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### **National Juvenile Detention Association**

Lesson Plan Cover Sheet

190668

COURSE TITLE	Jurisdictional Teams: Strategic Planning			
MODULE TITLE	Ol-Creating the Jurisdictional Core Work Group			
INSTRUCTOR(S)				
AUTHOR(S)	Earl Dunlap and David	Roush, Ph.D.		
Two (2) hour press shortened by skipp discussion. PERFORMANCE After completing to be able to: 1. Describe histor for a jurisdictional 2. Understand the core work group; 3. Explain the work	TIME FRAME entation. Module may be bing activities and eliminating <b>OBJECTIVE(S)</b> his workshop, participants will ical factors leading to the need	TARGET POPULATION NUMBER OF PARTICIPANTS SPACE REQUIREMENTS EVALUATION	Community and Juvenile Justice Leaders, Law Enforcement, School Administrators, Juvenile Confinement Facility Directors 8-30 Enough for classroom set-up or table rounds if activities are planned. N PROCEDURES on, activities, and trainer	

### **Methods/Techniques**

Small group activities, individual activities, lecture and discussion

### **INSTRUCTOR MATERIALS**

Burrell, S., DeMuro, P., Dunlap, E.L., Sanniti, C., & Warboys, L. (1998, Dec.). *Crowding in juvenile detention centers; A problem solving manual*. Richmond, KY: National Juvenile Detention Association.

Crowding in Juvenile Detention Centers Raises Concerns: National Online Video-Conference to Address the Problem (April 27, 2000) OJJDP.

DeMuro, P. & Dunlap, E. (1999). A reasonable alternative to locking kids up: The development of jurisdictional core groups. In D. W. Roush (Ed.), *Crowding in juvenile detention centers: Practitioner perspectives on what to do about it* [monograph]. National Juvenile Detention Association & Youth Law Center.

Feely, K. (2000) Collaboration and Leadership in Juvenile Detention Reform. *Pathways to juvenile detention reform.* Annie E. Casey Foundation.

EQUIPMENT AND SUPPLIES N	EEDED		
<u> </u>		<u>1</u> VIDEO PLAYER	
FLIPCHART PADS (# NEEDED):		TYPE: <u>½</u> " VHS OTHER (SPECIFY BELOW)	
CHALKBOARD I6 MM PROJECTOR FILM LENGTH: MINUTES SLIDE PROJECTOR TYPE:CAROUSEL TRAY SOUND-ON-SLIDE SCISSORS (4) SCISSORS (4) MASKING TAPE		VIDEO TAPE LENGTH:MINUTES VIDEO TAPE RECORDER WITH CAMERA PUBLIC ADDRESS SYSTEM 1_OVERHEAD PROJECTOR 1_OTHER (SPECIFY) Transparencies	
1-H-1,2,3,4,5 Note Guide 1-H-6 Establishing Mission 1-H-6 Group Composition Statistics "A Reasonable Alternative"	1/participant 1/participant 1/participant 1/participant 1/participant	Anticipatory Set Instructional Input Instructional Input Independent Study Independent Study	

CREATING THE JURISDICTIONAL CORE WORK TEAM	NOTES TO TRAINER
ANTICIPATORY SET	⊕ Display 1-T-1
Jurisdictional Core Work Team is a key phrase for this training. "Jurisdictional" means that there is authority to act within certain topic areas. "Core" indicates that participants will have a central role in the invention participants and allied	Refer participants to Note- taking Guide.
"Work" means that action and outcomes are necessary.	Recommend Crowe's (1998) manual for jurisdictional technical assistance.
Ask participants to share what they think "Jurisdictional Core Working Team" means. Draw attention to those responses that affirm these concepts.	
Ask participants to describe similar/analogous experiences.	
Explain the resources from the Crowding Grant, e.g., the Problem Solving Manual (Burrell et al., 1998) and Reasonable Alternatives (DeMuro & Dunlap, 1999)	
INSTRUCTIONAL INPUT	Ð
A. Historical Background	Display 1-T-2
1. The 80's and early 90's—"Build and they will come"	
2. OJJDP/The "Study of Conditions of Confinement"	
3. AECF/The Juvenile Detention Alternatives Initiative	
<ol> <li>OJJDP/Training and Technical Support for State and Local Jurisdictional Teams to Focus on Juvenile Detention and Correctional Crowding</li> </ol>	
B. Swimming Against the Tide	
rowding List them on newsprint. Then show transported of	Record responses on newsprint. Display 1-T-3
1. Reactionary Legislation	
a.) transfers or waivers	
b.) lowering of jurisdictional age	
c.) mandatory sentencing	



CREATI	NG THE JURISDICTIONAL CORE WORK TEAM	NOTES TO TRAINER
2.	Public Perception	
	a.) myths of public perception	
	b.) perception of increase in juvenile crime while crime statistics show decrease	Refer participants to statistics.
	c.) impact of high profile, but isolated incidents	
3.	3 R's: Revenge + Retribution = Re-election	
C. Conseq	uences of Crowding	Display 1-T-4
1.	Impact on Crowding on Conditions	
	a. harm of unnecessary detention	
	b. impact from disproportionate minority confinement	
2.	Litigation	
3.	Cost-benefit ratio	
4.	Demoralization of Staff and Youth	· · · · · · · · · · · · · · · · · · ·
Present the this position practitioner	position of NJDA regarding crowding. Explain that n statement provides a unified vision and standard for s.	Display 1-T-5
D. Vision/	Mission	
"Where the	ere is no vision, the people perish." Book of Proverbs	Display 1-T-6
1. V	Vhere is one going?	
2. A	Systemic Approach	
3. A	"Balanced" Approach	
4. A	Partnership	
Advise parti developing next session	cipants that they will receive more information about the group's vision and mission statement during their	Refer participants to 1-H-6 if they desire further information on mission statement development.
E. Creating Principles	g an Interagency Core Work Group: Fundamental	Display 1-T-7
c n	Collaboration – Point out the distinction between ollaboration and cooperation. Collaboration requires nore buy-in and commitment, and sharing of power, uthority and resources.	



CREAT	ING THE JURISDICTIONAL CORE WORK TEAM	NOTES TO TRAINER
. 2.	Key Stakeholders – Must be representatives with the authority to act.	
3.	Consensus – Level of agreement decided upon at beginning (80% or greater)	
4.	Negotiation – Willingness to give up something for the group's greater purpose.	
5.	Self Assessment – Group members must ask themselves, "Are personal issues getting in the way?"	
6.	Will and Capacity- These are essentials of any effective intervention	
	1. Tools and resources for change	
	2. Leadership with the will to make change	
F. Comp	osition: Policy Level Stakeholders	
the core gr the rationa	Ask participants to list persons who should be a part of coup. Record responses on newsprint. Briefly discuss le for each entry. Compare participants' list with the on the transparency.	Display 1-T-8
Stakehold	ler List:	
1.	Chief Juvenile Court Judge	
2.	Juvenile Court Administration	
3.	Public Defender/Prosecutor	
4.	Law Enforcement	
5. T	Youth-serving agencies ( i.e., education, medical, mental nealth, and child welfare)	
6. 5	State Agency	
	Community Organizations ( i.e., advocacy, parent groups)	
8. ]	Faith Community	
9. (	Community Private Providers	
10.	Citizen Leadership/Private Sector	
	Ask participants to take a few minutes to list their local	



	TING THE JURISDICTIONAL CORE WORK TEAM	NOTES TO TRAINER
assign th the traini	em the task of contacting those missing stakeholders after ng.	
G. Wor	k Group Agenda	Display 1-T-9
meant to only com	aroducing this list, stress to the participants that there is no ect" agenda or order for taking action. The list is not define outcomes or products of the work group. These are sponents of effective interventions. Any agenda should be in by the group independently.	
1.	Understanding the Need for Detention and/or the Impact of Crowding (including the impact of disproportionate minority confinement)	
2.	Developing and/or Analyzing Relevant Juvenile Justice Data	
3.	Analyzing the Jurisdiction's Current Policy/Practice	
4.	Developing a Definition/Purpose of Detention	
- 5.	Developing a Risk Assessment Instrument	<u>.</u>
6.	Developing a Continuum of Detention Services Interventions	
7.	Developing Step Down Strategies	
8.	Developing Monitoring Strategies	
9.	Developing a Strategy for Sustainability of core working group	
H. Chall	enges	
1.	The "Revolving" Door of Leadership – Point out that because of low status and pay of public servants, including the stakeholders' fields, turnover of quality people with leadership skills can be a problem.	Optional: Play Bart Lubow section from Crowding Videoconference.
2.	Political Risk - Championing Youth is NOT a Popular Endeavor. Reach out to the Community. Educate the Community on the impact of crowding and the effectiveness of alternatives.	Additional resource material on the development of jurisdictional core groups and crime statistics is
3.	Avoiding "Cookie Cutter" Approaches	included in the participant handouts.

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**DESTRUCTION** 

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### COLLABORATION AND LEADERSHIP

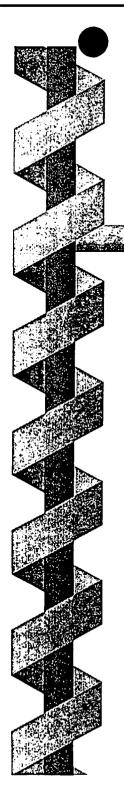
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in juvenile detention reform

by Kathleen Feely

### MELLOF CONTENTS

	Series Preface	4
Chapter 1	Why Are Collaboration and Leadership Essential to Detention Reform?	10
Chapter 2	Guiding Principles for Collaboration	
Chapter 3	Organizing and Sustaining Collaboratives	
	Some Leadership Challenges	
Chapter 5	Lessons Learned	
	Titles in the <i>Pathways</i> Series	



# Greating the Jurisdictional Core Work Group

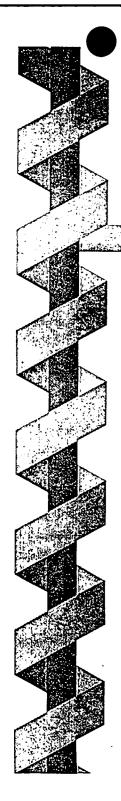
### **Trainer:**

Date:

### Place:

DA

NI



## Historical Background

- The 80's and early 90's "Build and they will come"
- OJDP "Study of Conditions of Confinement"
- AECF Juvenile Detention Initiative
- OJJDP Training & Technical Support



# Swimming Against the Tide

- Reactionary Legislation
- Public Perception
- 3 R's



## **Consequences of Growding**

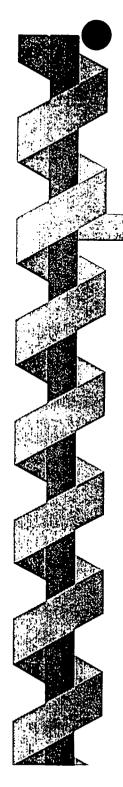
- Impact of Crowding on Conditions
- Litigation
- Cost-Benefit Ratio
- Demoralization of Staff and Youth



The NJDA opposes overcrowding in juvenile detention. Whenever a facility's design or program capacity is exceeded it is inappropriate and harmful to the provision of helpful services to juveniles...

...NJDA supports administrative, legislative and judicial actions to limit the population of juvenile detention facilities to their design and programs and services which balance the needs of at-risk and delinquent juveniles with public safety.



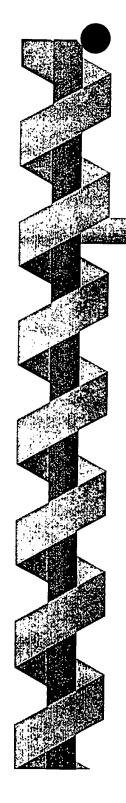




"Where there is no vision, the people perish." Book of Proverbs

- 1. Where is one going?
- 2. A Systemic Approach
- 3. A "Balanced Approach
- 4. A Partnership

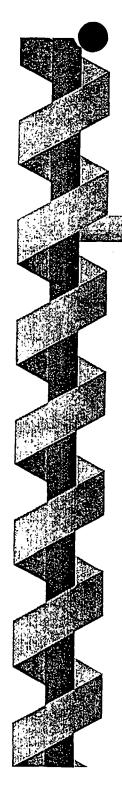




# **Creating an Interagency Group: Fundamental Principles**

- 1. Collaboration
- 2. Key Stakeholders
- 3. Consensus
- 4. Negotiation
- 5. Self Assessment
- 6. Will and Capacity





# Composition: Policy Level Stakeholders

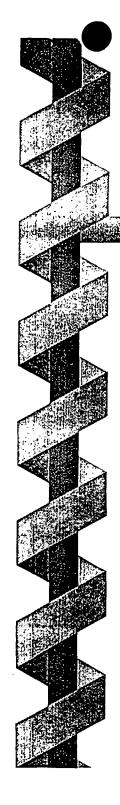
- Chief Juvenile Court Judge
- Juvenile Court Administration
- Public Defender/Prosecutor
- Law Enforcement
- Youth-serving agencies ( i.e., education, medical, mental health, and child welfare)
- State Agency
- Community Organizations ( i.e., advocacy, parent groups)
- Faith Community
- Community Private Providers
- Citizen Leadership/Private Sector



## Work Group Agenda

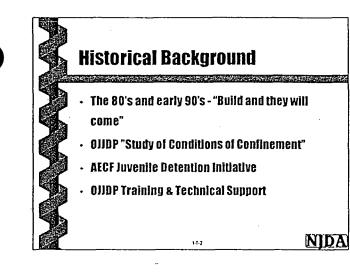
- Understanding the Need for Detention and/or the Impact of Crowding (overcrowding), including the impact of disproportionate minority confinement
- Developing and/or Analyzing Relevant Juvenile Justice Data
- Analyzing the Jurisdiction's Current Policy/Practice
- Developing a Definition/Purpose of Detention
- Developing a Risk Assessment Instrument
- Developing a Continuum of Detention Services Interventions
- Developing Step Down Strategies
- Developing a Strategy for Sustainability of core working group
- Developing Monitoring Strategies





## **Challenges**

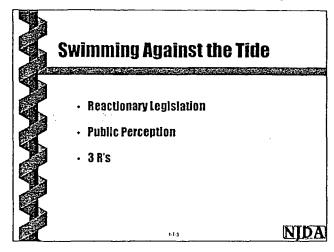
- The "Revolving Door" of Leadership
- Political Risk
- Avoiding Cookie Cutter Approaches



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Creating the Jurisdictional Core Work Group



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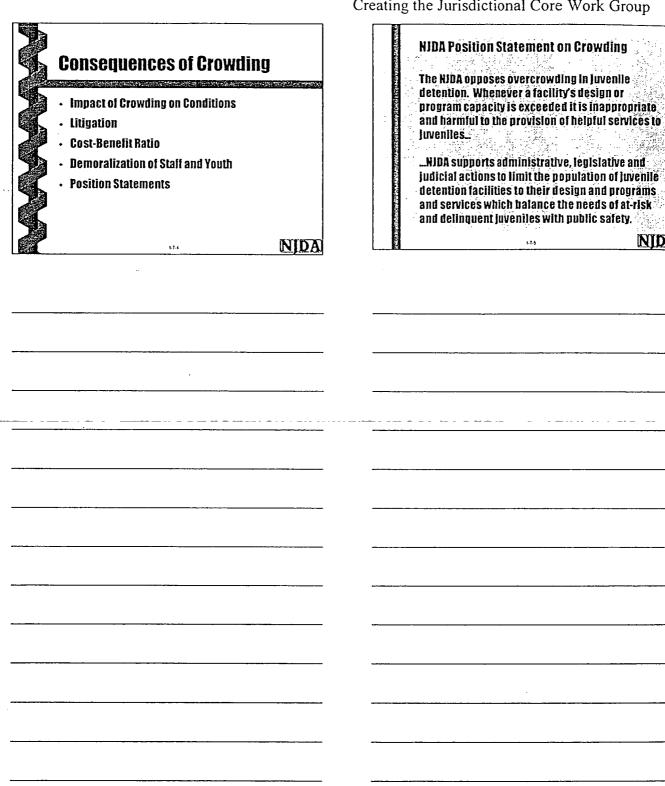
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Creating the Jurisdictional Core Work Group

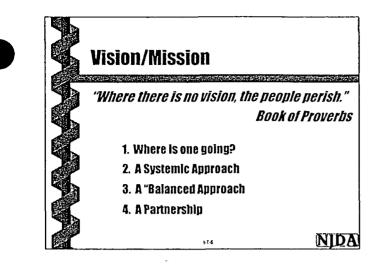
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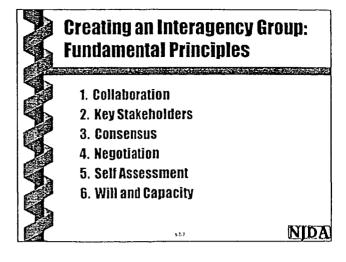




NIDA



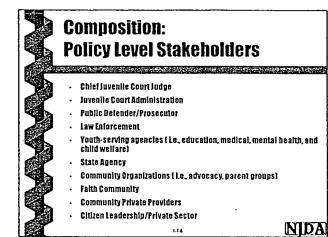
Creating the Jurisdictional Core Work Group



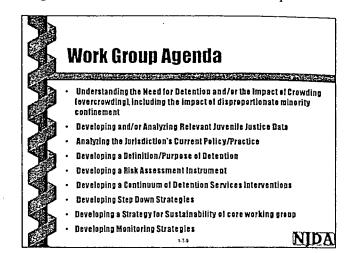
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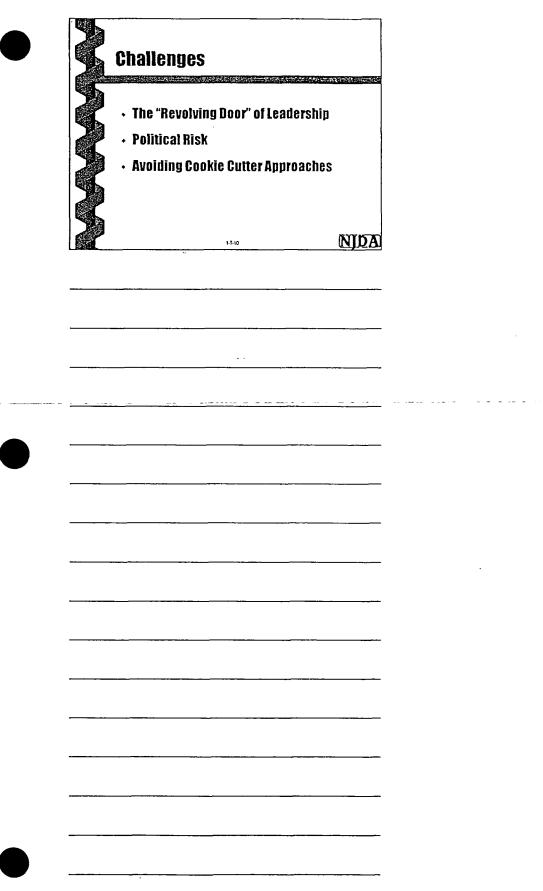


Creating the Jurisdictional Core Work Group



1-H-4







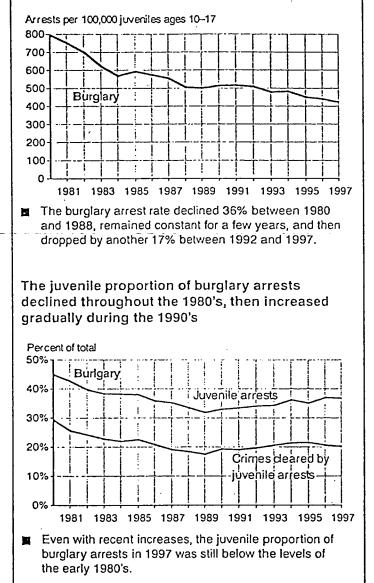
### COMPOSITION OF JURISDICTIONAL CORE WORK GROUP

Position/Agency	Individual(s) with decision-making capability
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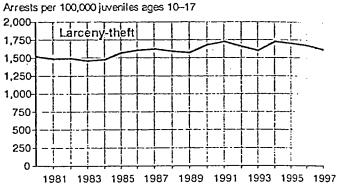


### As with violent offenses, juvenile arrest trends differed across property offense categories

#### The juvenile arrest rate for burglary declined consistently between 1980 and 1997; the 1997 rate was about half the 1980 rate

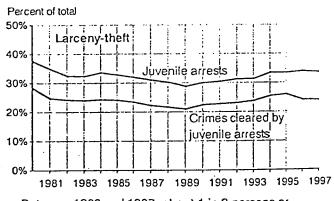


### Compared with other offense categories, the juvenile arrest rate for larceny-theft remained constant through the 1980's and 1990's



Larceny-theft offenses, which include shoplifting and thefts of bicycles and automotive accessories, are defined as the stealing of property without the use of force, violence, or fraud.

#### The juvenile proportion of arrests for larcenytheft in 1997 was comparable to the levels of the early 1980's



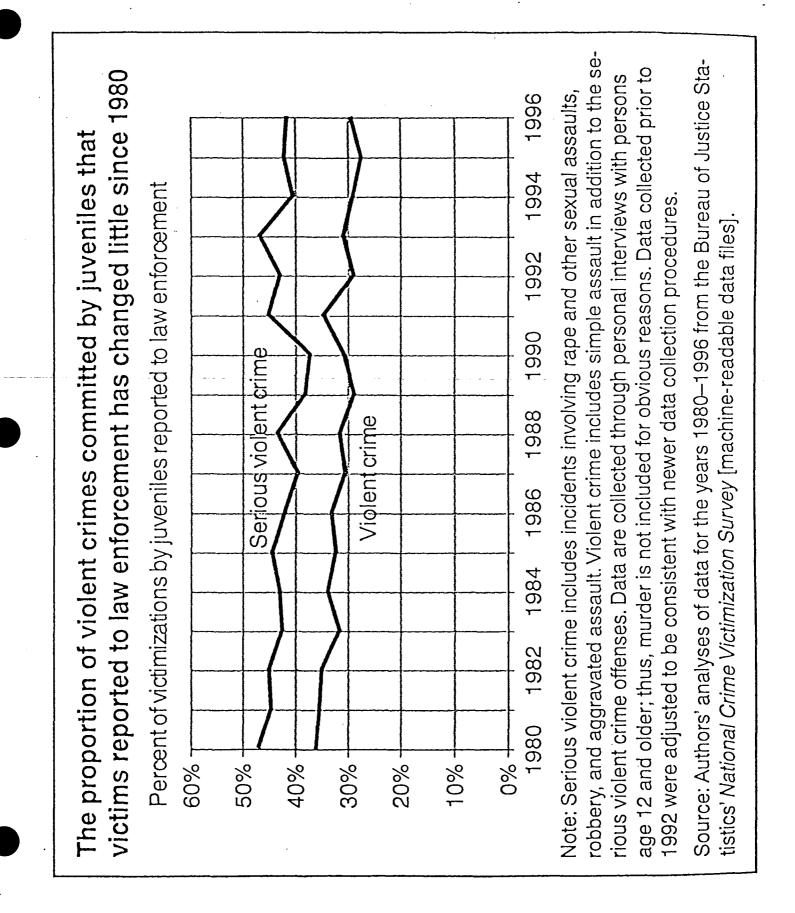
Between 1980 and 1997, about 1 in 3 persons arrested for larceny-theft was under age 18, and about 1 in 4 larceny-thefts cleared was cleared by the arrest of a juvenile.

#### Note: Arson clearance data were first reported in 1981.

Source: Authors' analysis of arrest data from unpublished FBI reports for 1980 through 1994 and the FBI's *Crime in the United States* reports for 1995, 1996, and 1997 and population data from the Bureau of the Census for 1980 through 1989 from *Current Population Reports*, P25–1095, and for 1990 through 1997 from *Estimates of the population of States by age, sex, race, and Hispanic origin: 1990–1997* [machine-readable data files]. Juvenile clearance proportions were adapted from the FBI's *Crime in the United States* series for the years 1980 through 1997.

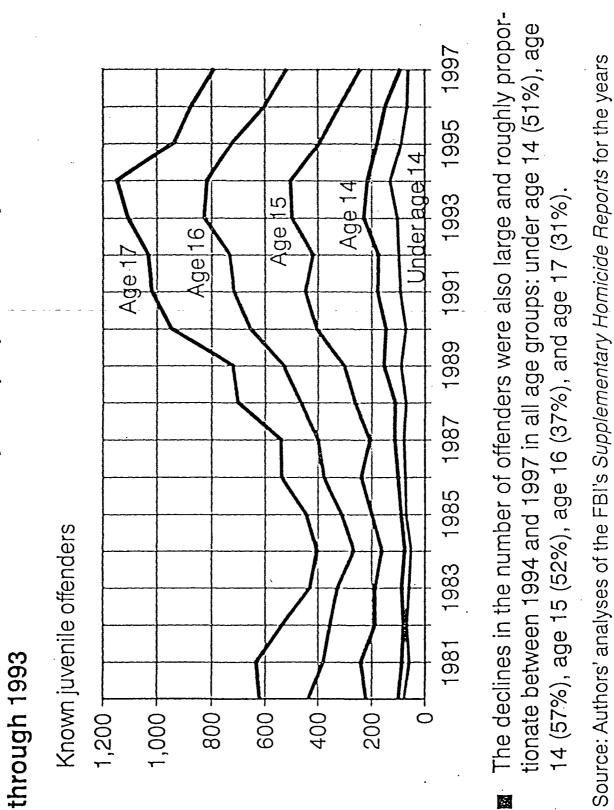


### Juvenile Offenders and Victims: 1999 National Report



NJDA

The number of murder offenders in each age group between 14 and 17 increased substantially and proportionately from 1984



1980–1997 [machine-readable data files].

### A Reasonable Alternative to Locking More Kids Up: The Development of Jurisdictional Core Groups

Paul DeMuro and Earl L. Dunlap

#### Abstract

The problems caused by our nation's persistent reliance on lock-up for troubled youths, especially problems caused by the chronic crowding of secure detention, require a detailed strategy designed to relieve crowding in these detention centers. The mission, membership, and working agenda of a jurisdictional core group are outlined, and alternative programs are described. Faced with chronic crowding, a jurisdiction can choose to ignore the problem of exposing youth, staff, and the jurisdiction itself to extensive personal and financial liabilities; a jurisdiction can "build itself out of the problem," at great expense with little assurance that the additional secure beds will resolve systemic issues; or it can address underlying causes of overcrowding by implementing a core group strategy.

### **INTRODUCTION**

"If official behavior and public policies are reliable guides to our collective attitudes, Americans do not like other people's children, especially the children of the poor. We begrudge them support at a standard of living above mere survival. We educate them in generally old and dilapidated schools, and we prefer that poor children be kept separate from those who are born to more affluent families. The truth is that we are afraid of poor children, particularly those of other races. Like children of all classes, these children from time to time confirm our fears and our dislike of them by committing atrocious and frightening crimes." (When the state is the teacher, John Conrad)

#### Reliance on Lock-ups

One is tempted to add to Conrad's somewhat dated but still very relevant observation the following: as we approach the end of the 20th century, our nation is content to lock-up other people's children in record numbers — particularly poor and minority children.

of all classes, these children from time to time No one would dispute the fact that every confirm our fears and our dislike of them by jurisdiction needs to have a sufficient number

Paul DeMuro presently serves as a federal court Monitor for a child welfare and juvenile justice decree in Oklahoma. Mr. DeMuro holds a Bachelor's and Master's Degree from Villanova. He is also a consultant to NJDA's overcrowding project. Mr. DeMuro is an expert on conditions of confinement in secure facilities. He is the author of the book, "Reforming the CYA." In the late 1970's, he served as Commissioner of Children and Youth in Pennsylvania. Paul DeMuro, 82 Essex Avenue, Montclair NJ 07042, 973/746-9525, email: PDeMuro@aol.com

Earl Dunlap is the Executive Director of the National Juvenile Detention Association. Mr. Dunlap served as the Director of the Jefferson County (Kentucky) Youth Placement Services from 1980 to 1991. He was appointed by President Bush to serve on the United States Advisory Board on Child Abuse and Neglect from 1989 to 1992. Mr. Dunlap has served – or currently serves – on several national juvenile justice advisory committees for OJJDP. He also serves as a consultant on many "jail removal" projects for Community Research Associates under an OJJDP grant. Earl Dunlap, Executive Director, NJDA, Eastern Kentucky University, NJDA Executive Office, 301 Perkins Building, Richmond, KY 40475-3127, 606/622-6259, fax: 606/622-2333, email: njdaed2@aol.com

of secure beds to detain alleged serious and violent juvenile offenders. But the fact of the matter is that in most jurisdictions, we are locking up too many of our youths particularly poor and minority youths — in secure detention and correctional facilities.

