ROBBERS RETURNING TO THE MUNICIPALITY

Evaluation of the BIOS pilot





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- summary final report -

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SUMMARY AND CONCLUSIONS

The pilot Administrative Information Hold-ups and Robberies

On the recommendation of the chairman of the Robbery Task Force (*Taskforce Overvallen*), and at the order of the Dutch Minister of Security and Justice, the pilot Administrative Information Hold-ups and Robberies (BIOS pilot) started on 1 April 2014. Since that time, thirteen municipalities (mayors) have received information on former prisoners who have been convicted of a hold-up or robbery and who are re-entering society. Specifically, they receive information on the return date, the last known address in the municipal administration system (*Gemeentelijke Basisadministratie*, GBA), the type of conviction, and any possible special conditions imposed. Municipalities can use the information to strengthen the local approach to tackling hold-ups and robberies.

In addition to the BIOS information flow there are two different information flows to municipalities concerning former prisoners. First, all municipalities in the Netherlands receive information on any returning former prisoner on five aspects (identity, housing, employment and income, debt repayment and appropriate care). This enables municipalities to develop their roles and responsibilities concerning aftercare (regulated by the Social Support Act (*Wet maatschappelijke ondersteuning, Wmo*). Second, municipalities that sign up for the BIJ-information flow (administrative information concerning former prisoners) receive specific (offence) information about returning former prisoners convicted of a sexual offence or serious violent offence. The aim of this information flow is to prevent public order problems.

The evaluation of the pilot

Commissioned by the Research and Documentation Centre (WODC) of the Dutch Ministry of Security and Justice, Regioplan evaluated the BIOS pilot in the second half of 2015. The study must provide insight into the extent to which the supplied BIOS information enhances the action perspective of mayors. Subsequently, the results of the study can be involved in the decision regarding a possible follow-up phase of the pilot.

For this research we studied the existing project documentation, in addition we spoke with stakeholders of the Ministry of Security and Justice, the Judicial Information Service (JustID) and the police (either face to face or by telephone), conducted interviews with one or more authorised persons (face to face) and chain partners (by telephone) in each of the thirteen participating municipalities, and studied the BIOS files. In one municipality, we also spoke



with the mayor about the BIOS pilot. Finally, we interviewed five nonparticipating municipalities by telephone.

When interpreting the findings and conclusions of the study, there are a number of relevant points of interest.

- First, the thirteen municipalities that receive BIOS information in the pilot have been invited to participate by the Ministry of Security and Justice because they have an existing approach to High Impact Crimes (HIC approach) and because in these municipalities relatively many hold-ups and robberies occur. It is thus a relatively specific and homogeneous group of municipalities with an existing (chain) approach. This implies that the results of this evaluation can only to a limited extent be generalised to all Dutch municipalities. It is likely that issues such as information use and perceived added value of the information flow turn out differently in the municipalities without an existing approach. It could be argued that municipalities without a HIC approach (or similar method) are not equipped to do anything with the BIOS information.
- Second, the reports are provided to tackle hold-ups and robberies by
 preventing re-offending. We have not carried out an analysis to see if this
 objective has actually been achieved (effect study). The number of reports
 and actions is too small to do this, moreover, the time span within which reoffending (in theory) could have taken place, is too short.
- Third: initially, we had planned to speak with the mayors of all municipalities about the BIOS pilot. In spite of different attempts, we only spoke with one mayor. The reason for this is that many mayors felt that they are too far removed from the information flow to make meaningful statements about it. As evaluators of the pilot, we regard this as a first sign that mayors actually have little to do with the pilot: they are hardly informed about the reports, if at all. The consequence, however, is that in this study it has not been possible to obtain a good picture of perceptions at the local authority level on issues such as information position, action perspective and goal achievement, and the contribution of the information flow to this.

Reconstruction of the policy logic

It turned out that the policy logic of the BIOS pilot was not written out. Therefore, we had to make a reconstruction based on the available documents and information from the interviews. The policy logic can be summarised in the following if-then statements:

1. If from the judicial domain data on returning former prisoners are provided, then the mayor (governing body) of a municipality is informed about persons who have been convicted of a hold-up or street robbery and who return from prison to the community.



