

Projecting Impact: Issues and Questions with New & Existing Guidelines

**Annual Meeting of NASC
August 9, 2010**



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Applied Research Services, Inc.**

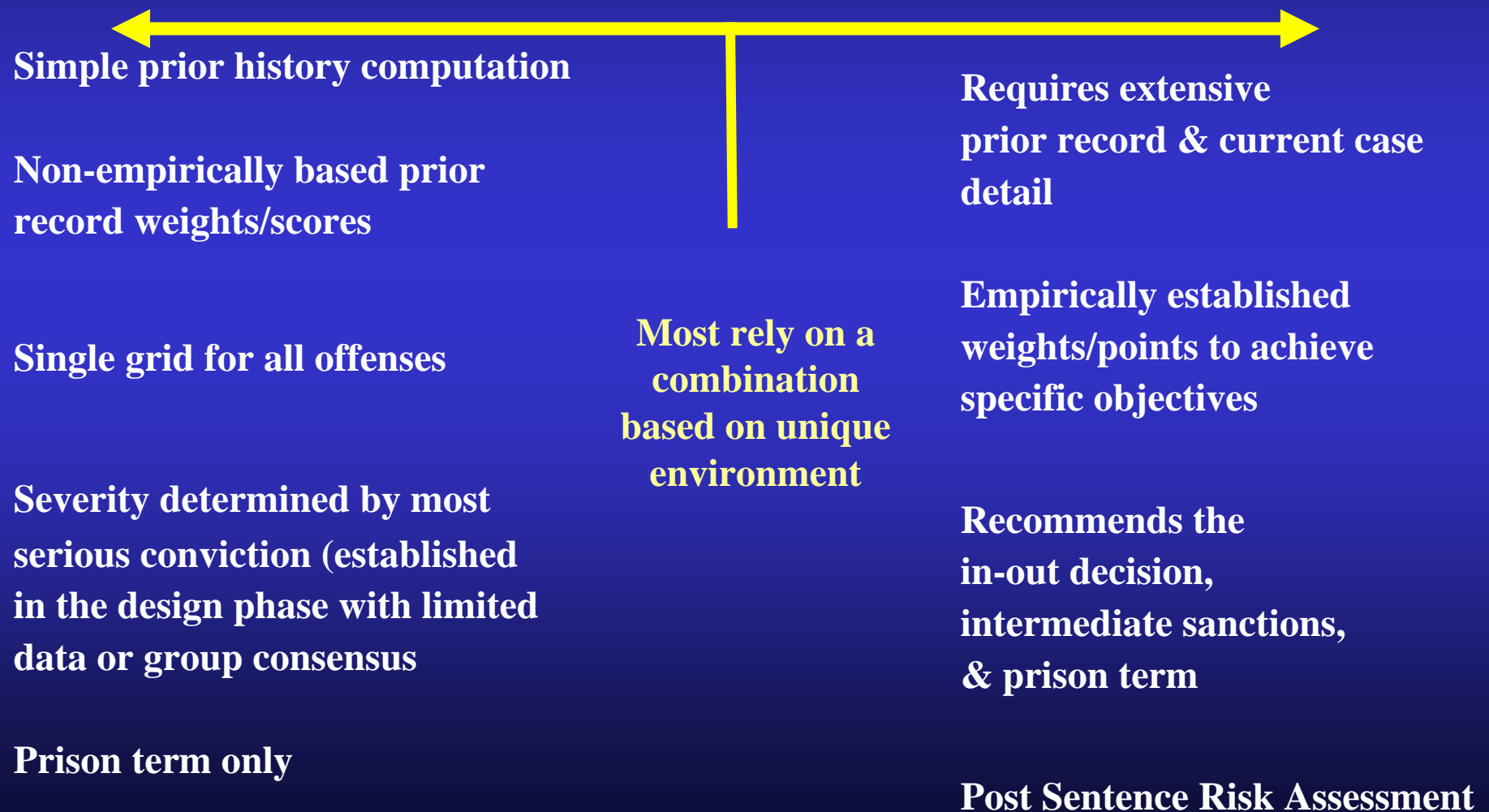
Presentation Objectives

- **Review Challenges Projecting Impact with New Guidelines**
 - **Data Sources, assumptions, & methods**
- **Discuss challenges & creative approaches to make assumptions about revisions to existing guidelines**

How Do You Project Impact In the Design Phase?

