

**Quality Assurance Workgroup  
Report  
2008-2009**



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# Quality Assurance Workgroup Members

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## **Introduction**

The Minnesota Department of Corrections (DOC), in efforts to utilize evidence-based practices, implemented the use of the Youth Level of Service/Case Management Inventory (YLS/CMI) in 2001. In similar fashion, the adult version – the Level of Service Inventory-Revised (LSI-R) – was also introduced in 2001.

Assessment is the foundation to the delivery of effective correctional services, and it is the first principle to evidence-based practices for corrections. As the University of Cincinnati's Ed Latessa and Christopher Lowenkamp have stated, "Risk assessment is now considered the cornerstone of effective correctional intervention" (Lowenkamp & Latessa, 2004). Utilizing a validated risk/need assessment tool based on actuarial data is good correctional practice. Resources are scarce and there is a significant amount of research that spells out the consequences if low-risk offenders are mistakenly targeted with intensive interventions. A quality, validated assessment identifies the criminogenic needs of offenders. It spells out the area(s) within the offender's life that will likely contribute to future problems (i.e., recidivism, violating conditions of release) and subsequently dictates a course of action once offenders are assessed.

The DOC recognized the need to utilize validated risk/need assessments on the populations it serves and subsequently adopted the YLS/CMI and LSI-R. These assessments were, and still are, the national and international standards of the corrections industry.

The DOC developed policies and implemented the tools. Agents and case managers were trained. In the field, the tools had an immediate impact – both by assisting the agent in crafting proposed conditions of probation and/or supervised release and by assigning supervision level. In juvenile facilities, the YLS/CMI was adopted and utilized in identifying the programming needs of the population. In adult facilities, however, the LSI-R had a slower start. This was reflective of the systemic changes that had not yet occurred. The LSI-R score did not (and still does not) influence an inmate's custody classification level. While it did not initially impact treatment accessibility, it does now and it is used to help determine who is placed on Intensive Supervised Release (ISR).

## **Current Policy**

At present, there are two policies that relate specifically to quality assurance regarding the LSI-R and YLS/CMI:

203.015 LSI-R and YLS/CMI Assessment Process

203.016 Classification and Assessment

# Quality Assurance Workgroup

## Introduction/Overview

Attending to the quality of the risk/needs assessment tools has been one of the primary objectives of the evidence-based practices project manager. A workgroup comprised of a cross-section of staff was established to address the quality of the tools. Agents, institutional case managers, supervisors, program directors, administrators, and LSI-R and YLS/CMI trainers were invited to contribute to this effort. Each member brought different perspectives and expertise to the table. By incorporating all levels of staff in this endeavor, it is anticipated that buy-in to future recommendations is bolstered.

The workgroup first met in February 2008 and attempted to answer:

**“How do we implement a comprehensive quality assurance plan/policy that strives for 100 percent accuracy in regard to conducting risk/need assessments (LSI-R & YLS/CMI) agency-wide?”**

The group first decided to review current policies and practices about the measurement of assessment quality.

Secondly, they chose to use a peer-driven model, which shifts responsibility from the supervisor (or designee) to all parties (which must include the supervisor). The following principles of this peer-driven model are taken as an excerpt from the National Institute of Correction’s *Quality Assurance Manual*, December 27, 2005:

### Principles

- *An internal review process must be peer-driven.*  
A cross-section of staff must be involved in the entire process, from determining the relevant outcomes to designing the assessment tool to analyzing results. Input from various staff levels will increase the relevance of the process and the results, as well as increasing staff commitment.
- *The process must be support and coaching-oriented.*  
To reduce resistance and increase the chance of success, staff should view peer review as an opportunity for professional development, not as a punitive process. Feedback from the process should be supportive and constructive, and staff should be given the opportunity to learn, practice, and be coached to improve performance.
- *The process should create a culture of learning.*  
The implementation and evaluation of quality, evidence-based practice is ongoing, so staff members never reach the point of “perfection.” This idea of a never-ending process may be frustrating for some, so the peer review process must create an environment that promotes the value of ongoing learning and continuous improvement.

- *The process should include a feedback loop.*  
Peer review is only useful if the data is applied. Therefore, the process needs to be designed so that individuals and workgroups receive well-organized, timely data that can be applied to practice. Practitioners must be able to communicate changing data needs to the peer review team, as well as request additional feedback and evaluation as needed.

For purposes of this project, the process will look different for some units due to the wide variation of the units themselves. Units should be given the guidance needed to craft a model that will work for them. Following are some examples of models that have been implemented.

### **Field Services Peer Driven Model**

Field Services districts generally gather on a quarterly basis to review policy updates and address topical issues. Peer review of assessments is a staple component of these meetings. Agents are asked to bring a file of their choosing on which they have completed a recent assessment. The supervisor instructs the agents to exchange files and review the scoring of the assessment. Based on the material within the file (including the interview guide and pre-sentence/pre-disposition investigation report), they are then asked to look for discrepancies in the scoring of the assessment. Attention is given to suspected scoring errors. Perhaps the assessment was scored incorrectly – or perhaps the reviewer had a misunderstanding of how to score a particular question. They are given a quality assurance form to capture a number of things – thus providing a formal measurement/feedback mechanism.

### **Institutions Peer Driven Model**

The Minnesota Correctional Facility-Willow River/Moose Lake began conducting peer reviews in June 2008. Case managers gather on a weekly basis for Program Review Team (PRT) reviews. A roster is established identifying which case manager is to present a recently completed assessment at the meeting. Upon completion of the PRT, the designated case manager presents his/her assessment to the group. The case manager goes through each question of the assessment, indicating how it was scored and why it was scored that way. The group openly discusses any discrepancies and/or areas of subjectivity.

### **Conclusions**

The above are a sample of what has been done thus far. Other variations are being implemented both within field services and at facilities. Regardless of the model used, it is important for the supervisor to be *actively involved* in the process. Assigning the responsibility to a designee reinforces to staff that this is not of enough importance to warrant their personal attention. This is not to say that the supervisors themselves must become the resident experts. For any of these models to be truly effective, there must be a trainer available to clarify scoring issues.

The intention of each of these models is to attend to scoring proficiency. It should be noted that a quality assessment requires more than accurately interpreting the information gathered. These assessments (the LSI-R and YLS/CMI) are to be scored based upon a thorough interview, a comprehensive file review and collateral information as available. While an assessor may be proficient in scoring the tool, s/he may not accurately gather the requisite information. Subsequently, interview quality also requires attention.

## **Baseline Testing**

### **Introduction/ Method**

Measurement is the foundation of evidence-based practices. Without measurement, there is no evidence. As we continue efforts toward quality risk/needs assessments, the question remains: “Where are we currently?” In order to address this question, it is important to collect baseline data. That data will provide a measurement of our current state. Subsequent to implementation of revised quality assurance measures, it will also serve as a measure against which new efforts can be compared.

Written scenarios were crafted for both the YLS/CMI and the LSI-R. The scenarios were written by trainers of the tools and consisted of a fictitious pre-sentence investigation (PSI) or pre-disposition investigation (PDI) and a supplemental written narrative, which provided additional information about the client. These scenarios were subsequently scored and remediated by multiple trainers. If the trainers found the scenario too ambiguous to anchor the scoring for a particular question, the scenario was amended in efforts to make it clear. The LSI-R scenario – including the PSI, supplemental narrative and scoring key - is found in Appendix A. The YLS/CMI scenario – including the PDI, supplemental narrative and scoring key – is found in Appendix B.

The intention was to test every DOC case manager and corrections agent to determine their baseline scoring proficiency. Staff was tested in groups by field services district or institution. They were advised that this was an individual scoring exercise and they were not to consult with one another regarding the scoring. A total of 177 agents, 100 case managers and 2 psychologists from the DOC’s Risk Assessment/Community Notification Unit were tested regarding the LSI-R. Thirty-eight agents and 18 case managers were tested regarding the YLS/CMI. The testing was anonymous by person, but not by facility or district. Extracting the testing data by work unit will prove helpful in identifying pronounced training (or buy-in) needs, and will also prove helpful when subsequent measurement testing is completed to determine which peer-driven models are the most effective.

This was not a “closed book test” in that staff was allowed to reference their *Minnesota Scoring Guide* while completing the scoring exercise. They were asked to refer to the scoring guide only if they would have done so while encountering a similar situation at their desks.

This method has shortcomings. Scoring a written scenario is not analogous to interviewing an offender, being able to read his/her body language, and ask follow-up

questions. Again, the intent of this testing is to determine *scoring proficiency*, the degree to which staff are able to interpret the information the client presents in regard to the scoring guide. A further criticism of this testing is the fact that identical scenarios were used across varying positions for each respective tool. The same LSI-R scenario was used for conventional agents, institution case managers and intensive supervision agents. The same YLS/CMI scenario was used for all agents and case managers.