Media attention to notorious juvenile crimes has helped fuel the public's perception that there is a run-away juvenile crime problem. As is often the case, the facts do not support the widespread public perception.

In a recent report ("Juvenile Arrests in 1996") the following was noted:

- Less than one-half of 1% of all persons age 10 through 17 were arrested for a Violent Crime Index offense (murder and nonnegligent manslaughter, forcible rape, robbery and aggravated assault).
- The juvenile violent crime arrest rate declined 12% from 1994-1996.
- The 1996 juvenile murder arrest rate was the lowest in the decade.
- The 1995 juvenile arrest rate for forcible rape hit a 10-year low and the 1996 rate was slightly above that of 1995.
- The 1996 juvenile arrest rate for property crimes was the lowest in a decade.

Despite these facts, many elected officials continue to push for and pass "get tough" legislation which is grounded in a punitive "lock them all up" mind set. Researchers at the National Center for Juvenile Justice who conducted a study of state laws enacted from 1992 through 1995 (Sickmund, Snyder and Poe-Yamagata) found a "pervasive trend to crack down on juvenile crime". During this period, no less than 47 States and the District of Columbia enacted laws that toughened the sanctions in the juvenile justice system and at the same time made more youths liable for lock-up in the adult system.

Reactionary legislation, with its eye firmly focused on brick and mortar as the solution, does not come without consequences consequences to those youths locked-up and to the public who will be required to pay for the considerable costs of building additional secure beds, during and long after the present building/expansion boom has come and gone. Although there will be some regional variation, the approximate total costs of building and maintaining *one* secure juvenile detention or corrections bed is \$1,250,000 to \$1,500,000 over a twenty year period of time, assuming that the facility is operated within the guidelines of nationally recognized minimum standards.

Despite these costs, in the recent past, the public has been willing to underwrite the costs of expanding secure care beds. Since 1985, the juvenile justice system has undergone a considerable expansion. Between 1985-1995, 75 new secure detention facilities were opened. Between 1983 and 1995 there was a 43% increase in the number of youths held in public facilities; currently almost 600,000 children and youths are admitted to secure detention (A Progress Report: The Juvenile Detention Alternatives Initiative, The Annie E. Casey Foundation, December, 1997). In addition, most states have dramatically increased their training school/secure bed capacity as well as the number of youths they handle in the adult system.

Beyond these additions to public institutional beds, the private for-profit sector is now cashing in on the perceived need to lock juvenile offenders up. The for-profit sector has demonstrated its almost unquenchable appetite (as long as there is a profit) to build and run a variety of secure beds for delinquent youths — from boot camps to large secure complexes. There seems to be few limits on our willingness to build locked cells for our children and youths.

### Persistent Overcrowding in Secure Detention

Despite this considerable expansion in the number of secure care beds, (and paradoxically, perhaps because of this recent expansion). juvenile detention centers in many jurisdictions continue to be plagued by chronic overcrowding. The current "get tough" attitude with its emphasis on adult sanctions and determinate sentencing has put a particular strain on facilities built and funded as short term, pre-trail, detention centers. The reliance on secure detention beds - the most costly and restrictive form of pre-trial detention --- is alarming when one considers that less than 30% of the nation's secure detention beds are occupied by youths charged with violent crimes.

Overcrowding continues to plague secure detention centers. In small, medium, and large cities, the scene is all too familiar, juvenile justice detention centers are woefully overcrowded. Today, almost six out of ten youths admitted to secure detention centers are admitted to facilities which are routinely overcrowded.

The American Correctional Association's standards for juvenile facilities require oneyouth sleeping rooms to have 70 square feet of floor space; sleeping rooms housing three or more youths should have 50 square feet per juvenile. The ACA standards also require that living units not exceed 25 juveniles (Parent et al., 1994). In recent years, 74% of all juveniles in our nation's detention centers were being held in facilities that were crowded according to at least one of these measures. By 1995, over 50% of the nation's juvenile detention centers held more residents than they were constructed to hold — in 1983 this figure was just 9%. Parent, in his study of conditions of confinement, found severe and systemic problems in overcrowded facilities including overcrowded living space, improper security, insufficient mental health services (particularly regarding suicidal youths) and inadequate health services.

Contrary to public perception, most youths confined in our nation's secure juvenile detention centers are not charged with violent or serious charges. Most youths in secure detention are held on property, drug and less serious offenses; many status offenders and youths held on technical violations of probation are also confined in secure juvenile detention facilities.

And as is the case in most of our nation's juvenile correctional institutions, children of color are disproportionately confined in our secure juvenile detention institutions. By 1991 minorities made up almost 66% of all youth confined in juvenile facilities (Parent et al., 1994). A 1994 National Council on Crime and Delinquency study confirmed the fact that in several of our nation's largest counties "minority youth, particularly African Americans, were almost twice as likely to be held in secure pretrial confinement than white youth. In addition higher minority youth detention rates were observed even when controlling for such factors as gender, arrest, charge, home living situation and prior offense history. Once securely detained, minorities are confined for longer periods of time than whites" (Jones & Krisberg, 1994).

Juvenile detention centers are ill-equipped to handle the problems associated with crowding. Overcrowding in secure detention centers increases the potential for staff and youth injuries, and makes it more difficult for staff to attend to the needs of suicidal youths and other youths with mental health and other special needs. Overcrowded facilities have a higher incidence of disciplinary infractions, escape attempts and violence. Residents of overcrowded facilities are more likely to exhibit anger toward staff and other detainees.

The National Juvenile Detention Association in its June 1995 Position Statement on overcrowding identified these harmful effects of overcrowding in juvenile facilities:

- Overcrowding increases the danger to youth; increases the risk of suicides, physical assaults and accidental injuries.
- Overcrowding increases the danger of injuries to staff related to physical assaults by residents.
- Overcrowding severely undercuts the value of decent programming and in some instances it may cause essential programs and services to be eliminated entirely.
- Overcrowding causes a pervasive deterioration of the general conditions of confinement and increases the risk of litigation.

Overcrowded facilities are costly to run: maintenance and facility costs, overtime costs, worker's compensation costs, all tend to increase in overcrowded institutions. Moreover, jurisdictions that have chronic problems with overcrowding face the additional costs associated with protracted civil rights litigation. During the past two decades there have been twenty-seven major lawsuits concerning overcrowding in juvenile detention centers.

In overcrowded detention centers youths

are frequently delayed access to, if not excluded from, educational, vocational and counseling services. In jurisdictions that suffer chronic overcrowding, youths are often released from secure detention without having received meaningful interventions aimed at addressing their problems and correcting their behaviors.

Ultimately overcrowding has a negative impact on public safety. When the sheer numbers of youths overwhelm institutional staff, facilities stretch just to provide custodial supervision and the most basic necessities of life. When youths sleep on mats on the floor, two or three (or more) in a room designed for one youth or in crowded dormitories, quality programming is difficult, if not impossible, to deliver. In jurisdictions that suffer chronic overcrowding, youths are often released from secure detention without having received meaningful interventions aimed at addressing their problems and correcting their behaviors. Such practices serve neither the interests of the individual youth nor the interest of the public in improved public safety outcomes.

If we are to lessen our collective dependency on incarceration, local and state juvenile justice leadership must be willing to reassess and to change long standing and failing policy.

In jurisdictions throughout the country, one often finds that the typical situation is the *absence* of a meaningful, comprehensive strategy designed to address the problems associated with overcrowding. It is the lack of a collective and comprehensive strategy that ultimately leads to a dependency on incarceration.

Clearly, there is no one simple solution to the development of a comprehensive and meaningful juvenile justice strategy that can successfully impact on the unnecessary use of secure juvenile facilities. A troubled and 2. overcrowded system is brought about by a constellation of factors, often seemingly unrelated to each other. There is no one-sizefits-all solution to the problems associated with overcrowding of secure detention centers and 3. over-use of lock-down for juvenile justice youths.

In order to relieve overcrowding and to shift the focus from a place (building— the secure detention center) to a process (system) that balances the goals of "helping" youths with the need for public safety, jurisdictions experiencing chronic overcrowding should give serious consideration to the following strategy.<sup>1</sup>

### A STRATEGY TO REDUCE RELIANCE ON SECURE DETENTION BEDS

### The Development of Jurisdictional Teams/ Juvenile Justice Core Group

Effective and meaningful juvenile justice policy can be shaped through a collective and collaborative effort. A community needs first to establish a core work group comprised of juvenile justice and community leaders who have a stake in the juvenile justice system. Members of this core group should be high ranking officials who have policy making authority and key operational staff who are responsible for implementing juvenile justice policies. Responsible community organizations (particular those representing minority neighborhoods, youths and families) and local juvenile justice advocacy groups should also be included.

At a minimum, membership in the core work group should include:

1. The juvenile court — preferably the presiding judge of the juvenile court.

- The executive branch of local government who has budget responsibility for detention — most often the County's Executive' Office.
- 3. Representatives from the police departments who arrest the majority of youths detained in the center.
- 4. The public defender and the prosecutor's office the respective officials who are responsible for handling cases in juvenile court.
- 5. The Director of Juvenile Probation generally juvenile probation has responsibility for the critical initial detention "intake" decision.
- 6. The Executive Director (Superintendent) of the secure detention center.
- 7. Representatives from the major, public and private youth-serving agencies (Education, Mental Health, Child Welfare).
- 8. Representatives from the agency (usually the state agency responsible for state juvenile justice policy and operations) which is responsible for providing placement options for adjudicated youths who are committed to the custody of the state.
- 9. Community organizations particularly minority organizations — local business leaders and responsible local juvenile justice advocates.

Efforts to put such a core group together will be viewed by some as impractical; however, many, if not all, of the participants communicate with each other almost daily regarding individual cases. They need, collectively, to begin discussions aimed at identifying and resolving local systemic problems. It is often the lack of a planned and formal response to the system's problems that contributes to a fragmented and failing juvenile policy and an over-reliance on secure confinement.

Although individual members of the core group might very well have competing or conflicting interests in individual cases (i.e. the juvenile prosecutor and the public defender), they need to share one common goal: a desire to ensure that their jurisdiction operates an effective and efficient juvenile justice system and a safe and decent secure detention center, a center that is not continually overcrowded. In essence the core working group will:

- Offer a forum for the open exchange of ideas and perspectives.
- Encourage cooperation and coordination among the various agencies which comprise the jurisdiction's juvenile justice system.
- Identify problems that contribute to overcrowding and develop both short and longer term solutions to these problems.
- Oversee the actions taken to resolve the dependency on incarceration.
- Incorporate specific corrective action plans into community juvenile justice policy.
- Assess and take appropriate steps to abandon ineffective and/or counterproductive strategies.
- Become the community's collective "conscience" that deters a single "political" agenda from driving juvenile justice policy.

### Establishing The Core Group's Mission

### ("Where there is no vision, the people perish." Book of Proverbs)

It has often been said that, "if one does not know where he is going it is not likely that he will get there." In order to meet the challenges of developing and implementing an effective juvenile justice strategy that balances the needs of youths with the need for public safety, the core group must first reach consensus on a mission statement. At a minimum the mission for the core group must place a value on public safety and on the individual needs of children, families and community. Furthermore, the mission statement should emphasize the working partnership and decision making process established within the core group.

In its mission statement, the core group needs to accept the following principles:

- That systemic overcrowding of secure detention presents a number of critical problems to the jurisdiction and to individual youth and staff; that the system should not routinely operate an overcrowded facility.
- That secure detention beds should be reserved for those juvenile offenders who represent the greatest threat to public safety.
- That court-ordered detention is in reality a condition of court imposed pre-trial supervision; it need not always take place in a secure facility. In effect, provided that the protection of the public is provided for, detention supervision can take place in a variety of locations with varying degrees of supervision.

Developing a core group with a unifying mission minimizes the potential for isolated

incidents of violent juvenile crime to drive politically expedient policies of wholesale expansion of secure beds and allows for a jurisdiction's informed leadership collectively to shape effective and responsible public policy.

### The Core Group's Agenda

### 1. Analyzing Relevant Juvenile Justice Data

If a jurisdiction is going to understand and resolve issues associated with overcrowding, the core group needs to collect and analyze a variety of juvenile justice data. In most jurisdictions the following type of information either will already exist or will be relatively easy to collect:

- 1. Annual number & type of juvenile arrests (age, sex, offense, police jurisdiction, etc.).
- 2. Annual number of referrals to juvenile court.
- 3. Annual/monthly number of petitions filed in juvenile court.
- 4. Annual/monthly admissions into secure detention.
- 5. An analysis of monthly population levels in secure detention.

A detailed analysis of this data should yield an accurate picture of the number and type of youths initially admitted to secure detention; however, since population levels in secure detention are a function of two variables: the number of youths admitted to juvenile detention and the lengths of stay of youths in detention, a more detailed analysis needs to be conducted of the characteristics of individual cases and the patterns of their "case-flow" through the system. One way to get a more comprehensive understanding of the detention population and its "flow" through the system is to perform a retrospective, case-specific analysis of the detention population for a defined period of time — e.g. a 12 to 24 month recent period. To perform such an analysis, a jurisdiction needs to collect and analyze case specific data regarding juvenile detention admissions and discharges for the 12-24 month period. The following case specific information should be collected for youths admitted into secure detention for the period:

- 1. Demographics (age, sex, race).
- Arrest/referring charge including all reasons for a youth's admission to secure detention: e.g. probation-violation, short term sentences, court or "courtesy" holds, etc.
- 3. Location and time of arrest & admission.
- 4. Prior offense & placement history.
- 5. If risk assessment is used, risk score.
- 6. Length of stay in detention time to disposition if case is taken to disposition and time to release — particular attention should be paid to different categories of admissions: e.g. How many youths are admitted for violations of probation and how long do they stay? How long do property offenders stay? Violent offenders? Youths waiting for adult court?
- Location of discharge placement e.g. home, relative's home, group home, institution, etc.

Once this information is collected, a number of questions can begin to be raised and answered. The answers to these questions will become the basis for shaping the policy that will drive the core group's decisions. Some of the questions that should be addressed are:

### Questions Re: Youths Admitted to Secure Detention

- 1. What percentage of youths admitted to secure detention are discharged within a few hours? Within the first three to five days of admission?
- 2. What percentage of youths admitted to secure detention could be diverted with the availability of a legitimate twenty-four (24) hour intake system?
- 3. What percentage of youths in secure detention are returned to their own home or that of a relative or responsible party at any point in the judicial process?
- 4. What percentage of youths are admitted to secure detention on bench warrants that could be diverted to legitimate alternative options?
- 5. What percentage of youths are admitted to secure detention for non-serious probation violations that could be diverted to alternatives?
- 6. What percentage of youths admitted to secure detention for short term sentences; could any of these youths be diverted to alternatives?
- 7. What percentage of youths admitted to secure detention are held for indeterminate periods of time awaiting placement in private placements after their dispositional hearing? How long do these youths stay in secure detention after their dispositional hearing?

8. What percentage of youths admitted to secure detention are awaiting the judicial transfer process to the adult criminal justice system? How long do these youths stay in secure detention?

### **Court Processing Questions**

Other equally important systemic questions that require examination are:

- 1. How effectively is the jurisdiction adhering to state/national standards for speedy hearings?
- 2. How often are prosecutors and defense attorneys seeking continuances?
- 3. To what extent is the judicial system being manipulated (prevalence of plea bargaining) to continue a youth in a secure detention setting as a post dispositional option?

Regarding length of stay, most jurisdictions will discover that their secure population falls into three distinct categories: Short-term stays (8 hrs.- 5 days); medium length stays (5-30 days) and longer term stays (30-120 days). Once understood, this information can help form the basic approach to specific problem solving activities: if most of the shorter term youths are low risk and are returned to their home or relative's home, the jurisdiction might question the need to admit these youths. Could this population (or a high percentage of it) be diverted at intake? What type of program or process would be needed to accomplish this goal? Where might an alternative program be best located? etc. Could probation violators (or warrant cases) be diverted or handled in a shorter time frame?

The data will also help determine to what extent a facility is serving a multi-purpose use:

How many youths are held as probation violators? As courtesy holds? As placement failures? As low risk runaways? As short term sentences? How long do such youths stay in secure detention? And to where are they discharged? The answer to these questions should suggest programmatic and system solutions designed to help relieve overcrowding. (For example, developing a range of sanctions for technical violators of probation which does not exclusively depend on secure detention. Or diverting low risk runaways to existing shelter care.)

On the other end of the length of stay spectrum, a jurisdiction might discover that many longer term youths are actually postdispositional youths, waiting for a placement to a non-secure placement facility or to a longer term state secure program. If this is the case, the core group will need to include the state placement officials in their planning process. Similarly, if youths facing adult court hearings are helping to drive up the detention population, then the core group will need to develop strategies to address this issue.

The case specific information can also be used to identify any potential gender or race specific disparities: How do the admissions rates and length of stay for girls and/or for youths of color compare to white males with similar offense profiles?

And finally, the case information should give the core group a fairly clear idea of where and for whom alternative detention programs ought to be developed.

### 2. Developing Consensus Regarding the Purposes of Secure Detention

There is a long history of confusion regarding the purposes associated with the use of juvenile detention. The 1947 National

Conference on Prevention and Control of Juvenile Delinquency recommended four distinct solutions to this confusion: 1) detention must have a clear definition; 2) there should be controls on intake in the form of guidelines or criteria; 3) there should be cooperation between children's agencies to divert youth who do not require secure detention into alternative programs; and, 4) there should be a well-organized network for transferring youths to the appropriate placements. Despite the significance of these recommendations, set forth over a half century ago, and their reiteration time and time again, many communities have failed to clearly define the purposes of secure detention.

If there is lack of agreement regarding the purposes of secure detention, a jurisdiction will continue to rely on the secure juvenile detention facility as the primary solution to the local juvenile crime problem. From an oversimplified and erroneous point of view, when overcrowding occurs, the easy and often only response is to simply add more beds.

The core group needs to develop agreement regarding a working definition of what type of youths ought to be eligible for secure detention. Since the core group is comprised of diverse members of the juvenile justice community (e.g. police and the defense bar), in all likelihood, the group will not necessarily begin with a strong consensus definition.

Defining "detention" may seem like a simple task; however, it is quite possible that the basic problem that causes detention overcrowding in many jurisdictions is a misunderstanding by staff and key decision makers regarding the role of secure detention in the juvenile justice system. Often staff within the same agency, even within the same detention facility, have a different view of the role of secure detention. In order for a jurisdiction to begin developing a plan designed to relieve overcrowding, the core group needs to define what type of youths are in need of pre-disposition secure detention services. Jurisdictions who desire to use secure detention for multi-purposes (e.g. as sentencing options, to hold post-dispositional, committed youths for placement in non-secure programs, to sanction technical violations of probation, etc.) will have a much more difficult time relieving overcrowding.

Placement into secure detention should include only youths who present a high risk of non-appearance (e.g. risk of flight — run risk) or a high risk of danger to the public. Youths should not be eligible for secure detention on low level offenses or because there is no available parent or guardian.

Intake into secure detention should be a two step process consisting of the application of explicit detention criteria (which should divert cases that are clearly not eligible for secure detention) and the use of an objective, raceneutral, risk assessment instrument that places youths in an appropriate restrictive level based on the youth's potential danger to the community.

Many jurisdictions do not use explicit detention criteria; police can and do bring a wide range of troubled and troublesome youths to the intake desks of the local secure detention centers. By having explicit detention criteria, law enforcement, the court, probation staff and others will know before hand what youths are eligible for detention. Explicit detention criteria will help make it clear to law enforcement and to the general community what groups of youth are (and are not) eligible for detention.

### 3. Developing a Risk Assessment Instrument

After reaching agreement on the purposes of secure detention, the core group may decide to develop a risk assessment instrument. Risk assessment instruments help to identify those juveniles who, on the basis of the admission criteria, may be eligible for detention but do not necessarily need to be held in secure detention. An effective risk assessment instrument can identify which youths are eligible for alternative, less restrictive, detention supervision. The effective application of a risk assessment instrument will separate those youths who may be eligible for detention into three levels of risk: high, medium and low.

Detention risk screening instruments attempt to objectify the system's decision making process regarding two specific issues: the likelihood that a youth will abscond and the youth's relative risk to public safety. Risk assessment instruments record and objectively score current and prior offense history, the frequency of past offenses and the history of failure to appear for hearings, runaways, and escapes. Other variables may also be noted (e.g., age of first court involvement, placement and/or probation history). Most instruments also allow for "over-rides" --- cases in which, for case-specific reasons, the intake screener can override the instrument by admitting low risk youths into secure detention. Jurisdictions should be wary of incorporating too many automatic overrides into their process; for example, allowing every technical violation of

probation to be automatically screened into secure detention Overrides, either those that aggravate or mitigate (admit low risk youths to secure detention or release high risk youths to alternative levels of supervision) should be individually documented and justified by the screener with case specific information.

Each jurisdiction needs to develop a risk assessment instrument which matches the needs and practices of its jurisdiction. The core group can begin the development of the risk assessment instrument by starting with an example of an instrument used in another jurisdiction and modifying it so that it is applicable to its own jurisdiction. Then the core group can develop a variety of scoring scenario's for the instrument (to determine how to construct the point scale) and decide the appropriate cut-off points for low, medium and high risk youths. In order to revise the instrument appropriately, it should be field tested by applying it, either retrospectively or prospectively i.e., for youths admitted to detention for the prior six months or to new intakes for a two-three month period. Detention and court staff should be made aware that the draft instrument will be field tested and revised before it is incorporated into practice.

Care should be taken to ensure that the instrument does not inadvertently promote racial disparity. For example, gang membership (or showing gang colors, if included as criteria in a risk assessment) could disproportionately affect minority youths. Similarly, if minority youths and communities do not have equal access to diversion programs, the delinquency records of minority youths may appear more serious than other youths.

Once field tested, the core group should attempt to determine what the secure detention population would look like if the detention criteria and the draft risk assessment were actually in place. The following types of questions should be posed and answered: If the risk assessment instrument were incorporated into actual practice, how many youths would be completely diverted from detention? How many youths would be eligible for non-secure detention services, if the risk assessment instrument were in place? How many youths would remain in secure detention?

Before attempting to put the risk assessment instrument into actual practice, the core group also needs to decide a number of operational questions: Will probation or detention staff administer the instrument? When in the arrest/detention process will the instrument be applied? Who (what agent this is generally the most troublesome of issues) will make the decision to place youths in alternative forms of detention supervision? How, when and by whom will this decision be reviewed?

Before implementing the risk assessment instrument, the appropriate detention center staff, court staff, police officers, state attorneys and other stake holders must be informed of the new process. And finally, workers who will use the instrument need to receive appropriate training regarding the application of the risk assessment instrument.

The adoption of an effective risk assessment instrument should help ensure that cases that have a demonstrable record of failure to appear for court hearings and cases which present a clear risk to public safety (alleged violent and serious offenders) are admitted to secure detention while at the same time ensuring that low risk and appropriate medium risk offenders are diverted from secure detention. Incorporating a detention risk assessment instrument into the detention screening process helps ensure:

- Improved structure and consistency in the detention assessment and decision making process.
- A more effective use of limited secure care beds by placing youths in the appropriate level of supervision based on an objective assessment.
- The placement of appropriate youths in alternative forms of detention supervision.

The implementation of valid risk assessment instruments can help alleviate overcrowding in secure detention by facilitating the placement of low and appropriate medium risk cases into non-secure detention alternatives.

4. Developing a Continuum of Detention Interventions

"If a hammer is the only tool in your tool box, soon all your problems will start to look like nails." Gordon Allport

Once the core group has analyzed the jurisdiction's relevant juvenile justice data, it will be in a position to begin planning and developing an effective detention continuum. An effective detention continuum consists of a range of alternative interventions with varying degrees of supervision. The secure facility represents only one element within the continuum — the most secure and most expensive element.

Typically, a detention continuum will include alternative programs that provide supervision to the youth in his own home or in the community; in a day/evening reporting center or in a staff secure shelter (group care) and the secure facility itself. Placement in the continuum should be based upon an individualized assessment of each youth's potential risk to the community. A youth's level of supervision may be increased or decreased based on behavior and potential risk to the community.

Before discussing actual model detention alternative programs, it is necessary to discuss two critical problems that in many jurisdictions have undercut the effectiveness of detention alternatives originally developed as a solution to overcrowding. One, the core group needs to ensure that any detention alternative created in the jurisdiction is in reality used as an alternative to secure detention. Often jurisdictions have ostensibly developed programs as alternatives to secure detention; but once implemented, some jurisdictions have actually used the programs for youths who would not have been held in secure detention. Therefore, although the capacity of the detention system is increased, secure detention populations are not decreased proportionately - the so-called "widening of the net" phenomena. An alternative detention program will only be effective in reducing overcrowding if it is used to divert youths from secure detention. Thus, the relevance of the prior discussion concerning the need to perform a case-specific analysis of a jurisdiction's detention population.

Two, just as length of stay in secure detention needs to be constantly monitored, so, too, does length of stay in a jurisdiction's alternative detention program. These alternative programs are alternative forms of detention; they are not dispositional alternatives. Some judges and probation staff do not make this distinction. Thus, in developing a range of detention interventions, the core group needs to emphasize that alternative detention interventions are designed to provide time-limited alternative forms of detention supervision (surveillance) and not longer term treatment. The core group needs to ensure that the alternative detention

intervention, or set of interventions it develops, is operated and managed so that youth stay in the alternative detention intervention for a clearly defined period of time (30-45 days). Longer lengths of stay will mean that the alternative detention intervention will quickly reach capacity (i.e., back-up and develop a "waiting list") and, therefore, undercut the effectiveness of the alternative programs as a way to reduce overcrowding in the jurisdiction's secure detention center.

There are many innovative, non-secure detention programs operating throughout the United States. The most common and highly successful are community supervision/home detention programs, day reporting programs, electronic monitoring and shelter care programs. These programs have been proven to be cost effective alternatives to secure detention. In-home/non-residential detention alternatives can range from \$10-\$20 per day per youth and can be enhanced with an electronic monitoring component. Day/ evening reporting centers will range from \$32-40/day per youth; and, depending on the local job market, staff secure group care will average between \$90-110 per diem. All of these costs are far less than the per diem costs of a secure detention bed.

Home Detention Programs have proven to be a cost-effective and cost-efficient detention intervention. Their remarkable success rates (in model programs, 90% to 95% of youth make their court hearing while remaining arrest-free) and low cost have made these programs popular throughout America. Started in the late 1970's, home detention programs have grown rapidly and have been used successfully in both rural and urban environments. Home detention programs can be run directly by public employees or through a contract with a private agency.

Caseloads for home detention programs must be kept low to ensure effective supervision. The success of home detention may lie in the straight forwardness of the program. Home detention provides frequent face-to-face, random, unannounced, community supervision (and telephone contacts with youth) to ensure that a youth is appropriately supervised while living at home. Home detention programs also ensure that youths make their court appearances. Failure to comply with the rules and conditions of home detention can result in the youth being returned to the secure detention center.

Home detention should be designed so that staff may increase (or decrease) the intensity of supervision and face-to-face contact time based upon a youth's behavior. When a youth violates a condition of home detention, he should not automatically be returned to secure detention, rather staff should first consider increasing the level of supervision that the youth receives.

Day/evening reporting centers are nonresidential, facility-based, detention programs, designed to provide face-to-face and evening supervision to youths who require more intensive supervision than home detention. Typically, day reporting centers are opened from 8:00 a.m. to 8:00 p.m., Monday through Saturday, providing educational, recreational, "life skills" and tutoring programs. Some centers provide only after school and evening supervision.

The principle objectives of a day reporting center are similar to the objectives of home detention. Day reporting centers are detention programs. Surveillance and supervision are the main services provided with the goal of returning a youth to Court with no new law violations. The goals of the day reporting center are short-term and easy to measure.

In recent years, there has been an expansion of electronic monitoring technologies to increase alternative juvenile detention supervision. Electronic monitoring should be used to enhance, not replace, face-to-face supervision for cases that present a particular risk. There are numerous types of electronic monitoring equipment on the market. The problem that some jurisdictions have with electronic monitoring equipment often results from lack of planning. Some jurisdictions first buy the equipment and then try to develop a program around the equipment. Often they find that the equipment does not meet their needs; staff stop using the equipment or stop referring youths to the program. It is critical to the success of any electronic monitoring service that the jurisdiction has a clear understanding of how it plans to incorporate electronic monitoring into its current detention program. Before purchasing equipment, the core group should answer these questions: What do we want this equipment to do? How will it strengthen our program? If we purchase and use electronic monitoring equipment, approximately how many more youths will we be able to divert from secure detention?

Staff secure shelter care is a short term, twenty-four hour a day, residential alternative to secure detention. Although there may be some hardware (locks on the front door), supervision in shelter care depends on staff, "eye-ball," supervision. Programs should provide "normal," age-specific services: education, recreation, tutoring, etc. The core group needs to ensure that the shelter care program does not become (or been seen) as long term treatment.

