



# National Judicial Opioid Task Force

## The Fundamentals of Screening and Assessment in the Justice System

Understanding the nature and extent of an individual's substance use disorder (SUD) is critical to finding a proper diagnosis, obtaining information for appropriate case management, attaining successful treatment and recovery, and potentially reducing the risk of recidivism. Proper screening and assessment provide the "foundation for identification, triage, and placement in appropriate interventions."<sup>1</sup> Such screening and assessment should be conducted at the earliest possible time after entry into the justice system. However, opportunities for screening and assessment are available at all intercept points, from arrest to community corrections (*i.e.*, probation and parole) and in, for example, child custody or divorce cases.

### The Risk-Need-Responsivity Principle

In community corrections, evidence-based practices for effective intervention include what is widely known as the Risk-Need-Responsivity (RNR) Principle. RNR begins with a validated risk/needs assessment as early as possible in the justice system, such as when the court requests a presentence investigation, throughout community supervision, and upon release from incarceration. When administered appropriately, these assessments reveal the level of risk (*e.g.*, of reoffending, of committing violence, or of fleeing) that an individual presents, and what specific criminogenic needs or factors contribute to why he or she is involved in the justice system. Invaluable in case planning and case management, this information provides

the specific areas that should be addressed to reduce the level of risk for the individual and matches the specific characteristics of that person to treatment type, treatment provider, and delivery of services. Common risk/needs assessments include the Levels of Service Inventory-Revised (LSI-R), Correctional Offender Management Profiling for Alternative Sanctions, and Ohio Risk Assessment System, and address SUD as a criminogenic need. These assessments often lead to a referral for a more comprehensive assessment to determine the level of service needed (*e.g.*, in-patient, residential, intensive outpatient, outpatient, or educational services).

### What is Screening?

Screening is the initial step in the evaluation process that may determine whether an individual suffers from SUD and/or other, often related, issues such as mental illness, traumatic life events, intellectual deficits, and risk for overdose, suicide, and/or recidivism. A screen should be brief, contain a short series of questions that identify "red

flags," and determine whether a thorough, follow-up evaluation for the suspected problem(s) is warranted. Screening can be done anywhere and does not require the screener to be licensed or otherwise specially-credentialed. Special attention should be given to identify any source of evaluator bias and steps taken to address it.

**BOTTOM LINE:** A proper screening for SUD should only require a short period of time and should be done as early as possible after an individual's entry into the justice system.

## What is Assessment?

If an initial screening determines that a person may have SUD or another related problem, the person should then be assessed through a comprehensive, follow-up evaluation. This assessment must be conducted by a licensed, or otherwise specially-credentialed, professional, preferably with knowledge of, and experience in, the justice system. The evaluator may conduct a clinical interview, psychological and other testing, and obtain other information that may be relevant to the individual's condition (e.g., criminal history or an interview of a family member). The purpose of an assessment is to determine

the presence of SUD, the extent of the problem, whether there are co-occurring mental or medical conditions, and to assist in the development of a treatment plan.

**BOTTOM LINE:** Assessments should provide a thorough, follow-up evaluation in order to provide the best course of action for an individual with SUD.

*Screening and assessment tools should take into account the subject's ethnicity and culture, gender, language barriers, socio-economic status, sexual orientation, cognitive disabilities, and other factors that may influence the outcome.*

## Screening Instruments for SUDs

There are a number of SUD screening tools that may be purchased or are available free-of-charge. Some may be more effective in evaluating individuals in the justice system. Many courts have developed their own criteria to screen and place individuals into special court programs. The following are three screening tools often used in the justice system:<sup>2</sup>

- 1. The Simple Screening Instrument for Substance Abuse**  
<https://www.ncbi.nlm.nih.gov/books/NBK64187/>.
- 2. The Alcohol, Smoking, and Substance Involvement Screening Test (ASSIST)**  
[https://www.who.int/substance\\_abuse/activities/assist\\_test/en/](https://www.who.int/substance_abuse/activities/assist_test/en/).
- 3. The Texas Christian University Drug Screen 5 (TCUDS 5)** <https://ibr.tcu.edu/wp-content/uploads/2017/09/TCU-Drug-Screen-5-v.Aug17.pdf>.