- **Data challenges with different guideline structures & mechanics**
- **How to guard against unintended consequences – the cure is worse than the disease?**
- **How do I make assumptions with no baseline?**

Guideline Structure & Data Requirements (all depends)



What Are Pre-Development (New System) Questions

What are you projecting?

Impact on sentencing with or without a bed space (done all the time)

What agency is responsible for correctional projections?

What specific guideline business rules could have a significant impact?

What Are Pre-Development Questions To Assess Potential Impact During Design

Re-working the current tool or augment it with other tools?

Does the existing tool permit assessment of key guideline recommendations?

If not, what baseline is used to assess impact of different business rules?

Question to Ask...Continued

Is there adequate data to support the tool and evaluate different design scenarios?

Exploring Data Sources:

- **Judicial records: Is the data available in one location (unified system) or stored locally?**
- **Corrections and Probation/Parole**
- **State criminal history repository**

Question to Ask...Continued

Statutory authority or inter-agency agreements?

Rap Sheets

Probation/Parole Records (PSI)

Juvenile Court Records)

State Drug Lab

Making assumptions before implementation?

Compliance

**Immediate impact or incremental judicial
acceptance over time**

Do Not Worry: States Have Dealt With The Same Problems

**Timeline pressures and no time to
develop a new tool**

**Impact assessments without a formal
projection tool (established guideline
states do it all the time)**

**Talk to other States about these
Questions**

Discussion

**How do Existing Guideline States
Manage these Issues (Attendees)?**

Assumptions & Proposed Guideline Revisions (Two Examples)

**(New/existing Guidelines)
Impact Assessment Using Standard
Statistical Software**

The New Offense: Most Common Guideline Revision & Making Assumptions

**New offenses are usually sub-
categories of an existing offense**

**Example: Changing Drug Type &
Quantity**

**How do you assess impact for a new
crime without any historical data?**

Collateral Data Sources

Sample/Review Records from selected sources (if available)

National Forensic Laboratory Information System (NFLIS): Check with State Lab

**Creative Approach To Incorporate
Complex Assumptions and Guideline
Revisions Using Off-the-Shelf
Statistical Software**

