



# Revealing Research & Evaluation Newsletter

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This issue summarizes a recent PREv research report and 2021 evaluation that examined the relevance of risk assessment tools used with Indigenous populations within BC Corrections.

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## The Validity of Risk Assessment Tools Conducted with Indigenous Individuals

In corrections, risk assessments are regularly used to identify an individual's risk factors and criminogenic needs (e.g., criminal attitudes, dysfunctional marital/family relationships, substance use, etc.) and quantify the risk of different types of reoffending.

Although there is evidence that risk/need factors embedded in these tools are predictive for both Indigenous and non-Indigenous populations, Indigenous individuals (i.e., those self-identifying as First Nations, Métis, or Inuit) tend to score higher than non-Indigenous individuals on risk assessment tools.<sup>1</sup> One possible explanation for this finding is that risk assessment tools fail to account for the "unique present and historic circumstances of Indigenous Peoples."<sup>2</sup>

Specifically, Indigenous people face immense inequities relative to the general population and are disproportionately exposed to risk factors that are both structural and systematic. Failing to consider individual level risk factors (i.e., criminogenic needs) in these larger systems will inevitably lead to less relevant and/or less accurate assessments of risk.

In 2021, Indigenous individuals represented 6% of the population of British Columbia,<sup>3</sup> yet accounted for 34% of individuals in provincial adult custody and 27% of individuals under community supervision with BC Corrections. The dramatic overrepresentation of Indigenous people in corrections is complex and historically situated.<sup>4</sup> It must be contextualized within

continued harms of colonial violence, including displacement, loss of culture, effects of direct and intergenerational trauma (e.g., from residential and day schools, child apprehension, etc.), ongoing racism and other forms of systemic oppression."<sup>4,5</sup>

Risk assessment tools are generally appropriate for use in correctional settings when they are validated on a broad population of individuals convicted of criminal offences. However, their utility with specific populations is not always known, which calls into question their cross-cultural validity.

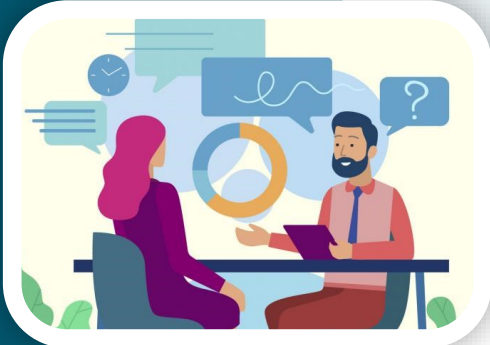


## BC Corrections' Risk Assessment Tools

**General recidivism risk:** Community Risk/Needs Assessment (CRNA)

**Intimate partner violence (IPV) recidivism risk:** Spousal Abuse Risk Assessment-Guide V2 (SARA-V2)

**Sexual recidivism risk:** ACUTE-2007, STABLE-2007, Static-99R



### BC Corrections' Risk Assessment Tools are Used for:

- determining levels of supervision
- developing case management plans
- estimating reoffence likelihood
- identifying treatment needs
- selecting suitable candidates for corrections-based programs

## CRNA Evaluation

The Community Risk/Needs Assessment (CRNA), evaluated by PREv in 2021, is used for all individuals under sentenced community supervision to assess general recidivism risk, inform appropriate supervision levels, and identify targets for intervention.

Once the tool is applied, probation officers use structured professional judgement to determine overall ratings on risk, need, and supervision level. The evaluation<sup>6</sup> examined the reliability and the predictive validity of the tool using a 2 and 4 year follow up period. Importantly, while the evaluation examined the predictive validity for all sentenced clients under community supervision, it also considered predictive validity for Indigenous clients separately.

## Key Findings

- The CRNA predicts recidivism well for Indigenous and non-Indigenous individuals
- Moderate/good consistency in overall rating and supervision level scoring practices
- Consistency in item level ratings were mixed as some POs rated items based on whether they felt the identified need contributed to offending, whereas others simply indicated a need as present or not

## Meet a PREv Researcher: Kimberly Mularczyk

Kimberly obtained her Ph.D. in Psychology in 2023 specializing in both Quantitative Methodology and Forensic Psychology. Before joining BC Corrections in 2021, Kimberly held research positions at the Parole Board of Canada and Public Safety Canada. Kimberly most enjoys partaking in research that incorporates individuals with lived experience, and taking on the challenge and responsibility of bringing together research findings with care. Working on this RREv was important to Kimberly who spent 20 years growing up in Thunder Bay, Ontario. Kimberly is committed to conducting research that informs and helps to reduce Indigenous overrepresentation in corrections.