- If the individual was screened for an opioid use disorder, after administering the TCUDS 5, the administrator also should administer the TCU Opioid Supplement. <https://ibr.tcu.edu/wp-content/uploads/2017/09/TCU-Drug-Screen-5-Opioid-Supplement-Sept17.pdf>. The supplement takes approximately 10 minutes to administer and is designed only for those who report recent opioid use on the TCUDS 5.

Screening for SUDs may be susceptible to manipulation by someone trying to minimize or conceal his or her substance abuse or SUD. Therefore, it is imperative that a drug test also be administered to confirm the accuracy of the information obtained during the screening. When appropriate, a review of outside clinical records could aid in corroborating the data collected.

Every person evaluated should be screened for withdrawal severity and assessed for medication-assisted treatment (MAT) compatibility.

**BOTTOM LINE:** There are a number of screening tools that may be the “right fit” for a court, but any instrument used should be supplemented with drug testing.

## Assessment Instruments for SUDs

As with screening, there are numerous assessment tools that are available. These tools vary considerably in length and the detail obtained, and some may be more effective than others in assessing criminal justice populations. The following are four assessment tools often used in the justice system:

1. **The ASAM Criteria** (ASAM Patient Placement Criteria: PPC-3R) <https://www.asam.org/resources/the-asam-criteria/about>.
2. **The Addiction Severity Index, 5th Ed.** [http://freedownloads.net/download/678\\_175045\\_AS\\_I-1.pdf](http://freedownloads.net/download/678_175045_AS_I-1.pdf).
3. **Texas Christian University Institute of Behavioral Research** <https://ibr.tcu.edu/forms/>.

- a. Short Forms
- b. Brief Intake
- c. Criminal Justice Comprehensive Intake

#### 4. **The Global Appraisal of Individual Needs (GAIN)**

<http://gaincc.org/instruments/>.

- a. GAIN-SS (Short Screener)
- b. GAIN-I (Initial)
- c. GAIN-Q (Quick)
- d. GAIN-M (Monitoring)

With use of any assessment tool, the clinician/assessor should assess the individual for withdrawal severity, drug interactions, overdose history, mental illness, trauma, prior injuries and the resulting use of pain medication, and MAT compatibility.

**BOTTOM LINE:** There are a number of assessment tools that may be the “right fit” for a court, but any instrument used must determine the diagnosis, the best-case management, and a course of treatment for the individual.

## Combined Screening and Assessment Instrument

One instrument that combines both screening and assessment is the Screening, Brief Intervention, and Referral to Treatment (SBIRT) tool:

<https://www.integration.samhsa.gov/clinical-practice/sbirt>. The screening component of SBIRT is used to determine the presence of SUD and its severity and to

stratify the risk of relapse. Based on these findings, determinations are made for the need for brief intervention, counseling, or a referral to treatment. Use of SBIRT has been widespread in the criminal justice system, but research on its effectiveness with justice populations has been mixed.

## Courts that Effectively Use Screening and Assessment with Those in the Justice System

**Baltimore, MD** Those currently placed on supervision are screened using an Initial Data Screening Form which determines if the LSI-R is warranted. The LSI-R is a quantitative survey of offender attributes and their circumstances relevant to their level of supervision and treatment decisions. This instrument helps to predict parole outcome, success in correctional halfway houses, institutional misconduct, and recidivism.

Additionally, the Baltimore court assessors use the Tobacco, Alcohol, Prescription Medication, and other Substance Use Tool which has the following two components: (1) a four-item screen for tobacco, alcohol,

illicit drugs, and non-medical use of prescription drugs; and (2) brief substance-specific assessment questions to arrive at a risk level for that substance.

For additional information on the Circuit Court for Baltimore City, go to:

<http://www.baltimorecitycourt.org/>.

**Yuma, AZ** The Yuma County Adult Probation Department supervises an average of 1,100 probationers. The state uses the Offender Screening Tool with the Field Reassessment Offender Screening Tool to reassess for progress after a defined period of supervision. The

Offender Screening Tool is first administered during a presentence investigation (PSI) interview, the results of which are included in the PSI report, so that the sentencing judge, attorneys, and individual can comprehend the recommendations that follow. If probation supervision is an appropriate option for sentencing, the PSI report includes recommendations to the court for sentencing, including programs, services, treatment, and/or special conditions of probation.

