



U.S. Department of Justice
Federal Bureau of Prisons

PROGRAM STATEMENT

OPI: RSD/RSD
NUMBER: 5400.01
DATE: June 25, 2021

First Step Act Needs Assessment

/s/

Approved: M. D. Carvajal
Director, Federal Bureau of Prisons

1. PURPOSE AND SCOPE

To ensure the Bureau of Prisons (Bureau) implements the required Needs Assessment portion of the Risk and Needs Assessment System, as required by sections 101 and 102 of the First Step Act (FSA), codified at 18 § USC 3632. This policy outlines needs assessment procedures and related activities.

a. **Program Objectives.** Expected results of this program are:

- Institution staff have clear guidance for implementation of the Needs Assessment portion of the Risk and Needs Assessment System.
- Departmental staff will appropriately assess inmates in the 13 identified need areas to make recommendations for evidence-based recidivism reduction programs and/or productive activities.

b. **Institution Supplement.** None required. Should local facilities make any changes outside those required in national policy or establish any additional local procedures to implement national policy, the local Union may invoke to negotiate procedures or appropriate arrangements.

2. DEFINITIONS

Evidence-Based Recidivism Reduction (EBRR) Program: A group or individual activity that has been shown by empirical evidence to reduce recidivism or is based on research indicating that it is likely to be effective in reducing recidivism. EBRRs are designed to help prisoners succeed in their communities upon release from prison.

Productive Activity (PA): A group or individual activity that allows an inmate with a minimum or low risk of recidivating to remain productive and thereby maintain a minimum or low risk of recidivating.

Risk and Needs Assessment System (RNAS): The RNAS was created to determine risk of recidivism upon release and to identify need areas to be targeted in an effort to reduce future recidivism. The RNAS is made up of two components: the Prisoner Assessment Tool Targeting Estimated Risk and Needs (PATTERN), which identifies the risk of recidivism, and the Needs Assessment, which assesses the dynamic needs that may reduce recidivism.

Risk of Recidivism: The likelihood that an individual may continue to engage in unlawful behavior once released from prison. The risk of recidivism is classified by PATTERN as one of the following levels: minimum, low, medium, or high.

3. REQUIRED STAFF TRAINING

All Bureau staff receive annual training on the FSA, including the RNAS. Training contains information about PATTERN and the Needs Assessment. Training focuses on providing general information on the FSA and on associated specific topics and needs. Ordinarily, a member of the institution Executive Staff delivers this training.

4. STAFF RESPONSIBILITIES

The Bureau identified 13 need areas for inmate assessment as outlined in the RNAS. The need areas are dynamic factors that can be targeted to reduce an inmate's risk of recidivism. The 13 need areas are anger/hostility, antisocial peers, cognitions, dyslexia, education, family/parenting, finance/poverty, medical, mental health, recreation/leisure/fitness, substance abuse, trauma, and work. Different departments are responsible for assessing specific needs as outlined below.

SENTRY assignments for each need area have been created. Once an inmate's needs are identified, staff who assessed the need must enter the appropriate SENTRY assignment. Staff must enter one of the following options: Yes, No, or Refused Assessment. A list of the SENTRY codes can be found on Sallyport. Alternatively, staff may load the information into Insight, and it will automatically populate in SENTRY.

EBRRs and/or PAs are recommended that directly correspond with an inmate's individual need areas. The department that assesses the need areas is responsible for recommending the program by keying it into SENTRY/Insight. The FSA Approved Programs Guide, available on the Reentry Services Division's (RSD) Sallyport page, lists the staff who are able to deliver each program.