### **Inter-Rater Reliability**

Inter-rater reliability means that when two practitioners conduct an assessment on the same subject, they produce a similar assessment. Inter-rater reliability exists if scores are within a range of 5 (plus or minus 2). The scenario used for the LSI-R baseline test had 33 as its score total. A range of 5 prescribes that there is inter-rater reliability if fellow agents/case managers generate scores between 31 and 35, *provided there were no more than 2 questions that were scored differently.*

These assessments are scored with responses that indicate risk or not a risk. Does the individual have prior convictions? If they do, “YES” is the response entered, which indicates “risk.” Does the individual have a poor attitude about supervision? If they do not, “NO” is the response entered, which indicates “not a risk.” These two questions represent two possible “points” on the assessment, and this hypothetical person obtained one out of the two points. It is possible for a practitioner to mis-score both questions, however (by erroneously entering “NO” they do not have a prior record, and “YES” they have a poor attitude about supervision), and still assign one out of the two possible points.

This illustrates the importance of the percentage of scoring accuracy. Of the 42 questions within the YLS/CMI, what percentage of the questions did the practitioner score correctly? Similarly, of the 54 questions within the LSI-R, what percentage of the questions was scored correctly? For a true range of 5, the target is a 96 percent scoring accuracy for the LSI-R and 95 percent for the YLS/CMI.

Therefore, scoring accuracy percentage is the true measure of inter-rater reliability.

# LSI-R Results

For the total number of assessments, the mean (average) scoring accuracy percentage was 83 percent, with a range from 59 to 96 percent. The correct LSI-R score total for the scenario used was 33. The average score produced was 29, with a range of 20 to 35. Little attention should be given to the scores themselves as they are not the measure of inter-rater reliability.

Figure 1 shows the LSI-R mean scoring accuracy percentage and mean score total for institutions.

**Figure 1**

**Scoring Accuracy Percentage and Mean Scores for Institutions**  
(N=100)

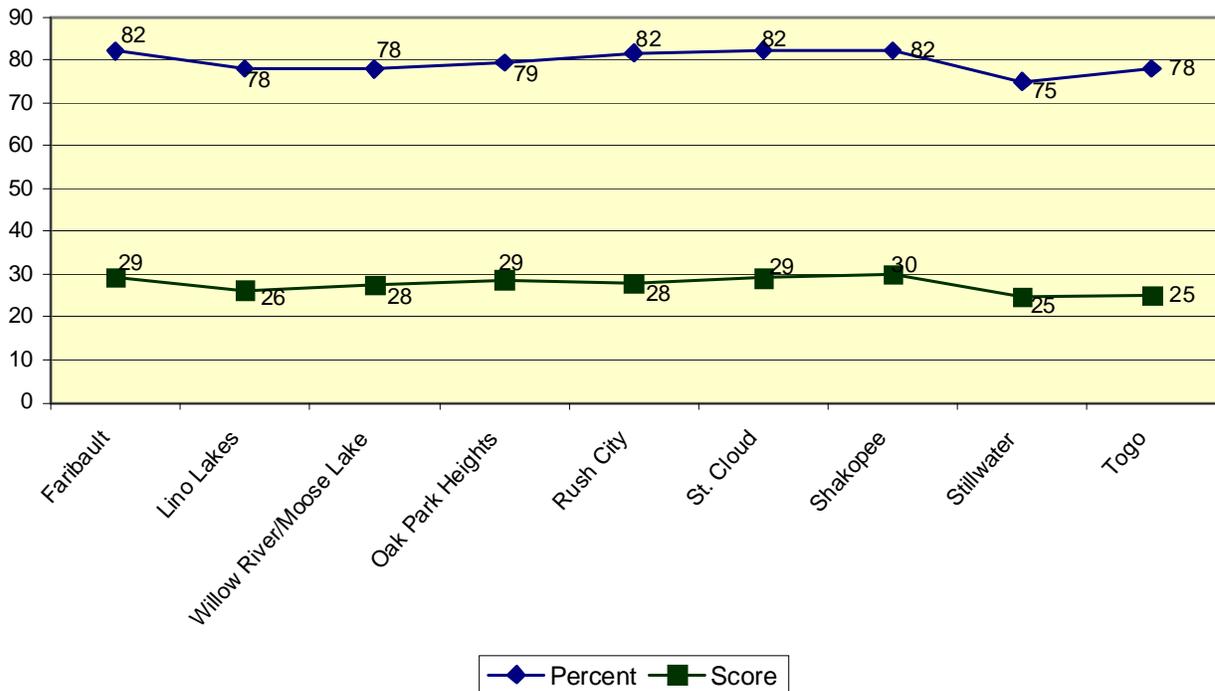
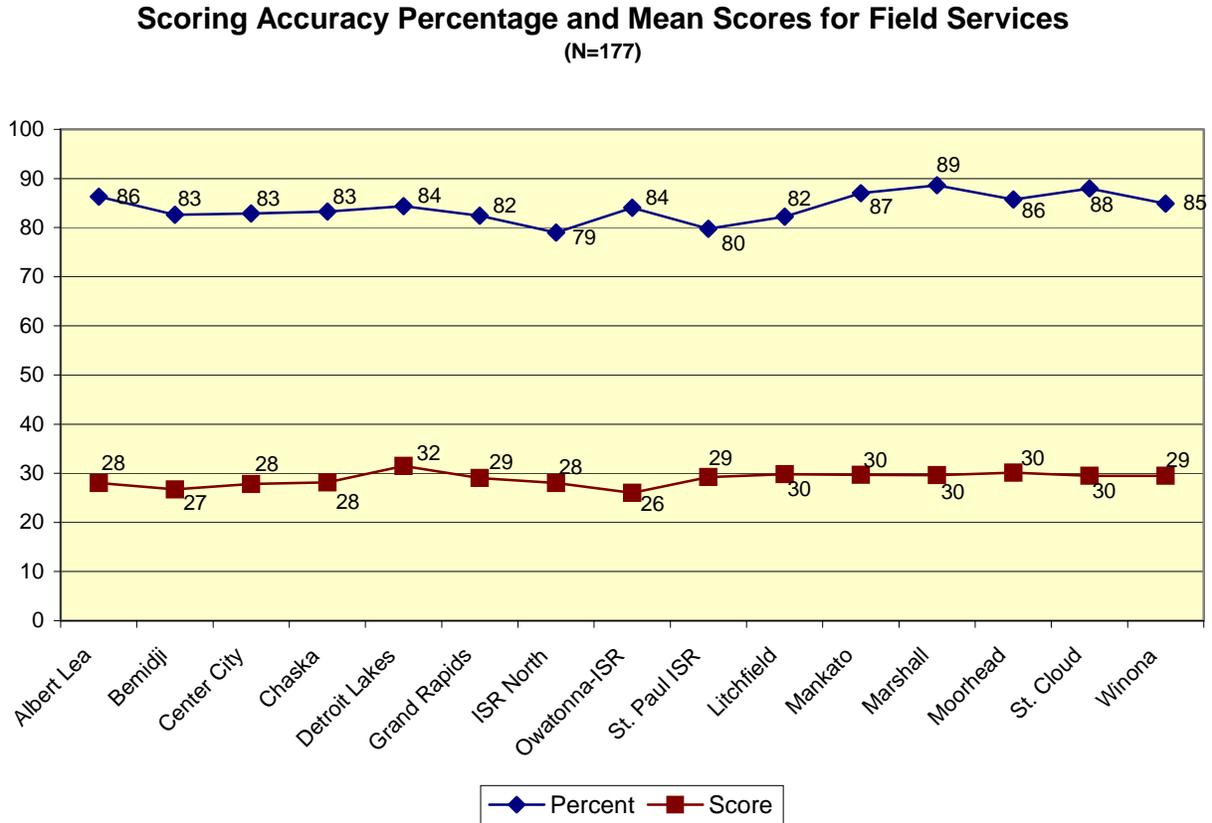


Figure 2 shows the LSI-R mean scoring accuracy percentage and mean score total for field services districts.

**Figure 2**



Even if one choose to ignore the scoring accuracy percentage and erroneously elect to define inter-rater reliability as just the score total, the data indicates 81 of the assessments (29%) produced a score within a range of 5. This indicates that even if the goal of achieving true inter-rater reliability was set aside in lieu of a target of simply getting close with the score total, the department was able to accomplish this 29 percent of the time.

**Common Scoring Errors**

There are certain questions within these assessments that require the practitioner to exercise a degree of professional judgment in interpreting information presented by the client. This dynamic can lend itself to scoring discrepancies between practitioners and subsequently requires consistent and thorough training. An example of one of these questions may be in the assessment of the client’s relationships. Are they pro-social, enabling, or pro-criminal? Different practitioners may view these things differently.

In looking at the data from the baseline testing, the most commonly mis-scored questions (defined as having been mis-scored more than 50% of the time) were not questions that

are prone to subjectivity. The most commonly mis-scored questions were fairly straightforward items in which the practitioners failed to apply the scoring guide's criteria in the scoring. Examples are:

**Question #2** Criminal history (*Two or more adult priors?*) This question was mis-scored 87 percent of the time, as agents/case managers mistakenly considered an offense that the client was still under supervision for as a prior. The scoring guide clearly outlines that such offenses are to be considered current offenses.

**Question #15** Education (*Less than regular grade 10?*) This question was mis-scored 67 percent of the time as agents/case managers mistakenly gave the client credit for having completed the 10<sup>th</sup> grade in a setting other than regular/mainstream schooling. Again, the scoring guide outlines that such schooling is not to be considered.