Many jurisdictions contract with private agencies to provide residential shelter care facilities. Jurisdictions should attempt to keep the size of shelter care programs to a relatively small (8-16 beds). Larger shelter care programs are difficult to run. Rather than developing separate shelter care programs, some smaller jurisdictions might pursue expanding their contracts with existing foster care, group or shelter care providers in order to "reserve" a number of shelter care slots for youths who need time-limited residential supervision.

The core group can ensure that a jurisdiction designs and implements a continuum of detention interventions that meets the specific needs of its jurisdiction. There should not be a "cookie cutter" approach to the development of the continuum. Alternative programs and services will vary from jurisdiction to jurisdiction. In essence the developing of an appropriate and cost-effective continuum of detention interventions is a measuring stick of a community's (and core group's) "will" to respond to youths and families in the least intrusive but most appropriate and effective manner. No one knows better than the core group the "capacity" of the community to deliver a system of detention interventions that is fair, warranted, cost-effective, and protective of public safety.

An effective continuum does not "coddle" delinquent youths; it provides for public safety by having available an appropriate intervention which matches an individual youth's need for supervision with an appropriate level of intensity. And, importantly, by developing an effective continuum, the core group does not give into the costly and wrong-headed impulse to expand needlessly its secure institutional capacity.

### 5. Step Down Strategies — Role of an Expediter

Traditionally, the individual failures of youth while in the juvenile justice system are met with a more intrusive level of restriction, placement in a locked facility. For example, when a youth at home violates a court order or commits another offense while awaiting a hearing, he will probably be placed in a secure detention facility, or when a youth in a shelter runs away, he will be sent to a secure detention facility. In effect, for every inappropriate action there is a reaction on the part of the system.

Seldom is the system prepared to respond positively to appropriate and positive actions on the part of a youth. As the jurisdictional core group goes about the business of minimizing the unnecessary dependency on the secure detention facility, it should also develop strategies that allow for the movement of youth within the continuum. These strategies should facilitate the movement of youth to less or intrusive levels within the continuum when the circumstances warrant such an action.

Surprisingly, one of the most effective methods to implement step-down practices and to reduce overcrowding in detention centers receives very little notice: expediting the cases of the youth in secure detention. Reducing the average lengths of stay of youths in secure detention will have a significant impact on the population level of the secure detention center.

The core group should consider creating an "Expediter" position that works within the secure detention center. The expediter would be charged with the responsibility of helping to identify appropriate youth and to advocate for their "step-down" placement in a less restrictive detention intervention.

The expeditor needs to be familiar with the jurisdiction's juvenile justice system and with its formal and informal systems of operation. The expediter works to ensure that cases move through the detention process as efficiently as possible. The expediter makes sure that a youth's testing appointments are scheduled and held in a timely fashion. The expediter ensures that attorneys and parents receive notice of all hearings. The expediter daily reviews the detention population to determine if any youth are appropriate for "step-down" placements within the detention continuum. For committed youth, the expediter works to move youth into placement as quickly as possible after the court has decided on a placement.

The creation of an expediter position requires little start-up cost, no program development, and no staff training. Expediting cases is simply good management which the core group should endorse.

#### 6. Steps Regarding Youths Facing Adult Trials

An increasing problem for many secure detention centers is the growing number of juveniles who are detained in juvenile facilities while their case is processed in the adult court system. In many centers, transferred (or waived or designated juvenile offenders) spend in excess of 270 - 365 days in secure juvenile detention centers. These juvenile detention centers are not designed as long term facilities. Given the protracted lengths of stay of many of these cases, youth facing adult court trials can significantly exacerbate a jurisdiction's overcrowding problems in secure juvenile detention.

To address this issue, the core group needs to meet with its counterparts in the adult criminal justice system. Strategies that might be pursued with the support of both juvenile and adult justice officials include:

- Facilitating bail (and bail reduction) hearings in selected cases.
- Developing highly structured, alternative detention programs for selected cases, e.g., combination of house arrest, electronic

monitoring and day reporting. This option is likely to be more applicable in urban jurisdictions.

• Working to ensure that the state and county's efforts to implement speedy adult trials include youths held in secure detention.

#### 7. Monitoring and Fine Tuning Actions Taken to Reduce Overcrowding

The final (and re-occurring) task for the jurisdictional core group is to monitor and fine tune those action steps which the core group takes to address its overcrowding problems. The core group should meet regularly to assess the impact of the actions taken to resolve a jurisdiction's problems with overcrowding. Over time, some plans will no doubt need to -be-refined and revised. Other plans may need to be altogether abandoned.

#### CONCLUSION

Overcrowding within our juvenile justice system is a result of many factors. In all probability, no single strategy or alternative program will by itself resolve systemic In order to reduce overcrowding. overcrowding, the leaders within a jurisdiction need to take collective responsibility for developing, monitoring, and revising effective juvenile justice policies. As has been described above, a jurisdiction can address severe overcrowding by forming a core juvenile justice group. The core group then develops a common definition of detention, coming to agreement regarding the role of secure detention within the juvenile justice system. Once an agreement is reached, the core group develops a variety of solutions to reduce overcrowding, e.g., the development and implementation of detention criteria, the implementation of risk assessment instruments, nproved case management, and development

of an effective detention continuum for youths in secure detention. These steps are all practical remedies that significantly reduce overcrowding in secure detention.

Prevention and reduction of overcrowding comes down to a matter of choices. In any jurisdiction, local juvenile justice leaders have limited options. They can choose to ignore chronic overcrowding, making themselves and the youth within the facility liable to extremely negative outcomes. They can do what many jurisdictions have done and advocate for the construction of larger and more costly institutions, ensuring that more and more poor and minority youths will be locked-up. Or they can acknowledge that overcrowding has a number of systemic causes and then take ownership of the problem by developing a core group that works collectively to implement concrete strategies to resolve overcrowding.<sup>2</sup>

#### NOTES

<sup>1</sup> To address the persistent problems with overcrowding in secure juvenile facilities, in 1996, the Office of Juvenile Justice and Delinquency Prevention awarded a grant to the Youth Law Center (YLC) and the National Juvenile Detention Association (NJDA) to work in selected jurisdictions. Much of this article is based on the experience underwritten by this grant in two jurisdictions: Camden, New Jersey and Oklahoma City, Oklahoma.

<sup>2</sup> Two final notes: One, parts of this paper were originally prepared as a section of a Manual that the Youth Law Center and the National Juvenile Detention Association were developing to help jurisdictions address detention overcrowding issues. Two, although the paper describes the agenda of the core group as a number of sequential "steps", these steps are in reality interrelated. In the real world, a jurisdiction's core group will decide on which tasks to take on and it what sequence to do the work.



### **National Juvenile Detention Association**

Lesson Plan Cover Sheet

190669

COURSE TITLE	Jurisdictional Teams: Strategic Planning				
Module Title	02 The Vision and Missi	on Statement			
INSTRUCTOR(S)					
AUTHOR(S) _	Candace Winslow				
Expect to spend for vision and mission will disperse to con meeting again. An	TIME FRAME ur to eight hours developing the statement. Ideally, the group isider the final product before other four to eight hours will be iffic goals and objectives.	TARGET POPULATION NUMBER OF PARTICIPANTS SPACE REQUIREMENTS	Community and Juvenile Justice Leaders, Law Enforcement, School Administrators, Juvenile Confinement Facility Directors 8-30 Enough for classroom set-up and table rounds.		
Team members wil 1. Understand the b mission statement, between the statemed objectives, and com 2. Begin to visualiz play in a jurisdictio 3. Have a better und	his workshop, Jurisidictional l: pasic concepts of a vision and and know the difference ent, ideology, goals, hpetencies; the the role their agency will nal reform effort ; derstanding of their own		N PROCEDURES on and trainer evaluation.		
for the Team;	her participants' expectations I to the development of a statement draft.				

### **METHODS/TECHNIQUES**

Lecture, small group activities and large group discussions.

#### **INSTRUCTOR MATERIALS**

Example Statements

Lucas, J.R. (1998, February). Anatomy of a Vision Statement, *American management association international*, 22-26.

National Institute of Corrections. (1999). *Staff supervision training for corrections professionals, Instructor manual*. Washington D.C.: U.S. Department of Justice, National Institute of Corrections.

EQUIPMENT AND SUPPLIES	S NEEDED				
FLIPCHART & STAND (# NEEDE	D)	VIDEO PLAYER			
		Түре: <u>½</u> " VH	S Specify Below)		
CHALKBOARD		VIDEO TAPE LENGTH:	,		
16 MM PROJECTOR		VIDEO TAPE RECORDER WIT			
FILM LENGTH: MINUTE	S	PUBLIC ADDRESS SYSTEM			
SLIDE PROJECTOR		OVERHEAD PROJECTOR			
Type: <u>Carousel</u> Tray		OTHER (SPECIFY)			
Sound-on-Sli	DE	Transparencies			
Scissors (4)					
12FELT-TIP MARKERS					
<u>2</u> Masking Tape		·····			
PARTICIPANT MATERIALS (HANDOU	TTS)				
TITLE	# NEEDED	WHEN DISTRIBUTED	COMMENTS		
Notetaking Guide My Experience with	1/participant 1/participant	Anticipatory Set Instructional Input			

1/participant

Instructional Input or Independent Study

02 Lesson Plan					
THE VISION AND MISSION STATEMENT	NOTES TO TRAINER				
I. ANTICIPATORY SET	Ð				
All organizations and even individuals can benefit from examining their values and setting goals accordingly. As mentioned in the second publication in the JDAI Pathways series, in collaborative- driven reforms, the group must develop consensus about what should change and how it should change. This module guides a Jurisdictional Team towards identifying a unifying vision and lays the foundation for developing more specific objectives and competencies.	Display 1-T-1 Refer participants to Note- taking Guide.				
After explaining the key concepts, the trainer will facilitate the process by ensuring that everyone present contributes and all ideas are considered. The trainer will abstain from giving his or her opinion, instead assisting the process by paraphrasing, questioning, summarizing, categorizing and focusing attention where helpful. The participants will be the creators of the final products.					
Performance Objectives:	Display 2-T-2				
Following this workshop, Jurisdictional Team members will:					
1. Understand the basic concepts of a vision and mission statement, and know the difference between the statement, ideology, goals, objectives, and competencies;					
<ol><li>Begin to visualize the role their agency will play in a jurisdictional reform;</li></ol>					
3. Have a better understanding of their own expectations and other participants' expectations for the Team;					
<ol> <li>Have contributed to the development of a vision and mission statement draft.</li> </ol>					
II. INSTRUCTIONAL INPUT					
A. The Importance of a Clear Vision and Mission	Display 2-T-3				
As already mentioned, a shared vision and mission that all stakeholders can support is a major determinant of how much will be accomplished by the group. Now is the best time to clarify what					



THE VISION AND MISSION STATEMENT	NOTES TO TRAINE
the Jurisdictional Team will be, what it will do and how it will work. To avoid time and energy being wasted later, areas of contention or uncertainty should be identified early on. The final vision and mission statement will be referred to over and over, guiding and reminding all players of the purpose and direction of the reform effort. For a reform groups such as this, the value of the freeing force of a vision statement cannot be overstated. A vision of a different future can counteract the inertia of the tired, old juvenile justice system and inspire practitioners towards a brighter, faster system. The vision should inspire policy makers on down to front line staff to give the additional effort that will be required for changes.	
When the whole group has developed consensus about what should be done and how, it will represent a united front of experts speaking with one voice, a voice hard to ignore. If such a group of experienced, knowledgeable leaders focus their energy and resources, huge distances can be covered more quickly.	
B. Role of Front-Line Employees	
One of the recommendations gained from the JDAI experience was that line staff should be involved early and constantly. A unifying, clarifying vision is important to the Jurisdictional Team, whose members expect and are dependent upon their staff to participate in the process of delivering change. The vision and mission communicates the plan and expectations to staff. Key stakeholders should consider involving staff in developing the vision, mission, goals; and certainly the proficiencies of a reform effort.	
This is especially important considering the high turnover rate in the field of juvenile justice. The vision and mission statement gives value to the work employees do every day. A quality vision and mission statement can attract and help retain quality employees and repel others. However, a false or weak vision and mission statement can highlight hypocrisy of management and actually hurt morale.	
C. Definitions	
There are some things a <u>Vision and Mission Statement</u> is and is not. It is an organization charter of core values and principles, the headwater for our priorities, plans and goals. It serves as a puller, not a pusher of the organization into the future. It is a determination and publication of what makes us unique and is a declaration of interdependence. It is not a high concept statement,	Display 2-T-4 through 2- T-9 in order of discussion.
4	<u>(ENTER FOR RESERVE</u> ) AND

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THE VISION AND MISSION STATEMENT	NOTES TO TRAINER
an empty motto or literature, an advertising slogan, a strategy or plan, a view from the top, a history of our proud past, a "soft" business issue, and it certainly is not passionless. There are two parts of the Statement, which will be covered in more detail during the process of developing a vision and mission statement. The two parts are the <u>Core Ideology</u> , which is what we stand for and why we exist; and the <u>Envisioned Future</u> , which is what we aspire to be; to achieve, to create and which requires significant change and progress to attain.	
<u>Values</u> are the beliefs and principles that inform and lead our decision-making and relationships with people and other agencies. One may acknowledge many values, and just because an organization chooses to prioritize some values does not mean it doesn't have others. Values are timeless principles that require no external justification.	
<u>Goals and Objectives</u> are set after the vision and mission statement. They are more specific outcomes for the every day functioning of the Jurisdictional Team members and support the vision and mission.	
The Jurisdictional Team or member agencies of the Team may want to establish competencies and identify incompetencies. <u>Competencies</u> are strategic concepts that define your group's capabilities. <u>Incompetencies</u> are skills, knowledge or beliefs that group members need to improve on. Examples of these may be provided to participants in their handout materials, but it is unlikely that there will be time to work on these in this session.	
D. Recommended Principles	
In order to meet the challenges of developing and implementing an effective juvenile justice strategy that balances the needs of youth with the need for public safety, the core group must first reach consensus on a mission statement. By this point, the group should be thoroughly familiar with the following concepts from the overview, module one and from their experiences inside their own jurisdiction. Ideally, the group will discover and suggest the following principles themselves, but the trainer/facilitator should be aware of these concepts to help draw them out. Alternatively, the trainer can provide the group with the principles as suggestions gained from the JDAI experience and open discussion on the merits of each point to discover areas of disagreement.	
1. That systemic overcrowding of secure detention presents a number of critical problems to the jurisdiction and to	



THE VISION AND MISSION STATEMENT	NOTES TO TRAINER
individual youth youth and staff; that the system should not routinely operate an over-crowded facility.	
Tournery operate an over-crowded facility.	
2. That secure detention beds should be reserved for those	
juvenile offenders who represent the greatest threat to public safety.	
salety.	
3. That court-ordered detention is in reality a condition of court	
imposed pre-trial supervision; it need not always take place	
in a secure facility. In effect, provided that the protection of the public is provided for, detention supervision can take	
place in a variety of locations with varying degrees of	
supervision.	
4. Developing a core group with a unifying mission minimizes	
the potential for isolated incidents of violent juvenile crime	
to drive politically expedient policies of wholesale expansion	
of secure beds and allows for a jurisdiction's informed	
leadership collectively to shape effective and responsible	
public policy.	
III. VISION AND MISSION DEVELOPMENT PROCESS	Ġ
The trainer should again explain the Core Ideology concept in more	If desired, refer participants
detail and then begin asking questions of the group to elicit	to examples of other
individual's thoughts on a Core Ideology. Write these comments	organizations' vision and
down on newsprint for future reference. Encourage participants to	mission statements.
shout out EVERY idea because later, the list will be refined. It is	
important to acknowledge and try to record <u>all</u> comments, every idea, using as many pieces of newsprint as necessary. Once the	
group begins to fully participate, this may require paraphrasing and	
writing very quickly. If a comment can be combined with another,	
do so or add on to a previous comment.	
Good listening, paraphrasing skills are required for facilitating a	
vision and mission development workshop. Ability to group	
common themes and ideas is critical. Constantly check with the	
group to ensure they agree with your assessments, paraphrasing and	
that no ideas or comments are discarded or changed without	
consensus of the group. If one person disagrees, stop to iron it out and look for a compromise that everyone agrees with.	
-	Display 2-T-10 and refer
A. Core Ideology	back to it and any other
	transparency definition as
As mentioned, the Vision and Mission Statement has two parts: the	necessary.
Core Ideology and the Envisioned Future. In addition, many	



THE VISION AND MISSION STATEMENT	NOTES TO TRAINER
organizations list their core values as part of this Statement. As the process of discover and creativity occurs, it will become clear how the final Vision and Mission Statement will look.	
The core ideology is what we stand for and why we exist. It is unchanging. It defines the enduring character of the entire Team. It is a consistent identify that transcends product or budgeting cycles, technology, management fads and individual leaders. It serves as a source of guidance and inspiration because it consists of core values and a core purpose or fundamental reason for the Team's existence.	Record responses on newsprint labeled "Core Group."
Inform participants that first they will work on identifying and describing the core group's purpose and its ideology. Tell them that they will give you ideas, which you will initially will write down indiscriminately. Ask participants the following questions, eliciting as many responses from as many participants as possible and of course, recording those responses on newsprint.	
1. Who are you? What puts everyone here in the same group? Who do you serve? What do you do? Do you serve as partners/mentors /resource for anyone? How do you do this? What is your overarching reason for being? Are there standards or legal mandates to meet that must be included or at least alluded to as part of the Jurisdictional Team's mission?	
2. What values are you advocates of? How do you encourage or demonstrate these values? In what manner do you strive to do your duties? What are the common values for this group?	Possible values the trainer/facilitator can provide as examples, but not as recommendations
Try to get the group to be inclusive while still getting as specific as possible so that their label cannot also be used by another group. The point is not to create a perfect statement, but to gain a deeper understanding of the organization's core values and purpose. The process should not "create" a core ideology, but instead allow the participants to discover it. The facilitator may need to draw it out first. If necessary, remind the group that their definition of the group should be authentic, and not what they SHOULD be. It need only to be meaningful and inspirational to the people inside the organization, not to outsiders. This may take an hour or more itself and ideas are picked up and discarded. After all responses have been exhausted, return to the list to summarize, reword, and discard ideas. The end result should be considerably shorter, but does not need to be in its	include integrity, service, honesty, people-oriented, safety, professionalism, education, leadership, innovation, diversity,



THE VISION AND MISSION STATEMENT	NOTES TO TRAINER
If participants are recalcitrant in providing ideas on values for the Jurisdictional Team, or if too many values are listed and there are problems in prioritizing or narrowing the list, this activity may be used. Ask participants to spend 10-15 minutes individually writing down their values. Ask them to number them in order of importance. Alternatively, ask them to write the name of a person who they would like to emulate and then write down the values they believe that person holds. At the end of 15 minutes, divide participants into groups of 4-5. Direct them to take 5 minutes to compare their lists of values and to work them to choose 2-4 that they all agree are most important. Bring the groups back together and have each group report out their list of values. Eliminate duplicates and redundant concepts to create a final list, all the while asking for feedback from participants.	(25 minutes) Optional Activity
C. Envisioned Future	
The <u>Envisioned Future</u> is what we aspire to be, to achieve, to create. It is a vision, yet to be realized and may require 10 to 30 years to complete. It is something that will require significant change and progress to attain, requiring thinking past current capabilities and the current environment. It serves as a unifying focal point of effort, containing passion, emotion and conviction, thus engaging people. It reaches out and grabs them. Ask participants the following questions to draw out their ideas.	
1. What do you want the future to look like? What do you strive to do or to make happen? What do you see as being different from things now? Who are your partners? How would your agency(ies) work together differently? How would you like your jurisdiction to be described in 5 years? In 10 years? In 30 years? What will be the priorities then? What will be the results of your work then? Who do you serve? What do you care about? Will your values be the same?	
Remind the group that these should not be specific goals or objectives, but instead a broad vision of the future. Again record all responses and when responses are exhausted, return to the list to summarize and shorten. Label the final draft the Vision Statement.	
D. Envisioning Activity	(30 minutes)
If participants are having difficulty envisioning what they want the Jurisdictional Team's results to look like, this activity can be used	Optional activity if participants need inspiration.



THE VISION AND MISSION STATEMENT	NOTES TO TRAINER	ER
bur creativity in individuals. The results can be incorporated into the full group's work.		<u></u>
	Refer to 2-H-6	
Direct participants to the My Experience with the Juvenile Justice System handout in their materials. Inform participants that they	Refer to 2-ri-o	
have 15 minutes to complete their story individually. After 15		
minutes, divide the participants into groups of 5-7. Provide each group with a few more blank My Experience handouts and direct		
the them to incorporate each person's ideas into one single story.	Record key ideas on	
After 5-10 minutes, direct a representative from each group to read their "story" out loud to the larger group. Record any values and	newsprint.	
key ideas mentioned on newsprint.		
When finished, look for broad concepts or themes. Point out		
similarities between the groups stories. Ask them if any should be		
incorporated into the Team's vision. Ask questions of the group about any unique ideas. For example, "Does the rest of the group		
think (caring staff, mended lives, or whatever concept) should be		
mentioned in the group's vision? Or is that too agency specific?"		
E. Clarifying the Vision and Mission		
me permits, begin the process of turning participants' thoughts		
involved in this phase, making sure that a few do not take over the		
process or that some do not drop out. The trainer/facilitator may		
choose to let the group break and do some of the preliminary summarizing on his or her own. Keep all newsprint sheets that		
were worked from visible. When the group reconvenes, ask for		
feedback on the draft.		
Direct the group to examine what they have developed, keeping the following in mind. A vision and mission statement should be long-		
lasting and clear, but allow for change and flexibility. It should		
speak to everyone in the juvenile justice system.		
Ask the group, if the circumstances change and penalize you for		
holding any of these core values, would you still keep it? Will this document provide guidance and inspiration for the next year? The		
next 5 years? The next 10 years? If you were a youth, how would		
this affect you? If you were a first line employee, how would this affect you?		
IV. SUMMARY		
Because of limited time, it is assumed that this process will not result in a final vision and mission statement. Remind participants		
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### **Trainer**:

Date:

### **Place:**

### **Performance Objectives:** Following this workshop, Jurisdictional Team members will:

- 1. Understand the basic concepts of a vision and mission statement, and know the difference between the statement, ideology, goals, objectives and competencies;
- 2. Begin to visualize the role their agency will play in a jurisdictional reform effort ;
- 3. Have a better understanding of their own expectations and other participants' expectations for the Team;
- 4. Have contributed to the development of a vision and mission statement draft.





- GUIDES Individuals and the Group
- REMINDS Individuals and the Group
- FREES Individuals and the Group
- CONTROLS Individuals and the Group
- INSPIRES Individuals and the Group
- UNIFIES the Group
- GIVES VALUE to our work.



## What a Vision and Mission Is :

### An organizational charter of core values and principles

- A puller (not a pusher) into the future
- A determination and publication of what makes us unique
- A declaration of inter-dependence



## What a Vision and Mission Is Not:

- An advertising slogan
- A strategy or plan
- A view from the top
- A history of our proud past



## **Two Parts of the Vision**

# 1. CORE IDEOLOGY - What we stand for and why we exist. It is unchanging.

2. ENVISIONED FUTURE - What we aspire to be, to achieve, to create. It will require significant change and progress to attain.





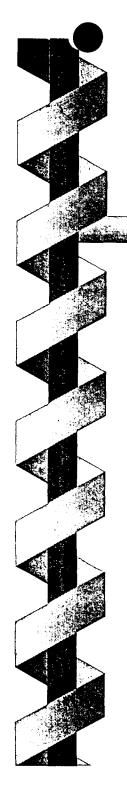
- Beliefs and principles that inform and lead your decision-making and relationships with people and other agencies.
- Prioritization or relative weight given to many values in relation to each other.
- Timeless principles, requiring no external justification.



## **Goals and Objectives**

- Are delineated after the Vision and Mission Statement.
- Support the Vision and Mission
- Are specific desired outcomes of the group's operations
- Provide the framework for organizing everyday functioning



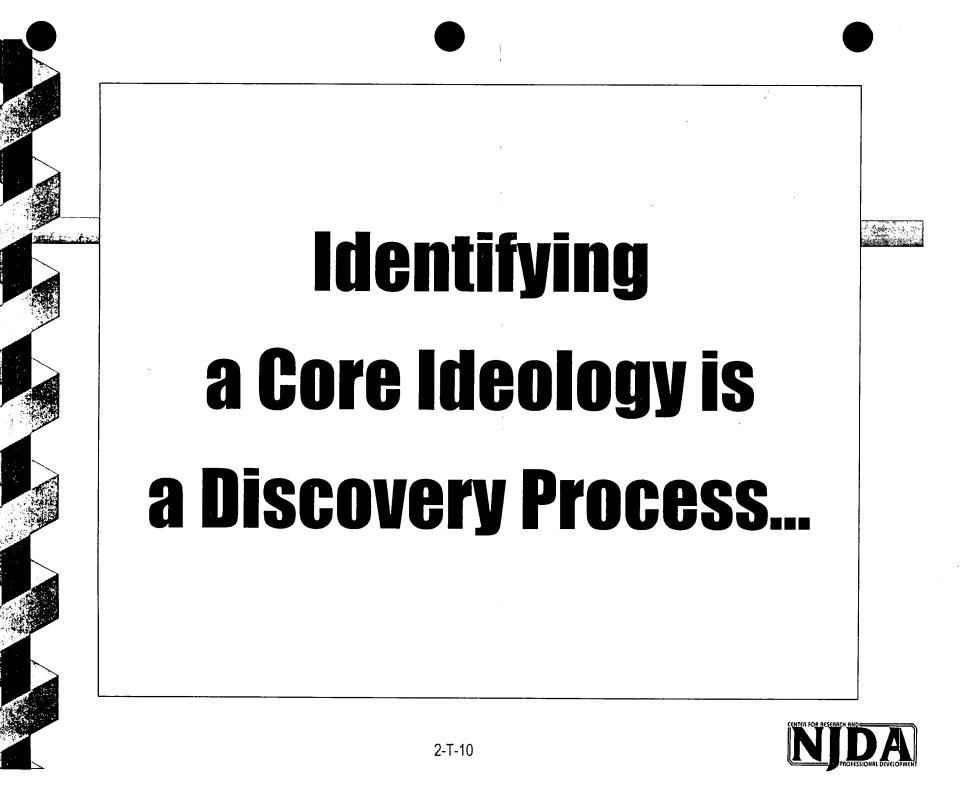


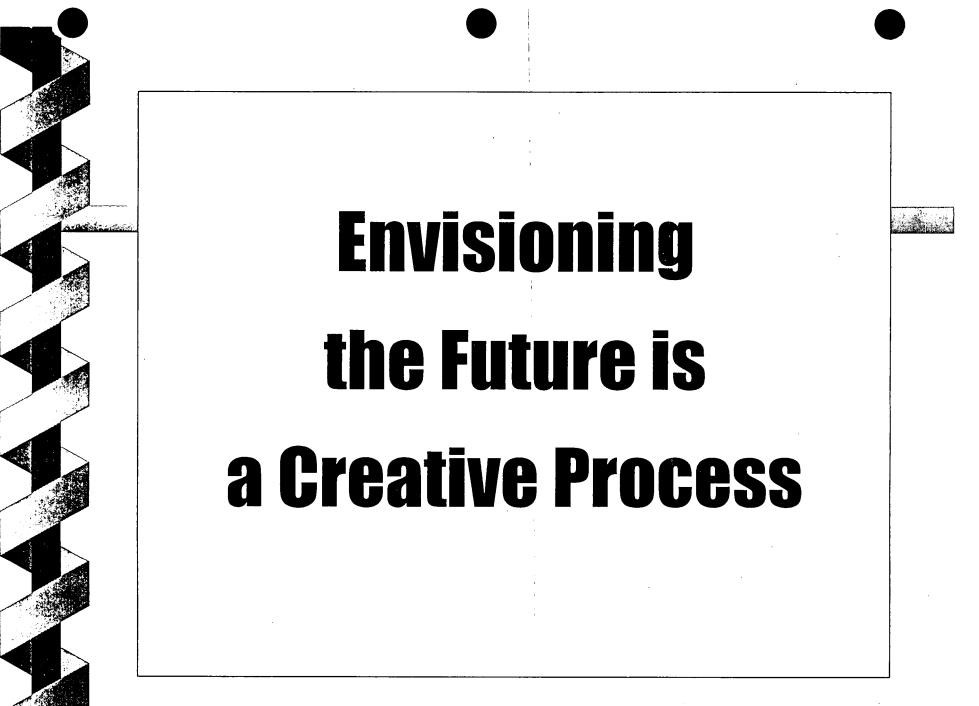
## **Other Definitions:**

<u>Competencies</u> - strategic concept that defines your group's capabilities. What you are good at.

