Risk Assessment in Criminal Justice System

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**Introduction**

According to the criminal justice system, a risk assessment is an attempt to determine the probability of an offender to engage in any offense within a defined follow-up period. It is important to understand that a risk assessment is a vital component of the criminal justice system to reduce recidivism. Currently, the rate of recidivism in the United States is gradually increasing due to the lack of a proper framework. With the integration of the risk assessment process, the prevailing risk of recidivism can be minimized up to a significant level. Predicting the likelihood of an offender to commit a crime in the future will determine the societal risk level of that offender. Researchers have found that risk assessment is advantageous for the criminal justice system, but it also has some limitations as well. These limitations can jeopardize the effectiveness of risk assessment in the criminal justice system. It is necessary to determine the role of risk assessment in the criminal justice system.

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Undoubtedly, it is highly difficult to identify what’s going on in the mind of an offender. Implementation of risk assessment is usually completed with the help of a psychologist in criminal justice. Psychologists use various methods in order to determine the societal risk level of an offender to engage in recidivism. Especially, the concept of risk assessment can be used for offenders who are in their probation period. Rehabilitation is a method of preparing an individual to integrate into society (Simourd, 2008). However, it would not be possible to determine the probability of an individual to engage in the same crime again unless a thorough risk assessment is not done. It is evident that human behavior is not predictable due to complex nature. For assessing that behavior, the concept of risk assessment was introduced in the criminal justice system. A critical examination of the risk assessment indicates that it can accurately predict such behavior before time (Simourd, 2008). For instance, the criminal justice system is ready to release a person into society, but it is not aware of how will it behave in society. The criminal justice system is not willing to risk the lives of every individual in the community just for the sake of one person. Therefore, a psychologist properly conducts a risk assessment to evaluate the personality of an offender to determine whether he/she is ready to assimilate in society or not. It is necessary to consider that the criminal justice system can incorporate risk assessment in various fields. These fields include during the sentence, while monitoring, during the decision making process of releasing an offender, and during rehabilitation decision. A critical analysis of risk assessment in the United Stated indicates its effectiveness. Various areas of the criminal justice system are enhancing their performance by using risk assessment. According to a research study, 44 out of 53 cases used risk assessment tool for the decision-making process (Desmarais, Johnson, & Singh, 2016). Using risk assessment tools is increasing the overall credibility of a decision in the criminal justice system.

A number of different risk assessment tools and approaches are being used by psychiatrists in the criminal justice system to predict an offender’s behavior. One of the most important risk assessment methods in clinical risk assessment. In this approach, the prediction about the risk level of an offender usually relies on the expertise of a professional psychiatrist. It is an unstructured approach as it focuses on the personality and mental illness of an individual. To predict the future of an offender’s behavior, it is highly necessary to determine his/her mental illness. The evaluation and consideration of a person’s aspect are highly valuable to consider his/her level of risk for others. Experts such as psychologists and psychiatrists observe and assess an offender to gather information. With the help of that information, these experts interpret data and pass their judgment about his future behavior (Desmarais, Johnson, & Singh, 2016). The level of offenders’ risk can be easily assessed by analyzing these personal aspects of an individual. In addition to this, there is another prominent approach known as the actuarial approach. In this approach, psychiatrists use a number of empirical-based predication methods to predict the likelihood of an offender to engage in recidivism. In this particular approach, the criminal justice system uses statistical algorithms to assess an offender’s risk level. The risk of an offender to commit another offense is usually distributed in various categories. It helps the criminal justice system to demonstrate the possibility of re-offense (Desmarais, Johnson, & Singh, 2016). These algorithms will evaluate the foreseen behavior of an offender with the help of various characteristics such as age, criminal history, background, and personality.

A number of methods are used in the criminal justice system to determine the behavior of offenders. One of the most important models among these includes the linear model. The linear model uses a flow diagram to determine the level of risk of an offender. The flow diagram assists professionals in evaluating the personality of a criminal. After taking information from an offender and his/her record, a team of experts will use that flow diagram to determine the most appropriate action for making a decision about the future of that offender. It is noteworthy to consider that the risk assessment model not only assesses the behavior of an offender, but it also evaluates the complexity of violence. It is not only effective to assess the features such as personality and behavior of an offender, but it also evaluates the social environments an individual interacts with.