## Ewert v. Canada

In 2000, Jeffery G. Ewert, a Métis man, took legal action against the Correctional Service of Canada (CSC) arguing that his constitutionally guaranteed rights under the *Canadian Charter of Rights and Freedoms* had been violated as CSC’s risk assessment tools had not been validated for use with Indigenous individuals. The *Ewert v. Canada* Supreme Court case lasted almost 20 years. Ultimately, the 2018 verdict indicated that Mr. Ewert’s Charter rights had not been violated. The court established that use of risk assessment tools was preferable to unstructured professional judgement, which is

considerably more susceptible to bias and can lead to over or under estimations of risk. However, they also ruled that CSC breached its obligation under section 24(1) of the *Corrections and Conditional Release Act* which required CSC “take all reasonable steps” to ensure that any information about an individual in their care is “accurate, up to date, and [as] complete as possible”.<sup>7</sup>

Although provincial corrections operate under different legislative requirements, the *Ewert v. Canada* case highlights the need to ensure that



risk assessment tools used with Indigenous individuals are not unduly contributing to their overrepresentation in correctional settings. As such, it is in BC Corrections’ best interest to take a proactive approach to analyzing its tools to deduce, and potentially improve, their cultural relevancy.

## The Development of the Risk Assessment Report Card

The implications of the *Ewert v. Canada* case, reinforce BC Corrections’ Strategic Vision to support Indigenous reconciliation through a commitment to improving fairness, identifying and eliminating systematic racism, and addressing overrepresentation. In 2021 the PReV unit developed a Risk Assessment Report Card (RARC) framework<sup>8</sup>, using a letter grade system, to evaluate the performance of BC Corrections risk assessment tool’s when predicting recidivism for Indigenous individuals.

### Key Findings

- The CRNA (general recidivism tool) is a high performing tool for reoffence prediction for Indigenous individuals
- Tools used for specific populations (i.e., tools measuring risk for intimate partner violence and sexually motivated offences) lack sufficient research to indicate their validity with Indigenous individuals

### Based on Existing Evidence, How Well Do the Tools Predict Reoffending for Indigenous Individuals?

Unknown: Overall Grade	Low: Overall Grade C	Moderate: Overall Grade B	High: Overall Grade A
<ul style="list-style-type: none"> <li>✓ SARA-V2</li> <li>✓ ACUTE-2007</li> <li>✓ Static-99R/ STABLE-2007 + ACUTE-2007</li> </ul>	<ul style="list-style-type: none"> <li>✓ STABLE-2007</li> </ul>	<ul style="list-style-type: none"> <li>✓ Static-99R</li> <li>✓ Static-99R/ STABLE-2007</li> </ul>	<ul style="list-style-type: none"> <li>✓ CRNA</li> </ul>

## What's Next for PREv?

Considering the RARC results, the PREv unit—with collaboration and input from Indigenous partners—will continue to develop and facilitate research that will fill identified gaps, including:

- confirmation of the predictive validity of our risk assessment tools, and the items within them, for Indigenous individuals; and
- identifying potential culturally relevant risk factors.

Additionally, new research will be added to the RARC framework as it emerges to ensure that BC Corrections remains up to date on the evidence supporting its tools, including evidence to support their continued use with Indigenous individuals in our care.

## Did You Know?

In 2019, to reinforce the importance of collecting Indigenous identity data, BC Corrections developed a script for staff that provides guidance around how to ask about Indigenous identity in a culturally appropriate way. BC Corrections also records the First Nations community that an individual identifies as belonging to and/or the First Nations community they plan to return to following release (for those in custody). Collecting this information provides a better understanding of the diversity of Indigenous individuals in our care and allows for continued collaboration with First Nations communities and Indigenous service delivery organizations when supporting individuals being released from custody and/or returning to their communities.



PREv Team (January 2023)

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“Evidence-Based  
 Research—What  
 Works!”

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