<u>Incompetencies</u> - What your group members will need to improve on. Or perhaps what your group should avoid tackling because there is no value to gaining competency. May be a place to look at other options.









Vision and Mission

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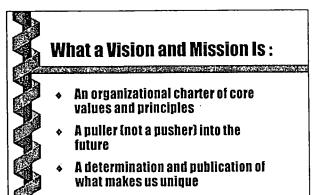
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What a Vision and Mission **Statement Does GUIDES** Individuals and the Group ٠ **REMINDS Individuals and the Group** ۰ FREES Individuals and the Group ٩ **CONTROLS** Individuals and the Group ٠ INSPIRES Individuals and the Group ٠ **UNIFIES the Group** ٥ GIVES VALUE to our work. ¢ NIDA 2-1-3

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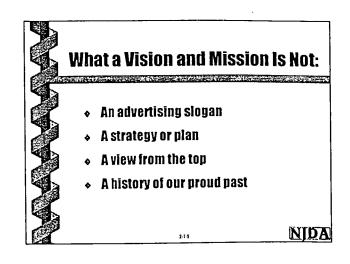
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• A declaration of inter-dependence

2-1-4

NIDA



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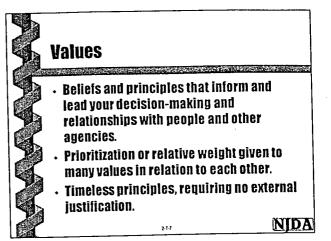
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### Two Parts of the Statement

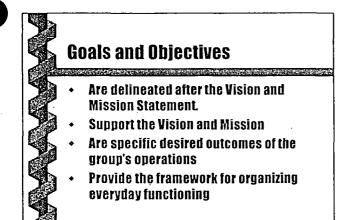
1. MISSION/CORE IDEOLOGY - What we stand for and why we exist. It is unchanging.

2. VISION/ENVISIONED FUTURE - What we aspire to be, to achieve, to create. It will require significant change and progress to attain.



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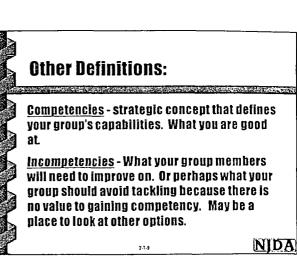




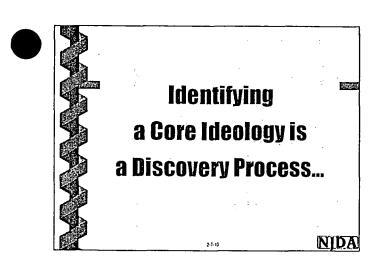
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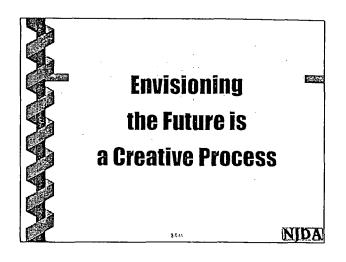
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2-H-4



Vision and Mission





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### My Experience with the Juvenile Justice System

**Directions:** Imagine it is year 2018. A youth came in contact with your jurisdiction's juvenile justice system nearly twenty years ago. How would you want him or her to describe the experience? What morals, operating procedures and attitudes does he or she remember? What made him or her change their life or their attitude for the better?

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#### ESTABLISHING THE CORE GROUP'S MISSION

"Where there is no vision, the people perish." Book of Proverbs 29:18

It has often been said that, "if you do not know where you are going it is not likely that you will get there." In order to meet the challenges of developing and implementing an effective juvenile justice strategy that balances the needs of youths with the need for public safety, the core group must first reach consensus on a mission statement. At a minimum the mission for the core group must place a value on public safety and on the individual needs of children, families and community. Furthermore, the mission statement should emphasize the working partnership and decision making process established within the core group.

In its mission statement, the core group needs to accept the following principles:

- That systemic overcrowding of secure detention presents a number of critical problems to the jurisdiction and to individual youth and staff; that the system should not routinely operate an over-crowded facility.
- That secure detention beds should be reserved for those juvenile offenders who represent the greatest threat to public safety.
- That court-ordered detention is in reality a condition of court imposed pre-trial supervision; it need not always take place in a secure facility. In effect, provided that the protection of the public is provided for, detention supervision can take place in a variety of locations with varying degrees of supervision.

Developing a core group with a unifying mission minimizes the potential for isolated incidents of violent juvenile crime to drive politically expedient policies of wholesale expansion of secure beds and allows for a jurisdiction's informed leadership collectively to shape effective and responsible public policy.

### Sample Vision and Mission Statements, Goals, Objectives and Competencies

# **Division of Operations** *Competencies*

- *Communications:* Possesses well-developed interpersonal skills oral, written and listening and actively seeks ideas/input from others.
- **Professionalism:** Demonstrates fairness and courage in all situations, exudes confidence and remains calm in stressful situations, responds appropriately, exemplifies high standards, creates a positive impression.
- *Decision Making*: Is decisive and makes sound, objective decisions. Ensures decisions are made at the appropriate level.
- *Valuing People*: Demonstrates respect for others, developing others, diversity awareness.
- Innovation, Change and Creativity: Seeks out new ideas, adapts readily to change and directs a workforce effectively during periods of change, and actively seeks out new ideas and displays creativity in adapting to changing conditions.
- *Planning and Organizing:* Utilizes innovation, time management, technology, efficient and a systematic approach.
- *Leadership:* Ability to positively influence others, accomplishing through others, providing the vision and direction, developing others, mentoring, sets examples, creates positive work environment.
- *Team Oriented:* Values the team approach and actively supports its processes and goals; achieves results which meet or exceed agency goals through networking; commit to department mission, cooperation, partnering, collaboration, interpersonal skills.

2.

• *Problem Solving:* Outcome orientation, technology, innovation, recognize and identify, use available resources.

**Division of Forensic Services** Vision Statement

Employees of the Division of Forensic Services must provide clients with efficient, timely, accurate -- "smart"-- crime scene processing and scientific analysis of evidence. To excel at this, we foresee a DFS that:

- recruits and retains the best and brightest people;
- motivates them with challenging work;
- continues its present successful courses on matters like audits, inspections, integrating our strategic planinto daily operations, visiting other laboratories and conducting a continual quality assurance program;
- constantly reassesses and adjusts what we do for the future in areas like DNA analysis, technology related processes, training and equipment, facilities renovations and build outs, the expansion of service critiques, and the expansion of our services themselves; and,
- encourages and assists with individual development plans for each employee to meet personal and department needs.

We believe only hard, empathetic work over the long run will create the enriching work environment we foresee. 1

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# **Division of Forensic Services** *Values*

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## PEOPLE

The most important resource of the Division of Forensic Services is its members. Only through them can success be achieved. To that end, the division is committed to providing: a) an atmosphere which is anchored in mutual support, and b) an environment that is conducive to the challenges of the work while simultaneously allowing creativity for the future.

## QUALITY

Quality of effort in all endeavors is an integral part of achieving excellence. Quality effort is how the Division of Forensic Services "does business." Whether the situation is interviewing, crime scene processing, maximizing the potential use of physical evidence, training, case analysis or testifying in court, pride in accomplishing the task in a "quality manner" is foremost. The Division of Forensic Services has defined quality as:

Accuracy	An exercise of care which produces a product that is exact, factual and correct.
Completeness	Inclusion of all that is necessary to insure the value of the final product.
Timeliness	Completion of an action in order to produce a useful product.

This definition should guide everyone's effort to achieve excellence.

### TRAINING

Highly motivated people doing quality work can only maintain their "edge" by being exposed to current developments in their area of expertise. Through training, knowledge is expanded which results in enhanced service to our clients. Skills are developed and refined so that informed decisions can be made not only for current operations but also to chart the future. The way of the future cannot be achieved unless proper emphasis is placed on practical and academic training.

### LEADERSHIP

Leaders inspire the exploration of new areas and paradigm shifts. The future is defined before the present becomes obsolete. People, acting individually and collectively, display the initiative to improve themselves and the Division of Forensic Services. Individuals are encouraged to "change their world" for the advancement of themselves and the service they provide. Collectively, the division strives to maintain a leadership position in the law enforcement and forensic communities.

### INNOVATION

To see a need and to transfer that into a response for improvement takes special people. Such people have the ability to influence the future by applying their creativity to the present. The efforts of such people help the Division of Forensic Services maintain its excellence in innovative changes and can set the direction for the law enforcement and forensic communities.

## INTEGRITY

Doing the right thing, at the right time and for the right reason requires a high degree of personal integrity. Trust and respect are earned from our clients through our individual and collective personal integrity and ethics. Excellence does not exist without strong individual integrity. As individuals or as a division, integrity cannot be taken from us; it is ours to keep or to give away.

# **Division of Forensic Services** *Competencies*

- User Focus: Understands user requirements and needs, and responds to them appropriately.
- *Communication:* Possesses well-developed interpersonal skills, oral and written, and actively seeks ideas/input from others.
- Objectivity & Impartiality: Demonstrates candor, objectivity and impartiality in all working relationships and considers all elements when making a business decision.
- *Professionalism:* Demonstrates fairness in all situations and exudes confidence.
- Decision Making: Is decisive and has the ability to make sound, objective decisions in organizational matters.
- Valuing People: Demonstrates respect for others.
- *Analysis & Planning:* Is farsighted; incorporates latest technological advances when developing business plans.
- *Team Commitment:* Values the team approach and actively supports its processes and goals.
- *Results Orientation:* Achieves results which meet or exceed agency goals.
- System Orientation: Designs, improves and integrates business and operational processes in order to achieve the organization's strategic goals.
- Innovation, Change & Creativity: Seeks new ideas to enhance services, to apply established skills in new ways, and to produce an improved work product.
- Change Management: Adapts readily to change and directs a workforce effectively during periods of change.

# Human Resource Command Vision Statement

Model...

leadership

innovation

problem solving

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# To improve...

quality of life for employees

and enhance public safety.

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# Human Resource Command Values

## INTEGRITY

Doing what is right (the settled disposition, the resolve and determination, the established habit "of doing right where there is no one to make you do it but yourself" DeLattre, 1996). The terms morality and prudence help with understanding integrity.

## **SERVICE**

Contributing to the welfare of others.

## PRIDE

Balanced respect for self, others and the organization.

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# **Division of Internal Investigation** *Vision Statement*

The Division of Internal Investigation will ensure the integrity of the Illinois State Police and strengthen public trust in state government through fair, impartial and professional investigations of alleged. employee misconduct. As a premiere investigative unit, we will explore innovative methods of management, education and training -- including training for other state agencies and local law enforcement agencies -- and pursue technological advances while maintaining the highest standards of ethical conduct. Our relentless commitment to ensuring public integrity will pay dividends by reducing the need for investigations into allegations of public corruption and employee wrongdoing.

# Division of Internal Investigation

# Values

## PEOPLE

Our most valuable asset; to be appreciated, respected and treated with dignity.

## INTEGRITY

"...the established habit of doing right where there is no one to make you do it, but yourself"... making the right choice, maintaining the highest standard of ethical conduct; demonstrating loyalty to the agency.

## TEAMWORK

Recognizing and capitalizing upon the diversity of talents and skills of the members of the division to accomplish the task at hand; working cooperatively to achieve common goals.

## PROFESSIONALISM

Exemplary behavior; conduct which is commensurate with a position of trust and responsibility; acting fairly and impartially when providing services that meet or exceed the users'(clients) needs.

# SERVICE

Performing duties and providing assistance to meet the needs of othe without the expectation of reward; being receptive to changing needs of our users (clients) as well as changes in the organization and reacting positively to those changes.

\*Delattre, Character and Cops: Ethics in Policing.

# **Division of Internal Investigation** *Competencies*

- User Focus: Anticipates user requirements and needs, and responds to them appropriately.
- *Communication:* Possesses well-developed interpersonal skills oral, written and listening and actively seeks ideas/input from others.
- Objectivity and Impartiality: Demonstrates candor, objectivity and impartiality in all work relationships and considers all elements when making a business decision.
- *Professionalism:* Demonstrates fairness and courage in all situations, exudes confidence and remains calm in stressful situations.
- *Decision-Making:* Is decisive and makes sound, objective decisions on organizational matters.
- Valuing People: Demonstrates respect for others.
- Analysis and Planning: Is innovative and farsighted; incorporates latest technological advances into business decisions.
- *Team Commitment:* Values the team approach and actively supports its processes and goals; achieves results which meet or exceed agency goals through teamwork.
- System Orientation: Designs, improves and integrates business and operational processes in order to achieve the organization's strategic goals.
- Innovation, Change and Creativity: Seeks out new ideas, adapts readily to change and directs a workforce effectively during periods of change.

# **Division of Administration** Vision Statement

Support through innovation and service.

By the creative application of technology, the Division of Administration will enhance public safety and investigative effectiveness through support of the infra-structure and the innovative application of technology.

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# **Division of Administration** *Values*

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# COMMITMENT

Supports in purposeful, global manner the agency and its most valuable resource, its people. Acts to develop own and/or other's capabilities to better meet departmental goals. The by-products of commitment are productivity, efficiency and hard work.

# INTEGRITY

Continue to demonstrate the unbroken condition of quality as sound moral principles are applied to those with whom we serve.

## SERVICE

The application of systematic methods to provide people, both internal and external, with the use of something, a service, and/or cooperation. Through mentoring, education and training will motivate others to take the necessary action to support individual and departmental processes and goals.

#### ILLINOIS STATE POLICE

#### MISSION

The Illinois State Police seeks to work as partners and mentors with public service agencies and the public and to serve as a valuable resource in support of our state, its government and its people by providing highway and public safety; investigative, forensic, information management, and communications expertise; and the highest quality training services. We do this in the effort to improve the quality of life for our citizens.

\*\*\*

#### VISION

Through dynamic innovation and collaborative efforts with citizens. we will be, and will be seen as, the premier policing agency in the world.

\*\*\*

#### VALUES

#### Integrity

The Illinois State Police, as problem-solving employees. believes that 'doing what is right' is more than 'doing what is written' or 'doing what is told'. It is doing what we believe and know to be right, acting in the best interest of the public we serve.

#### Service

The Illinois State Police commitment to 'service' is an employee-based approach which promotes proactive partnerships to identify problems and develop solutions to improve public safety and strengthen relationships with citizens and the criminal justice community.

#### Pride

Believing in the integrity of our actions and effects. we take pride in the outcomes we achieve as individuals and as an organization.

#### \*\*\*

#### GOALS

*Improve the quality of life for our citizens* through unimpeachable integrity, public service, training and education.

Safeguard the public by assisting law enforcement, decreasing traffic fatalities and injuries and reducing crime and the fear of crime.

*Provide leadership through innovation* as a dynamic, diverse, learning organization which promotes personal and professional growth.

#### STATE EMPLOYEES COMBINED APPEAL

#### MISSION

We present opportunities for those involved in state service to contribute their time, talents, skills, knowledge and monetary support to the community at large.

We provide a singular, systematicmanner in which employees can donate to the charitable causes of their choice.

We invest in social service communities as we endeavor to enhance the quality of life.

We apply the principle of integrity when dealing with state employees as benefactors and charities as beneficiaries.

We demonstrate the unbroken condition of quality as sound moral principles are applied to those we serve.

#### VISION

We aspire to be a nationally recognized leader which provides the opportunity for individuals to support charitable causes.

#### VALUES

Service to contribute to the welfare of others

#### Education

to educate state employees about SECA and the meaningful opportunities they provide through their contribution ...

to inspire acts of charity through monetary commitment and volunteerism

#### Caring

to provide an opportunity for state employees to care about one another and their community as we work toward our mutual goals, by modeling compassion, kindness, goodwill and cooperation

#### Accountability

to administer the responsibilities of the SECA Board fairly and equitably ensuring gifts made by state employees are directed toward the donor's choice



# National Juvenile Detention Association

Lesson Plan Cover Sheet

190670

Course Title	Jurisdictional Teams: Strategic Planning				
MODULE TITLE	03 Analyze Juvenile Justice Trends				
INSTRUCTOR(S)					
AUTHOR	Karen Chinn				
depending on a allowed for dis	ty Simulation can require an	TARGET POPULATION NUMBER OF PARTICIPANTS SPACE REQUIREMENTS	Community and Juvenile Justice Leaders, Law Enforcement, School Administrators, Juvenile Confinement Facility Directors 20-30 Enough for classroom set-up or table rounds if activities are planned.		
<ul> <li>Following this sesto:</li> <li>1. Describe core analysis;</li> <li>2. Identify key data</li> <li>3. Identify source time permits;</li> </ul>	es for data collection, and if gy to reduce crowding based a		A PROCEDURES on, activities, and trainer		

### **Methods/Techniques**

Small group activities, individual activities, lecture and discussion.

## **Instructor Materials**

If doing the Emerald County Simulation, the instructor will need three additional staff per Team.

Boersema, C. (2000) Strategic planning as a means to address detention crowding. Crowding in Juvenile Detention Centers: Practitioners' Perspectives on What to Do About It, 57-67.

Busch, D. By the numbers: The role of data and information in detention reform. *Pathways to Juvenile Detention Reform.* Annie E. Casey Foundation.

EQUIPMENT AND SUPPLIES NEEDED	
NEWSPRINT FLIPCHART & STAND (# NEEDED) NEWSPRINT PADS (# NEEDED): CHALKBOARD 16 MM PROJECTOR 16 MM PROJECTOR SLIDE PROJECTOR  TYPE: CAROUSEL TRAYSOUND-ON-SLIDE SCREEN SCREEN MASKING TAPE	VIDEO PLAYER         TYPE:       ½" VHS        OTHER (SPECIFY BELOW)         VIDEO TAPE LENGTH:       MINUTES        VIDEO TAPE RECORDER WITH CAMERA        PUBLIC ADDRESS SYSTEM        OVERHEAD PROJECTOR         _XOTHER (SPECIFY)         Transparencies

#### PARTICIPANT MATERIALS

TITLE	# NEEDED	WHEN DISTRIBUTED	COMMENTS
3-H-1 through H-3 Notes	1/participant	Anticipatory Set	
3-H-4 through H-10 Data Sets	1/participant	Instructional Input or Indep	pendent Practice (Optional)
3-H-11 Legal Issues	1/participant	Instructional Input	(Optional Activity)
3-H-12 Checklist	I/participant	Independent Practice	(
Emerald County Simulation	1/participant	Guided Practice	(Optional Activity)
By the Numbers	1/participant	Independent Study	(optional richting)

## ANALYZE JUVENILE JUSTICE TRENDS NOTES TO TRAINER I. ANTICIPATORY SET Display 3-T-1 Ask the whole group to brainstorm a list of emerging trends in Record responses on juvenile justice. Possible responses may include: newsprint. Circle disproportionate minority confinement, crowding in facilities, "crowding" in alternative "adultification" of youth, residents with multiple needs, color. increase in the number of female offenders, etc... Performance Objectives: Following this session, participants Display 3-T-2 will be able to: 1. Describe core components of juvenile justice analyses; 2. Identify key data; 3. Identify sources for data collection, and if time permits; 4. Create a strategy for reducing crowding based on a mock set of data. All of these relate to the crowding of the juvenile system. **II. INSTRUCTIONAL INPUT** Display 3-T-3 A. Research Historical Juvenile Trends And Analyze Data To discern trends, data must be gathered and analyzed. There are many sources for collecting data. These include, but may not be limited to the following. 1. Law Enforcement 2. Juvenile Court 3. Secure Detention Facility 4. Non-Secure Detention Facility 5. Community-Based Alternatives 6. Juvenile Profile and Demographic Data 7. Fiscal Resource Label 7 sheets of newsprint, each with a different data Activity: Divide participants into 7 small groups, giving each source. Distribute 1 per group. group one sheet of newsprint labeled with a data source. Each

# Lesson Plan



ANALYZE JUVENILE J	USTICE TRENDS	NOTES TO TRAINER		
group should appoint a recorder to respect to the sheet of newsprint. Give the group the kinds of data that could be collected source. For example: If the source kind of data that could be collected with the source of the sour	s 5 minutes to brainstorm cted from their group's is law enforcement, one			
As each group completes their list, is group to hang the newsprint. When for a member of each group to report	Direct groups to hang their newsprint on wall.			
Compare the groups' lists to the foll out any that were missed. Participar reference on 3-H-4 through 3-H-10.	owing information. Point nts may take notes for later			
1. Law Enforcement Data		Porticipanto movetales sotos		
Crime Rate	Participants may take notes from activity on 3-H-4			
Total Juvenile	e Arrests	through 3-H-10. Or they can		
Offense Type	s	take the handouts with them to		
Arrest Policie     Secure Deter	s and Procedures Related to ntion	use at their jurisdiction.		
2. Juvenile Court Data				
Referrals, Pet	itions, Filings, Dispositions			
Juvenile Cour	t and Probation Practices			
• Waivers to Ac	lult Court			
Referrals to A	Iternatives Programs			
Probation Tre	nds and Practices			
Case Processi	ng Time Periods			
3. Secure Detention Data				
Criteria for Pl	acement	•		
Risk Assessm	ent/Assessment Process			
Current Bed S	pace Capacity			
	Out-of-County Detainees			
	issions and Releases			
-	Population (ADP)			
	th of Stay (ALOS)			
	eniles Detained (including			
Transport Proc	cedures			
Operational ar     Detention	d Capital Costs for secure			



ANALYZI	E JUVENILE JUSTICE TRENDS	NOTES TO TRAINER
•	Facility Assessment	
•	Comparative Assessment	
•	Proposed Legislative Changes Impacting Secure Detention	
4. Non-Secu	are Detention Data	
•	Placements Available	
•	Use of Non-Secure Placements (Admissions, Length of Stay)	
•	Profile of Youths Placed (Private/Public)	
•	Operational and Capital Costs	
•	Criteria for Placement	
•	Average Length of Stay (ALOS)	
5. Commun	ity Based Alternatives Data	
•	Number and Type of Alternatives	
•	Number of Youth Served	
•	Criteria for Placement	
•	Cost of Alternatives	
•	Comparison with State and National Data and Trends	
•	Impact on Use of Secure Detention	
6. Juvenile I	Profile and Demographic Data	
•	Historic and Projected Juvenile and Total Population	
•	Minority Overrepresentation	
•	Treatment Needs/Special Needs Populations (Substance Abuse, Mental Health, Female, Chronic/Violent Offenders)	
•	Child Welfare Statistics	
7. Fiscal Res	source Allocation Data	
•	Funding Levels for Secure, Non-Secure and Alternatives	
•	Funding Criteria for Alternative Programs	
•	Funding Sources	
•	Expenditures	



ANALYZE JUVENILE JUSTICE TRENDS	NOTES TO TRAINER
B. Review Legal Issues and Standards	Display 3-T-4
Inform participants, "In addition to data collection, there are also legal issues and standards which need to be addressed when dealing with crowding issues. These include the following." Inform participants that these vary by facility and state.	
1. Funding Responsibility and Criteria	
2. Criteria for Placement	
3. Facility Standards	
4. Operational Standards and Regulations	
5. Court Actions	
6. Statutes for the Jurisdiction	
Activity: Divide participants into groups either by jurisdiction if possible, or by field (court, law enforcement,). Direct jurisdiction groups to complete 3-H-11 with preliminary notes on legal issues and standards that they will need to consider and perhaps do further research on. Direct participants grouped by field of expertise to make notes on legal issues or standards that they are directly aware of. Provide time for groups to share their notes with the larger group.	3-H-11 may be used for activity or participants may use to collect information at their jurisdiction.
C. Project Future Need for Secure and Non-Secure Detention	Display 3-T-5
1. Baseline Projection-No Change Scenario	
2. Impact of System Changes on Forecast	
3. Projection Based on Use of Alternatives	
4. Consensus Forecast	
D. Prepare And Evaluate Options	Display 3-T-6 Participants may use 3-H-12 as
Trainer will inform participants that for their own jurisdiction, they should consider all of the following:	a checklist at their jurisdiction to ensure study of all options.
1. System Improvements	
a) Review Placement Criteria	
b) Identify Programs and Actions Inconsistent with Mission	
c) Identify Programs and Services Inconsistent	



ANALYZE JUVENILE JUSTICE TRENDS	NOTES TO TRAINER
with Youth Served	
d) Changes in Policies and Procedures	
2. Expansion of Detention Continuum	
a) Expand Current Alternatives Programs	
b) Implement New Programs	
3. Facility Options	
a) Renovate/Expand Existing Facility	
b) Construct New Secure Detention Facility	
c) Collocate Secure and Non-Secure Facility	
d) Develop Regional Facility	
4. Evaluate and Select Options	
a) Preliminary Cost Estimates	
b) Funding Mechanisms	
c) Cost Sharing Approaches (Regional)	
d) Consensus	
e) Flexibility	
f) Cost Effectiveness	
g) Short and Long Range Needs	
E. Develop Implementation Schedule	Display 3-T-7
1. Develop Capital and Operating Budget	
2. Prepare Detailed Schedule	
3. Identify Key Milestones	
4. Roles and Responsibilities	
III. GUIDED PRACTICE OPTION	🕘 7 hours
Emerald County Simulation:	Divide group into teams.
Note: This activity is optional depending on time available and demographics of training group. If all key stakeholders from a jurisdiction are not present or there is a mix of several jurisdictions, this activity serves as an example of the process of analyzing trends for future planning.	Distribute Simulation instructions, data and record- keeping materials.
Begin the simulation by passing out the Emerald County	

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ANALYZE JUVENILE JUSTICE TRENDS	NOTES TO TRAINER
background. Inform participants that the task is to prepare and submit a population reduction plan – within 60 days - that would bring the average daily population under rated capacity within four months of its submission."	
Divide group into teams of 5-8 participants. Explain that each team should start by projecting their future need for secure and non-secure detention. Each team will then prepare and evaluate options. Finally, each team must develop an implementation schedule.	
Inform teams that their progress will be reported to the full class at 10:00 and 11:30; and final reports will be judged beginning at 4:15 p.m. Assign three staff to each team. Answer questions as necessary.	Note: These times are optimal. Alter as necessary.
IV. SUMMARY	
	,





# Analyzing Juvenile Justice Trends

Trainer

Date

Place





# Performance Objectives

- 1. Describe core components of juvenile justice analyses;
- 2. Identify key data;
- 3. Identify sources for data collection;

And if time permits;

4. Create a strategy for reducing crowding based on a mock set of data.



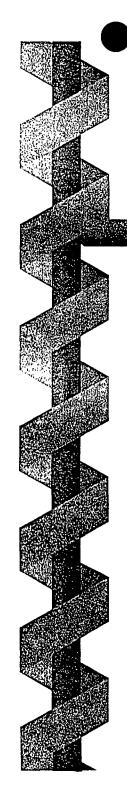
- **1. Law Enforcement**
- 2. Juvenile Court
- 3. Secure Detention Facility
- 4. Non-Secure Detention Facility
- 5. Community-Based Alternatives
- 6. Juvenile Profile and Demographic Data
- 7. Fiscal Resources



# **Review Legal Issues & Standards**

- 1. Funding Responsibility and Criteria
- 2. Criteria for Placement
- **3. Facility Standards**
- 4. Operational Standards and Regulations
- 5. Court Actions
- 6. Statutes for the Jurisdiction

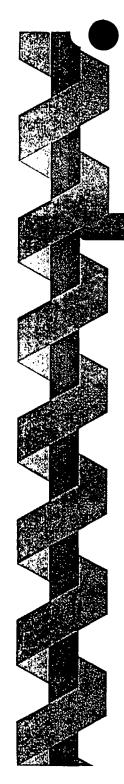




# Project Future Need of Secure and Non-Secure Detention

- 1. Baseline Projection No Change Scenario
- 2. Impact of System Changes on Forecast
- 3. Projection Based on Use of Alternatives
- 4. Consensus Forecast





# Prepare and Evaluate Options

- **1. System Improvements**
- 2. Expansion of Detention Continuum
- **3. Facility Options**
- 4. Evaluate and Select Options

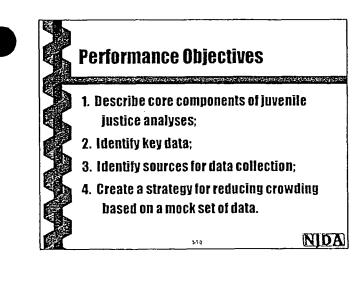


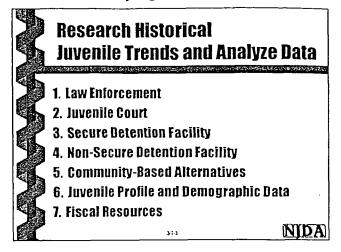
# Develop Implementation Schedule

- 1. Develop Capital and Operating Budget
- 2. Prepare Detailed Schedule
- 3. Identify Key Milestones
- 4. Roles and Responsibilities