**Pros and/or cons of risk assessment**

Regardless of the multiple uses of risk assessment in the criminal justice system, it is highly necessary to determine its advantage. To access the efficiency and effectiveness of risk assessment, one must need to evaluate its accuracy. A number of methods as discussed above are evaluated by various authors and they concluded that risk assessment methods effectively predict whether an offender will involve in recidivism or not. The clinical approach in this context is highly effective as it evaluates the personality, behavior, and mentality of an offender (Simourd, 2008). On these factors, it almost accurately indicates the probability of an offender to repeat his/her criminal activities. Using the clinical approach can further determine the social and psychological characteristics of an individual. Furthermore, with the help of risk assessment tools, criminal justice can easily separate low-risk offenders from high-risk offenders (Kim, Joo, & McCarty, 2008). By doing so, it can be decided who will stay incarcerated and who is ready for probation. If an individual is identified as a high-risk offender, then the criminal justice system can place him/her in rehabilitative programs. However, the criminal justice system cannot properly rely on risk assessment methods. Observing and analyzing the characteristics of an offender are completely related to the judgment made by experts. It is even possible that experts make bias decisions on the basis of an offenders’ color, race, or background (Kim, Joo, & McCarty, 2008). Up till now, the research has not completely proved that risk assessment is an effective and reliable method of reducing recidivism.  **Accuracy of risk assessment measures used in the CJS**

According to a number of research studies, risk assessment methods that are used in the criminal justice system are not always effective. A number of such cases indicate that offenders were engaged in offensive activities even after characterized as low-risk offenders. Different researchers used the clinical approach method to assess the risk of recidivism in an offender. The majority of these studies failed to foresee the danger of an offender. The accuracy of the clinical approach is unreliable as per conducted experiments. However, it does somehow help to predict which individual is in need of rehabilitative activities. On the other hand, the use of the actuarial approach is highly effective as compared to the clinical approach. According to research, 10 out of 15 offenders’ risk level was successfully perceived with the help of the actuarial approach (Hanson & Morton-Bourgon, 2009). The prediction of an offender’s behavior can be easily done through a flow diagram. The algorithm used in that flow diagram is far more reliable in comparison to the clinical approach. The actuarial approach completely relies on the facts of risk factors in assessing the probability of recidivism. The moderate to high-level reliability in terms of prediction makes it an effective approach to apply in the criminal justice system. Furthermore, there is always a risk of discrimination in the judicial process when it is made only by the expertise of an individual. Fortunately, the actuarial approach uses statistical data rather than focusing solely on the characteristics of an individual. The opportunity of biasness is usually limited by the statistical data (Sjöstedt & Långström, 2002). These properties of the actuarial approach assess offenders’ risk level makes it a more reliable and valuable method. Moreover, the accuracy of the actuarial approach is highly trustworthy in the criminal justice system as it contains statistics that are inherently easier to predict (Sjöstedt & Långström, 2002). However, one cannot predict the likelihood of a re-offense only with the help of theoretical data. But one must need to understand the fact that the reliability of a prediction is extremely low if the crime is uncommon. According to a researcher, criminal justice should need to shift its clinical approach to an actuarial approach due to its accuracy (Kim, Joo, & McCarty, 2008). Reliance on facts and statistical data is far better and precise as compared to experts’ experience and opinion.

**Conclusion**

In a nutshell, the rate of recidivism is increasing due to the lack of any proper risk assessment system. The criminal justice system should need to prefer risk assessment tools in various areas including sentencing, releasing, probation, or incarceration process. It plays a vital role in making judgments and decisions about the likelihood of an offender to commit any crime again. A critical examination of risk assessment tools indicates that both actuarial and clinical approach is highly effective to predict the probability of an offender’s criminal behavior. These techniques are effective to determine whether a criminal should place in incarceration or he/she should be considered for probation. Both methods have their own pros and cons, but the actuarial approach is more accurate as compared to the clinical approach to predicting risk level. Criminal justice should need to emphasize on actuarial approach as it uses statistical data and facts to foresee the offender’s risk level. In addition to this, it will also be beneficial for the criminal justice system to use both approaches for each individual to eliminate the risk of false prediction. Undoubtedly, the nature of a person cannot be easily predicted by these methods, but it will allow criminal justice to make somehow accurate predictions about their future nature.

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