These sorts of scoring errors are indicative of practitioners not using the scoring guide.

### **Do We Under-Assess Risk?**

It is interesting to note that data for the LSI-R indicated a tendency to under-assess the scenario. If we broadly define the accuracy of assessments by how closely the total score is to the correct total score (rather than attend to true scoring accuracy), the data indicates we under-assessed the scenario 71 percent of the time. The correct score total was 33, so 71 percent of the assessments generated a total of 30 or less (as 31-35 would be the acceptable range). None of the agents or case managers tested generated a score above 35, so no staff over-assessed the client's risk level. This data suggests *this scenario* was under-assessed. If staff were tested using multiple scenarios and there was a continued trend to under-assess, this finding may warrant further consideration.

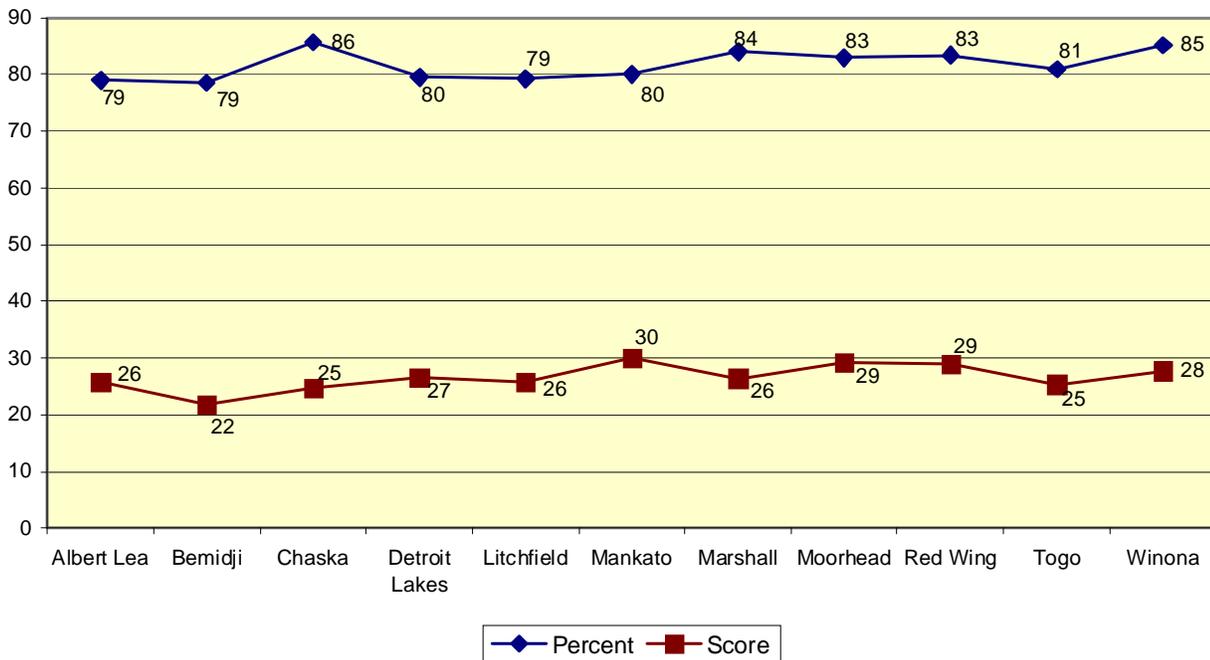
## YLS/CMI Results

For the total number of assessments, the mean scoring accuracy percentage was 82 percent, with a range from 71 to 95 percent. The correct YLS/CMI score total for the scenario used was 27. The average score produced across the department was 27, with a range of 19 to 33. Again, very little attention should be given to the scores themselves as they are not the measure of inter-rater reliability.

Figure 3 shows the mean scoring accuracy percentage and mean score of the YLS/CMI total for field services districts and institutions.

**Figure 3**

**Scoring Accuracy Percentage and Mean Scores for Field Services and Institutions**  
(N=56)



Even if one chose to ignore the scoring accuracy percentage and erroneously elect to define inter-rater reliability as just the score total, the data indicates that 36 of the assessments (64%) produced a score within a range of 5. This indicates that even if the goal of achieving true inter-rater reliability is set aside in lieu of a target of simply getting close with the score total, the department was able to accomplish this 64 percent of the time. Less than two-thirds of the time assessors were able to produce a risk-level score within a range of 5 from the correct score.

### **Common Scoring Errors**

Similar to what was found in the LSI-R data, the most commonly mis-scored questions were not the ones that lend themselves to a great deal of subjectivity. Examples are:

**Question 1.c.** (*Prior probation?*) This question was mis-scored 55 percent of the time as the agents/case managers mistakenly considered an offense that the client was still under supervision for as a prior because the client was on probation when s/he committed the present offense. The scoring guide clearly outlines that one is only to consider cases for which the client is no longer under supervision.

**Question 5.e.** (*Substance use linked with offenses?*) This question was mis-scored 43 percent of the time as agents/case managers mistakenly neglected to take into account the client's previous legal involvement associated to drinking. Again, the scoring guide outlines that this is to be considered when assessing the question.

It appears that departure from the parameters of the scoring guide accounts for a significant portion of the scoring errors generated in the YLS/CMI testing. While there was not the tendency to under-assess within the YLS/CMI data (about 30% under assessed risk), attention should be paid to scoring accuracy percentages. Arriving at the correct level of risk and need is more likely to result in assignment to an appropriate level of service. An assessment that generates the correct level of risk (by accident) may result in assigning the appropriate level of services to that client, though it will also result in failing to attend to his or her criminogenic needs.

## **Conclusion/Recommendations**

Staff has an interest in accurately assessing offenders. There are multiple factors that warrant consideration in efforts to increase scoring accuracy. Examples include training that must be delivered with fidelity and actively measuring the quality of the assessments.

A number of recommendations have been generated as a result of this project. The most obvious surrounds policies concerning these assessment tools. Substantial amendments to those policies have been crafted and are being presented to senior administration. The substantive changes regarding quality assurance are:

Replacing the previous expectation that supervisors perform quality assurance (themselves) with an expectation that they implement a peer-driven quality assurance model within their unit. Supervisors must actively be involved in facilitation of quality assurance sessions.

Adding the expectation that all supervisors with direct reports who perform assessments be trained themselves in those assessment tools. Further, supervisors receive formal training in quality assurance.

Adding the expectation that staff must complete all phases of assessment training prior to completing assessments.

Adding the expectation that staff participate in ongoing scoring proficiency measurement testing.

Adding the expectation that trainers of the assessment tools annually participate in booster trainings specific to trainers.

It is noteworthy that none of these recommendations call for significant monetary resources. They do, however, require time commitments from both line staff and supervisors.

The DOC made a decision 10 years ago to incorporate validated risk/need assessment tools into the delivery of correctional services. Over the course of time, these tools have played a more significant role in the delivery of services. Supervision level in the field is assigned by the score, and conditions of supervision are crafted in part based on the criminogenic needs identified by the assessment tool. In facilities, treatment bed accessibility is determined in part by the assessments, and the determination of who receives intensive supervision upon release is also driven by the assessment score. The DOC has an obligation to accurately assess the population that is served.

## **Bibliography**

Meghan Howe & Lore Joplin, National Institute of Corrections (2004). *Understanding the Risk Principle: How and Why Correctional Interventions Can Harm Low-Risk Offenders* (NIC Accession Number: period266). Retrieved January 15, 2009, from <http://www.nicic.org/pubs/2004/period266.pdf>

Christopher T. Lowenkamp & Edward J. Latessa, National Institute of Corrections (2005). *Implementing Evidence-Based Practices in Community Corrections: Quality Assurance Manual* (NIC Accession Number: 021258). Retrieved January 15, 2009, from <http://nicic.org/downloads/PDF/Library/021258.pdf>

# Appendix A: LSI-R Baseline Testing Material

**Cooper C. Risto**

**Case Study/Scenario**

**LSI-R Quality Assurance Baseline Test**

**Instructions:** In an effort to better understand the current status regarding the scoring accuracy of the LSI-R, DOC agents and case managers are being administered this scoring exercise. This testing will be anonymous by person but not by institution or field services district. Staff will be asked to complete this scoring exercise individually (no working in groups). This narrative case study sheet along with the PSI should be used to score an LSI-R.

**Today's Date:** 08/01/08

**Present Offense:** See PSI

## **Criminal History**

Cooper's criminal history began as a juvenile when he received his first smoking citation in 2003. Along with having to pay a fine and complete an education/awareness class, he was suspended from school for 3 days. About a year later (2004), he was caught shoplifting CDs from Target. This resulted in him going through a diversion program and paying restitution. Later that same year, he and his buddies were caught breaking into summer lake cabins. Cooper was adjudicated delinquent for 3<sup>rd</sup> Degree Burglary. He was placed on probation and subsequently incurred a couple of violations (for smoking pot and failing to maintain agent contact). This resulted in him completing a 21-day program at Thistledew Camp. While at the camp, he found himself cutting wood on more than one occasion for various misconducts.