**Pennsylvania Concept
(or the only one I know)
(aka. Rubber Band)**

**Underlying Concept:
System Does Not Jump to
Revision/Targets**

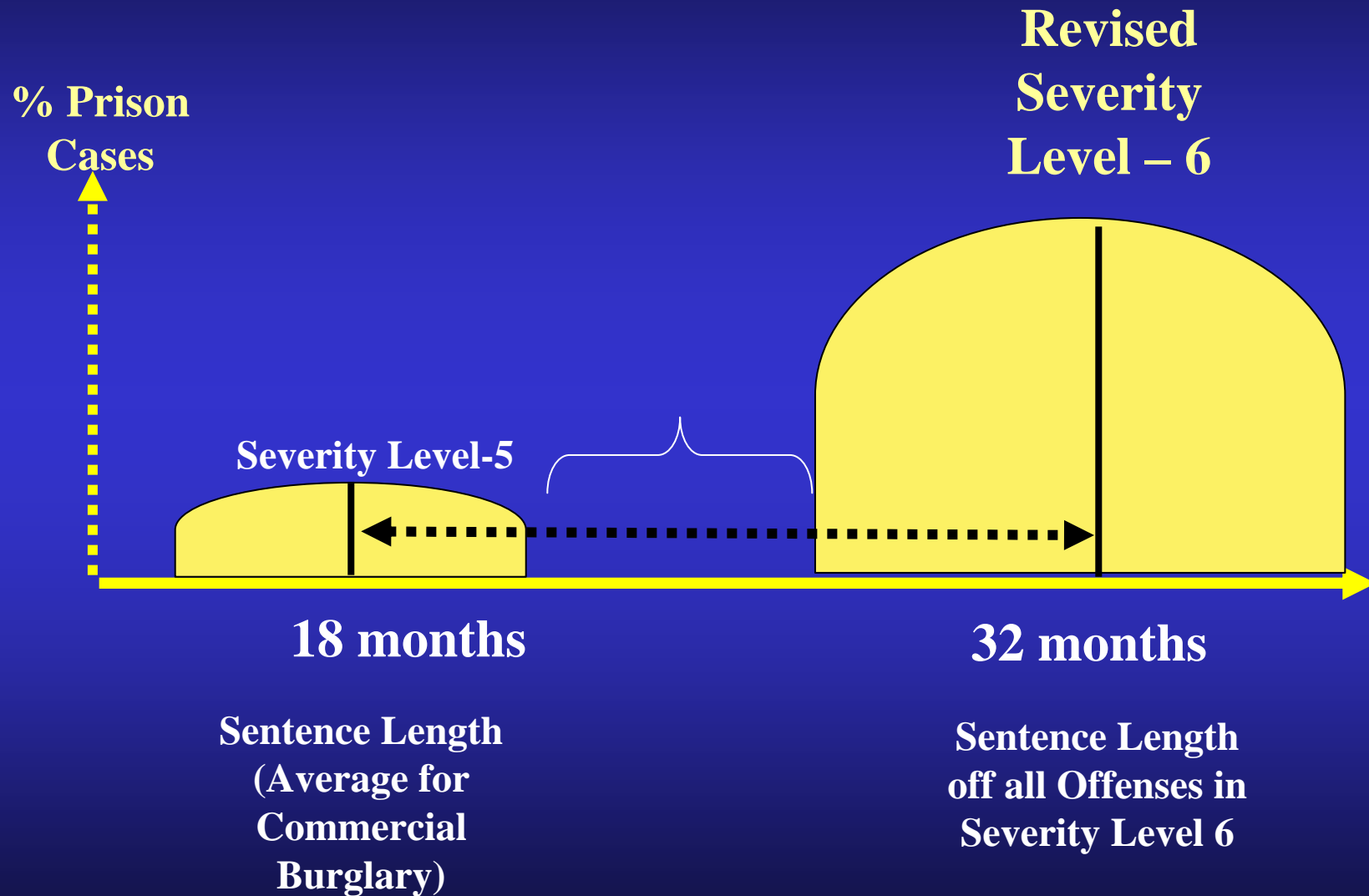
