

Promote Early Intervention and Effective Management of Court Cases

ESSENTIAL ELEMENT 1: Screening and Assessment

POLICY

From an individual's first contact with the justice system and throughout the process, screening and assessments must be implemented early on, and then updated periodically to ensure the system's response is tailored to the individual's needs, including criminogenic risks and needs. Regardless of custody status, all individuals should be screened for mental health and substance use disorders, criminogenic risk, and trauma using an evidence-based tool validated for the population that is screened. If indicated, an appropriate assessment should follow. Collaboration and cooperation between justice and behavioral health providers is necessary to ensure individualized decision making. Particular attention should be focused on practices and systems that adversely affect marginalized communities and impact racial justice.

EVIDENCE-BASED PRACTICES

- Universal screening using appropriate, validated instruments.
- Pretrial release decisions are informed by reliably predictive information and assessment.
- Screening and assessment results are shared among justice and treatment partners.
- Criminogenic screening and assessment data inform supervision and reentry case plans.

GETTING STARTED

Input from all relevant justice and treatment partners should be sought before selecting the instruments. The SAMHSA publication, [Screening and Assessment of Co-Occurring Disorders in the Justice System](#) provides an excellent overview of all relevant tools, including assessments of validity, accuracy, appropriate populations for use, and cost. It may be appropriate to vertically integrate screenings and assessments and to use suites of tools that are designed to work together. Some tools also require training of those administering the instruments.

Before implementation, all partners need to have an agreement about what information will be shared, by whom, how, and when. Ideally, written memoranda of understanding are developed to ensure consistent practices. Consistent collaboration is essential between all partners with a focus toward individualized decision making.

ROLES AND RESPONSIBILITIES

Screening and assessment results should reliably inform all aspects of system responses – early diversion to treatment, pretrial release decisions, pretrial supervision conditions, jail custody classification, medication, treatment plans, including dosage and responsivity adjustments, case supervision plans, eligibility for pre- and post-sentencing treatment and diversion programs, and probation, parole, and reentry conditions.

Subjective suitability determinations should be avoided, and overrides of valid assessment results should be rare. Review of screening and assessment results should be conducted to ensure validity to the tool. The issue of liability should be discussed openly, to include who will assume specific risks or sharing of risks. Both criminal justice related risk as well as behavioral health risks should be discussed so there is a common understanding and a Memorandum of Understanding in place that defines the understanding.

NEXT GENERATION

Innovation, Technology, New Practice

Recent research makes clear that many screenings and assessments can be done remotely with no diminution of accuracy. Deploying virtual screenings and assessments can make more efficient use of evaluator resources, and can provide increased access to rural jurisdictions.

Institutionalization, Sustainability, Funding

In some jurisdictions and across some partner entities, sustained effort may be required to instill a culture that values and uses assessment information. Institutionalization of effective screening and assessment protocols requires written agreements and sustained reinforcement of the utility of the information. Reliable and consistent use of screenings and assessments has been shown to result in better outcomes in terms of recidivism, client health and stability, and overall system cost savings. Data collection related to those outcomes is important for program sustainability.

RESOURCES

Screening instruments for mental health disorders include:

- [Mental Health Screening Form-III \(MHSE-III\)](#)
- [K6 and K10 Scales](#)

Substance use disorder screens include:

- [TCU Drug Screen 5 \(Texas Christian University\)](#)
- [Drug Abuse Screening Tool \(DAST-10\)](#)
- [Simple Screening Instrument for Substance Abuse \(SSI-SA\)](#)

Jail screening tools:

- [Brief Jail Mental Health Screen](#)
- [Correctional Mental Health Screen \(CMHS\)](#)
(Note: there is a version for men and one for women.)

Criminogenic risk screens:

- [LSI-R \(Level of Service Inventory-Revised\)](#)
- [Ohio Risk Assessment System \(ORAS\)](#)
- [Correctional Offender Management Profiling for Alternative Sanctions \(COMPAS\)](#)
- [RANT® An Evidence Based Supervision and Clinical Services Recommendation Solution \(Risk and Needs Triage\)](#)

Trauma screens:

- [Trauma Screening Questionnaire \(TSQ\)](#)
- [PTSD Checklist - Civilian Version \(PCL-C\)](#)

Other resources to learn more about evaluating, selecting, and using these tools:

- [Screening and Assessment of Co-Occurring Disorders in the Justice System \(SAMHSA\)](#)
- [Implementing Mental Health Screening and Assessment \(Stepping Up Initiative\)](#)
- [Digest of Evidence-based Assessment Tools \(Center for Court Innovation\)](#)
- [Selecting and Using Risk and Need Assessments \(National Drug Court Institute\)](#)
- [Co-Occurring Mental Illness and Substance Use Disorders \(CODs\) \(National Center for State Courts\)](#)

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