The specific responsibilities for the assessment of needs are outlined below.

a. **Psychology Services**

- Psychology Services staff assess mental health and trauma needs for all inmates. This assessment takes place upon initial intake through the use of both a questionnaire and an interview by a psychologist. In addition, Psychology Services staff assess anger/hostility, antisocial peers, cognitions, and family/parenting. Specific information about how and when to assess each of these needs, including the tools to use and how to score them, is provided on the Psychology Services Sallyport page.

b. **Unit Management**

- Unit Management staff assess the substance use need during initial intake and upload the appropriate DRUG ED code into SENTRY, as outlined in the Program Statement **Psychology Treatment Programs**. Unit Management staff also assess the finance/poverty need prior to initial program review (team meeting). The finance/poverty need is completed through a review of the financial condition section of the presentence investigation report and other available information that may address a history of financial difficulties including, but not limited to, bankruptcy, lack of bank accounts, debts, or unpaid child support.

c. **Education**

- Education staff assess the education and work (employment/vocational) need areas for inmates. These assessments take place as part of the intake process and include document reviews (i.e., the presentence investigation report, education records, and any other relevant documentation), screening interviews, and assessment, as appropriate. Education staff enter needs into SENTRY. The initial screening for Dyslexia is also conducted by Education staff. A qualified and trained staff member will complete additional assessment of those inmates who reach the threshold, as identified in the Program Statement **Management of Inmates with Disabilities**.

d. **Health Services**

- Health Services staff are responsible for assessing the medical and recreation/leisure/fitness needs. Assessment of a medical need is done through an initial intake and through the history and physical completed as part of the intake process, as outlined in the Program Statement **Patient Care**. Chronic care codes are determined and assigned by Health Services staff. These codes indicate a recreation/fitness/leisure need. Health Services staff notify Unit Management staff of the specific programs that address the medical and recreation/fitness/leisure needs.

e. **Correctional Services**

- Correctional Services staff are not required to formally gather needs assessment information. However, given their frequent contact with inmates, Correctional Services staff are encouraged to offer input on specific needs to departments responsible for those needs. Input is to be used as part of the overall needs assessment process.

5. RECOMMENDING PROGRAMS

Once needs are assessed, Unit Management is responsible for notifying each inmate of his or her targeted needs during routine program reviews (team meetings). Departments responsible for program recommendations to address inmate risk/needs will enter relevant information (e.g., recommended programs, progress and/or concerns) in the Feedback section of Insight for Unit Management to review and discuss during Initial Classification and Program Review meetings. If Unit Management staff are uncertain of a department's program recommendations in a given need domain, consultation between Unit Management staff, the inmate, and the department providing the proposed programs are required.

6. RE-ASSESSMENT OF NEEDS

Individual needs are re-assessed at 180-day intervals, as part of the routine program review (team meeting) process. Unit Management staff complete the Insight "Re-assessment of Needs" tab by reviewing relevant provided documentation and present the results to the inmate during the team meeting. All needs, other than Dyslexia, are to be re-assessed.

7. INMATE APPEALS OF NEEDS ASSESSMENT RESULTS

Inmates may utilize the Administrative Remedy Program, as set forth in 28 C.F.R. 542.10, et seq and the Program Statement **Administrative Remedy Program**, to seek formal review of any issues relating to this policy.

REFERENCES

U.S. Codes Referenced

Title 18, Section 3632

Program Statements

- P1330.18 Administrative Remedy Program (01/06/14)
- P5200.06 Management of Inmates with Disabilities (11/22/19)
- P5290.15 Intake Screening (3/30/09)
- P5300.21 Education, Training and Leisure Time Program Standards (2/18/02)
- P5310.15 Minimum Standards for Administration, Interpretation, and Use of Education Tests (9/4/96)
- P5310.16 Treatment and Care of Inmates with Mental Illness (5/01/14)
- P5310.17 Psychology Services Manual (8/25/16)
- P5321.08 Unit Management Manual (8/10/17)
- P5322.13 Inmate Classification and Program Review (5/16/14)
- P5330.11 CN-1 Psychology Treatment Programs (4/25/2016)
- P6031.04 Patient Care (6/03/14)

Records Retention

Requirements and retention guidance for records and information applicable to this program are available in the Records and Information Disposition Schedule (RIDS) on Sallyport.