Increase Offense Severity

Revised Sentence Ranges

Prior Record Revisions

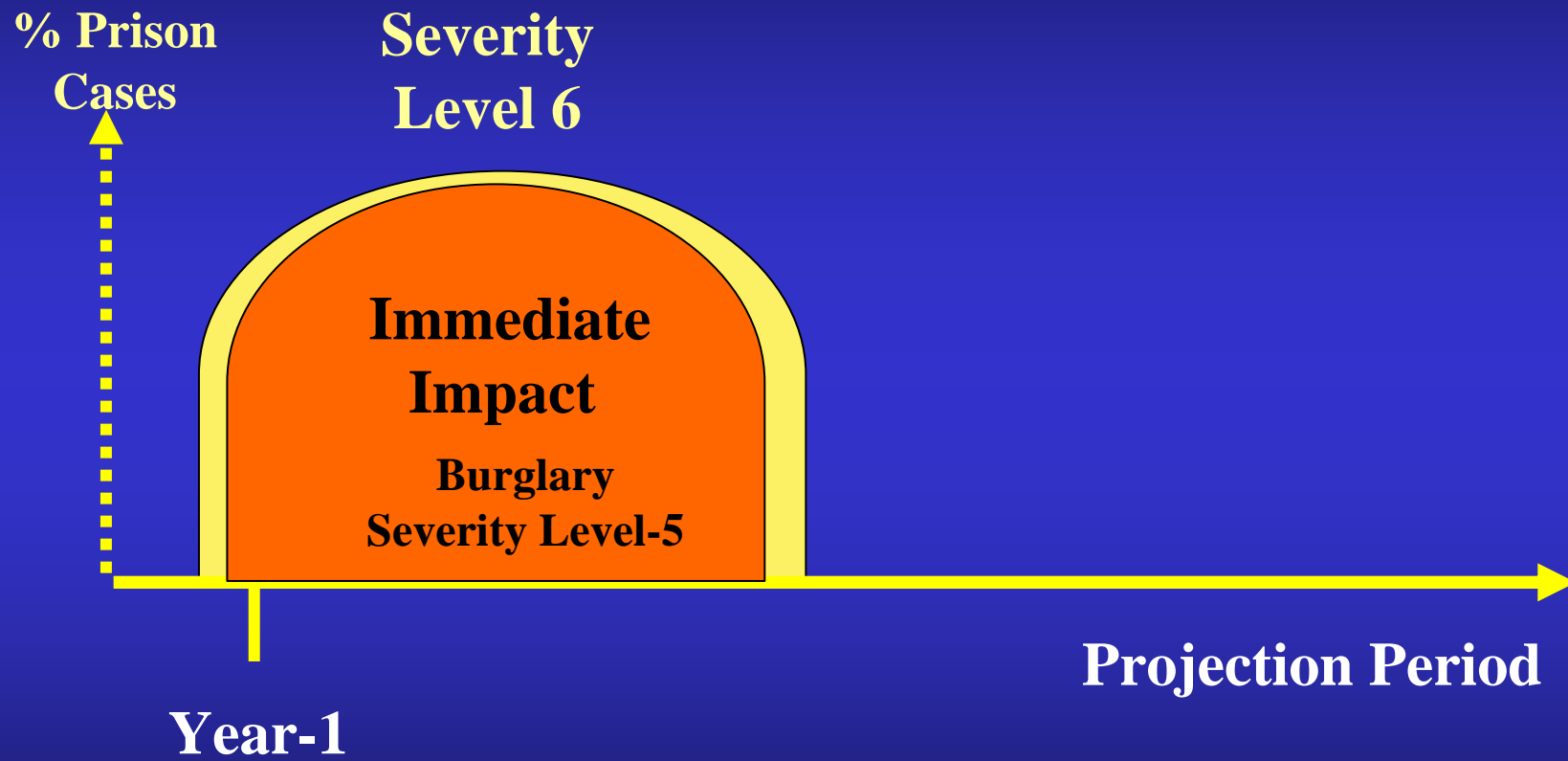
Hypothetical Example & Not Actual Sentences