Whether reporting to probation after sentencing or upon reentry into the community, all probationers meet with their probation officer and are escorted to an integrated, coordinated care clinic where they undergo a comprehensive assessment (e.g., for medical, behavioral,

psychological, pharmaceutical, and substance abuse issues) which uses the ASAM PPC-2R. Additionally, clinicians use the Daily Living Activities-20 and Global Assessment of Functioning (Axis V, DSMIV-TR) to assess an individual's ability to function. From there, probationers are referred to providers in the clinic or elsewhere in the community where their substance abuse treatment services may include residential, intensive outpatient, detox, and MAT.

For additional information on Yuma County Adult Probation, go to:

<https://www.yumacountyaz.gov/government/courts/adult-probation>.

## Notes

<sup>1</sup> *Screening and Assessment of Co-occurring Disorders in the Justice System*, Substance Abuse and Mental Health Services Administration, U.S. Department of Health and Human Services, 2016. <https://store.samhsa.gov/system/files/sma15-4930.pdf>.

<sup>2</sup> For a list of other instruments, please refer to the resources section below.

## Resources

- American Academy of Addiction Psychiatry – <https://www.aaap.org/>.
  - Physicians and Lawyers for National Drug Policy. <https://www.aaap.org/clinicians/education-training/physicians-and-lawyers-for-national-drug-policy-plndp/>.
- American Society of Addiction Medicine – <https://www.asam.org/>.
  - Screening and Assessment Tools. <https://www.asam.org/education/live-online-cme/fundamentals-program/additional-resources/screening-assessment-for-substance-use-disorders/screening-assessment-tools>.
  - IT MATTTRs Colorado, DSM-5 Criteria for Diagnosis of Opioid Use Disorder. [https://www.asam.org/docs/default-source/education-docs/dsm-5-dx-oud-8-28-2017.pdf?sfvrsn=70540c2\\_2](https://www.asam.org/docs/default-source/education-docs/dsm-5-dx-oud-8-28-2017.pdf?sfvrsn=70540c2_2).
- National Association of Drug Court Professionals. <https://www.nadcp.org/>.
  - Adult Drug Court, Best Practice Standards, Vols. 1 and 2. <https://www.ndci.org/standards/>.
- National Institute on Drug Abuse. <https://www.drugabuse.gov/>.
  - Chart of Evidence-based Screening Tools and Assessments for Adults and Adolescents, June 2018. <https://www.drugabuse.gov/nidamed-medical-health-professionals/tool-resources-your-practice/screening-assessment-drug-testing-resources/chart-evidence-based-screening-tools>.
  - Drug Screening and Assessment Resources, July 2018. <https://www.drugabuse.gov/nidamed-medical-health-professionals/tool-resources-your-practice/additional-screening-resources>.
  - Opioid Risk Tool. <https://www.drugabuse.gov/sites/default/files/files/OpioidRiskTool.pdf>.
  - Examples of Screening and Assessment Tools for Substance Use Disorders. [https://ncsacw.samhsa.gov/files/SAFERR\\_AppendixD.pdf](https://ncsacw.samhsa.gov/files/SAFERR_AppendixD.pdf).
- Substance Abuse and Mental Health Services Administration (SAMHSA). <https://www.samhsa.gov/>.
  - SAMHSA-Health Resources and Services Administration (HRSA) Center for Integrated Health Solutions. <https://www.integration.samhsa.gov/>.
    - Drug and Alcohol Use Screening Tools. <https://www.integration.samhsa.gov/clinical-practice/screening-tools#drugs>.
  - SAMHSA-Center for Substance Abuse Treatment (CSAT) – Substance Abuse Treatment: Addressing the Specific Needs of Women, Appendix C: Screening and Assessment Instruments. <https://www.ncbi.nlm.nih.gov/books/NBK83254/>.
- The Council of State Governments Justice Center. <https://csgjusticecenter.org/substance-abuse/>.
  - Reentry Clearinghouse, Opioid Addiction Screening and Assessment for People in the Criminal Justice System, July 10, 2018. <https://csgjusticecenter.org/nrrc/webinars/opioid-addiction-screening-and-assessment-for-people-in-the-criminal-justice-system/>.
  - Reentry Clearinghouse, Best Practices in Screening and Assessment for People with Co-Occurring Substance Use and Mental Health Disorders in the Criminal Justice System, March 27, 2018. <https://csgjusticecenter.org/nrrc/webinars/screening-and-assessment-best-practices-for-people-with-co-occurring-substance-use-and-mental-disorders-cods/>.