As an adult, he pled guilty to a Misdemeanor Fleeing in 2007. He was at a party that was busted by police. He and a handful of others attempted to run away from the scene, and he proved to be a slower runner than one of the responding officers. In August 2007, he was charged with a number of cabin burglaries (6 different cabins over the course of 3 weeks), but he was offered a plea to one count of Gross Misdemeanor Receiving Stolen Property as he was very cooperative with the prosecution of his co-defendants and in assisting with the recovery of many of the stolen items. Since being placed on probation for that matter, he has incurred 1 probation violation for failure to complete a chemical dependency evaluation and use of THC. Further, the present offense (Felony-Controlled Substance Crime, 5<sup>th</sup> Degree), represents a subsequent probation violation.

## **Education/Employment**

Cooper transferred to the local Alternative Learning Center in the middle of the 10<sup>th</sup> grade. He did not go onto the 11<sup>th</sup> grade, nor has he made any recent efforts to obtain his GED. He was suspended at least once for smoking.

He is employed fulltime, having worked for the same tree service (year round) for a little over 2 years. He likes his job (got a raise last month) and has no plans to make any changes. He spoke of his co-workers as “regular guys” with whom he likes to party. “Never on the job, though – we might get after it at night (smoking pot/drinking), but never on the job,” he added. His boss remains supportive of him and hopes that he will get out on Huber/work release while serving his probationary jail time. Cooper further indicated that his boss has had his share of legal problems and subsequently understands that “this county will continue to screw with people for no good reason.”

His only other employment was when he worked for Johnson Roofing in the spring of 2006. He was only there about 3 weeks when he walked off the job after his boss accused him of siphoning gas out of one of the company trucks.

### **Financial**

Cooper indicates that though money is tight, he seems to be staying on top of things. His rent, utilities and other living expenses consume most of his income. He manages his money by setting aside from each paycheck the total amount needed to cover his bills and then putting the rest in his wallet. He has not received any sort of assistance in the past year, nor is he on any rent or medical assistance.

### **Family/Marital**

Cooper described a pleasant childhood growing up the youngest of three children. The self-proclaimed “black sheep” of the family, his brother and sister have never been involved in the criminal justice system, nor were either of his parents. His parents were killed in a plane crash about a year ago while on a mission trip (through their church). He speaks to his siblings “every month or so,” but has grown tired of their passing judgment on him regarding his drug and alcohol use so he generally avoids them.

He has never wed, nor does he have any children. His last (and only) long-term relationship ended a few months ago when he caught her cheating on him. He does not seem overly upset about this now, as he expressed contentment with living “the single life.”

### **Accommodation**

Cooper has been renting a basement apartment for 13 months. It is located in a quiet, older neighborhood in town across from the elementary school. His only criticism of the place is that he is not able to play his music as loud as he would like as the neighbors are quick to call the police.

## **Leisure/Recreation**

Cooper spends most of his free time “hanging out with friends,” playing video games and watching movies. He is not involved in any organizations, clubs or churches, nor does he attend AA/NA.

## **Companions**

Cooper identified two people as being his closest friends, Tom and Jerry. He grew up with and went to school with Tom. Tom is presently on supervised release after demanding execution of sentence subsequent to a Burglary, 3<sup>rd</sup> Degree conviction. Jerry is a former co-worker of Cooper's. The three of them spend much of their free time together; hanging out, watching movies, partying and playing video games.

Cooper identified a handful of pro-social acquaintances; Gary and John, both of whom he knew from school. “Great guys, both of them,” Cooper stated. Though he spent a lot of time with them in junior high, they “chose different paths.” He bumps into them every now and then in town and they might stop and visit for a few minutes, but outside of that they do not spend time together.

## **Alcohol/Drug**

As captioned in the PSI, Cooper was drunk and high on meth at the time of the present offense. He began drinking at the age of 14 and reported his heaviest use of alcohol as being last summer when he would drink to the point of intoxication every weekend. He has noticed a significant increase in his tolerance over the past year. He started smoking pot at the age of 15 and was a regular user by age 17. He expressed his discontent as to why marijuana was illegal. He was introduced to meth about 6 months ago (smoking) and has been using it on a weekly basis ever since. “It helps keep me going,” he stated. He denies any use of drugs or alcohol since the date of the offense.

Aside from the education/awareness program that he completed while on probation as a juvenile, Cooper has not completed any formal chemical dependency (CD) treatment. A CD assessment will be ordered as a condition of probation for the present offense. He made mention of this in the interview, stating, “it had better not recommend treatment, ‘cause I don't want to sit in a room with a bunch of crybabies three nights a week.”

### **Emotional/Personal**

At the time of the interview, Cooper was a little “fidgety,” but not so much so that he was unable to track the conversation or stood up from his seat. He seemed to calm down as the interview ran its course. He indicated he has difficulty sleeping at night and finds himself worrying excessively at times about things. As an adult, Cooper has never been diagnosed with any mental health disorder, nor has he ever been placed on any psychotropic medications. He was tested for ADD in school, which resulted in him seeing the school counselor and taking medication (Ritalin).

### **Attitudes/Orientation**

Cooper’s only remorse for the present offense was regarding his ill-timed departure from the party. He wished he would have left just a little bit earlier and “this whole thing would have been avoided.” He acknowledges that the cop was “just doing his job” but wondered aloud why he “wasn’t out looking for some real criminals that night.”

Regarding the plea agreement and its proposed sentence (probationary disposition with multiple conditions), Cooper stated that it was a fair deal. “Yeah, I think it’s about right.”

Cooper was on gross misdemeanor probation when he committed the present offense, and this represents his second probation violation. He has been contacted by the agent who supervises that file and was told he will not be facing any additional jail time. “She’s pretty cool,” he stated.

**ADULT FELONY PRE-SENTENCE INVESTIGATION  
STATE OF MINNESOTA, DEPARTMENT OF CORRECTIONS  
COURT FILE # 12345**

<b>DATE PREPARED:</b>  07/31/08	<b>AGENT:</b>  Joe Smith	<b>SUPERVISOR:</b>  Mike Johnson	<b>JUDGE:</b>  The Honorable Bill Watson
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**CLIENT INFORMATION**

<b>NAME:</b> <b>Cooper C. Risto</b>		<b>DOB:</b> 03/15/88	
<b>ALIAS NAME:</b> "Coop"		<b>ALIAS DOB:</b>	
<b>ADDRESS:</b> 123 Pleasant Street Hometown, MN 55555		<b>PHONE:</b> 218-555-1212	<b>COUNTY OF RESIDENCE:</b> Itasca
<b>BIRTHPLACE:</b> Hometown, MN		<b>GENDER:</b> Male	<b>RACE:</b> Caucasian
<b>SSN:</b> 123-45-6789	<b>DL:</b>	<b>HEIGHT:</b> 5'9"	<b>WEIGHT:</b> 175
<b>STATE ID #:</b> MN1234567	<b>FBI #:</b>	<b>CSTS CLIENT #:</b>	<b>MISC. # / TYPE:</b>
<b>RELIGIOUS PREFERENCE:</b>  None	<b>EYES:</b>  Brown	<b>HAIR:</b>  Brown	<b>BUILD, COMPLEXION, SCARS, MARKS OR TATTOOS:</b>  Scar on L wrist

**OFFENSE INFORMATION**

<b>COURT FILE #:</b> CR-08-1234	<b>OFFENSE / STATUTE #:</b> Felony Controlled Substance Crime, 5 <sup>th</sup> Degree: 152.021, S1(2)	
<b>COUNTY OF CONVICTION:</b> Itasca	<b>VERDICT or PLEA? DATE:</b> Plea: 07/15/08	<b>PROSECUTING ATTORNEY:</b>  Lucy Lawson
<b>OFFENSE LEVEL:</b> Felony	<b>JAIL TIME:</b> 06/04/08 to 06/10/08 7 days credit	<b>DEFENSE ATTORNEY:</b>  Larry Webb
<b>OFFENSE DATE:</b> 06/04/08	<b>BOND:</b> Released on Conditions	<b>ICR #:</b>
<b>WHERE OFFENSE COMMITTED:</b> Hometown, MN	<b>DATE ARRESTED:</b> 06/04/08	<b>SJIS #:</b>
<b>ARRESTING OFFICER:</b> Deputy Jones	<b>ARRESTING AGENCY:</b> Itasca County S.O.	<b>ACCOMPLICES:</b>  None

## **PLEA NEGOTIATION**

On 07/15/08, the defendant entered a plea of guilty to Count I (Controlled Substance Crime, 5<sup>th</sup> Degree) with the following agreement:

1. 5 years, stay of Imposition.
2. 30 days jail.
3. \$1,065 fine with Community Work Service option.
4. Complete chemical use assessment and follow all recommendations.
5. Attend a MADD Panel and pay fee.
6. Drug and alcohol restrictions.
7. Submit to random testing by probation and law enforcement.
8. Remain law-abiding.