Analyzing Juvenile Justice Trends

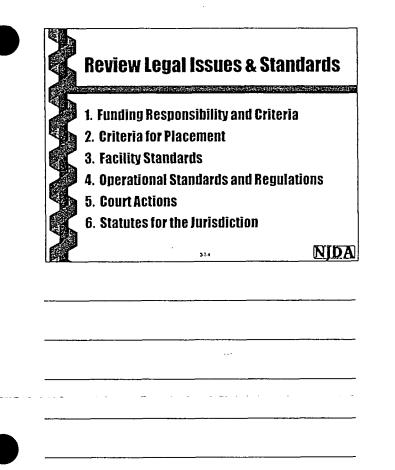


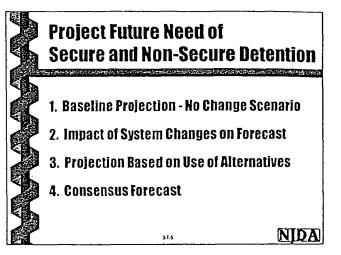


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Analyzing Juvenile Justice Trends

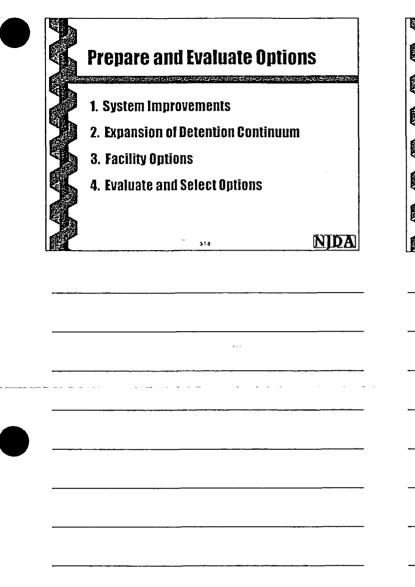


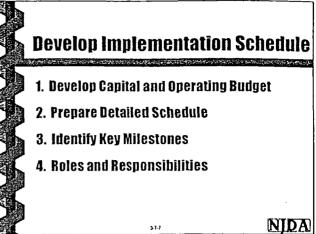


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Analyzing Juvenile Justice Trends





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	Law Enforcement Data						
	Issue	Presently Collected	What is Needed				
	Crime Rate						
	Total Juvenile Arrests						
	Offense Types						
•	Station House Adjustments						
	Arrest Policy & Procedure Related to Secure Detention						



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Juvenile Court Data			
Issue	Presently Collected	What is Needed	
Referrals, Petitions, Filings, Dispositions			
Juvenile Court & Probation Practices			
Waivers to Adult — Courts			
Referrals to Alternative Programs			
Probation Trends & Practices			
Case Processing Time Periods			



Secure Detention Data				
Issue	Presently Collected	What is Needed		
Criteria for Placement				
Risk Assessment/ Assessment Process				
Current Bed Space Capacity				
County vs. Out-of- County Detainees				
Monthly Admissions & Releases				
Average Daily Population (ADP)				
Average Length of Stay (ALOS)				
Profile of Juveniles Detained (inc. minority representation)				
Transport Procedures				
Operational & Capital Costs for Secure Det.				
Facility Assessment				
Comparative Assessment				
Proposed Legislative Changes Impacting Secure Detention				

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	Non-Secure Detention Data			
	Issue	Presently Collected	What is Needed	
	Placements Available			
	Use of Non-Secure Placements (Admissions, Length-of- Stay)			
•	Profile of Youths Placed (Private/Public)	· · · · · · · · · · · · · · · · · · ·		
	Operational & Capital Costs			
	Criteria for Placement			
	Average Length of Stay (ALOS)			



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Community-Based Alternatives					
Issue	Presently Collected	What is Needed			
Number & Type of Alternatives					
Number of Youth Served					
Criteria for - Placement					
Cost of Alternatives					
Comparison with State & National Data Trends					
Impact on Use of Secure Detention		·			

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Juvenile Profile and Demographic Data					
Issue	Presently Collected What is Need				
Historic & Projected Juvenile & Total Population					
Minority Over- representation					
Treatment Needs/Special Needs Populations					
(Substance Abuse, Mental Health, Female, Chronic/Violent Offenders)					
Child Welfare Statistics					

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Fisca	l Resource Allocation Data			
Issue	Presently Collected	What is Needed		
Funding Levels for Secure, Non-Secure & Alternatives				
Funding Criteria for Alternative Programs				
Funding Sources				
Expenditures				



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## Legal Issues and Standards

1.	Funding Responsibility and Criteria
2.	Criteria for Placement
3.	Facility Standards
4.	Operational Standards and Regulations
5.	Court Actions
6.	Statutes for Jurisdiction



## Data Study Checklist

- .. . . . . . . . . . . .

System Improvements

\_\_\_\_\_ Review Placement Criteria

- \_\_\_\_\_ Identify Programs and Actions Inconsistent with Mission
- \_\_\_\_ Identify Programs and Services Inconsistent with Youth Served
- \_\_\_\_ Changes in Policies and Procedures

Expansion of Detention Continuum

- \_\_\_\_\_ Expand Current Alternatives Programs
- \_\_\_\_ Implement New Programs

**Facility Options** 

- \_\_\_\_\_ Renovate/Expand Existing Facility
- \_\_\_\_\_ Construct New Secure Detention Facility
- \_\_\_\_ Collocate Secure and Non-Secure Facility
- \_\_\_\_ Develop Regional Facility

**Evaluate and Select Options** 

- \_\_\_\_\_ Preliminary Cost Estimates
- \_\_\_\_ Funding Mechanisms
- \_\_\_\_\_ Cost Sharing Approaches (Regional)
- \_\_\_\_ Consensus
- \_\_\_\_\_ Flexibility
- \_\_\_\_ Cost Effectiveness
- \_\_\_\_\_ Short and Long Range Needs



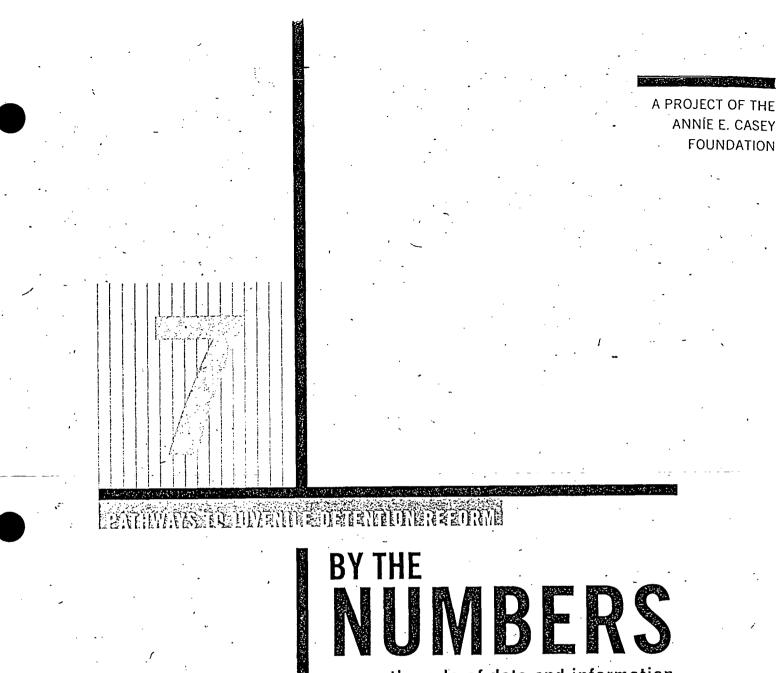
## **IMPLEMENTATION SCHEDULE**

ACTION OR PROGRAM	<b>RESPONSIBLE PARTY</b>	COMPLETION DATE	EXPECTED OUTCOME
· · ·			

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3-H-13



the role of data and information in detention reform

by Deborah Busch

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# Emerald County Faces the Music

This project was supported by grant No. 96-JN-FX-0003 from the Office of Juvenile Justice and Delinquency Prevention. Office of Justice Programs, U.S. Department of Justice.

Points of view or opinions in this document are those of the authors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

*NJDA/YLC Juvenile Detention Crowding Reduction Project* 

#### EMERALD COUNTY FACES THE MUSIC<sup>1</sup>

#### Background

Emerald County is a mid-size, rural-urban jurisdiction responsible for its own juvenile detention services. Approximately 216,000 people live in the County, a population level that has increased slightly over the past decade. Demographic projections do not forecast significant population growth or significant increases in the at-risk youth population. Juvenile arrest rates in Emerald County have been similar to those nationally for the past decade. Aside from a substantial increase in drug-related cases and a large relative increase (though small total numbers) in violent crimes, arrest rates have remained relatively constant. Despite these facts, however, politicians and many of their constituents have supported a harsher, more restrictive response to juvenile delinquency.

For more than four years now, Emerald County's Juvenile Detention Center has operated significantly above its rated capacity of 30 beds. Indeed, over this four year period, there have only been a handful of days when the population actually dipped below capacity and those all involved holiday periods. For the past two years, the average daily population in the Emerald County Juvenile Detention Center has been approximately 60. On some days, population levels have spiked to more than 75 youth. Because of the facility's physical structure, this level of crowding produces severe deterioration in conditions of confinement. The sleeping rooms in the facility, for example, do not allow for double-celling, so at least 25 youth each night sleep on mattresses in day rooms. (Since most of the furniture in the day rooms is permanently fixed to the floors, these spaces cannot be easily reorganized to resemble or feel like dorms. The kids literally sleep between tables and against couches.) Similarly, the education areas of the Detention Center cannot accommodate this many youth at one time, resulting in "split sessions" that limit the time each student is in class to 150 minutes per day. With youth both idle and bumping into one another, the numbers and severity of disciplinary problems and injuries have escalated. Crowding has produced conditions so dangerous, unhealthy, and out of compliance

<sup>&</sup>lt;sup>1</sup> These materials are an adaptation of the "Emerald City Faces the Music" simulation developed by the Annie E. Casey Foundation for use in its Juvenile Detention Alternative Initiative (JDAI). NJDA and the Youth Law Centers appreciate the cooperation of the Annie E. Casey Foundation for permission to use and adapt this simulation.

with generally accepted professional standards that public interest lawyers from the Center Opposed to Negotiated Settlements (CONS) felt obliged to sue the County for operating a constitutionally infirm facility.

#### The System

The Juvenile Detention Center is operated by the County Manager which makes it part of the executive branch of Emerald County government.

After screening, the juvenile's detention staff telephone probation officers for approval to admit. Youth who score within a certain range may be eligible for direct placement into the primary detention alternative program, home detention. The Probation Department operates home detention. Emerald County has discussed the purchase of emergency shelter bed space from nonprofit community agencies for youth deemed eligible for release, but who have no home to return to or no responsible adult to pick them up. This has not yet happened due to concern by community agencies that they will not have enough say about which juveniles are placed in a shelter bed. Emerald County's total detention alternative program capacity is 36 slots (10 day treatment, 16 after-school reporting, and 10 home detention), but their current census of 22 youth, approximately 40% below capacity, has been characteristic of utilization throughout the past year.

State statute requires that detention hearings be conducted for youth in custody within 48 hours, unless the youth is brought in on a weekend or holiday. Adjudication must occur within 15 court days following the detention hearing, although the statute provides for exceptions to this rule upon the consent of both parties and the judge. These rules do not apply to out-of-custody cases, which often take much longer to resolve. Dispositional hearings are normally scheduled two weeks following adjudication. There are no statutory limits regarding the length of time a youth may be held awaiting dispositional placement. Adjournments are not uncommon to the court process, and judges have broad discretion to honor requests from either party for more time. Summonsed cases generally are not heard for at least eight weeks from the time of arrest. Emerald County's management information system is almost non-existent. The Detention Center keeps basic statistics that are reported annually. Over 38% of detainees are released within 96 hours of admission.

Five years ago, the state legislature passed a law mandating prosecution of 15, 16 and 17 year olds charged with certain serious violent crimes in the adult court. These transfer cases are held in the juvenile detention facility as a matter of policy. Since the city jail is also chronically crowded, and the sheriff knows better than to want to house juveniles in his facility, these transfer cases will remain in the Juvenile Detention Center. Their lengths of stay, however, are approximately 15 times greater than that for the average admission to the Detention Center. Adult speedy trail laws require disposition within six months, but that time frame is rarely met in complicated cases (e.g. homicide).

Emerald County placed approximately 500 youth (most of whom had been admitted to detention) in out-of-home placements (e.g., group homes, therapeutic residences, training schools, etc.) this year. In these instances, unless the court specifically orders the youth into a state training school or correctional facility (approximately 25% of these placements), the juvenile is held in the Detention Center while probation staff complete a placement plan. Often, when a probation report recommends placement, defense counsel will seek an adjournment in order to challenge this recommendation with outside consultants.

The costs and delays associated with these placements have generated frustration within the court. In response, the judges instituted a sentencing program for juvenile detention. Depending on the offense and the recommendation of the Probation Department, a sentence may be for 30 or 60 days. The judges and the prosecutors maintain that the sentencing program is an intermediate, community-based sanction. Critics maintain it is a way to keep Emerald County youth away from contact with the predominantly urban and minority youth in the state training school system.

Public defenders from the Emerald County Defense Council represent most of the juveniles brought before the court. These lawyers are appointed when the juveniles first appear in court for the detention hearing, though they generally have not had a chance to interview their clients or review their cases prior to seeing them in court. The defender's office has limited paralegal capacities, most of which are devoted to preparing standard motions, managing files, and serving papers. No social work staff are employed by the defense, though, in a limited number of cases, the office has contracted for services from a non-profit advocacy organization that produces alternative sentencing plans for adult defendants.

NJDA/YLC Juvenile Detention Crowding Reduction Project

The prosecutor in Emerald County has made prosecution of the most serious juvenile cases his top priority. He does, however, plea bargain. His office was recently criticized, along with the Probation Department, because less serious cases (summonsed youth) were not being seen for intake or first court appearances for quite some time. Some observers argued that these delays contributed to high failure to appear rates, though the data are incomplete on this matter.

Emerald County's juvenile court is comprised of a presiding judge and one attorney referee who handles all detention hearings. Afterwards, cases are assigned through a calendaring system designed to balance the workloads of these judicial officers.

#### The Lawsuit

Last week, after hearing evidence on a motion for a preliminary injunction, the Federal District Court Judge agreed, with the consent of the CONS's attorneys, to withhold the preliminary injunction based upon a new Emerald County promise to submit a population reduction plan—within 60 days. The plan will have to bring the average daily population under rated capacity four months after its submission. The judge's order included the following points:

- The leaders of the agencies of the juvenile justice system, the Emerald County Board of Commissioners, and the County Manager must formally endorse the population reduction plan.
- 2. The population reduction plan cannot rely primarily on "emergency release" actions (such as daily discharges of certain youth through unilateral action by detention administrators). Instead, the plan must represent a reasonable effort to integrate policy, program, and practice changes that can produce sustainable reductions based upon justifiable systemic modifications.
- 3. The plan cannot be based upon expanded detention bed capacity (because the population reductions have to be accomplished in the short term).
- 4. The plan has to be sufficiently data-driven so that the court can determine, with some reasonable assurance, the potential bed reduction impact of the various strategies the County proposes.
- 5. Failure to comply with these conditions, especially failure to submit a credible plan that will reduce the population in the facility by 55%, will result in the appointment of a receiver to

assume responsibility for the detention system, imposition of a population cap, and daily fines of \$10,000.

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#### EMERALD CITY DETENTION SIMULATION

#### 1. Roles of Reform Team Members

Each Reform Team is responsible for submitting a plan to address the Judge's order. Each Reform Team will need to select a *Recorder/Reporter* who will be responsible for taking notes and reporting the decisions and plan of the Reform Team back to the larger group.

Reform Teams should designate a team member as a *Facilitator*. This individual should provide the leadership, guidance, and structure so that all team members have an equal opportunity for input and so that a process exists for the team to make decisions. It is the *Facilitator's* responsibility to move the discussion to closure in the form of a plan of action.

Each Reform Team should select one team member to serve as an *Analyst*. The role of the *Analyst* is to evaluate the group process and to determine which strategies and actions were most effective. *Analyst* and *Facilitators* will assist the *Recorder/Reporter* in preparing the Reform Teams report to the larger group.

TA Providers are members of the jurisdictional teams training staff who may participate in one or more groups. Not every simulation or group will have input from a TA Provider. Similar to technical assistance in a variety of other situations, the Reform Team is not bound by TA Provider recommendations.

Spartans are the monitors appointed by the Federal Court to make sure that the Reform Teams make progress toward the Judge's order. Therefore, the decisions of the Spartans reflect the best interest of the Court, and these decisions are final.

#### 2. Ground Rules

- A. We will agree to accept the simulation as is. That is, we agree not to spend our time debating the pros and cons of this approach, the details of the simulation, or the relevance of Emerald County's circumstances to our particular jurisdictions. Our focus will be on fulfilling Emerald County's promise to deliver a viable plan to the court.
- B. Within limits, Reform Teams can seek clarifications or request rulings regarding ground rules, the simulation narrative or data, or their proposed strategies. Team members can ask the Spartans to clarify most anything, but the limits noted refer to the fact that there is little time for major diversions once the Reform Teams get rolling. Consequently, teams should be prepared to note assumptions that they have made if there were considerations that were not clarified by a Spartan ruling.
- C. Facilitators, Recorder/Reporters, and Analysts should be considered parts of the Reform Teams. TA Providers may facilitate the Reform Team discussions or analyze team recommendations based upon the simulation data. To perform these duties well, and for the Reform Teams to take advantage of these roles, everyone needs to be considered part of the team. Do not view the TA Providers as spies of the Spartans.
- D. No member of a Reform Team holds veto power over a particular strategy. However, particularly strong objections should be noted and shared when reporting out, including during the final plan presentation to the Spartans so they might incorporate these objections into their consideration of the plans' viability. The "functional group" meetings, therefore, should be viewed as a time to surface concerns and identify possible ways to overcome obstacles, not to infect the deliberations with fatal objections.
- E. We won't worry about money. Strategies designed to reduce populations generally have price tags associated with them. However, we will assume that the costs of the litigation (especially the daily fines for noncompliance with the court's order) make the teams' recommendations fiscally feasible (if not actually cost effective), even in the short term.
- F. Reform strategies must be realistic and reasonably complete in their formulation. The simulations will only work if we try to come up with strategies that can work in the real

world. Solutions, like "inoculations against delinquency," will not help. To make sure that strategies are actually realistic and reasonable, teams must provide critical clarifications. For example, if a team proposes a program to reduce the presence of a specific population in the Detention Center, it must also clarify what policy or practice changes must be adopted to ensure that the program effectively targets this population and does not widen the net.

- G. It's OK to incorporate other teams' strategies into your team's final plan. After the first Reform Team meetings, there will be a report out session during which the Recorder/Reporters will summarize the first sets of strategies. At the second Reform Team meetings, it is OK to adopt or adapt strategies from the other teams if your team members think these recommendations strengthen your team's plan.
- H. Each team will select a representative to plead its case to the court. (In the shortened simulation exercise, the Recorder/Reporter will fulfill this function.) For the final report out, each team will designate someone to present their case (as opposed to relying on the Recorder/Reporters as will be the case for the first report out). The designee should be selected no later than the beginning of the second Reform Team meeting so she or he can be prepared. The Recorder/Reporter will assist this representative by preparing clear summaries of the team's recommendations.
- I. The Spartans rule. Matters of rule and simulation interpretation, as well as final commentary on the specific plans, shall be the province of the Spartans (though they will promote feedback and discussion at all times). Failure to abide by this rule could result in a contempt finding (and contempt is an automatic detention criterion).
- J. Have fun. The simulation is intended as a serious exercise, intended to fire up the creative juices in ways that should be relevant to each agency's work. But, it should also be fun. Enjoy this opportunity to share with colleagues from other agencies, to be free of the limitations that the customary practices of our own sites impose, and to "get out of the box."

#### **EMERALD COUNTY DETENTION DATA**

Emerald County Juvenile Detention Center has a capacity of 30 juveniles. The facility consists of 30 single-occupancy rooms. The capacity, using annual days care, is 10,958.

The Emerald County Data Sheet contains several abbreviations and one-word categories. The following glossary explains each concept and topic.

#### 1. Detention Data: Pre-Dispositional

Emerald County keeps basic information on youth detained before disposition and after disposition. These statistics reflect detention practices for the most recent calendar year. Additional information is unavailable regarding the present calendar year.

- A. Offense represents the general categories of offenses that come before the Court.
- B. *Arrest/Ref.* is the number of arrests or referrals to the Court for each category. Emerald County wants to install a new computerized management information system that will permit better analysis of the data.
- C. *Admissions* are the numbers of youth admitted to the Detention Center for each offense category for the previous calendar year.
- D. % Adm. represents the percentage of total admissions that particular offense category represents.
- E. ALOS equals the average length of stay for each offense category.
- F. *Pre DC* represents the total number of days care in pre-dispositional detention status for each offense category.

#### 2. Detention Data: Sentencing

These statistics represent the use of the Juvenile Detention Center for post-dispositional sentences during the previous calendar year.

A. Arrest/Ref is a repeat of the same information from the Pre-Dispositional Detention Data.

- B. Admissions are the numbers of youth sentenced to the Detention Center for each offense category for the previous calendar year.
- C. % Sen. is the percent of the sentences that each offense category represents.
- D. ALOS equals average length of stay.
- E. Post DC is the total number of days care for post-dispositional detention or sentencing.

#### 3. Detention Alternatives

Management information systems for detention alternatives are less reliable than those for detention. Again, data represent detention alternative usage for the most recent calendar year.

- A. Day Treatment is a program operated by the County that uses the basement area of the old Emerald County Building. Youth report to the program at 8:30 a.m. and are released at 5:00 p.m. There has been much discussion about expanding the program, but budget deficits have diverted money to secure detention. The cost of Day Treatment is \$50 per day. The program has a capacity for 10 youth.
- B. *After-School Report* is the After-School Reporting program. Operated by the County and located in one wing of an old elementary school, counselors and juvenile careworkers provide programs and services for youth from 3:30 p.m. until 9:30 p.m. The previous juvenile court judge who was consistently accused of being soft on crime started the program. The program capacity is 16 youth with a per diem cost of \$75.
- C. *Home Detention* represents the Home Detention program operated by the Court for those youth who do not need secure detention. Home Detention has a capacity for 10 youth under the supervision of one probation officer. Critics and advocates of the program agree that the home detention probation officer was transferred to home detention services because of the general inability to supervise youth. The per diem cost is \$18, and the program capacity is 10 youth.
- D. Admissions equal the number of youth assigned to the detention alternative within the previous calendar year.

- E. *ALOS* equals the average length of service provided by each of the detention alternatives to those youth admitted to the program.
- F. *DC* is the total annual days care for the detention alternative services for the previous calendar year.
- G. % Cap. equals the percent of capacity or percent usage of the program.

- A. *Allocation* equals the amount of funds allocated by the County Board for this line item for the previous calendar year.
- B. Expended equals the total amount of expenditures for the previous calendar year.
- C. Net +/- equals the amount of money under-budget (surplus) or over-budget (- = deficit).

### Detention Data: Pre-Dispositional

Offense	Arrest/Ref.	Admissions	% Adm.	ALOS	Pre DC
Domestic Violence	973	101	8.78	13	1,313
Drug Offenses	820	178	15.48	11	1,958
Property	1,364	288	25.04	16	4,608
Transfer	7	7	0.61	284	1,988
Truancy	912	58	5.04	6	348
Violation Ct. Order	672	173	15.04	12	2,076
Violent Index	596	345	30.00	19	6,555
Totals	5,344	1,150	100.00		18,846

#### **Detention Data: Sentencing or Post-Dispositional**

Offense	Arrest/Ref.	Admissions	% Sen.	ALOS	Post DC
Domestic Violence	973	2	5.88	46	92
Drug Offenses	820	13	38.24	60	780
Property	1,364	6	17.65	60	360
Transfer -	- 7 -	· 0	0.00	- 0	. 0
Truancy	912	1	2.94	33	33
Violation Ct. Order	672	5	14.71	30	150
Violent Index	596	7	20.59	60	420
Totals	5,344	34	100.00		1,835

**Detention Alternatives** 

Alternative	Capacity	Admissions	ALOS	DC	% Cap.
Day Treatment	10	68	43	2,924	80
After-School Report	16	153	31	4,743	81
Home Detention	10	19	19	361	10
Totals	36	240		8,028	

#### **Emerald County Budget**

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Item	Allocation	Expended	Net +/-
Detention	1,643,700	3,102,150	-1,458,450
Day Treatment	182,650	146,200	36,450
After-School Report	438,300	355,725	82,575
Home Detention	65,754	6,498	59,256
Totals	2,330,404	3,610,573	-1,280,169

20,681

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## Emerald County Reform Team Worksheet

Offense	Arrest/Ref.	Admissions	% Adm.	ALOS	Pre DC
Domestic Violence	973				
Drug Offenses	820				
Property	1,364			· · · · ·	
Transfer	7	· ·			·
Truancy	912				······
Violation Ct. Order	672			·	
Violent Index	596				
Totals	5,344				

#### Detention Data: Sentencing or Post-Dispositional

Offense	Arrest/Ref.	Admissions	% Sen.	ALOS	Post DC
Domestic Violence	973				
Drug Offenses	820				
Property	1,364				
Transfer	7		······	·	
Truancy	912				
Violation Ct. Order	672				
Violent Index	596				
Totals	5,344	· · · · · · · · · · · · · · · · · · ·			

#### **Detention Alternatives**

Alternative	Capacity	Admissions	ALOS	DC	% Cap.
Day Treatment	10				
After-School Report	16				
Home Detention	10				· · · · · · · · · · · · · · · · · · ·
Totals	36	······			

Item	Allocation	Expended	Net +/-
Detention	1,643,700	3,102,150	-1,458,450
Day Treatment	182,650	146,200	36,450
After-School Report	438,300	355,725	82,575
Home Detention	65,754	6,498	59,256
Totals	2,330,404	3,610,573	-1,280,169

#### Team 1

Offense	Arrest/Ref.	Admissions	% Adm.	ALOS	Pre DC
Domestic Violence	973	101	8.78	13	1,313
Drug Offenses	820	178	15.48	11	1,958
Property	1,364	288	25.04	16	4,608
Transfer	7	7	0.61	284	1,988
Truancy	912	58	5.04	б	348
Violation Ct. Order	672	173	15.04	12	2,076
Violent Index	596	345	30.00	19	6,555
Totals	5,344	1,150	100.00		18,846

## Detention Data: Pre-Dispositional

## Detention Data: Sentencing or Post-Dispositional

Offense	Arrest/Ref.	Admissions	% Sen.	ALOS	Post DC	
Domestic Violence	973	2	5.88	46	92	
Drug Offenses		1.3		60	780	
Property	1,364	6	. 17.65	60	360	
Transfer	7	0	0.00	. 0	0	
Truancy	912	1	2.94	33	33	
Violation Ct. Order	672	5	14.71	30	150	
Violent Index	596	7	20.59	60	420	
Totals	5,344	34	100.00	<u>-</u>	1,835	20,681

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#### Detention Alternatives:

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Alternative	Capacity Ad	nissions	ALOS	DC	% Cap.
Day Treatment	10	68	43	2,924	80
After-School Report	16	153	31	4,743	81
Home Detention	10	19	19	361	10
Totals	36	240		8,028	

Item	Allocation	Expended	Proposed	Net +/-	Savings
Detention	1,643,700	3,102,150	3,102,150	-1,458,450	0
Day Treatment	182,650	146,200	146,200	36,450	0
After-School Report	438,300	355,725	355,725	82,575	0
Home Detention	65,754	6,498	6,498	59,256	0
Totals	2,330,404	3,610,573	-1,280,169	-1,280,169	0

#### Team 2

## Detention Data: Pre-Dispositional \_\_\_\_\_Offense Arrest/Ref. Admissions

Offense	Arrest/Ref.	Admissions	% Adm.	ALOS	Pre DC
Domestic Violence	973	101	8.78	13	1,313
Drug Offenses	820	178	15.48	11	1,958
Property	1,364	288	25.04	16	4,608
Transfer	7	7	0.61	284	1,988
Truancy	912	58	5.04	6	348
Violation Ct. Order	672	173	15.04	12	2,076
Violent Index	596	345	30.00	19	6,555
Totals	5,344	1,150	100.00		18,846