Proposed Revision to Move Commercial Burglary From Severity Level-5 to 6

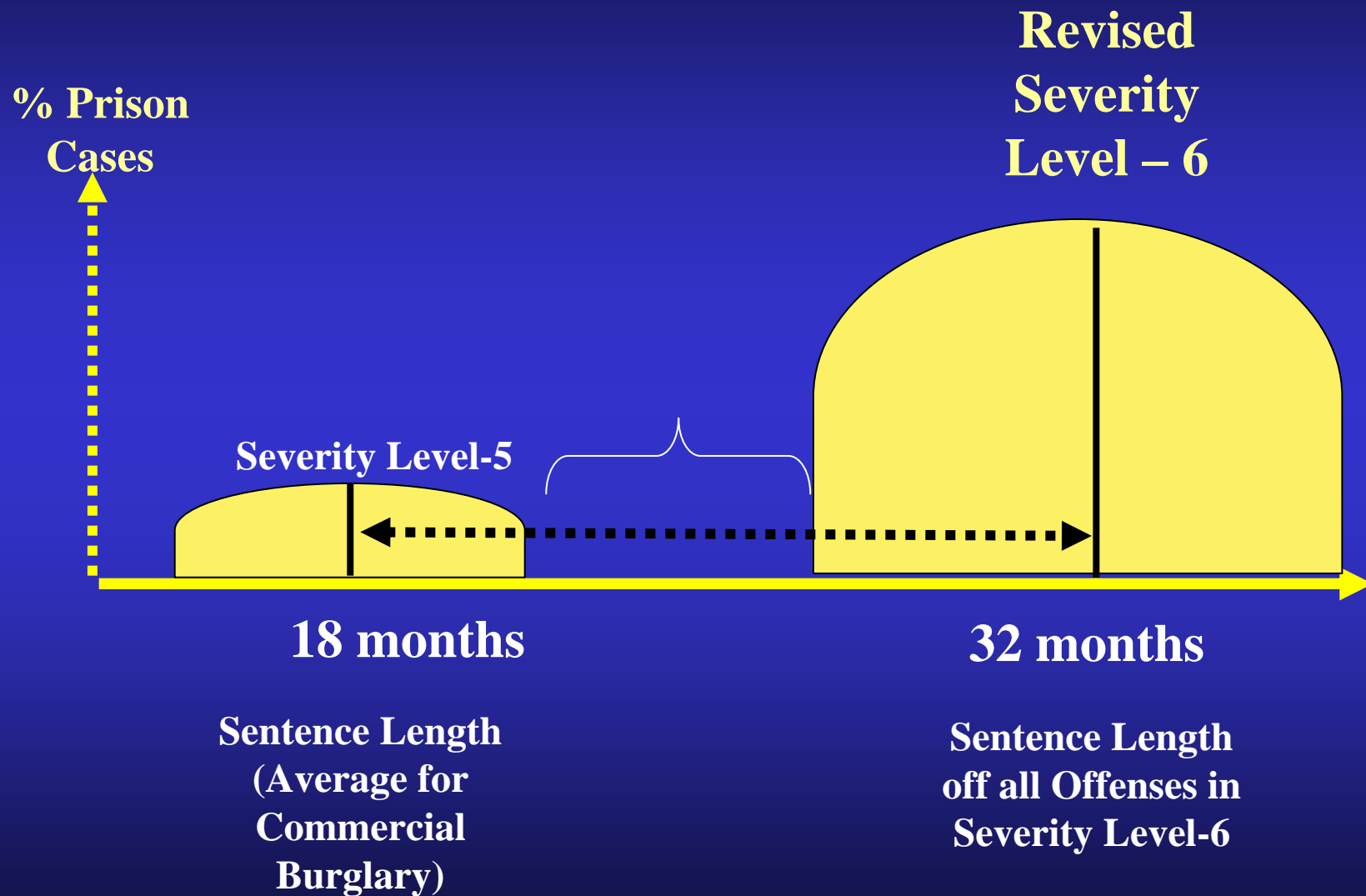


Hypothetical: Not PA Data

Immediate Adoption and Acceptance of Severity Level-6: Realistic?