## **OFFICIAL VERSION**

On 06/04/08 at 11:45 p.m., Deputy Jones, while on routine patrol in Itasca County on County Road 10 observed a motor vehicle traveling in his direction swerve into his lane, nearly causing a head-on collision. Jones turned his squad around, activated his lights and siren and proceeded to pursue the vehicle. The vehicle accelerated in speed and was pursued by Deputy Jones for approximately 3 miles before losing control in a curve, taking to the ditch and becoming stuck. While swerving into the ditch, the vehicle destroyed 3 mailboxes. The driver, identified as Cooper C. Risto, exited the vehicle while Deputy Jones approached from the rear. Risto was observed to have a minor cut above his left eye. He was cooperative and lay on the ground per Deputy Jones' instructions, was handcuffed and placed into custody. Deputy Jones noted a strong odor of alcohol about Risto and further observed his eyes to be red and bloodshot and his speech was slurred. Risto stated to Deputy Jones that he was sorry for not having stopped but thought that he had a pretty good chance of out running him as he "knows these roads like the back of his hand".

Risto was transported to the Itasca County Detention Center where he was read the Implied Consent Advisory and subsequently submitted to a breath test, which produced a result of .24 BAC.

Prior to the towing and impound of Risto's vehicle, an inventory search was conducted by Deputy Jones and Deputy Anderson. Between the front seats of the car, Deputy Jones located a small square of tinfoil with a white powdery residue on it. Further, on the passenger seat there was a dismantled light bulb with residue on the inside. Both the foil and the light bulb field-tested positive for methamphetamine. The items have been submitted to the BCA for confirmation testing.

## **DEFENDANT'S VERSION**

Though the defendant reported to this agent that he has very little memory of the incident, he took exception to a number of points captioned within the official version. First, he denies having swerved into the lane of the oncoming deputy. "I know how to drive drunk," he stated, further indicating that he would have never done something so stupid as to call that much attention to himself. He readily acknowledged he was intoxicated that evening, having consumed "about a 12-pack" of beer and smoking "just a little meth" about 4 hours prior to the incident. He further stated he wished he had left the party just a little bit earlier and "this whole thing would have been avoided."

**PRIOR RECORD**

<u>DATE OF OFFENSE</u>	<u>OFFENSE</u>	<u>LOCATION (COUNTY, STATE)</u>	<u>DATE AND DISPOSITION</u>
<b>FELONY:</b>			
None			
<b>GROSS / MISDEMEANOR:</b>			
03/20/07	Misd. Fleeing	Gumpton Co., MN	06/20/07: 2 days jail, credit for time served, \$270 fine.
08/19/07	GM Receiving Stolen Property	Gumpton Co., MN	09/04/07: 2 years probation, 10 days jail, fine, restitution, CD evaluation and follow recs. 01/05/08: Probation Violation; failure to complete CD eval, use of THC – 15 days jail, reinstated.
<b>TRAFFIC:</b>			
07/14/06	Speed		
09/10/07	Speed		
<b>JUVENILE:</b>			
08/02/04	Burglary, 3 <sup>rd</sup> Degree	Gumpton Co., MN	09/03/04: Probation, Adj. Delinquent, CD evaluation, Community Work Service (CWS), Restitution. 10/04/04 PV: Use of THC; 60 hours CWS, updated CD eval. 12/01/04 PV: Agent contact, use of THC; 21 day Thistledeew Camp Endeavors Program.
07/02/04	Misd. Theft	Gumpton Co., MN	07/15/05: Diversion Program, restitution.
04/12/03	Smoking	Gumpton Co., MN	04/20/04: Fine, Education/Awareness Program.

### E D U C A T I O N / T R A I N I N G

GRADE COMPLETED	SCHOOL / ADDRESS / PHONE	REMARKS
10 <sup>th</sup>	Sunshine Academy of Excellence, Hometown, MN	Alternative Learning Center
9 <sup>th</sup>	Hometown High School, Hometown, MN	Transferred to ALC

**COMMENTS:**

The defendant attended Hometown public schools through the ninth grade. He reported having been an “average” student who struggled with attendance. He was suspended at least once due to smoking. Upon his successful completion of Thistledeew Camp, he transferred to the local ALC and completed the 10<sup>th</sup> grade. The Defendant has taken some of the GED pre-tests in the past yet expressed little interest in pursuing it further.

### E M P L O Y M E N T / M I L I T A R Y

DATE OF EMPLOYMENT	NAME OF EMPLOYER / ADDRESS / PHONE	WAGE	TYPE OF WORK / HOURS / REMARKS
April 2006 to present	Cut-n-Run Tree Service, Hometown, MN	\$8/hr	Full-time
March 2006	Johnson Roofing Company, Hometown, MN		3 weeks of full-time employment

**COMMENTS:**

The defendant has been working full-time for Cut-n-Run Tree Service for over two years as a laborer. He indicates he enjoys his job and has no plans to seek different employment. He indicated his boss is aware of his current legal situation and is hopeful he will get out on Huber while serving his probationary jail time. “He’s a great boss,” the defendant stated, “he’s told me that this county will continue to screw with people like me for no good reason.” His employment at Johnson Roofing Company ended abruptly when he was accused of siphoning gas out of a company vehicle.

### F A M I L Y   D A T A

RELATIONSHIP	NAME	DOB – AGE	ADDRESS / PHONE
Spouse	N/A		
Father	Wally Risto		Deceased 2007
Mother	June Risto		Deceased 2007
Children	None		
Siblings	Conrad Risto Carmen Risto	24 29	Minneapolis, MN Fargo, ND
Stepparent(s)	N/A		
Other	N/A		

**PERSONAL HISTORY:**

The defendant was born and raised in Hometown, MN, by parents Wally and June Risto. His parents never divorced nor separated, and he described a mostly pleasant childhood. Heavily involved in their church, his parents were killed in a plane crash while on a mission trip to Haiti about a year ago. His siblings, Conrad and Carmen, have

never been involved in the criminal justice system. Conrad recently graduated from college and works for an advertising agency in the Twin Cities, while Carmen is a software developer in Fargo. The defendant stated, "I'm the black sheep of the family," and reported having only minimal contact with his family. "They don't care for the life I'm living, and I'm sick of hearing about it from them," he added.

The defendant has never married, nor does he have any children. His last romantic relationship lasted about 6 months and ended when he caught her cheating on him. He is comfortable with his being single and does not welcome the thought of a long-term relationship at the present time.

### **FINANCIAL INFORMATION**

The defendant indicated he has not been experiencing financial difficulties over the past year, yet money is tight. Though he works full-time, he is scarcely able to remain current with his bills. His rent (\$550/mo.), utilities (\$150/mo.) and other living expenses consume all of his paycheck. He manages his money by setting aside from each paycheck the amount needed to pay his bills and only placing the remaining cash in his wallet. "If I do it any other way, I'll spend it," he explained. He has not received any sort of financial assistance in the past 12 months.

### **CHEMICAL USE/MENTAL HEALTH / PHYSICAL HEALTH ISSUES**

The defendant acknowledged both drugs (meth) and alcohol played a role in the present offense. He had consumed approximately a 12-pack of beer and smoked meth on the evening of his arrest. As for his chemical use history, the defendant reported having first drunk alcohol at the age of 14 and identified his period of heaviest use as last summer when he was drinking to the point of intoxication every weekend. Regarding other drugs, he began smoking marijuana at the age of 15 and was using pot regularly by the age of 17. He began smoking meth about 6 months ago and stated that "it helps keep me going" and failed to identify his use as problematic.

Aside from the education/awareness class he completed as a juvenile, the defendant has never undergone any formal chemical dependency treatment.

Regarding other mental health issues, as an adult, the defendant has never been diagnosed with any mental health disorder, nor has he ever been placed on any psychotropic medications. He was tested for ADD in school (about age 14), which resulted in him seeing the school counselor and taking medication (Ritalin) for 2 years.

### **FINAL ASSESSMENT**

The defendant is a 20 year-old Caucasian man who appears before the court for sentencing after entering a plea of guilty to Felony Controlled Substance Crime in the 5th Degree. The remaining counts of Misdemeanor DUI and Felony Fleeing are to be dismissed as part of the plea agreement. This represents his first felony-level involvement with the criminal justice system, though he is presently on probation in Gumption County for Gross Misdemeanor Receiving Stolen Property. The present offense represents a probation violation regarding that file (new offense and use of meth/alcohol). It is anticipated that his probation officer, Agent Bixby, will be recommending no additional jail time.

The defendant's stable work history and pro-social family lend themselves to be positive factors in contemplating his amenability to community supervision. His substance use (and underlying beliefs and attitudes), coupled with the fact that he was on probation when he committed the present offense, call into question his ability to succeed on probation. The following is respectfully recommended.

### **RECOMMENDATION**

Controlled Substance Crime, 5<sup>th</sup> Degree is a Severity Level 2 offense. With 1 Criminal History Points, the presumptive duration would be a sentence of 12 months and 1 day. If this sentence were executed, defendant would serve 8 months and 1 day in prison, and would be on supervised release for 4 months.

In this case, the presumption, according to Minnesota sentencing guidelines, is that the sentence of 12 months and 1 day, would be stayed.