### Detention Data: Sentencing or Post-Dispositional

Offense	Arrest/Ref.	Admissions	% Sen.	ALOS	Post DC
Domestic Violence	973	2	5.88	46	92
Drug Offenses	820	- 13	38.24 -	60-	- 780
Property	1,364	6	17.65	60	360
Transfer	7	0	0.00	0	0
Truancy	912	1	2.94	33	33
Violation Ct. Order	672	5	14.71	30	150
Violent Index	596	7	20.59	60	420
Totals	5,344	34	100.00		1,835

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#### Detention Alternatives:

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Alternative	Capacity Ad	missions	ALOS	DC	% Cap.
Day Treatment	10	68	43	2,924	80
After-School Report	16	153	31	4,743	81
Home Detention	10	19	19	361	10
Totals	36	240		8,028	<u> </u>

Item	Allocation	Expended	Proposed	Net +/-	Savings
Detention	1,643,700	3,102,150	3,102,150	-1,458,450	0
Day Treatment	182,650	146,200	146,200	36,450	0
After-School Report	438,300	355,725	355,725	82,575	0
Home Detention	65,754	6,498	6,498	59,256	0
Totals	2,330,404	3,610,573	-1,280,169	-1,280,169	0

Team 3

Offense	Arrest/Ref. Ad	missions	% Adm.	ALOS	Pre DC
Domestic Violence	973	101	8.78	13	1,313
Drug Offenses	820	178	15.48	11	1,958
Property	1,364	288	25.04	16	4,608
Transfer	7	7	0.61	284	1,988
Truancy	912	58	5.04	б.	348
Violation Ct. Order	672	173	15.04	12	2,076
Violent Index	596	345	30.00	19	6,555
Totals	5,344	1,150	100.00		18,846

#### Detention Data: Pre-Dispositional

## Detention Data: Sentencing or Post-Dispositional

Offense	Arrest/Ref. Adn	nissions	% Sen.	ALOS	Post DC
Domestic Violence	973	2	5.88	46	92
Drug Offenses	820	13	38.24	60	780
Property	1,364	6	17.65	60	360
Transfer	7	0	0.00	0	0
Truancy	912	1	2.94	33	· 33
Violation Ct. Order	672	5	14.71	30	150
Violent Index	596	7	20.59	60	420
Totals	5,344	34	100.00		1,835

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#### Detention Alternatives:

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Alternative	Capacity Ad	nissions	ALOS	DC	% Cap.
Day Treatment	10	68	43	2,924	80
After-School Report	16	153	31	4,743	81
Home Detention	10	19	19	361	10
Totals	36	240		8,028	

Item	Allocation	Expended	Proposed	Net +/-	Savings
Detention	1,643,700	3,102,150	3,102,150	-1,458,450	0
Day Treatment	182,650	146,200	146,200	36,450	0
After-School Report	438,300	355,725	355,725	82,575	0
Home Detention	65,754	6,498	6,498	59,256	0
Totals	2,330,404	3,610,573	-1,280,169	-1,280,169	0

#### Team 4

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## Detention Data: Pre-Dispositional

Offense	Arrest/Ref. Ad	lmissions	% Adm.	ALOS	Pre DC
<b>Domestic Violence</b>	973	101	8.78	13	1,313
Drug Offenses	820	178	15.48	11	1,958
Property	1,364	288	25.04	16	4,608
Transfer	7	7	0.61	284	•
Truancy	912	58	5.04	204 6	1,988
Violation Ct. Order	672	173		-	348
Violent Index	596		15.04	12	2,076
·····		345	30.00	19	6,555
Totals	5,344	1,150	100.00		18,846

## Detention Data: Sentencing or Post-Dispositional

Offense	Arrest/Ref. Adn	nissions	% Sen.	ALOS	Post DC
Domestic Violence	973	2	5.88	46	92
Drug Offenses	820	13	38.24	· · · 60-	780
Property	1,364	6	17.65	60	360
Transfer	7	0	0.00	0	0
Truancy	912	1	2.94	33	33
Violation Ct. Order	672	5	14.71	30	150
Violent Index	596	7	20.59	60	420
Totals	5,344	34	100.00		1,835

#### Detention Alternatives:

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Alternative	Capacity Adı	nissions	ALOS	DC	% Cap.
Day Treatment	10	68	43	2,924	80
After-School Report	16	153	31	4,743	81
Home Detention	10	19	19	361	10
Totals	36	240		8,028	

Item	Allocation	Expended	Proposed	Net +/-	Savings
Detention	1,643,700	3,102,150	3,102,150	-1,458,450	0
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After-School Report	438,300	355,725	355,725	82,575	0
Home Detention	65,754	6,498	6,498	59,256	0
Totals	2,330,404	3,610,573	-1,280,169	-1,280,169	0

Violent Index

Totals

Team 5

12

19

Pre DC 1,313 1,958 4,608 1,988 348

2,076

6,555

18,846

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Offense	Arrest/Ref.	Admissions	% Adm.	ALOS
Domestic Violence	973	101	8.78	13
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Transfer	• 7	7	0.61	284
Truancy	912	58	5.04	6
Violation Ct. Order	672	173	15.04	12

#### Detention Data: Pre-Dispositional

### Detention Data: Sentencing or Post-Dispositional

596

5,344

Offense	Arrest/Ref. Adu	missions	% Sen.	ALOS	Post DC
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Property	1,364	6	17.65	60	360
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Totals	5,344	34	100.00		1,835

345

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15.04

30.00

100.00

Detention Alternatives:

Alternative	Capacity	Admissions	ALOS	DC	% Cap.
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Home Detention	10	19	19	361	10
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## **Emerald County Budget**

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Day Treatment	182,650	146,200	146,200	36,450	0
After-School Report	438,300	355,725	355,725	82,575	0
Home Detention	65,754	6,498	6,498	59,256	0
Totals	2,330,404	3,610,573	-1,280,169	-1,280,169	0

20,681

188.73

## **Illinois State Police** *Mission*

We, the men and women of the Illinois State Police, are dedicated to the pursuit of professionalism and excellence in all we do, and we work to build and enhance our capacity to serve Illinois and its people in a spirit of trust, cooperation and reliability. With a view to the future of Illinois, in our desire to contribute to our state's growth and progress:

We act to promote and sustain a safe, orderly and positive environment for all people in the state of Illinois.

We seek to work as partners and mentors with law enforcement, criminal justice, and public service agencies, and to serve as a valuable resource in support of our state, its government and its people by providing highway and public safety; investigative, forensic and communications expertise; and the highest-quality training services.

We strive to improve the integrated services we offer and the cooperative relationships we foster by making optimal use of available technological resources and by encouraging the highest standards of performance among our organization's most valuable asset — the men and women of the Illinois State Police.

We advocate and encourage leadership and innovation with the law enforcement community.

We acknowledge the diversity of background and experience characterizing the men and women of the Illinois State Police is a principal source of our organization's strength, and we provide for the personal and professional growth and development of all our people.

We recognize our relentless commitment to integrity, service and pride is the cornerstone of our organization and the foundation for all we do.

## **Illinois State Police** *Core Competencies*

These competencies are to be exemplified by ALL members of the Illinois State Police:

- Innovation, Change and Creativity: Using intellectual inventiveness, actively seeks out new ideas, methods and opportunities; displays creativity through imagination; and enhances services while effectively directing a workforce during periods of changing conditions.
- *Communication:* Possesses well-developed interpersonal skills via speech, writing, gestures and listening and actively seeks ideas and input from others. Candor, compassion and commitment to obligations in all working relationships increases the quality of communication.
- *Professionalism:* Demonstrates fairness, candor and courage; remains calm in stressful situations by responding appropriately; exemplifies a commitment to obligations in all working relationships.
- *Team Orientation:* Values the team approach and actively supports its processes to meet or exceed agency goals.
- *Decision Making:* Is decisive and has the ability to make sound, objective decisions in organizational matters. Ensures appropriate decision level.
- Valuing People: Demonstrates respect for others.

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• Analysis and Planning: Uses critical thinking, diagnostic skills and technology to solve problems and develop sound business decisions.

## **Division of Operations** Vision Statement

The Division of Operations will improve the quality of life and make society safer.

## **Division of Operations** Values

Strong work ethic, caring for people, service before self, no personal agendas, loyalty, attitude and flexibility. Basic work rule - Exemplify --lead by example.

## WORK ETHIC

Dedicated to mission, ISP and people. Expending effort necessary to do an outstanding job; initiative; whatever it takes.

## CARING FOR PEOPLE

Empathetic, fair, patient, invest time necessary, candor with diplomacy, honesty, interpersonal skills with sincerity (hello, thanks), sharing/ giving credit, team player.

## SERVICE BEFORE SELF

No personal agendas to the detriment of the ISP or others, focus on mission - big picture, company/personnel first, capacity and willingness to sacrifice.

## LOYALTY

Teamwork, commitment, supportive, open minded, candid input, protect confidentiality, create open atmosphere.

## POSITIVE ATTITUDE

Expects to succeed, keeps things in perspective, accepts reasonable mistakes, embraces challenge, realistic.

## FLEXIBILITY

Adaptable to change, tolerance for ambiguity, explores alternatives, innovative, open-minded.



## **National Juvenile Detention Association**

Lesson Plan Cover Sheet

				190671
COURSE TITLE	Jurisdictional Teams: Strate	gi	c Planning	
MODULE TITLE	04 Defining the Detention Sy	st	em: Place or Pr	ocess
INSTRUCTOR(S)				
Authors	Earl Dunlap and David Rous	h		
· · ·	-TIME FRAME	7		Community and Juvenile Justice
	o hours, but session will		TARGET POPULATION	Leaders, Law Enforcement, School Administrators, Juvenile Confinement Facility Directors
vary depending on activities used and time allowed for discussion.			NUMBER OF PARTICIPANTS	20-30
	-		Space Requirements	Classroom set-up.
PERFORMANC	e Objective(s)	]	EVALUATION	N PROCEDURES
Following this se to:	ssion participants will be able		Group discussive evaluation	on, activities, and trainer
1. Distinguish be process and pl	etween juvenile detention as ace;			
	s alternatives based on the ctions concept; and			
-	ost differences based on place considerations.			

## **Methods/Techniques**

Small group activities, individual activities, lecture and discussion

### **Instructor Materials**

Dunlap, E. L., & Roush, D. W. (1995, Spring). Juvenile detention as process and place. Juvenile and Family Court Journal, 46, 3-16.

Moeser, J. (1997, Winter). Implementing a balanced and restorative justice approach in juvenile detention. *Journal for Juvenile Justice and Detention Services*, 46-52.

EQUIPMENT AND SUPPLIES NEEDED	
	VIDEO PLAYER TYPE:V" VHS OTHER (SPECIFY BELOW) VIDEO TAPE LENGTH:MINUTES VIDEO TAPE RECORDER WITH CAMERA PUBLIC ADDRESS SYSTEM OVERHEAD PROJECTOR OTHER (SPECIFY) Transparencies
<u>X</u> MASKING TAPE	

#### PARTICIPANT MATERIALS (HANDOUTS)

TITLE	# NEEDED	WHEN DISTRIBUTED	COMMENTS
H-H-1, 2, 5, 6 Notetaking Guides	1/participant	Instructional Input	
H-H-3 Definition	1/participant	Instructional Input	
H-H-4As a Disposition	1/participant	Instructional Input	
uvenile Detention as	1/participant	Independent Study	
mplementing a Balanced and Res	1/participant	Independent Study	
Statistics	1/participant	Independent Study	

DEFINE THE DETENTION SYSTEM: PLACE OR PROCESS	NOTES TO TRAINER	
I. ANTICIPATORY SET	① minutes	
A critical task in preventing and reducing crowding is defining the nature of the institution. This follows the development of the vision and mission statements.	Display 4-T-1	
Performance Objectives:	Display 4-T-2	
Following this session, participants will be able to:		
1. Distinguish between juvenile detention as process and place;		
2. Create "process" or detention alternatives using the graduated sanctions concept from the OJJDP Comprehensive Strategy; and		
3. Explain the cost differences based on place versus process considerations.		
Preliminary Definitions:		
<ul> <li>Detention can be defined two ways. First, detention is a process. It is the action taken by the court to cause three kinds of behavior to cease: <ul> <li>Re-offending - thus protecting public safety</li> <li>Absconding - ensuring the youth's presence at court, and</li> <li>Self-harm - preventing the individual from harming self.</li> </ul> </li> <li>This process of preventive detention is the action taken to produce the custody and care of youth.</li> </ul>	Display 4-T-3	
Ask participants, "Can you prevent some things from happening without physical intervention? "Can you prevent things from happening with varying levels of physical intervention?" <i>Responses</i> <i>will vary</i> . Second, detention is also a <u>place</u> . It is a physical environment with varying levels of security, construction, hardware, and technology that produce the care and custody of youth. Most of the time both	Display 4-T-4	
definitions occur simultaneously. But the point here is that they do not necessarily have to. HISTORY OF CONFUSION	() minutes	
I. INSTRUCTIONAL INPUT:	① minutes	
There is a lot of confusion surrounding the role and definition of		

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DEFINE THE DETENTION SYSTEM: PLACE OR PROCESS	NOTES TO TRAINER	
juvenile detention. In order to clarify the issue we must first look at the history of the confusion.		
A. Definition of Detention	Direct participants to 4- H-3	
Until recently there was no single definition that had received primacy. In an effort to clarify the definition of detention, NJDA endorsed the definition statement in participant materials. Prior to this there was no clear definition. Direct participants to take a moment to read the information and then as a group highlight some of the key pieces of information.		
<u>Juvenile Detention</u> - the temporary and safe custody of juveniles who are accused of conduct subject to the jurisdiction of the court who require a restricted environment for their own or the community's protection.	Display 4-T-5	
Ask for key words from the participants. Possible responses may include: temporary, safe, restricted environment, conduct subject to jurisdiction of court, community protection, helpful services, etc		
Trainer can also suggest participants read NJDA's position statement against the use of detention as a dispositional option.	Refer to 4-H-4	
B. Controls on Intake		
This definition of detention alludes to controls on admissions. Juvenile detention cannot effectively be all things to all segments of the juvenile system. Without intake guidelines and criteria, the function of detention becomes too confused.		
C. Cooperation among Stakeholders		
In an earlier session, you listed stakeholders. This definition alludes to stakeholders in juvenile detention. It is important that there be cooperation between agencies to divert youth into alternative programs who do not require secure detention. There should be a well-organized network for transferring youth to the appropriate placement.		
A BALANCED APPROACH	① minutes	
III. INSTRUCTIONAL INPUT:	Display 4-T-6	
A. The Needs of Youth WITH the Need for Public Safety		
Historically, there was conflict between the confinement/preventative function of detention and the therapeutic function of detention. The Balanced and Restorative Justice (BARJ) model is a way to bring balance, equilibrium or harmony back to the key components of		



DEFINE THE DETENTION SYSTEM: PLACE OR PROCESS	NOTES TO TRAINER
effective juvenile justice interventions, balancing preventative detention and therapeutic detention.	
The BARJ model recognizes that it is simply not enough to make juveniles compliant while in detention. Detention services should teach juveniles to make responsible decisions, to choose law-abiding and respectful behavior rather than delinquent behavior after release. This approach emphasizes <i>balancing</i> the offender's needs with the need for public safety.	
B. Engages the Family	
The OJJDP Comprehensive Strategy for Serious, Violent and Chronic Juvenile Offenders (1993) states, " it is the family and community, supported by our core social institutions, that have primary responsibility for meeting the basic socializing needs of our nation's children." The detention process should encourage this responsibility. Juvenile delinquency may indicate the juvenile needs increased family involvement. Or it may be a sign of the family needing assistance. A detention program should recognize families as part of solutions.	
As an example of the need for a comprehensive strategy for addressing delinquency, refer participants to statistics on substance abuse and child abuse.	Refer to CesarFax in materials.
C. Supports Existing Community Resources or Identifies Gaps	
The Balanced Approach to detention supports existing community resources and/or identifies systems gaps. Opportunities given for juvenile interactions with competent, caring adults in the community can provide support and learning while in detention, but can also introduce juveniles to resources useful after their release. There is also an attempt to engage the family and community into the process of detention, emphasizing the restoration of relationships damaged by the juvenile's crime and increasing the juvenile's understanding of the damage caused.	
D. Cost-Benefit Ratio	
Annual costs of institutional care run from \$36,000 to \$75,000. Non- institutional alternatives are a fraction of the cost, and studies show that they are no less effective. Question: Why would anyone pay significantly more for the same product? This does not include comparisons between facilities with an adult-custodial model versus those with a caregiver model. Again, reduced recidivism linked to caregiver programs (cite research of Lipsey and Howell) yield additional savings.	



<b>DEFINE THE DETENTION SYSTEM: PLACE OR PROCESS</b>	NOTES TO TRAINER
DEFINING DETENTION	
IV. INSTRUCTIONAL INPUT:	Display 4-T-7
A. PlaceThe Building is the Centerpiece	
References to juvenile detention as a place emphasize the physical structure of detention, the building; its physical characteristics, such as security hardware, square footage, furnishings, and sanitation; and includes administrative and operational rules and regulations.	
Detention as a place is a passive concept; the object or outcome of juvenile court action. This can lead to an acceptance of detention as the main resolution to a very wide variety of situations.	
B. A ProcessA range of appropriate interventions which may include the PLACE	
References to detention as process focus on the "how" of detention or the detention experience. Thinking in terms of process moves juvenile detention beyond a single building or entity and suggests a wide range pf services.	Display 4-T-8
Detention as process is an active concept; referring to the act of providing a continuum of care, custody and restrictive supervision. The court and others in the juvenile justice system begin to see detention as only one option or level of action among many.	
C. Compatibility with the Vision/Mission Statement promulgated by the Core Group	
If the group had an opportunity to develop a vision/mission statement earlier, test it now against the concept of detention as process. Does the group's vision or mission allow for alternatives to lodging in the detention facility? If possible, provide an example of a mission statement that limits the vision of detention to a place.	
D. The Purpose of secure detention promulgated by the Core Work Group	Record responses on
Facilitate brainstorming with the group on the purpose of secure detention. Record all ideas on the newsprint and when a sheet is full, have a participant tape it to the wall and then continue until all suggestions have been recorded. Return to the beginning and attempt p narrow down the list by grouping similar ideas using different colored markers. Alternatively, direct small groups to develop their own definition of the purpose of secure detention and let groups share	newsprint.



DEFINE THE DETENTION SYSTEM: PLACE OR PROCESS	NOTES TO TRAINER
them with the larger group.	
V. Summary	
Direct participants to additional resource handouts in their manuals.	
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# Define the Detention System: Place or Process

training

date

place

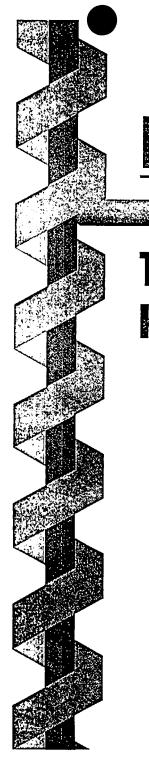


# Performance Objectives

## Following this session participants will be able to:

- 1. Distinguish between juvenile detention as process and place;
- 2. Create process alternatives based on the graduated sanctions concept; and
- 3. Explain the cost differences based on place versus process considerations.



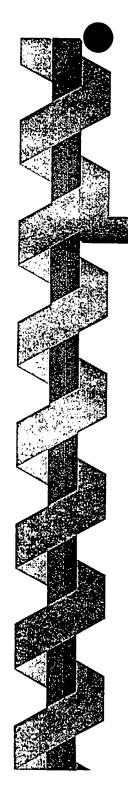


Detention - as PROCESS

The action taken by the court to cause three kinds of behavior to cease.

- Re-offending thus protecting public safety
- Absconding ensuring the youth's presence at court, and
- Self-harm preventing the individual from harming self.







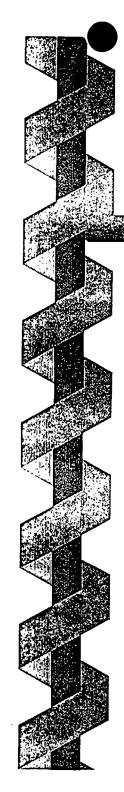
The physical environment with varying levels of security, construction, hardware, and technology that produce the care and custody of youth.



# Juvenile Detention -

# (as defined by NJDA):

"...The temporary and safe custody of juveniles who are accused of conduct subject to the jurisdiction of the court who require a restricted environment for their own or the community's protection..."



# "Balanced" Approach

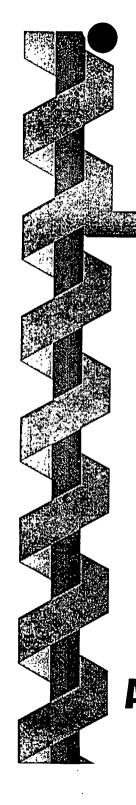
- The Needs of Youth WITH the Need for Public Safety
- Engages the Family
- Supports Existing Community Resources or Identifies Gaps
- Cost-Benefit Ratio



# Defining Detention

- PLACE: The <u>Building</u> is the Centerpiece
- PROCESS: A <u>Range</u> of appropriate interventions which may include the PLACE.

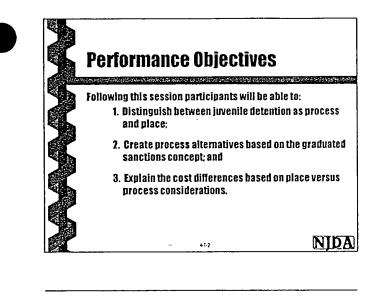


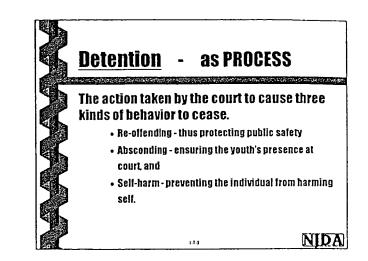


# Example Continuum of Care

**Juvenile Corrections Secure Detention** Weekend Detention **Home Detention Out-patient Drug/Alcohol** Treatment **Group Homes Probation Informal Probation After School Employment** 







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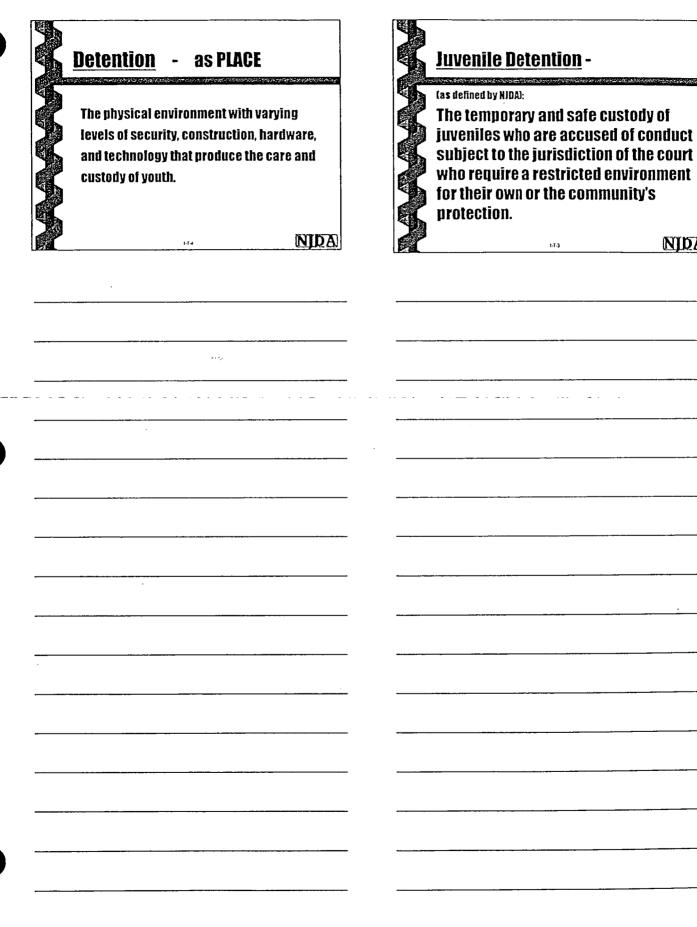


Define the Detention System: Place or Process

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### JUVENILE DETENTION DEFINITION As defined by NJDA

Juvenile Detention is the temporary and safe custody of juveniles who are accused of conduct subject to the jurisdiction of the court who require a restricted environment for their own and the community's protection while pending legal action.

Further, Juvenile Detention provides a wide range of helpful services which support the juvenile's physical, emotional and social development. Helpful services minimally include: education, recreation, counseling, nutrition, medical and health care services, reading, visitation, communication and continuous supervision. Juvenile Detention includes or provides for a system of clinical observation and assessment that complements the helpful services and reports findings.

## VISION STATEMENT

Our vision is that every child experience success in caring families and nurturing communities that cherish children and teach them to value family and community. Our vision is guided by the fact that our decisions and actions affecting children today determine the quality of our life tomorrow.

## MISSION STATEMENT

The mission of the juvenile corrections and detention system is to provide leadership for change for youth, family units, and communities. It operates by creating legitimate, alternative pathways to adulthood through equal access to services that are least intrusive, culturally sensitive, and consistent with the highest professional standards.



#### JUVENILE DETENTION AS A DISPOSITION NJDA Position Statement

Statement of the Issue:

The purpose of juvenile detention has historically been for "the temporary and safe custody of juveniles who are accused of conduct subject to the jurisdiction of the court who require a restricted environment for their own or the community's protection." However, use of juvenile detention by the court as a sentence has increased in recent years. This increase has been accompanied in many jurisdictions with statutory changes authorizing such use. This shift in detention use has resulted from the court's desire for additional sanctions which may be imposed on youth who violate the law or a court order.

Nature of the Issue:

Use of juvenile detention as a dispositional option emphasizes punishment over behavior change.

Use of juvenile detention as a dispositional option mixes populations and may adversely affect treatment or programming.

Use of juvenile detention as a dispositional option may aggravate overcrowding in juvenile detention centers.

Use of juvenile detention as a dispositional option is often utilized simply because other, more preferable, alternatives are not available.

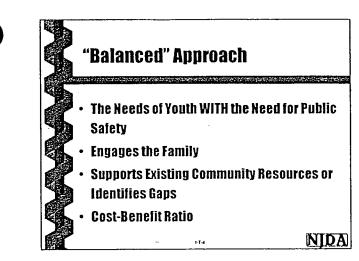
Use of juvenile detention as a dispositional option discourages the development of more appropriate, less costly alternatives.

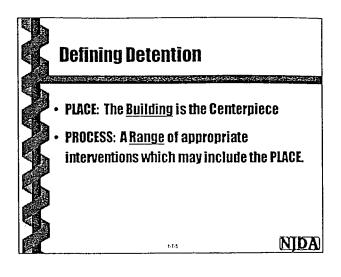
Use of juvenile detention as a dispositional option may result in negative influence of institutionalization and deny the opportunity for positive experiences in the community (i.e. school, religious activities, sports, family involvement).

Position Statement:

In accordance with the Definition of Juvenile Detention adopted by the Executive Board of NJDA, the National Juvenile Detention Association supports the prohibition of the use of juvenile detention as a dispositional option. The NJDA supports the development of more appropriate and less costly alternatives in order to eliminate the use of juvenile detention as a disposition.

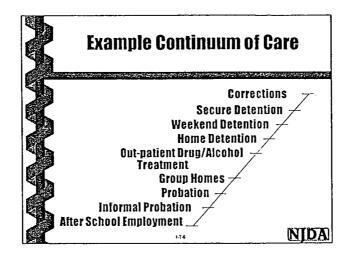






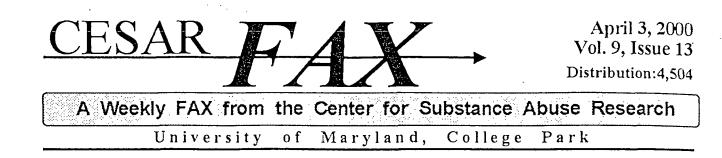
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#### Over 9.6 Million U.S. Children Live with Alcohol Abusing or Dependent Adults

An estimated one in seven children in the United States live in households with one or more adults who abused or were dependent on alcohol in the past year, according to an analysis of data from the National Longitudinal Alcohol Survey (NLAES). The majority of these children are the biological, foster, adopted, or stepchildren of the adults (70.4%). Just over one-third of the children--an estimated 3.5 million--were 5 years old or younger. The author warns that "unless comprehensive and intensive interventions are provided to address the full range of needs of children exposed to abuse and dependence, . . . the potential costs to human services, health, education, social services, and correctional services will quickly become overwhelming" (p. 114).