- 2. If the mayor (governing body) has access to this information from the judicial domain, then it is informed more in time and more completely (compared to other information flows) of the return, and this implies an improved information position.
- 3. If the information position of the mayor (governing body) has improved, then this will also lead to an improved action perspective of the local government in tackling hold-ups and robberies.
- 4. If the local government has an improved action perspective with regard to tackling hold-ups and robberies, then this will contribute to reducing holdups and robberies by developing actions, measures, policies and a chain approach.

The policy logic has lacunas. It is not made explicit why municipalities should receive BIOS information (information about the offence and the judicial conditions). After all, we found no arguments for the assumption that this specific information is relevant for the local approach against hold-ups and robberies. In other words, beforehand the policy logic does not make explicit why, how and to what extent personal and offence information about former prisoners helps to tackle hold-ups and robberies. Moreover, a problem analysis is lacking that shows that municipalities, in spite of the existing information flows and approaches, actually have an information deficit and lack of action perspective.

Information is used by municipalities

All municipalities use the BIOS information. In one municipality we observed this happens only in a very marginal way by just checking on whether there is an overlap with the existing 'Top X' approach and if so, by forwarding the BIOS report to the case manager of the ex-prisoner for them to take notice of it. In all other pilot municipalities, the BIOS information is more widely used and detailed information is obtained from chain partners such as the police (who also receive the BIOS reports of JustID), the Public Prosecution Service and the Probation Service. Authorised persons want to know, for example, whether there is supervised probation (which is often imposed as a special condition), and whether there is already an existing person-centred approach. If the latter is the case, the BIOS information is included in the existing approaches. If there is no existing approach yet, then in theory the BIOS report can form the starting point for such an approach.

To determine whether actual actions and/or measures are needed, risks are assessed; in a number of municipalities with the aid of an instrument. Eventually, the authorised persons mention many arguments that could lead to actions; sometimes taken separately, but more often in conjunction. This makes it clear that in the risk assessment many aspects can be of importance and it also emphasizes the need to widely request information to form a good picture of the behaviour and the environment of the former prisoner. In a



general sense, municipalities argue that a high risk of re-offending and a high risk of social unrest can both be grounds for taking further action.

The barrier to take action is quite high

The many circumstances with regard to which authorised persons indicate they would want to take further actions or measures lead to the assumption that further actions or measures should in fact be taken quite often, as many case histories meet these conditions. However, the 237 reports on returning robbers hardly ever gave cause for this. Only once it was deemed necessary to take an administrative measure (prohibition to enter a certain area, *gebiedsverbod*), from the point of view of preventing (new) violence between perpetrator and victim. This shows that – despite the many arguments advocating the opportunity to take action – the barrier to actually do this is quite high.

However, in addition to this one administrative measure, a minimum of 27 actions have been carried out concerning former prisoners on the basis of the existing person-centred approaches (in which the BIOS reports also play a part). Often these actions involve letters sent on behalf of the mayor to the former prisoners containing personal points of interest and orders or house visits to the former prisoners. Insofar as it is assessable, most actions would also have been carried out without the BIOS information, because they form part of the standard HIC method.

Mayors are at a distance from the information flow

Early in the study, it already became clear that mayors were unwilling to cooperate in the evaluation, because it was supposed they were not personally informed of the development of the pilot. During the study this picture was confirmed. Mayors are at a distance from the information flow. In only two municipalities the mayor was personally informed of the BIOS reports because advisory reports had been drawn up. Authorised persons indicate that the reports, the local information and risk assessment that ensues generally do not give cause to inform the mayor. Furthermore, it also turned out that in some municipalities the actual handling of the BIOS reports is carried out by authorised persons in the *Veiligheidshuis* (Safety House) and not at the mayor's office (public order and safety department). This means that not only the mayor personally, but also the governing body is at a distance from the BIOS information flow.



Information is widely shared (and used)

The BIOS report coming from JustID contains identifiable information about the person, their last known address in the municipality derived from the municipal administration system (GBA) and information about the offence (type of conviction and any possible special conditions). This information is considered as insufficient to make a full assessment of the risks associated with the return of the former prisoners. Therefore, information requests among chain partners are deemed necessary. The consequence of this is that the information is shared and used more widely. We came across examples in which the BIOS information is stored in the digital systems of the Safety Houses and in this way becomes available to the partners. The aftercare department of municipalities is also often informed and it appears that the information is sometimes used there as well: for example, to take into account in the treatment of the ex-prisoner in question ("it's a tough guy") or in order to further prioritise which cases the aftercare department should deal with first.