Therefore, it is the recommendation of this agent that the court sentence the defendant under a stay of imposition for 5 years with the following conditions:

1. Serve 30 days probationary jail time with Huber/Work Release option.
2. Pay \$1,077 fines and costs with Community Work Service option.
3. Do not use, possess or purchase alcohol or controlled substances; submit to random testing and spot checks by probation and law enforcement.
4. Do not enter establishments selling or serving alcohol.
5. Do not be in the presence of anyone using alcohol or controlled substances.
6. Remain law-abiding/have general good behavior/no like violations of law.
7. Complete Rule 25 assessment and follow recommendations, including aftercare.
8. Attend MADD panel.
9. Complete DNA testing.
10. Complete cognitive skills programming as directed by agent.

### **GENERAL CONDITIONS**

1. Obey all state and federal laws and local ordinances.
2. Report to probation agent, as directed.
3. Advise probation agent prior to making any changes in employment and/or residence.
4. Obtain permission from probation agent before leaving the state.
5. By the next business day, notify probation agent if arrested or issued a summons.
6. When ordered by probation agent, submit to search of offender's person, residence or any other property under offender's control.
7. Abstain from the illegal use or possession of controlled substances and submit to testing to verify compliance.
8. Do not own, use or possess a firearm.
9. Cooperate and be truthful with probation agent in all matters.

Respectfully Submitted::

Agent Joe Smith  
Corrections Agent

**LSI-R / Cooper C. Risto**  
**Scoring & Remediation (Total Score: 33)**

**Criminal History**

1. Adult Prior? **Yes** (Two priors, the speeding citations would not count as they are not punishable by jail time.)
2. Two or more priors? **No** (He is still on probation for the gross misdemeanor charge so it counts as a current offense.)
3. Three or more priors? **No**
4. Three or more present offenses? **No** (Two present offenses – the current Felony - Drug charge and the Gross Misdemeanor Receiving Stolen Property charge for which he is still on probation.)
5. Arrested under age 16? **Yes** (Smoking citation at age 15.)
6. Incarcerated upon conviction? **Yes** (Placement at Thistledeew Camp, jail time for 2 prior adult offenses and present offense.)
7. Escape from custody? **No** (No mention of escape.)
8. Punished for institutional misconduct? **Yes** (He had to cut wood while at Thistledeew Camp.)
9. Ever violated probation/parole/conditions of release? **Yes** (Multiple PVs as juvenile, prior PV as adult and is facing PV for present offense.)
10. Official record of assault or violence? **No** (No mention of any assault/violence anywhere in PSI or narrative.)

**Employment/Education**

11. Currently unemployed? **No** (Has held current full-time job for over two years.)
12. Frequently unemployed? **No** (Has held current full-time job for over two years.)
13. Never employed for a full year? **No** (Has held current full-time job for over two years.)
14. Ever fired? **Yes** (Walked off prior job after being accused of stealing gas.)
15. Education less than regular grade 10? **Yes** (Completed 9<sup>th</sup> grade in main-stream schooling, 10<sup>th</sup> grade at ALC does not count.)
16. Education less than regular grade 12? **Yes**
17. Ever suspended or expelled? **Yes** (Suspended at least once for smoking.)
18. Participation/performance? **2** (Likes his job, been there over two years, just got a raise.)
19. Peer interactions? **1** (Uses drugs with co-workers.)
20. Authority interactions? **1** (Boss, while supportive of him, empathizes with him that “this county will continue to screw with people for no good reason.”)

**Financial**

21. Problems? **2** (Seems to have a handle on his finances and uses a strategy to make sure he gets his bills paid.)
22. Reliance on social assistance? **No**

### **Family/Marital**

- 23. Dissatisfaction with marital or equivalent situation? **2 or 3** (While last relationship ended poorly, he seems content to be single, no evidence that this particular issue presents a risk for Cooper.)
- 24. Non-rewarding, parental? **0** (Even though mom and dad were great, they are deceased. Automatic 0)
- 25. Non-rewarding, other relatives? **1** (Siblings could be considered here if he had regular contact.)
- 26. Criminal-Family/Spouse? **No** (He is the “black sheep.”)

### **Accommodation**

- 27. Unsatisfactory? **2** (He’s been in the same apartment for 13 months, seems to meet his needs.)
- 28. 3 or more address changes last year? **No**
- 29. High crime neighborhood? **No** (Quiet neighborhood, can’t even play his music loud.)

### **Leisure/Recreation**

- 30. Absence of recent participation in an organized activity? **Yes** (Not involved in any organized activity.)
- 31. Could make better use of time? **1 or 0** (Primarily passive leisure activities, not making use of his time to address CD issues or obtain GED.)

### **Companions**

- 32. A social isolate? **No** (He has friends and associates.)
- 33. Some criminal acquaintances? **Yes** (He must be getting his meth and marijuana from someone.)
- 34. Some criminal friends? **Yes** (He identified two friends that he “parties with,” one of which is on supervised release.)
- 35. Few anti-criminal acquaintances? **Yes** (Although he identified two pro-social individuals, he does not spend any time with them.)
- 36. Few anti-criminal friends? **Yes** (If 35 is YES, 36 must be scored YES.)

### **Alcohol/Drug Problem**

- 37. Alcohol problem, ever? **Yes**
- 38. Drug problem, ever? **Yes**
- 39. Alcohol problem, currently? **1 or 0** (.24 BAC upon arrest.)
- 40. Drug problem, currently? **1 or 0** (Weekly meth use for past 6 months, regular marijuana use since age 17.)
- 41. Law violations? **Yes** (PVs and present offense.)
- 42. Marital/Family? **Yes** (Siblings get after him about his use.)
- 43. School/Work? **No** (Nothing presented suggesting that it has impacted work.)
- 44. Medical? **No** (Nothing presented.)
- 45. Other indicators? **Yes** (Increased tolerance.)

### **Emotional/Personal**

- 46.** Moderate interference? **Yes** (Anxiety – insomnia, worrying.)
- 47.** Severe interference? **No** (He is not actively psychotic.)
- 48.** Mental health treatment, past? **Yes** (ADD as child; saw therapist and was placed on meds.)
- 49.** Mental health treatment, present? **Yes** (CD evaluation is part of plea agreement and one can reasonably expect formal treatment will be recommended.)
- 50.** Psychological assessment indicated? **Yes** (Anxiety)

### **Attitudes/Orientation**

- 51.** Supportive of crime? **1** (I was in the wrong place at the wrong time.)
- 52.** Unfavorable toward convention? **1** (He demonstrates some pro-social activities – working full-time for 2 years – yet also is supportive of some criminal behaviors – drug use.)
- 53.** Poor, toward sentence? **No** (He stated it is a fair deal.)
- 54.** Poor, toward supervision? **Yes** (He has incurred multiple PVs in the recent past, committed the present offense while on probation, and is unwilling to seek assistance for obvious problems – CD treatment.)

# Appendix B: YLS/CMI Baseline Testing Material

**Callie Larson**

**Case Study/Scenario**

**YLS-I Quality Assurance Baseline Test**

**Instructions:** In an effort to better understand the scoring accuracy of the YLS-I, DOC corrections agents and case managers are being administered this scoring exercise. This testing will be anonymous by person, but not by institution or field services district. Staff will be asked to complete this scoring exercise individually (no working in groups). This narrative case study sheet along with the PDI should be used to score an YLS-I.

**Today's Date:** *Today*

**Present Offense:** See Pre-Dispositional Report

## **Criminal History**

Callie's criminal history began at age 12 when she was caught smoking at school and issued a citation by the school liaison officer. She completed tobacco diversion and was suspended from school for 3 days. At age 13 she was caught selling her medication to kids at school and was charged with a Controlled Substance Crime in the 2<sup>nd</sup> Degree. Callie was adjudicated delinquent for that offense and was placed on supervised probation. She also had a placement of 28 days in a non-secure facility stayed on the condition that she have no violations of probation. Just prior to her 14<sup>th</sup> birthday, Callie was adjudicated a petty alcohol offender for the offense of Minor Consume and adjudicated delinquent for shoplifting. Her 28-day program was executed as a consequence for violating her probation. Approximately one month after getting out of her 28-day program, Callie was caught driving a stolen vehicle and was intoxicated. Callie was charged and adjudicated delinquent for the offense of Felony Theft of a Motor Vehicle and adjudicated a petty alcohol offender for the Minor Consume. A probation violation was also addressed at the time of disposition; Callie was ordered to complete 10 hours of community work service as a consequence. The court stayed a long-term residential placement and gave her 100 hours of community work service to complete.

## **Education/Employment**

Callie is currently enrolled in the 8<sup>th</sup> grade at Oh-Joy Middle School. She has been suspended for smoking on school grounds and being disrespectful to the principal and her teachers. School records indicate Callie is a very smart girl but doesn't turn in her homework and leaves her tests blank. Callie has been diagnosed with ADHD and was previously on Ritalin which seemed to help her concentrate. After getting caught selling her medication at school, her doctor switched her medication to Strattera which according to Callie doesn't work as well. Callie does not currently have an individual education plan (IEP) but school officials state if she is not expelled they will attempt to start an IEP with EBD (Emotionally Behaviorally Disturbed) findings. Callie is currently suspended pending an expulsion hearing for her current offense of Possession of a Weapon on

School Grounds. Callie stated she brought the knife to school because she had been getting harassed from a group of girls threatening to beat her up.

