data on events as rare as terrorism, accessing complete and reliable data sources, the lack of control and comparison groups for these types of evaluative studies, the scarcity of reliable studies validating risk factors and protective factors commonly used in violent extremism risk assessment tools, and includes a discussion illustrating the difficulty of validating a risk assessment tool specific to violent extremism. The report concludes with a discussion of the domestic and international programs for rehabilitating individuals who have been shown to be at risk of engaging in violent extremism and provides guidelines for successful rehabilitation of violent extremist offenders. The state-of-the-science summary ends with recommendations for DHS S&T in identifying the gold standard and providing the necessary steps in the development of an

instrument that can be validated, the promotion of good data collection standards for current and future data sets, and guidance on how risk assessment instruments can and should be used by the practitioner community.

2. RISK ASSESSMENT DEVELOPMENT, USAGE, AND CHALLENGES

Risk assessment is a concept that has been used for decades in the criminal justice system. At the most basic level, risk assessment involves collecting data about an offender to assist in making some judgment about the likelihood of an outcome or behavior. Early risk assessment efforts were interested in assessing the risk while also identifying what steps could be taken to rehabilitate prisoners. This focus was based on the idea that the offender could get better and reenter society. In the late 1900s the prevailing belief turned toward a climate calling for tougher punishment rather than rehabilitation (Hamilton, 2015). With steadily rising rates of incarceration, and a lack of funding and physical space to house prisoners, many jurisdictions have reverted to the rehabilitative models of the mid-1900s.

Modern methods focus on managing the level of risk to the community and on reducing the risk through interventions designed to support prisoners on a road to recovery. Risk management theory

In the criminal justice field, modern risk assessment tools serve as decision support tools with a focus on *informing* treatment and measuring risk reduction, not as predictors of outcomes.

has moved from a belief that risk resides within an individual, cannot be changed, and either exists or does not, to a belief that risk is dependent on context, malleable, and occurs along a continuum (Borum et al., 1999).

Risk assessment tools are frameworks for collecting data and have been used to assist with decision-making in all aspects of the criminal justice process (see Table 1). From pretrial decisions about which offenders can be released pending trial to which offenders are ready for release back into the community after completing a sentence, risk assessment is an ongoing process for criminal offenders. Depending on the phase (pretrial, sentencing, incarceration, release) and the nature of the crimes committed (or potential for future crimes), the tools used may be unique to a specific scenario or crime or may be calculated probabilities of generalized offending. Different types of tools are used for a variety of purposes, often in conjunction with one or more other risk assessments. The assessments are used to provide a risk level for specific outcomes within specific contexts. Some jurisdictions adopt existing tools but many are now developing their own tool to maximize utility for the local population (e.g., Ohio Risk Assessment System).

Risk assessment tools provide a method for examining the likelihood of harm based on available information. In a criminal justice context, this is typically a measure of the likelihood of someone reoffending. The risk could be measured based on the likelihood of general offending (including parole violations or any other offence) or very specific types of