Authorised persons indicate that it is not clear enough to them which information may or may not be shared with which partners. Sharing the information in the Safety House is not seen as a problem because the information is 'already known' there anyway, and because the sharing of information is guaranteed by the covenant for the Safety Houses.

Information supply to third parties is governed by Article 7 of the Ministerial order. According to this order, information should only be provided if it is considered necessary in order to take measures within the framework of the goal. The evaluation shows that the information is shared by means of fixed work processes with fixed chain partners and that (except in one municipality) no proportionality assessment is made whether further provision of information is actually necessary. Furthermore, it turns out that information is stored and therefore becomes more widely available to partners who are not familiar with the judicial history of the person involved. Information is also used (by aftercare) for other purposes than preventing hold-ups and robberies. Article 7 also stipulates that municipalities keep records of any provision of information (the protocol obligation). We have not come across structured overviews with regard to this in any of the municipalities (however, on the basis of available file information usually they can be reconstructed).

The added value of the information is limited

In general, the BIOS municipalities are already strongly investing in their network with partners. It was precisely for that reason that the Ministry of Security and Justice asked them to participate in the pilot. These conditions ensure that the information on former prisoners that is shared at the national level is also available at the local municipal level. In other words, the BIOS



reports hardly ever contain new information. In this sense, the information position of municipalities has not improved since the start of the pilot.

However, the national information about formerly detained robbers does have some value for municipalities, because it becomes available in good time. In theory, this also creates action perspective to weigh risks and prepare for possible actions. However, this added value is not mentioned by the municipalities themselves. Also, municipalities argue that they already have sufficient action perspective; if the pilot were discontinued, this would have little impact. Therefore, the ultimate value of the information flow is limited. For a few municipalities the added value of the information flow is that they have a more active role in the person-centred approach. After all, they can now actively focus on people and call chain partners into account regarding actions they carry out to prevent hold-ups and robberies. This suits the role of the municipality as safety director.

In conclusion

Municipalities (mayors) receive information about former prisoners with the aim to prevent new hold-ups and robberies. This does not so much concern the mayor as the guardian of public order, but rather the municipality as director of the safety policy.

From the reconstructed policy logic the image appears that the BIOS information is especially conceived from an administrative desire and conviction. Municipalities should be aware of the return of former prisoners because it would give them a better information position, and it would also help to increase their action perspective. This concept is fully consistent with the underlying philosophy of the already existing BIJ-information flow which involves another category of former prisoners (sexual offenders and serious violent offenders). However, an important difference is that the BIJ-information flow must contribute to the prevention of public order problems, whereas BIOS is related to the prevention of re-offending. Therefore, the reconstructed policy logic has lacunas when the problem analysis is concerned. In the policy logic it has not been made explicit why the mayor (governing body) is the appropriate body to receive the information, how the offence information on former prisoners contributes to the local approach against hold-ups and robberies and - if this contribution would be evident - whether or not and why it was assumed that municipalities have an information deficit or a lack of action perspective. In other words, it is not made explicit to what policy problem the BIOS pilot should offer a solution. Therefore, we observe that the evaluation findings support the policy logic only marginally.

We can conclude that the BIOS pilot shows that the participating municipalities (all with a HIC approach) can and in fact do use the information. Information is available earlier and (in theory) this provides action perspective to sooner take



actions and measures to prevent hold-ups and robberies. However, in practice, actions and measures are hardly ever taken. The fact is that there are hardly any reports with regard to which this is deemed necessary. The risks involved in the return of former prisoners are too limited in this category. Even if actions or measures are taken, it is highly probable that they would also have been taken without the availability of the BIOS information. After all, the information is already locally available and collaboration with chain partners already exists in which ex-offenders come into the picture (as standard procedure) and are approached by means of letters and house visits. Simultaneously, the (judicial) information is broadly shared, which is not always in line with the proportionality idea and there is evidence that the information is used by others for other purposes. All this leads to the conclusion that within the current group of municipalities the BIOS pilot does not provide the contribution that could be expected.



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