

# Examining Use of Artificial Intelligence in Determining Recidivism Risk

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## Which Tools?

One of the most widely used tools for assessing recidivism risk is the COMPAS tool in Northpointe suite made by Equivant.



Source: <https://www.equivant.com/demystifying-criminogenic-needs/>

## Extent of Use Today

- Currently in use in Wisconsin, Florida, and Michigan
- Coincides with lengthy questionnaire

Hillman, N. L. (2019)

Larson, J., Angwin, J., Kirchner, L., & Mattu, S. (2019, March 09). How We Analyzed the COMPAS Recidivism Algorithm. Retrieved from <https://www.propublica.org/article/how-we-analyzed-the-compas-recidivism-algorithm>

## Criticism

There are varying perspectives on whether using COMPAS is ethical. Some main points of criticism:

- Violates due process- not possible to gain understanding of how COMPAS arrives at its results due to its proprietary nature, resulting in a sentencing agent which is effectively above reproach.
- ProPublica conducted a study which arrived at concerning conclusions regarding the susceptibility to racial and gender bias including a large number of false-positives when given data on minority and female offenders
- Impossible to question since it is proprietary in nature



Hillman, N. L. (2019). The use of artificial intelligence in gauging the risk of recidivism. The Judges' Journal, 58(1), 36-39. Retrieved from [https://www.americanbar.org/groups/judicial/publications/judges\\_journal/2019/winter/the-use-artificial-intelligence-gauging-risk-recidivism/](https://www.americanbar.org/groups/judicial/publications/judges_journal/2019/winter/the-use-artificial-intelligence-gauging-risk-recidivism/)

## Controversial Use Case of COMPAS

*Loomis vs. Wisconsin*: Challenged the use of COMPAS in the sentencing process in the state of Wisconsin on the grounds that it is impossible to effectively question the results of the algorithm among other concerns.

Liptak, A. (2017, May 01). Sent to Prison by a Software Program's Secret Algorithms. Retrieved From <https://www.nytimes.com/2017/05/01/us/politics/sent-to-prison-by-a-software-programs-secret-algorithms.html>

## Future for AI and Sentencing



A complete understanding of the potential pitfalls and risks that such a system poses to the civil liberties of defendants is necessary before widespread implementation of these systems is acceptable.



Source: <https://images.theconversation.com>