#### Characteristics of Children Living with an Alcohol Abusing or Dependent Adult, 1992

Characteristic	Percentage
Sex	
Male	49%
Race/Ethnicity	
Black	11.9%
Non-Black	88.1%
Age	
Five years old and younger	36.3%
Six to 11 years old	33.7%
Twelve to 17 years old	30.0%
Relationship to Abusing/Dependent Adult	
Child	70.4%
Sibling	11.6%
Other Biological Relative	8.8%
Non-Relative	6.3%
Unspecified Relationship	2.9%

(n=an estimated 9,567,473 children living in households with one or more adults who abused or were dependent on alcohol in the previous year)

NOTE: Abuse and dependence diagnoses were based on DSM-IV criteria

SOURCE: Adapted by CESAR from data from Grant, B.F., "Estimates of U.S. Children Exposed to Alcohol Abuse and Dependence in the Family," American Journal of Public Health, 90(1):112-115, January 2000.

#### Thursday, April 6th is National Alcohol Screening Day (NASD)

To locate a screening in your area, have your 5 digit zip code ready and call 1-800-405-9200 (for rotary phone users only, call 1-800-969-6642).

•• 301-403-8329 (voice) •• 301-403-8342 (fax) •• CESAR@cesar.umd.edu •• www.cesar.umd.edu •• CESAR FAX is supported by a grant from the Governor's Office of Crime Control & Prevention. CESAR FAN may be capied without permission. Please cite CESAR as the source.

### Implementing a Balanced and Restorative Justice Approach in Juvenile Detention

#### Jim Moeser

#### Abstract

This article outlines the basic principles of the Balanced and Restorative Justice approach to working with juvenile offenders and their application in a juvenile detention setting. Despite the fact that the majority of literature regarding the BARJ model focuses on working with offenders in the community, this article suggests that the principles can be applied equally well to the detention setting to help provide direction for the mission and practices of detention into the 21st century.

Since its publication in 1988, "Juvenile Probation: The Balanced Approach" (Maloney, Romig &Armstrong, 1988) has become one of the most utilized resources in the development of new strategies to working with juvenile offenders in the community. Combined with some of the concepts first articulated about restorative justice (see Zehr, 1990), these ideas have become the cornerstone of the OJJDP Balanced and Restorative Justice (BARJ) Initiative and the basis for a new vision about what the future of juvenile justice should be as we enter the 21st century.

While most of the literature about BARJ has focused on working with offenders in the community, its fundamental principles can have significant value in directing the future of juvenile detention practices as well. This article suggests that an understanding of the new paradigm offered by the BARJ model can assist juvenile detention practitioners in defining what the mission and activities of a successful juvenile detention facility should be and how to make decisions about programmatic changes that confront detention managers and practitioners.

#### The Need for a Vision or Mission

Like any other organization and the juvenile justice system itself (Bazemore & Washington, 1995), a juvenile detention facility must have some sense of mission or vision that provides fundamental guidance to staff about what it is they are trying to accomplish each day and over the course of time. Without complicating this discussion with differences between a vision or mission statement, there are a number of things that a mission statement can do, including:

- Providing a focus for significant discussions among staff as to what it is you are trying to accomplish and some of the concerns that individual staff have related to achieving that mission.
- Providing guidance to all about what things are ultimately the most important to achieve on a daily basis and over time.
- Providing common language or consensus that all staff can relate to.
- Providing guidance in the creation of new poli-

Jim Moser is currently the Juvenile Court Administrator for the Dane County Juvenile Court Program in Madison, Wisconsin. He has been working in the juvenile justice system since 1974 and has been involved in a wide variety of community and system related efforts working with juvenile offenders as well as in training new detention staff throughout the state of Wisconsin. Dane County is currently in the process of implementing a Balanced and Restorative Justice approach to dealing with juvenile delinquency, including efforts to adopt the Balanced and Restorative Justice principles in its detention center.



cies, procedures, or programs. That is, if it is not consistent with the mission, it should not be instituted.

These are but a few examples of the value of developing some mission statement. In short, a sound mission for any juvenile detention facility is critical to its success as an organization, providing the basis upon which to build sound practices and programs.

#### The Current State of Detention's Mission

In the current context of changing legislation, it is not getting any easier to identify what the mission of a juvenile detention facility is. Once dedicated solely to the pre-dispositional confinement of juveniles, more and more states and facilities are facing situations in which juveniles are placed in detention for a myriad of pre- and post- dispositional reasons. Needless to say, this can complicate the mission of a facility and challenge the staff in ways that were not anticipated years ago. And, as is true of most organizations and institutions, it is not likely that the change experienced over the past 5-10 years will slow down; in fact, it is likely to accelerate (Conner, 1992), forcing detention professionals to face even more changes from the "outside."

Just as juvenile justice itself has struggled with a the conflict between punishment and rehabilitation as a way to establish a direction (Howell, 1997; Cohn, 1994; Bazemore, 1994), it is not uncommon for that same debate to have been mirrored in internal discussions and debates among juvenile detention practitioners. Questions or statements, such as

"Is the purpose of detention punishment or rehabilitation?"

"Is my role as a line worker to be a 'guard' or a 'counselor'?"

"Shouldn't kids learn a lesson while they are in detention?"

"Kids need to learn discipline and order, and that's my job!"

are commonly part of staff discussions about procedures and policies to be implemented in detention. Even within this context, many detention centers have done well to implement a variety of educational and recreational programs that have been successful in working with juvenile offenders in short term detention settings. But, the BARJ approach offers a chance to do even more!

Like the juvenile justice system itself, the debate about the mission for staff in a detention facility has been "trapped" in this debate between punishment and treatment, between those who believe detention should be more like a jail and those who believe detention should provide more treatment, between those who view their role as "jailers" and those who view their role as "teachers" or "counselors". Back and forth the debate goes on, with many programs developing an uneasy compromise between the two dissimilar ends of this continuum.

#### A New Balanced and Restorative Mission for Juvenile Justice

One of the most significant aspects of the Balanced and Restorative Justice approach is that it rejects the "old" paradigm of punishment vs. treatment and replaces it with a new way of thinking about juvenile justice. Much has been written about these principles, and it is not possible in this paper to detail all the implications for practitioners. Briefly however, the fundamental principles of the BARJ model can be summarized as follows:

- There is greater balance in developing individual intervention and supervision plans for juvenile offenders, balancing the equally important components of Community Protection, Accountability, and Competency Development (Maloney, Romig, & Armstrong, 1988).
- There is greater balance in who is involved in the juvenile justice system, placing equal emphasis

on involving the community, victims, offenders, and professionals in the process and system (Bazemore & Day, 1997; Bazemore, 1997; Bazemore, 1994).

- There is a greater emphasis on the restoration of relationships that are damaged by crime, including a greater understanding on the part of offenders about the human consequences of crime.
- There are significant changes in the roles of professionals in the system in terms of how we provide opportunities for youth to learn new behaviors and participate in the restoration of communities (Umbreit & Carey, 1995; Bazemore, 1997).
- There is a greater emphasis on strengths and abilities of offenders than on their deficits, consistent with other system efforts to recognize and build on strengths of offenders (Saleeby, 1996).

Each of these differences provides guidance about a new mission for juvenile detention that similarly balances the interests of the community, victims, offenders, and the system professionals.

#### Applying the BARJ Principles in Detention

It is possible to adopt a similar paradigm for viewing our work with offenders within a juvenile detention setting. To do so requires focusing our practices on achieving a comparable balance among compatible components versus a compromise between opposing components.

Therefore, it is suggested that the mission of a juvenile detention facility is to balance the components of Community Protection, Competency Development, and Accountability in its policies, procedures, and programs. Although each of these are interdependent, for purposes of discussion, each will be addressed in turn.

#### **Detention as Community Protection**

Certainly one significant role of juvenile detention is as part of the juvenile justice continuum in which juveniles who are a danger to the safety of others are held safely and securely pending resolution of their case and involvement in intervention services. However, that is a relatively small part of how we could look at the Protection aspect of our work. There are, however, additional considerations that are part of our protection role.

First, ensuring that there is Protection within the facility (as well as protecting the community from youth) by managing a facility that is safe for the juveniles and staff whom live and work in it is certainly part of our work. In some ways, this is perhaps the most fundamental role staff can play in that a facility that does not offer a safe living and working environment has difficulty ever moving beyond dealing with those issues.

Secondly, however, the Community Protection aspect of the BARJ approach does not rely solely on the coercive nature of institutions or agents to reasonably ensure public safety. In particular it suggests that true public safety is only ensured when individuals choose law-abiding and respectful behavior instead of delinquent behavior. Therefore, it is not enough to simply gain compliance from juveniles in care in a facility. Rather, it is important that juveniles have opportunities to make, and be recognized for making, responsible and respectful decisions.

As will be noted in the section on Competency Development, youth learn best by doing. By not providing youth with guided opportunities to make safe choices, we simply contribute to a process that begins to "institutionalize" them, teaching them to comply in an institution but teaching little about making choices in the real world.

#### **Promoting Accountability**

The use of the word "accountability" is one of the more misunderstood concepts of the Balanced Approach. Utilizing the "old paradigm," many interpret accountability in this new approach to simply mean the process by which juveniles are held "accountable" for their offense or even are "accountable" to adults in the system for their subsequent behavior (e.g. accountable for their whereabouts, accountable to come in on time, etc.). Only the former part of this approaches what is the real depth of the Accountability component in a BARJ model.

True accountability places a much greater emphasis on the relational aspects of crime and development. In particular, the emphasis on accountability must be on developing the youth's understanding of the impact of their crime on others, accepting responsibility for their behavior, and even more so being actively involved in restoring the harm done by their behavior.

The restorative justice principles in the BARJ approach reflect a much greater emphasis on the youth's relationship to the victim and the community than to the "system" or adults that are designated as "representatives of the 'state'" such as the District Attorney, probation officers, or even the court itself. By understanding the human aspects of crime and taking steps to repair that harm, the offender makes the most progress toward choosing responsible behavior in the future.

The development of this understanding, including understanding some of the human reason for various rules and laws, is not dissimilar to work that has been done relative to moral development, helping a youth understand the reasons for law and relationships in a society (Duska & Whelan, 1975; Haan, 1985; Buzzelli, 1992). These concepts restore to our work with offenders a sense of moral responsibility as part of a community and society that is often lacking in a more retributive approach.

Therefore, within detention, it becomes important that we reinforce the human aspects of our "community," the detention facility, and population itself. We can do that by examining all of our practices in disciplinary and other interactions with juveniles in which we are trying to promote some form of compliance, accountability, or responsibility. While there are rules that must be in place that help promote safety, security, and efficiency of the facility, this relational aspect of the Balanced Approach would suggest that:

• We understand whether the compliance we wish to obtain is for our benefit only or whether we can somehow develop expectations that reinforce a sense of responsibility to others in the facility.

- When we deal with non-compliance, we should emphasize the human impact of the behavior versus the institutional rules.
- When problems occur between juveniles, we should focus our efforts to restore the harm done to that relationship and the "community" as a whole.
- We take every opportunity possible to reinforce the connection between adults and youth vs. driving them further and further into isolation?

Staff in detention interact with juveniles in a wide variety of situations each day, everything from providing basic care to providing supportive listening. Each of those interactions is an opportunity to reinforce the relational responsibilities of community living.

As with the Community Protection aspect of this approach, if we simply choose to reinforce the institutional aspects of our work without making efforts to connect youth to each other and to adults, we will have missed the opportunity to teach them a new way of interacting in the community in the future.

#### **Competency Development in Detention**

Opportunities to promote the development of skills and competencies that are valued by the community abound even within the limits of a detention facility. Although there is evidence that a variety of interventions with youth, when applied in the proper setting at the right time, have proven effective in changing youth behavior (Lipsey, 1992; Andrews et al, 1990), more often the literature suggests that an emphasis on the development of cognitive and behavioral skills is a much more effective approach with delinquent offenders (Maloney, Romig & Armstrong, 1988; Howell, Krisberg, Hawkins & Wilson, 1995; Henggeler et al, 1994). Since detention staff are in a very unique role as they interact with juvenile offenders, there are unique opportunities in the detention setting in which youth can be exposed to and practice new skills and competencies.

Most detention staff clearly see the role of educational staff in "teaching" youth that are incarcerated for short periods of time, yet many struggle with understanding how they can teach youth in their care equally important social/interaction skills. Whether it is in helping a juvenile solve a problem of some kind or learn a new skill (e.g. even a housekeeping skill), the detention staff member can create a multitude of opportunities for youth to learn basic living as well as more complex decision-making skills.

This may be done by the development of programmatic responses in which staff are actively engaged in quasi-educational activities with youth (e.g. teaching conflict resolution skills, discussing values, teaching employment skills, and so on). Perhaps more importantly, these "teachable" moments often come as part of the routine day-to-day interaction that staff have with adults. The Competency Development aspect of this approach suggests that staff at least assess every interaction with juveniles as an opportunity to teach and/or reinforce new skills, even those that may seem trivial to us.

But, teaching is not enough. Youth learn best by doing, and in detention, youth must have the guided opportunities to practice these new skills, be corrected when not done sufficiently, and be recognized when they are successful. The BARJ approach is not a passive model in which we tell juveniles how to act. Rather, it is an active effort in which our efforts are geared toward providing opportunities and rewards for learning and practicing desired skills that are valued by the community.

#### **Community Involvement**

There are many more ways in which the Balanced and Restorative Justice principles can be applied in a detention setting, including assuming that there should be greater balance in terms of who is involved in our systems and in interactions with juveniles. The BARJ model proposes a much greater role for the community and for victims, both providing opportunities for juvenile offenders to interact with and learn from adults in their community who, to this point, may seem to be distant and isolated from them. This requires that we make greater efforts to involve community members in our detention programs and that we make greater efforts in our system to connect youth with competent and caring adults who can provide guidance and support when the juvenile leaves our facility.

Victims may play a role in our programs by interacting with youth through presentation of victim impact panels, having a chance for youth to hear about the human consequences of crime on others (although a word of caution about using high profile crimes is suggested).

#### **Recognition of Issues in Implementation**

It is very important that we simply not re-name old practices as we try to implement the BARJ concepts in our system, although it is often easier to do so (changing the concepts to meet our needs versus changing our fundamental assumptions). Rather, we must make some fundamental changes in how we view our role in working with detained youth. Will that be easy? Will these changes be the "magic bullet" to changing youth? No, not necessarily. For, this is hard work, often with youth who will not understand what we are trying to do, themselves trying to "fit" our efforts into their "view" of the world.

Nonetheless, adoption of a Balanced and Restorative approach to juvenile detention practice offers exciting new opportunities to go beyond the rhetoric of the past, to resolve the conflicts of the past, and to create new ways to interact with youth that provide for significant opportunities for change within a safe and secure environment.

It is difficult to predict what the future holds for juvenile justice and detention, but developing a balanced mission may be a critical part of building on the best of the juvenile system within a rapidly changing political environment.

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## **Juvenile Detention as Process and Place**

by Earl L. Dunlap and David W. Roush, Ph.D.

#### Introduction

Juvenile detention is an often overlooked, often maligned, and often misunderstood component of the juvenile justice system. However, current juvenile justice policy issues are bringing increased attention to juvenile detention. Detention is an important component of various reform strategies (Roush, 1993). While any attention to juvenile detention is significant to the overall improvement of the profession, juvenile justice policy analysts also identify and highlight many of the shortcomings and negative aspects of detention with little regard for the origins of these problems or for constructive solutions (Frazier, 1989). One shortcoming is the lack of consensus about the definition of juvenile detention.

National practitioner groups, such as the National Council of Juvenile and Family Court Judges (NCJFCJ), the American Correctional Association (ACA) and the National Juvenile Detention Association (NJDA), have established national forums and training institutes with the assistance of the Office of Juvenile Justice and Delinquency Prevention (OJJDP) where national policy analysts have had the opportunity to interact with the profession in a constructive and forthright manner. Current efforts to reform juvenile justice have drawn juvenile detention into the process, producing definition statements that are grounded in detention practice even though they may reflect a particular ideology (Flintrop, 1991; Schwartz, 1992).

The problems associated with a definition of juvenile detention are twofold. First, detention practitioners have not done a good job of recording the history of detention nor assembling a catalogue of effective practices. Therefore, the general inability to describe or understand good detention practice can be blamed, in large part, on this profession's failures in publication and dissemination. Second, the profession has not entered the debate with constructive nor creative arguments about juvenile detention. This article represents one attempt to organize professional detention knowledge around the important topic of the definition of juvenile detention and to challenge the juvenile justice community to look at juvenile detention from a different perspective.

### Definition of Juvenile Detention

There are numerous definitions of juvenile detention, but until recently no single definition had achieved priority. Without such a definition, juvenile detention had become all things to all segments of the juvenile justice system (Hammergren, 1984). On October 31, 1989, following three years of work on the subject, the board of directors of NJDA unanimously adopted the following definition of juvenile detention:

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Juvenile detention is the temporary and safe custody of juveniles who are accused of conduct subject to the jurisdiction of the court who require a restricted environment for their own or the community's protection while pending legal action.

Further, juvenile detention provides a wide range of helpful services that support the juvenile's physical, emotional, and social development.

Helpful services minimally include: education, visitation, communication, counseling, continuous supervision, medical and health care services, nutrition, recreation, and reading.

Juvenile detention includes or provides for a system of clinical observation and assessment that complements the helpful services and report findings.

This definition was developed from the seven definitional themes for juvenile detention identified by the ACA Juvenile Detention Committee (Smith, Roush & Kelley, 1990). These themes are defined as follows:

Temporary Custody: Of all the methods of incarceration within the criminal justice system, only juvenile detention stresses its temporary nature. Detention should be as short as possible.

Safe Custody: This concept implies freedom from fear and freedom from harm for both the juvenile and the community. This definitional theme refers to a safe and humane environment with programming and staffing to insure the physical and psychological safety of detained juveniles.

Restricted Environment: The nature or degree of restrictiveness of the environment is generally associated with the traditional classifications of maximum, medium or minimum security or custody.

*Community Protection:* In addition to the factors listed above, the court has a legitimate right to detain juveniles for the purpose of reventing further serious and/or violent delinquent behavior.

Pending Legal Action: This theme includes the time spent awaiting a hearing, pending disposition, awaiting a placement, or pending a return to a previous placement.

Helpful Services: Programs are available to detained juveniles that will help resolve a host of problems commonly facing detained juveniles. Because detention has the potential of creating a tremendously negative impact on some juveniles, it is important that programming have the depth of services required to meet the needs of a wide range of juvenile problems.

Clinical Observation and Assessment: Most juvenile codes specifically refer to this theme as a purpose for detention. The controlled environment of juvenile detention is often a time of intense observation and assessment in order to enhance decision-

making capabilities. Competent clinical services are provided by individuals holding proper credentials who coordinate and conduct the observation and assessment process. (This service may be provided by staff or through contract.)

The NJDA definition incorporates those program elements outlined in ACA standards. The collaboration between ACA and NJDA has generated a definition statement grounded in professional agreement (Stokes & Smith, 1990).

#### **Confusion of Function**

Juvenile detention is a paradox that makes it difficult to define. Hughes and Reuterman (1982) explain the paradox in their second national survey of juvenile detention. They note that juvenile detention is a very important part of the juvenile justice system. Yet, their survey responses simultaneously indicate that detention is often ignored, criticized and deprived of the support and assistance available to other juvenile justice agencies. These findings echo the earlier comments of Rosemary Sarri (1973) that detention is both "significant and ignored."

### History of Confusion

The confusion of function has a long history in juvenile detention. Contradictory definitions generate ambivalence and confusion, and detention is at the whim of the individual(s) or agency that exercises control over it. Cohen (1946) maintained that a "good" detention program cannot be established if detention is viewed as a catchall. Without a clear mission and goals, Hammergren (1984) warned that detention will become all things to all segments of the juvenile justice system. In some jurisdictions, secure detention is a convenient alternative to the court-wide range of troubling youth. Schwartz, Fishman, Hatfield, Krisberg and Eisikovitz (1986) specifically point to the problem of confusion of function as a culprit for the overuse of detention.

In a recent analysis of the problems in the administration of juvenile detention, Kihm (1981) states that detention management is the most difficult job in the juvenile justice system. The reason for this difficulty stems from "the framework of contradictions" within which detention must operate.

While Kihm lists several kinds of problems associated with these contradictions the importance of his work is its focus on the difficulties created by the absence of a clear definition of detention. It is the confusion linked to contradictory definitions that is the central problem for juvenile detention administrators.

#### **Recommendations**

The confusion of function ranks even above the perennial problems of crowding, the lack of funding, and the lack of adequately trained personnel. The National Conference (1947) recommended four distinct solutions to the confusion of function: 1) detention must have a clear definition; 2) there should be controls on intake in the form of guidelines or criteria: 3) there should be cooperation between children's agencies to divert youths into alternative programs who do not require secure detention; and 4) there should be a well-organized network for transferring youths to the appropriate placement. The intent of these solutions is to open detention to those youths who really need secure, temporary custody.

Despite these straightforward recommendations, the confusion of function persists.

The National Juvenile Detention Association (NJDA) reported that the absence of clearly defined standards for detention services permits the use of subjective reasons for incarceration which range from punishment to protection ("Studies Charge," 1982). In an analysis of detention programs, Carbone (1984) pointed to the lack of a mission statement as the central problem preventing effective detention programs. Confusion of function also means that the field continues to ignore questions about a uniform definition. With no curricula nor training programs required of detention administrators, the day-to-day administration of detention is marked by a lack of consistency (Gallas, 1985). The absence of administrative uniformity has been identified by Norman (1946), more recently by Pappenfort and Young (1980) and Hughes and Reuterman (1982); Hughes, Reuterman & McGibany (1982); Reuterman & Hughes, (1984); Reuterman, Hughes & Love, (1971)), and currently by Parent, et al. (1994).

#### What Are the Functions of Detention?

Two themes make up the conflicting parts of juvenile detention paradox. First, detention restrains and inhibits a youth's freedom or liberty through placement in a locked institution or a physically restricting environment or other levels of custody and supervision. This function is called preventive detention (cf., *Schall v. Martin*). Second, detention is also one of the services associated with the juvenile court. When detention services include helpful programs for the diagnosis, remediation, or restoration of the juvenile offender, this function is called therapeutic detention.

Hughes and Reuterman (1980, 1982) addressed this issue in a national survey of detention administrators. Starting from the assumption that a definition of juvenile detention should incorporate both functions, the "ideal" definition placed primary emphasis on custody (preventive detention) and a secondary emphasis on rehabilitation (therapeutic detention). Their findings reveal an interesting perception of juvenile detention. One-third of the detention administrators agreed with the ideal definition,

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whereas approximately 37% indicated that cusbdy is the single and exclusive function of tention. Some detention administrators exclude the therapeutic detention concept as a legitimate function of detention.

#### **Preventive Detention**

The earliest studies of juvenile detention identify security and a physically restricting environment as consistent and universal characteristics of juvenile detention (Warner, 1933). These are the essential characteristics of preventive detention. The preventive function is the easier to understand because it is consistent with the meaning of the word "detention." The dictionary definition of detention means "a keeping in custody or confinement." Custody means "a guardian or keeping safe; care; and protection." The implications for preventive detention are that detention is a form of custody that prevents certain things from happening in order that some other forms of protection or fe keeping can occur.

What are the goals preventive detention? There are differences of opinion regarding how many goals are included in the preventive detention function. However, three general themes emerge:

- Detention provides a reasonable assurance to the juvenile court that the youth will be available and present for court hearings and other legal matters (detention *prevents* absconding, running away, or a failure to appear before the court).
- Detention is used to prevent harm (or to protect) the juvenile offender, the family, and/or the community.
- Detention is used to prevent the juvenile's re-offending during the legal process (Pappenfort & Young, 1980).

While there is little doubt that protection of e child and protection of the community (or public safety) are universal goals expressed in the detention literature, is preventive detention the exclusive function of juvenile detention?

#### Therapeutic Detention

The word "therapeutic" is sometimes misleading. While preventive detention may stop or disrupt certain behaviors or actions, the nature of therapeutic detention is to start or cause certain events to take place. Therefore, therapeutic detention could also be called "educative detention," "helpful detention," or "proactive detention." This function examines those things that detention can do to help the juvenile achieve the preventive detention goals of protecting the offender, family, community, and to prevent re-offending.

While the ultimate goal of therapeutic detention is not the complete rehabilitation of the juvenile offender, detention should be seen as the place where the process begins (Brown, 1983; Previte, 1994). The term "therapeutic" is associated with the programs and services provided juvenile court. The range of services may include youth services bureau involvement, restitution programs, informal probation, electronic surveillance, foster care, probation, home detention, or institutional placement, and all of these may include a referral for an extensive range of mental health services.

The basis for the therapeutic detention rationale is the emphasis on diagnosis and observation. Tappan (1949) specifically lists clinical observation as an important reason for detention. The court needs information regarding the juvenile, the home environment, and peers in order to make an informed decision about the future of the juvenile. Shortterm detention has been used as an opportunity to accomplish this task (Cohen, 1946; Lenz, 1942; National Conference, 1947; Norman & Norman, 1946; Norman, 1946, 1949, 1951, 1957, 1961). The diagnosis and observation themes are so common that most juvenile codes include them as a rationale for detention. It is this concept that created much of the conflict in the definition of detention goals.

It is difficult to know exactly when the conflict began. The confusion of function (goals) began to appear in the detention literature over 50 years ago. Like many of the critical issues in juvenile detention, the debate about the goals of detention was articulated by Sherwood Norman. Our present understanding of the preventive detention versus therapeutic detention controversy is a result of the national surveys conducted by Drs. Tom Hughes and Nick Reuterman. Even though all therapeutic concepts within juvenile detention have their origins in the philosophy of the juvenile court, the diagnosis and observation rationale may have had the greatest impact on the professionalization of staff, services, training and programming.

#### **Balanced Approach**

Preventive detention and therapeutic detention are not mutually exclusive. However, the lack of consensus about juvenile justice philosophy and policy direction sustains the tension between these two functions; and until the action of NJDA to establish a national definition of detention, the confusion of function was the major obstacle to a definition of detention. The problem was the inability of practitioners to integrate these two sets of detention goals and to find a balance between them in daily practice.

The critical areas of practice addressed in the NJDA definition of juvenile detention moves the profession towards the goal of adopting a more "balanced approach" to detention services. Such an approach acknowledges the value of including, to some degree, an entire set of principles for community protection, accountability, competency development and/ or treatment, and individualized assessment and classification. In describing the balanced approach concept, Maloney, Romig, and Armstrong (1985) suggest that all the particular circumstances of the delinquent act (the defender's culpability and other social/psychological factors of the youth) will play a determining role in exactly how the system responds. A policy decision to consider the possible relevance of each principle in each case is a significant step forward, and it avoids the rather extreme remedies that characterized both ends of the pendulum's swing during the past two decades.

#### **Place Versus Process Argument**

Using the preventive and therapeutic functions as the goals of detention, another controversy arises regarding the objectives of detention or the way in which it goes about meeting or achieving these goals. There are two different ways of representing the objectives of juvenile detention. One way is more restricted and narrow in its focus, the other is quite broad and flexible.

Let's use the game of golf as an example. If your goal is to shoot a low score and if your golf skills are as good as they will ever be (meaning we'll hold your ability as a constant), there are a range of variables that will affect your score. These variables include: course selection (you want to choose a course that fits your golf skills), weather (wind, rain and cold weather make golf more difficult), club selection (golfers are allowed to carry 14 clubs but there are over 20 different clubs to choose from), and mental attitude (good golf is a challenging activity, requiring concentration and a positive mental attitude). As each of these variables changes, the good golfer is flexible enough to adapt to the conditions.

What would happen if someone were to control these variables so that you had to play a very challenging golf course on a cold, wet, and windy day with only a driver and a putter in your golf bag in front of a gallery of your severest critics with your job on the line? By narrowing the alternatives available to you, the task is made significantly more difficult; you must work significantly harder to achieve the same results; and the increased stress and pressure will probably reduce your ability to perform. If given the choice, you would not choose this particular arrangement for golf. Much of the place versus process controversy in juvenile detention is similar to this analogy. Juvenile detention is being forced to play the game under very difficult conditions with severely restricted options.

Many years ago, the National Council on Crime and Delinquency (NCCD) suggested that juvenile detention should be understood as a process, not as a place (Norman, 1961). Recent problems regarding the overcrowding

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f juvenile detention facilities call attention to e definition and mission of juvenile detention. While overcrowding is a function of several variables, Dunlap (1993) uses the place versus process controversy as the focal point for evaluating successful versus unsuccessful responses to overcrowding. Dunlap links overcrowding (and system-wide failures to reduce its negative effects) to an organization that defines juvenile detention as a place. The systems that have successfully addressed the increases in juvenile delinquency without overcrowding juvenile detention are systems that view detention as a process. As the pressures on juvenile justice and juvenile detention continue to increase, detention as process offers more alternatives and greater flexibility.