### **Family Circumstances/Parenting**

Callie has been residing with her mother the majority of her life. Callie's parents divorced when her father went to prison in Wisconsin on drug charges. Callie was sent to live with father, who had recently been released from prison, after her Controlled Substance Crime but called her mother begging to come home after two months stating she had been assaulted at a party. According to Callie, her father allows her to drink and do drugs anytime she wants as long as she shares with him. Callie stated she has used meth, marijuana, cocaine and alcohol with her father on numerous occasions. Callie's mother is relatively stable and now remarried. Callie doesn't care for her stepfather but tolerates him because he is good to her mom. Callie and her mother do have their differences but they love each other. Mom claims she was like Callie as a kid and went through the court system too, including residing in a group home for a few months. Callie states that her mom keeps a pretty close eye on her and usually knows where she is at all times. Callie does state mom is much easier on her than her stepfather and she can usually talk mom into not telling stepdad about things she has done. Callie thinks her stepfather has way too many rules and she is required to do much more work than her younger sister. Callie has been grounded at least 3 times in the last month for not following her stepfather's rules about household chores. Callie and her younger sister, Zoe, age 12, do not get along very well and have had physical fights. They do get along when it comes to challenging their stepfather about rules. Callie's mom works at Wal-Mart part-time and stepdad works at a well drilling company full-time.

### **Peer Relations**

Callie has many friends and is quite outgoing. She admits she tends to "get into everyone else's drama." Callie's best friends, Shayna and Kyra, are both on probation for assaults at school. Most of Callie's extended group of friends have had some police involvement. Callie states most of her friends use drugs and alcohol and go to parties on the weekends. Callie did mention that she has one friend, Shelly, who lives across the street from them but attends a different school, who has never been in trouble and is a "good kid." Callie and her friends are not involved in any gangs but they do know gang members from school. Callie denies being in a relationship at the moment.

### **Substance Abuse**

Callie stated her first use of alcohol was at age 9 when she was staying at a friend's house. She stated she first tried marijuana at age 10 with an uncle from her dad's side of the family. Callie admits to having used meth, marijuana, cocaine and alcohol with her father. She also admits to using mushrooms, which according to her are not a drug because they are all natural; acid; crack; and huffing. Callie denies using alcohol since her last drinking offense and states it is too hard to get alcohol. Callie stated when she uses she is usually with friends or her dad. Callie says she uses a few times a week unless she is stressed out, then she uses more. Callie insists she doesn't need to use and can stop whenever she wants.

**Leisure/Recreation**

Callie used to be involved in sports in elementary school but states she hasn't been in anything since coming back from her dad's house. She did attend a youth group with her friend Shelly one time and had fun. Callie uses her free time to hang out at the mall, watch television and listen to music. Callie does enjoy drawing and is proud of her art work.

**Personality/Behavior**

Callie describes herself as outgoing and states she used to be more of a jock but now doesn't care about sports. Callie says she is a good friend and good person but she just "makes bad choices." When angry, Callie usually just yells and then wants to be alone. She has been in physical fights with her sister but not with people outside her family. Callie does have trouble concentrating and doesn't like her current medication because it doesn't work as well as Ritalin. Callie describes herself as easy-going but then laughs and says "an easy-going drama queen." Callie admits that at times she feels bad about how things are going with her life, especially her relationship with her stepfather. Callie is depressed at times and has thought about suicide. She states this started happening after she was assaulted while with her father. When asked to discuss the assault further, Callie shuts down and will not discuss it.

**Attitudes, Values, Beliefs**

Callie feels her crime was justified. She states "no one was going to help me so I had to protect myself." Callie thinks she was treated fairly by the court and the police but says she will make her final decision after she is sentenced. According to Callie, there are times when it is okay to break the law, "if it means you are protecting yourself or someone you love."



**STATE OF MINNESOTA**  
**DEPARTMENT OF CORRECTIONS**

**JUVENILE PRE-DISPOSITIONAL REPORT**

NAME Callie Ann Larson		DOB 01/01/1993	SEX Female	FILE NUMBER 01-J2-03-45678
ADDRESS-MAILING 123 Main Street City, MN 55555		ADDRESS-PHYSICAL 123 Main Street City, MN 55555		PHONE (218) 333-1234
OFFENSE Possession of Dangerous Weapon on School Grounds		DATE 05/21/2008	RACE Caucasian	SSN 123-45- 6789
JUDGE William Johnson	COUNTY Timbuktoo	TYPE OF REPORT Pre-Dispositional		DATE 08/21/2008

**CURRENT SITUATION**

The subject last appeared in Timbuktoo County Court on August 14, 2008. At that time, the subject entered a plea of guilty to the offense of Felony Possession of a Dangerous Weapon on School Grounds. The court ordered the Department of Corrections to complete a pre-dispositional report with recommendations to the court, and disposition was scheduled for September 16, 2008.

**CURRENT OFFENSE (Official Version): Possession of a Dangerous Weapon on School Grounds:**

Officer Jones received a report from the Oh-Joy Middle School that a student, the subject, was found in possession of a large knife. Officer Jones responded to the middle school where he met with the principal Jennifer Swanson. Ms. Swanson reported that a student came to her stating that the subject had a large knife in her backpack and was going to use it against some girls that had been threatening her. Ms. Swanson then called the subject to the office. Ms. Swanson and the subject then went to the lockers and retrieved the backpack out of locker 313, which is registered to the subject. Once back in Ms. Swanson's office, Ms. Swanson opened the backpack and pulled out a large knife. The subject admitted that the backpack belonged to her and that she had brought the knife to school for protection.

Officer Jones then interviewed the subject who stated that three girls had been threatening her all year and had stated they were going to beat her up before the end of the school year. The subject stated she has been bringing the knife to school for the past two days and had shown it to some students that morning. Officer Jones took custody of the knife and measured and photographed it. The knife blade was approximately 10 inches long with a 4-inch handle.

The subject was taken into custody and placed in the juvenile detention facility. The knife was placed in the evidence locker at the police station.

**OFFENDER’S VERSION**

The subject states she did bring the knife to school for protection as she feared for her own safety. The subject went on to state that she knew it was wrong to bring the knife to school but she didn’t feel that school staff could protect her. The subject stated she didn’t intend to use it unless she needed to.

**PRIOR RECORD:**

<u>Date of Offense</u>	<u>Offense/Level</u>	<u>Location (County, State)</u>	<u>Date and Disposition</u>
10/02/2007	Felony Theft of Motor Vehicle	Timbucktoo, MN	Adjudicated delinquent. Supervised probation. 100 hours of csw. Long-term residential program stayed.
10/02/2007	PM- Minor Consume	Timbucktoo, MN	Adjudicated a petty alcohol offender. Supervised probation.
12/31/2006	PM- Minor Consume	Timbucktoo, MN	Adjudicated a petty alcohol offender. Supervised probation.
12/31/2006	Misd. Theft	Timbucktoo, MN	Adjudicated delinquent. Supervised probation. 10 hours csw.
09/03/2006	Felony Controlled Substance Crime in the 2 <sup>nd</sup> Degree	Timbucktoo, MN	Adjudicated delinquent. Supervised probation. 50 hours csw. 28 day placement stayed. 28 day placement executed 01/08/2007 as result of new theft offense.

The subject successfully completed tobacco diversion on 02/16/2005.

**PLACEMENT HISTORY**

The subject has been placed into detention on three occasions, one time following the controlled substance crime, one time for a probation violation and then more recently for her current offense. The subject has also completed the 28-day program at the Long Way From Home Detention Center. The subject stated she did well in the program and didn’t mind being there except that the food was bad. Reports from the facility indicate she followed the majority of the rules but did tend to get involved with other people’s issues.

**FAMILY HISTORY**

The subject was born on January 1, 1993, to Sherry and Gary Larson in Small Town, Wisconsin. The subject has been residing with her mother the majority of her life. The subject’s parents divorced when her father went to prison in Wisconsin on drug charges. The subject was sent to live with her father, who had recently been released from prison, after her controlled substance crime but called her mother begging to come home after two months stating she had been assaulted at a party. According to the subject, her father allows her to drink and do drugs anytime she wants as long as she shares with him. She went on to state that she has used meth, marijuana, cocaine and alcohol with her father on numerous occasions. The subject’s mother is relatively stable and is now remarried. The subject doesn’t care for her stepfather but tolerates him because he is good to her mom.

The subject and her mother do have their differences but they love each other. Mom claims she was like her daughter as a kid and went through the court system too, including residing in a group home for a few months. The subject states her mom keeps a pretty close eye on her and usually knows where she is at all times but that mom is a lot easier on her than her stepfather is. She went on to state that she can usually talk mom into not telling stepdad about something she has done. The subject thinks her stepfather has way too many rules and she is required to do much more work than her younger sister. She has been grounded at least 3 times in the last month for not following her stepfather's rules about household chores. The subject and her younger sister, Zoe, age 12, do not get along very well and have had physical fights. They do get along when it comes to challenging their stepfather about rules. The subject's mother works at Wal-Mart part-time, and her stepfather works at a well drilling company full-time.