Year-1 Impact



Hypothetical: Not PA Data

Year-2 Impact

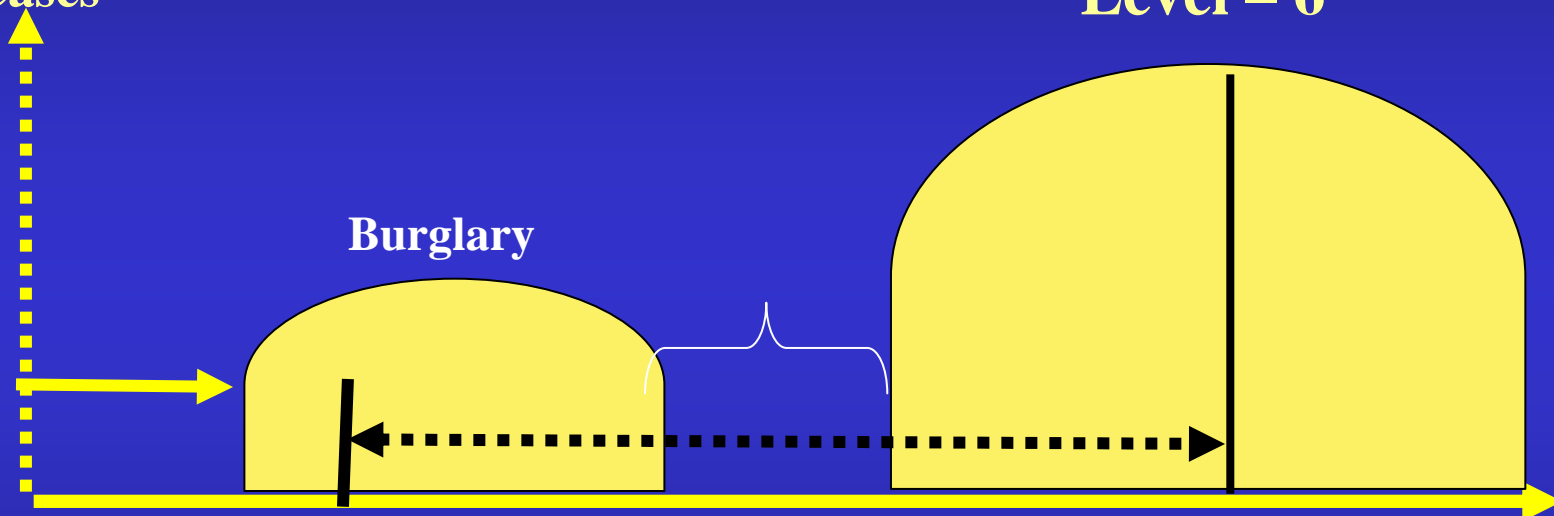
% Prison
Cases

Severity
Level – 6

Burglary

Original
Average

Impact TimeLine



Year 3

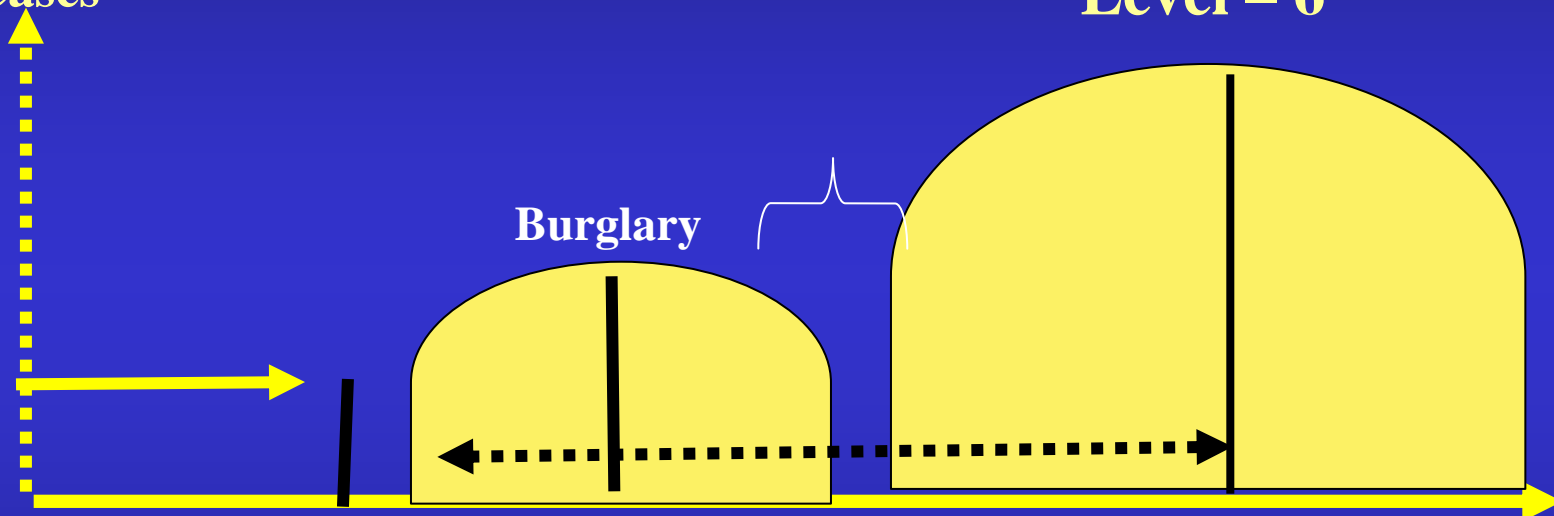
% Prison Cases

Severity Level – 6

Burglary

Original Average

Impact TimeLine

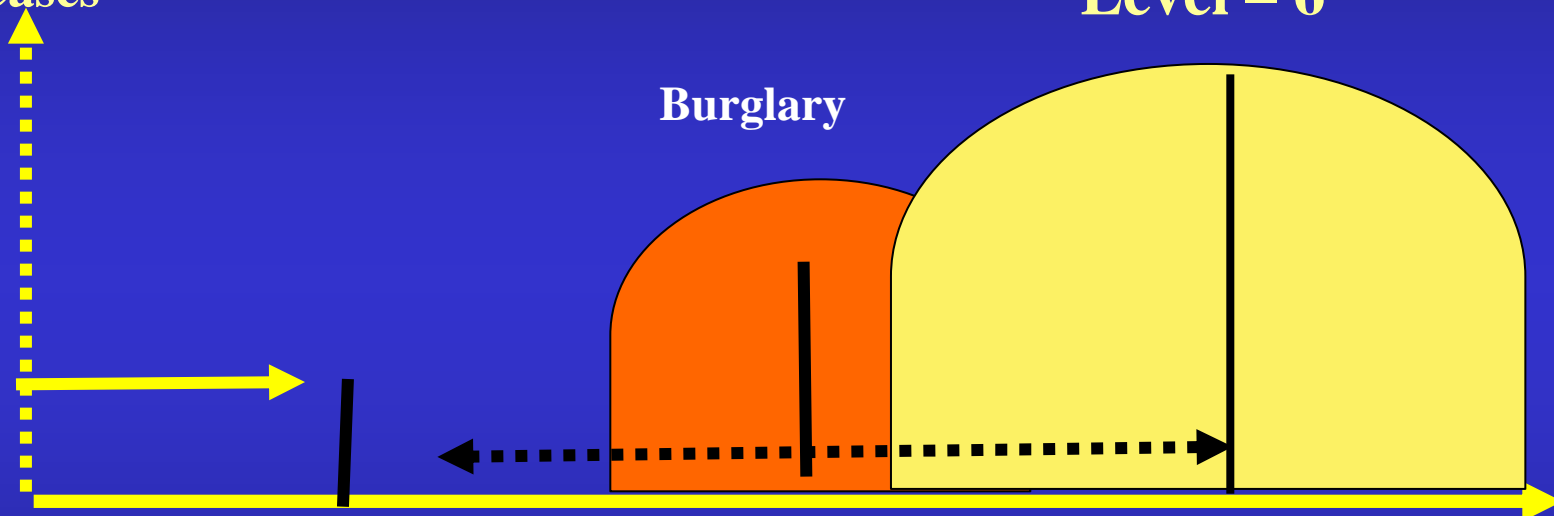


Year 3

% Prison
Cases

Severity
Level – 6

Burglary



Original
Average

Impact TimeLine

Impact Over Time

- **After Revision (5-to-6), above range cases may move to lower severity range of severity level-6**
- **Original below range burglary cases move to the recommended range in severity level-5 (original level)**
- **etc**

Using Statistical Software

- The transition over time is based on actual data and formulas
- Very few subjective assumptions required (unless there is universal consensus for change that is not reflected in historical trends)

**Discussion of Other Creative
Way to Make Assumptions
(Attendees – Guideline States)**

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Turning Data Into Decisions



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