### **EDUCATION/EMPLOYMENT**

The subject is currently enrolled in the 8<sup>th</sup> grade at Oh-Joy Middle School. She has been suspended for smoking on school grounds by the buses and for being disrespectful to the principal and her teachers. School records indicate the subject is a smart girl but doesn't turn in her homework and leaves her tests blank. The subject has been diagnosed with ADHD and was previously on Ritalin, which seemed to help her concentrate. After being caught selling her medication at school, her doctor switched her medication to Strattera which, according to her, doesn't work as well. The subject does not currently have an IEP but school officials state if she is not expelled they will attempt to start an IEP with EBD (Emotionally Behaviorally Disturbed) findings. The subject is currently suspended pending an expulsion hearing for her current offense of Possession of a Weapon on School Grounds. The subject stated she brought the knife to school because she had been getting harassed by a group of girls who were threatening to beat her up.

### **PEER RELATIONS**

The subject has many friends and is quite outgoing. She admits she tends to "get into everyone else's drama." The subject's best friends are both on probation for assaults at school. Most of her extended group of friends have had some police involvement. The subject states that most of her friends use drugs and alcohol and go to parties on the weekends. The subject did mention she has one friend who lives across the street from her but attends a different school. The subject states her neighbor has never been in trouble and is a "good kid." The subject and her friends are not involved in any gangs but they do know gang members from school. The subject denies being in a relationship at the moment.

### **SUBSTANCE ABUSE**

The subject stated her first use of alcohol was at age 9 when she was staying at a friend's house. She stated she first tried marijuana at age 10 with an uncle from her dad's side of the family. The subject admits to having used meth, marijuana, cocaine and alcohol with her father. She also admits to using mushrooms, which according to her are not a drug because they are all natural; acid; crack; and huffing. The subject denies using alcohol since her last drinking offense and states it is too hard to get alcohol. The subject stated that when she uses she is usually with friends or her dad. The subject states she uses a

few times a week, more if she is stressed out. The subject insists she doesn't need to use and can stop whenever she wants.

### **LEISURE RECREATION**

The subject used to be involved in sports in elementary school but states she hasn't been in anything since coming back from her dad's house. She did attend a youth group with her friend Shelly one time and had fun. The subject uses her free time to hang out at the mall, watching television and listening to music. The subject does enjoy drawing and is proud of her art work.

### **PERSONALITY/BEHAVIOR**

The subject describes herself as outgoing and states she used to be more of a jock but now doesn't care about sports. The subject says she is a good friend and a good person but she just "makes bad choices." When angry she usually just yells and then wants to be alone. She has been in physical fights with her sister but not with people outside her family. The subject does have trouble concentrating and doesn't like her current medication because it doesn't work as well as Ritalin. She describes herself as easygoing but then laughs and says "an easygoing drama queen." The subject admits that at times she feels bad about how things are going with her life, especially her relationship with her stepfather. The subject is depressed at times and has thought about suicide. She states this started happening after she was assaulted while with her father. When asked to discuss the assault further, the subject shuts down and will not discuss it.

### **ATTITUDES/ORIENTATION**

The subject feels her crime was justified. She states "no one was going to help me so I had to protect myself." The subject thinks she was treated fairly by the court and the police, but says she will make her final decision after she is sentenced. According to the subject there are times when it is okay to break the law "if it means you are protecting yourself or someone you love."

### **FINAL ASSESSMENT**

The subject is a 15 year-old female who is before the Court for her 3<sup>rd</sup> felony-level offense. The subject has previously completed a 28-day non-secure program and was compliant with programming. The subject resides with her mother and stepfather and appears to have somewhat of a stable home environment. The subject's mother is willing to do whatever it takes to help her daughter stay out of trouble. The subject is facing expulsion from the Oh-Joy Middle School due to her current offense of Felony Possession of a Dangerous Weapon on School Grounds.

#### **Community Safety**

Community safety can best be addressed by placing the subject on supervised probation and long-term residential programming.

**Restorative Accountability**

The subject should be required to write a letter of apology to school staff and students. The subject should also be required to complete 100 community work service hours.

**Competency Development**

The subject would benefit from individual counseling and completion of a Rule 25 assessment. The subject reports a large amount of drug use for her young age. The subject should also be required to complete Thinking for Change cognitive programming to assist her with making better choices.

**RECOMMENDATIONS**

It is respectfully recommended that the subject be adjudicated delinquent for the offense of Felony Possession of a Dangerous Weapon on School Grounds and her custody be transferred to Timbuktu County Human Services for placement into and successful completion of the Long Way From Home residential program. It is also recommended that the subject be placed on supervised probation with the following special conditions:

1. Comply with all rules and conditions of probation.
2. Complete 100 hours of community work service.
3. Complete a Rule 25 assessment and follow all recommendations.
4. Cooperate with individual counseling.
5. Possess no weapons, including knives.
6. Complete the Thinking for Change program.
7. Have no same or similar offenses.
8. Submit to random testing of blood, breath or urine at the request of law enforcement or probation.
9. Do not use, possess or consume alcohol or controlled substance.
10. Remain law-abiding.

Respectfully Submitted,

Sandy Beach  
Corrections Agent

cc: Prosecuting Attorney  
Defense Attorney  
District Supervisor  
File

**Callie Larson**

**YLS**

**Scoring & Remediation (Total Score: 27)**

**1. Prior and Current Offenses/Dispositions:**

- a. 3 or more prior convictions? **Yes** (3 prior delinquencies- Theft of a Motor Vehicle, Misdemeanor Theft and Controlled Substance Crime)
- b. 2 or more prior failures to comply? **Yes** (2-violation for Minor Consume and shoplifting; after 28-day program she failed to remain law abiding - Theft of a Motor Vehicle and Minor Consume)
- c. Prior probation? **No** (Has never completed probation)
- d. Prior custody? **Yes** (28-day program in non-secure)
- e. 3 or more current convictions? **No** (only one new offense)

**2. Family Circumstances/Parenting:**

- a. Inadequate supervision? **No** (mom “keeps a pretty close eye on her”)
- b. Difficulty in controlling behavior? **Yes** (she consistently disobeys stepfather’s rules)
- c. Inappropriate discipline? **No** (she has been grounded 3 times in the last month but it appears appropriate)
- d. Inconsistent parenting? **Yes** (mom is much more lenient than stepdad)
- e. Poor relationship/father-youth? **Yes** (she does not like her stepfather - argues with him and disobeys his rules)
- f. Poor relationship/mother-youth? **No** (“Callie and her mother have their differences but they love each other”)

**3. Education/Employment:**

- a. Disruptive classroom behavior? **Yes** (current offense involved a weapon in school during school hours)
- b. Disruptive behavior on school property? **Yes** (smoking on school grounds)
- c. Low achievement? **Yes** (“smart girl but doesn’t turn in her homework and leaves tests blank”)
- d. Problems with peers? **Yes** (girls wanting to beat her up)
- e. Problems with teachers? **Yes** (disrespectful to teachers)
- f. Truancy? **No** (has not skipped school)
- g. Unemployed/not seeking employment? **Yes** (she is 15 and could be working part-time)

**4. Peer Relations:**

- a. Some anti-social acquaintances? **Yes** (friends on probation)
- b. Some anti-social friends? **Yes** (friends on probation)
- c. No or few positive acquaintances? **Yes** (only one positive friend - must be two)
- d. No or few positive friends? **Yes** (only one positive friend - must be two)

**5. Substance Abuse:**

- a. Occasional drug use? **Yes** (due to 5b being scored)
- b. Chronic drug use? **Yes** (marijuana “a few times a week”)
- c. Chronic alcohol use? **No** (cannot get anyone to buy)
- d. Substance use interferes with life? **Yes** (uses with friends, mom and her argue about her use)
- e. Substance use linked with offenses? **Yes** (prior use indicates possible probation violation risk)

**6. Leisure/Recreation:**

- a. Limited organized participation? **Yes** (no organized activities)
- b. Could make better use of time? **Yes** (watching television, listening to music, hanging out at the mall)
- c. No personal interests? **No** (Drawing)

**7. Personality/Behavior:**

- a. Inflated self-esteem? **No** (does not appear to be an issue)
- b. Physically aggressive? **Yes** (has had fights with sister)
- c. Tantrums? **No** (does yell when mad but not to excess then wants to be alone)
- d. Short attention span? **Yes** (ADHD meds not working)
- e. Poor frustration tolerance? **No** (describes herself as easygoing)
- f. Inadequate guilt feelings? **Yes** (states that she had to protect herself)
- g. Verbally aggressive? **No** (no indication of any verbal aggressiveness)

**8. Attitudes/Orientation:**

- a. Antisocial/pro-criminal attitudes? **Yes** (“no one was going to help me so I had to protect myself”)
- b. Not seeking help? **Yes** (in regard to CD issues, “I can quit on my own”)
- c. Actively rejecting help? **No** (no interventions offered at this time)
- d. Defies authority? **Yes** (defies parents, principal and school teachers)
- e. Callous, little concern for others? **No** (no indication of any issues with this line item)