From the perspective of how detention systems are organized, the place versus process controversy is particularly relevant. If the system defines detention as a place, then the physical plant becomes the focus of detention services, and incarceration is the primary intervention strategy for the system. While detention frequently serves as the focal point for juvenile justice interventions through an emphasis on the brokering of services, incarceration is a very expensive alternative. In light of public pressures for increased incarceration, operational costs may become overwhelming. As an example, one county in New Jersey eliminated juvenile detention because of the excessive cost of its operation.

### Detention as Place

References to juvenile detention as a place emphasize the physical structure of detention, the building, and its physical characteristics, such as security hardware, square footage, furnishings, and sanitation. References to place also denote the objective characteristics of detention. Place focuses on the "what" of juvenile detention, and it includes the development of administrative and operational rules and regulations expressed in policy and procedure. Detention as place is a more narrow and limited definition commonly associated with greater costs of care and increased liability.

Detention as a place is a passive concept. It is the object or outcome of juvenile court action.

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When the demands increase for greater use of detention, the detention as place argument focuses on the increase in secure beds or the increase in capacity. The operation of a detention facility becomes the primary concern of the court, and detention is the place from which all other options for youth evolve. Detention as place is best captured by the aphorism: "If a hammer is the only tool in your tool box, soon all your problems will start to look like nails."

### **Detention as Process**

References to detention as process focus on the "how" of detention or the detention experience. Key words reflective of process are intensity of services, quality of care, quality of staff and their relationships with youths and families, and philosophy of detention. From an organizational perspective, process moves juvenile detention beyond a single building or entity and suggests a wide range of services under the "umbrella of detention." Detention as process is associated with references to graduated sanctions, a continuum of care, and the least intrusive but most appropriate option.

Detention as process is an active concept. Detention refers to the act of providing care, custody, and restrictive supervision. This custody can occur in a wide range of fashions so that there is a match between the custody needs of the individual youth and the ability of juvenile detention to achieve its goals (insuring the youth's presence at trial; providing protection to the youth, community, and family; and preventing re-offending during the legal process). The range of custody options available to the court appears to be limited only by the creativity of the leadership and by clear policy direction within the juvenile justice system.

When a wide range of custody alternatives exists, detention becomes a question of matching the level of restrictiveness with the detention needs of the offender. This concept is called a continuum of services or continuum of care. Detention becomes a series of alternatives available within the continuum instead of being the single focus or departure point for all juvenile justice services. Detention as process includes detention as place as one component of the continuum of care.

The standards movement by ACA is a critically important component of the "what" factor. However, the standards have not been instructive regarding how to implement successful detention (Roush, 1989). This imbalance has been documented by the OJJDP Conditions of Confinement Study (Parent, et al., 1944) that indicates little correspondence between conformance with nationally acceptable standards and improved conditions of confinement.

Effective detention safeguards the health, safety and well-being of staff, residents, and the public. Practitioners understand that process issues are more influential in affecting safety and security within a juvenile detention setting than are policies and procedures. A balanced approach includes both.

#### Graduated Sanctions

The OJJDP plan (Wilson & Howell, 1993) identifies three levels of graduated sanctions: immediate sanctions, intermediate sanctions, and incarceration. Immediate sanctions are nonresidential community-based programs located in or near the juvenile's home that maintain community participation in program planning, operation and evaluation. First-time delinquent offenders and nonserious repeat offenders generally are targeted for this type of sanction. Examples of immediate sanctions programs are as follows: juvenile court diversion, informal probation, school counselors serving as probation officers, probation, home probation, mediation, community service, restitution, day treatment programs, alcohol and other drug-abuse treatment (outpatient), mentoring programs, and family preservation programs.

Intermediate sanctions are for those offenders who are inappropriate for immediate sanctions or who have failed to respond to an immediate sanctions program. These include: regular drug testing, weekend detention, intensive supervision probation, alcohol and other drug abuse treatment (inpatient), outdoor challenge programs, community-based residential programs (group electronic monitoring, boot camps (see Taylor, 1992), and staff secure detention. *Incarceration* includes secure detention, specialized residential treatment, training schools, youth ranches, residential placement institutions, and transfer to adult court jurisdiction.

#### Continuum of Care

For years, juvenile justice practitioners have complained that juvenile detention is the mainstay of the local juvenile justice system, and misfortune has accrued because incarceration has been the only answer for all problems facing the juvenile court (Hammergren, 1984). As far back as 1946, the service component of the juvenile justice system was defined as a Juvenile justice practitioners continuum. schooled in this train of thought welcome the OJJDP plan because graduated sanctions are another way of defining a continuum of care. Those states and local jurisdictions that have exemplary programs and services for juvenile offenders incorporate a continuum of care as a significant portion of the intervention strategy (Armbruster, Abbey & Schwartz, 1990).

The Center for the Study of Youth Policy at the University of Michigan concludes that the existence of a continuum of services provides community protection and public safety in a cost-efficient manner. Massachusetts was the pioneer in creating community-based alternatives for delinquents. Since its transition to a community-based continuum of services, the number of juvenile offenders going into the adult correctional system has dropped from 35% to 15%. Similar positive results have been experienced through the development of a continuum of community-based services in Utah (Armbruster, Abbey & Schwartz, 1990).

On the local level, the best example of a continuum of services is the Jefferson County (Kentucky) Juvenile Services Division, an executive branch of county government, developed by Earl Dunlap and Hon. Mitch McConnell to included a wide range of community-based alternatives ranging in various degrees of restrictiveness. Used on the pre-adjudicatory level, the juvenile court judge made the detention decision, and the Juvenile Services staff

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conducted a risk assessment and placed the juvenile in the appropriate program in accordance with the policy and placement guidelines collaboratively established by the court and the county.

The ability to manage resident movement within the continuum of services resulted in a very low number of detention days care in the Jefferson County Youth Center (JCYC). JCYC was regularly below its rated capacity (frequently at 50% capacity), a rare phenomenon for a metropolitan detention center with a history of overcrowding (Kihm, 1981). This program concept is still used as a model for other local juvenile justice systems; it earned Jefferson County the status of a National Resource Center by the ACA; and OJJDP technical assistance projects continue to include references to the Jefferson County model.

[	Table 1
	Sample Continuum of Care
Low	Big Brothers/Big Sisters After School Programs After School Employment Drop-In Centers
	Street Outreach Workers Mentor Programs Informal Probation (No Probation Officer Assigned) Informal Probation (Supervision by Adult Friend or Relative) Informal Probation (Supervision by Allied Agency, e.g., Scouts) Alternative Education Programs
	Community Services (Health, pregnancy, crisis intervention, etc.) Foster Home Placement Volunteer Probation Probation Restitution
Medium	Attendant Care or Holdover Group Homes: Parent Model Group Homes: Staff-secure Diagnostic Group Homes: Staff-secure Treatment Family Preservation Programs
IN COLUM	Alcohol and Other Drug Treatment (Out-patient) Nonresidential Boot Camps Intensive Probation
	Tracking Probation Tracking Probation <i>Plus</i> (Staff-secure detention bed available) Home Detention Electronic Monitoring
	Intensive Day Treatment Alcohol and Other Drug Treatment (Inpatient) Nonsecure Detention Periodic Detention
	Weekend Detention (Detained Fridaythrough Sunday Evening) Post-Dispositional Electronic Monitoring Short-term, High Intensity Residential Boot Camps Specialized Residential Treatment
	Training School Secure Detention Training School: Maximum Security Unit Adult Detention (Jail)
High	Adult Corrections (Prison)
intervention of	rder of appearance of programs and services represents a general estimate of the level of or restrictiveness. Individual programs may vary in intensity from one jurisdiction to another.

Mentor Programs. Mentors or proctoradvocate programs allow individual youth to live in the homes of professional staff who act in a surrogate parent capacity. Mentors advocate for youth and provide positive behavior modeling. The residential component distinguishes these programs from typical mentoring programs, such as Big Brothers/Big Sisters.

Group Homes: Parent Model. In addition to the traditional parent model for group homes where house parents or foster parents provide services to six or fewer youths who attend community schools, two additional variations are worth consideration.

Group Homes: Staff-Secure Diagnostic. Using 24-hour supervision by professional staff, 12 or fewer youths reside in such homes. Youths are placed in these homes while a more permanent placement is being developed. Along with assessing youths for treatment placement needs, youths are also oriented and their attitudes are prepared for the treatment placement assignment.

Group Homes: Staff-Secure Detention. Using 24-hour supervision by professionally trained staff, 12 or fewer youths live in such homes. Youths may attend community schools, but usually, education is provided on the premises, given the security risks.

Community-based, staff-secure detention accounts for about half of the annual detention admissions in the State of New York. Virtually every county has access to community-based detention programs, and these programs are an integral part of the detention system. Some localities use community-based detention exclusively for status offenders and others exclusively for delinquents. Due to its nonsecure nature, some community-based detention programs mix the two populations.

On the basis of the New York experience, there are several elements crucial to the success of a community-based, staff-secure detention program. The mission of the program must be clear. The intake screening process must be designed to admit legally eligible youths who do not require a higher level of restrictive care. Frequent mistakes in this area will doom the program. It is, of course, the rare community that welcomes a nonsecure residential facility in its midst. Efforts to educate the community about the mission of the facility are critical. Linkages must be made, preferably by written agreement, with community agencies (health, education, mental health, and emergency services) which provide services to the facility on an ongoing, or as needed, basis.

Intensive Day Treatment. Intensive day treatment programs consist of highly structured and focused daily activities for youth. Structured programs may be eight to 15 hours long and include evenings and weekends. Family participation is required, and youths live in their own homes or foster homes. Program content varies but includes some or all of the following: education, vocational development, specialized counseling (sex offense, substance abuse), family counseling, leisure time activities, community projects, wilderness experiences. Programs occur at various locations, including the detention center, a public school, or a community center.

Intensive Family Preservation Programs. Family treatment or preservation, such as Washington's Home Builders and Michigan's Families First, are programs where youths live at home and an extensive range of highly intensive services and resources are brought into the home in order to maintain and strengthen the family unit. This is a short-term, high-impact program designed to work with families from 10 to 30 hours per week for 30 to 60 days. Family preservation caseworkers are usually assigned to no more than two families at a time.

Intensive Probation. Intensive probation provides increased daily contact with youths, usually at least two to three daily contacts. Specially trained probation officers know each youth's schedule of activities and whereabouts at all times. Youths are required to "check in" personally (normally there is one "face-to-face" contact daily) or by telephone and to review their schedule of the day's activities. Intensive probation officers often work with the families. Intensive probation is a popular alternative to secure detention or to dispositional placements. This model can also be used for high-risk youths on aftercare status.

Tracking Probation. Tracking probation is a variation of intensive probation. Instead of two to three daily contacts, youths assigned to tracking probation are usually required to have four or more contacts with the tracking probation officer (tracker), and more than one of these contacts may be "face-to-face." Similar to intensive probation, two philosophies of tracking have evolved. First, because of the intensive contact, some jurisdictions use tracking as a therapeutic intervention strategy with youths and their families. Second, increased tracking caseloads means that most trackers have only enough time to provide the basic monitoring functions. In these instances, trackers become surveillance officers or enforcement officers or "bird dogs." In either case, tracking provides an increased level of accountability for youths on probation.

Tracking Probation Plus. Tracking Probation Plus is a variation on tracking probation that includes a staff supervised short-term bed for youths who lose control while on regular tracking probation. The availability of such a bed can eliminate the need for temporary detention or other secure placement. Youths generally return to the regular tracking probation within one to three days.

Boot Camps. Military-style boot camps that emphasize order, discipline, and hard work are an intermediate sanction prior to the use of the more costly secure institutions. They fit within the graduated sanctions concept (Wilson & Howell, 1993), plus they have a sensational or glamorous appeal to politicians and elected officials who see boot camps as a way to "get tough on juvenile crime." To understand the boot camp as applied to juvenile justice, ACA studied the concept and recommended the following program components: academic and vocational education, substance abuse treatment, experiential education, social skills training, and values clarification in addition to the aforementioned concepts of exercise, structure, and discipline (Taylor, 1992). Some promising examples of these principles are: the Eckerd Family Youth Alternatives based in Florida; Camp Roulston based in Richmond, Ohio and operated by the North American Family Institute, Inc.; and the Green River Boys' Camp operated by the Kentucky

Department of Social Services.

These programs do not address the two significant criticisms of boot camps. First, research studies show no differences in the recidivism between offenders who served time in a shorter shock boot camp program and those in traditional incarceration nor between those who were given a sentence of probation with no incarceration (Morris, 1993). While boot camps may be less expensive to operate, they are no more effective than incarceration nor probation. Second, on a conceptual level, the military-style boot camp model that encourages staff to act like "drill sergeants" (yelling orders, berating youths as a form of motivation, and physical intimidation) may set the stage for an abuse of power by encouraging aggressive behaviors by both staff and juvenile offenders (Morash & Rucker, 1990). Some juvenile justice experts believe that adults in a boot camp program model the wrong types of problem-solving behaviors for delinquent youths.

Non-Residential Boot Camp. Mel Brown (1994) devised a creative alternative to the traditional boot camp concept that combines the services of the local juvenile court and the public schools. Juvenile offenders assigned to the program live at home and attend the local public school. Parents must make a commitment to get the youths to the program and to participate in family counseling activities. Juveniles report to the school at 5:30 a.m., participate in calisthenics, shower, and eat breakfast, while under the supervision of court staff. They attend the regular school day and report back to the program when school is over. A program of calisthenics, tutoring, supper, and counseling runs through 8:00 p.m. when court staff transports the youths home. An Aftercare Worker monitors the youths by telephone between 8:30 p.m. and midnight to make sure that they are at home. This component is similar to intensive probation. Costs are minimal (morning and evening staff, meals, and transportation), and the program does not involve a resident placement. Youths who violate the program contract are placed in secure detention pending further court action.

Specialized Residential Treatment. Therapeutic or specialized residential treatment programs address homogeneous populations, such as sex offenders, teen prostitutes, and substance abusers. These programs can take the form of professional, staff-secure group homes or small (up to 12 beds) or self-contained residential programs within larger institutions.

"Draw Down" Programs. Behavior management "draw down" programs operate in secure detention facilities and are systematic way to reinforce appropriate institutional behavior by providing an opportunity for detainees to move to a lesser restrictive placement, when appropriate. These programs require the continuum of services to be under one agency's control so that the placement of a youth in the appropriate alternative is an administrative function supported by the court. In this manner, youth may earn the opportunity to move from secure detention to staff-secure detention that results in a more appropriate level of service and a more cost-efficient use of resources. The "down" component is one-way because movement down from greater to lesser security does not require a due process hearing.

Periodic Detention. Eskridge and Newbold (1993) describe a variation on the home detention and weekend detention strategies. Periodic detention (PD) was pioneered in New Zealand and is the oldest and probably the most successful of the country's noncustodial alternatives. It is also one of the most popular, accounting for 35% of all those on community sentences. PD began in 1963 as a form of weekend confinement for juveniles. It has since been extended to adults, and its residential component has been dropped in an attempt to cut cost. Today, the sentence allows for a periodic detainee to be kept in custody of a PD ward for up to 9 hours on any one day and for up to 15 hours per week, for up to 22 months. In practice, the bulk of periodic detainees reports at a PD work center each Saturday. Accompanied by a PD warden, they go out in gangs of about 10 to work, unpaid, on community projects such as cutting scrub, picking up trash, and cleaning government buildings.

#### Summary

The challenges to the future of juvenile justice include the building of coalitions, the increase in discretion, and the dissemination of

effective practices to overcome years of mismanagement (Fabelo, 1992). In almost every instance of projecting the future of juvenile justice, coalitions are seen as vital to its longterm effectiveness; and several models of collaboration have been identified (Roush, 1993). Also, the National Juvenile Detention Association, through a grant from OJJDP, has assembled a manual of effective and innovative program ideas for juvenile detention and corrections (Roush & Wyss, 1994). The only component of Fabelo's triad that needs additional attention is the increase in discretion. Detention as process increases discretion by increasing the number of choices available to the court.

Detention as process can be criticized as a "net widening" strategy, and this is a valid criticism. Of course, it applies to all predetention programs and services. However, in those jurisdictions where detention as process was used within a continuum of services as a problem-solving approach to overcrowding and dangerous conditions of confinement, "netwidening" did not arise as an issue. Overcrowding, and deteriorating conditions of confinement are sufficient concerns, and they are indicative of other problems far more ominous than "net-widening."

When the leadership in juvenile justice uses detention as process to shape a positive and proactive response to contemporary problems, several critical questions must be answered:

- Is there a vision, philosophy, policy, and mission that drives the juvenile justice system?
- Do isolated incidents of crisis management drive policy or does an engaged community shape public policy?
- Does the juvenile justice system promote a child-centered, family-focused neighborhood and community-based approach?
- Does the policy direction promote the least intrusive and least restrictive appropriate alternative to an incarcerated setting?
- Is detention a process or place; are

there alternatives to detention or is detention the alternative?

The future of juvenile justice may depend on the ability of its leaders to generate new or innovative strategies for solving problems. Whether this is called a "rethinking," a transformation, a "recreating," or a new paradigm of juvenile justice, one thing is clear: effective strategies will require different approaches to contemporary problems. Detention as process, while not a new idea, offers a different and innovative way of looking at juvenile detention and its problems.

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#### National Juvenile Detention Association

Lesson Plan Cover Sheet

190672

<b>COURSE TITLE</b>	Jurisdictional Teams: Strateg	ic Planning	
Module Title	05-Developing Risk Assessme	nts	
INSTRUCTOR(S)			······································
Author	Paul DeMuro		
vary depu used and discussion PERFORMANC Following this set to: 1. List the be assessment 2. Begin buil assessment 2. Identify es assessment 3. Develop at instrument juvenile of 4. Outline a p	E OBJECTIVE(S) ssion participants will be able nefits of implementing a risk t instrument. ding consensus on risk t procedures. sential elements of a risk t instrument. n objective risk assessment that effectively categorizes		Community and Juvenile Justice Leaders, Law Enforcement, School Administrators, Juvenile Confinement Facility Directors 20-30 Classroom set-up NPROCEDURES on, activities, and trainer

METHODS/TECHNIQUES Small group activities, individual activities, lecture and discussion

Instructor Materials	
EQUIPMENT AND SUPPLIES NEEDED	
FLIPCHART & STAND (# NEEDED)	VIDEO PLAYER
FLIPCHART PADS (# NEEDED):	Type: <u>'/</u> '' VHS Other (Specify Below)
CHALKBOARD	VIDEO TAPE LENGTH: MINUTES
16 MM PROJECTOR	VIDEO TAPE RECORDER WITH CAMERA
FILM LENGTH: MINUTES	PUBLIC ADDRESS SYSTEM
SLIDE PROJECTOR	<u>X</u> OVERHEAD PROJECTOR
TYPE: CAROUSEL	<u>X</u> OTHER (SPECIFY)
SOUND-ON-SLIDE	Transparencies
SCREEN	Lined paper for small group activities.
<u>X</u> Felt-tip Markers	
<u>X</u> MASKING TAPE	

#### PARTICIPANT MATERIALS (HANDOUTS)

TITLE	# NEEDED	WHEN DISTRIBUTED	COMMENTS
5-H-1,2,3,4 Note Guide	1/participant	Anticipatory Set	
5-H-5 Consensus	1/participant	Guided Practice	(Optional)
5-H-6 Development	1/participant	Guided Practice	(Optional)
Sample Instruments	1/participant	Guided Practice	(Optional)

DEVELODING DIGK ASSESSMENTS	NOTEST
DEVELOPING RISK ASSESSMENTS	NOTES TO TRAINE
I. ANTICIPATORY SET	Display 5-T-1
Detention risk assessment instruments help objectify the system's decision-making regarding two essential criteria:	Display 5-T-2
• The youth's potential for flight;	
• The youth's relative risk to public safety.	
Risk assessment instruments can help to:	
<ul> <li>Improve the structure and consistency of detention screening decisions;</li> </ul>	
• Reduce crowding;	
• Safeguard against the inappropriate detention of minority youth.	
Without objective admissions policies and procedures, a jurisdiction will have a variety of offenders referred to secure detention. Indeed in many jurisdictions, a majority of youth admitted to secure detention are released within 72 hours a fact that calls into question the placements of many youth into secure detention in the first place.	
Performance Objectives:	Display 5-T-3
By the end of the session, participants will be able to: 1. List the benefits of implementing a risk assessment instrument.	
2. Begin building jurisdictional consensus on risk assessments.	
2. Identify essential elements of a risk assessment instrument.	
<ol><li>Develop an objective risk assessment instrument that effectively categorizes juvenile offenders.</li></ol>	
<ol> <li>Outline a plan for field testing and monitoring the risk assessment instrument.</li> </ol>	
RISK ASSESSMENT PLANNING	
II. INSTRUCTIONAL INPUT	
A. Typical Problems In Detention Admission Policies & Practices	
Ask participants to share typical problems in detention admission policies and practices before revealing the following four points on the	Record responses on newsprint.
transparency. Inform participants that these are common characteristics of crowded systems. Compare the list with participants' responses.	Display 5-T-4
1. Vague Statutory language.	
<ol><li>Too many agencies can refer and admit a youth into secure detention.</li></ol>	
3. Systems often fail to distinguish between high risk and low risk	
. 5-3	NIDA

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DEVELOPING RISK ASSESSMENTS	NOTES TO TRAINER
youth at intake.	
<ol> <li>Lack of accurate intake data and lack of monitoring of detention- intake decisions.</li> </ol>	
B. Steps To Take Before Developing a Risk Assessment Instrument	Display 5-T-5
Inform participants that there are essential steps to take before developing a risk assessment instrument. The following areas should be well thought out to identify any inconsistent assumptions by stakeholders. There should be a consensus about expectations. Cover points with the group either by using the Consensus Activity or by lecturing participants on possible areas of contention.	
<ol> <li>Develop a jurisdictional consensus regarding the dangers associated with running a crowded detention facility.</li> </ol>	
2. Develop a jurisdictional consensus regarding the purposes of secure detention.	. •
3. Develop a consensus on secure detention admissions criteria.	
<ol> <li>Develop a jurisdictional consensus regarding procedures for administering the risk assessment instrument.</li> </ol>	
5. Develop the capacity to collect and analyze accurate intake data.	
<ol> <li>Develop a consensus on who will make decisions on individual placements.</li> </ol>	
<b>Onsensus Activity:</b> Tell the participants that their job is to facilitate smooth administration of a risk assessment instrument by identifying areas of contention beforehand. Divide participants by jurisdictions if all key stakeholders are present. Alternatively, divide participants into groups of 5-8. Assign 1 of the above six points to every group. Direct each group to develop a set of questions to open discussion which would begin to build consensus among diverse agencies or individual work group members.	Refer participants to 5- H-5
Following are a small number of example responses possible. Ideally, the list should be long enough to follow several decision paths.	
1. Is there a risk associated with crowding in the facility for law enforcement? To the court? To the community? Financial? Political? What are dangers to juveniles?	
2. Is the purpose of detention to punish? Can the threat of detention dissuade juveniles from breaking curfew? Does state statute allow using detention as a disposition?	
3. Who is eligible for detention? Who is not eligible? Who is eligible that can better be served outside of the facility?	
4. Who will initially administer instrument (probation intake, detention staff?) When in the process will the instrument be administered? Who will identify youth eligible for release? Who will identify youth eligible for placement in a non-	
5-4	
	NJUA

DEVELOPING RISK ASSESSMENTS	NOTES TO TRAINER
secure alternative.	
5. Who should be responsible for collecting and analyzing data? One person or a committee? Should the responsibility be assigned to an agency to handle as it chooses? Would it be feasible to contract services?	
6. Who will have the authority to implement the recommendations growing out of the risk assessment? Does probation and/or detention staff have the authority to release low risk youth directly? To place mid-range youth in alternative programs? Or is that a Judge's decision? Who will review and approve the decision to place youth in secure custody? When and how often will the decision be judicially reviewed?	
Provide time for each group to report to the larger class the areas they believe might be contentious and questions to raise those issues for discussion. Praise all groups for directing questions to the complete set of stakeholders. Praise groups for probing assumptions of individual stakeholders. Allow participants time to suggest contentious issues not raised.	
THE INSTRUMENT	· · · · · · · · · · · · · · · · · · ·
III. INSTRUCTIONAL INPUT	
A. Essential Elements of a Risk Assessment Instrument	
Risk assessment should not be used for youth who are not initially eligible for secure detention.	
Activity: Group participants by jurisdictions. Direct participants to the sample risk assessment instruments in their participant manuals. Direct participants to identify similarities/key components. After approximately 5 minutes, let groups report out. Alternatively, class may discuss together and trainer can write elements on newsprint as they are identified.	Direct participants to 5-H-6 and to sample risk assessments.
After the groups have finished, ask participants for their findings. When most or all elements shown below have been given, display the transparency outlining the essential points. Discuss any that were missed so they may amend their notes.	
1. Seriousness of current charge.	Display 5-T-6
2. Prior adjudications for delinquent acts.	<u>F</u> <b>-</b>
3. Current legal status (e.g. active probation case).	
<ol> <li>Prior court, detention/placement history (failure to appear for court hearings).</li> </ol>	
5. Other jursidictional-specific factors (e.g. gun related charge)	
6. Over-ride: Concrete explanation of why scoring of risk	

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DEVELOPING RISK ASSESSMENTS	NOTES TO TRAINER
assessment instrument was not followed. Note be wary of automatic over-rides e.g. all youth charged with probation violations become <i>automatically</i> eligible for secure detention.	
<ul> <li>B. Instrument should separate youth into three categories.</li> <li>Eligible for immediate full release.</li> <li>Eligible for placement in non-secure alternative.</li> <li>Eligible for placement in secure detention.</li> </ul>	Display 5-T-7
C. Instrument should not inadvertently promote racial disparity (e.g. are youth given points because they are "perceived" to be wearing gang colors? Or, because they were arrested in a neighborhood in which gangs are prevalent? Or are low risk youth who are scored for secure detention because of inability to contact a parent or responsible adult?)	
IV. GUIDED PRACTICE	( minutes)
Inform participants that they will now practice developing their own risk assessment instrument. Direct the groups to review instruments used by other jurisdictions and then choose an instrument to adapt. To insure their instrument is effective, groups should make modifications using le above considerations in addition to the essential elements already discussed.	Provide participants with lined paper as needed.
POST-ADMINISTRATION OF INSTRUMENT	
V. INSTRUCTIONAL INPUT	
A. Field Testing the Instrument	Display 5-T-8
<ul> <li>Before implementing a risk assessment process, the instrument should be tested. Jurisdictions should choose either:</li> <li>1. Retrospective Testing: applied to a three to six month sample of youth who were detained in secure detention. Or,</li> <li>2. Prospective Testing: applied to a two to three month sample of new intakes.</li> </ul>	
Using the data from the retrospective or prospective test, the jurisdiction should analyze the results. These questions should be answered.	
<ol> <li>Who would have been released or released to an alternative if the results of the risk assessment had been followed?</li> <li>Who would have been eligible for placement in secure detention?</li> </ol>	
Modify the instrument, if necessary based on the results of the field test.	



	DEVELOPING RISK ASSESSMENTS	NOTES TO TRAINE
B. Monit	oring Implementation Of Instrument	Display 5-T-9
A review the follow	of the results of implementing a risk instrument should answer ing questions:	
1.	Have the characteristics of the youth detained in secure detention become more consistent?	
2.	Has the population of secure detention been reduced?	
	Are low risk youth released or are they placed in alternative programs?	•
4.	Are youth who would not have been placed before the implementation of risk assessment being placed in alternative programs? Is there widening of the Net?	
5.	How are over-rides being used? How many over-rides? For what reasons?	
6.	Have pre-adjudication re-arrest rates and/or failure to appear rates changed?	
7.	If necessary, modify instrument based on results of monitoring	
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#### NJDA—Center for Research & Professional Development Jurisdiction Teams Project: Annotated Bibliography for Classification

CLEAR, TODD R. & GALLAGHER, KENNETH W. (1983). MANAGEMENT PROBLEMS IN RISK SCREENING DEVICES IN PROBATION AND PAROLE. *EVALUATION REVIEW*, SPRING.

The result of a risk assessment is not a true prediction of a client's behavior. It should focus on behavior potentials, not predictions.

The supervision standards play several functions. Most directly, the supervision standards organize line officer resources around the caseload. That is, the specification of supervision requirements in a classification system acts as a constraint in line officers' use of time and energy on cases, and therefore is the essential resource management policy of the agency. Supervision standards are complicated though. While they provide for greater accountability and enforced differentiation of supervision via an easily administered system of accountability, they may also fail to distinguish some difference between clients that ought to be considered. While most existing classification systems seem to take this into account by allowing for an officer "override" of the instrument classification, it is arguable whether this override sufficiently allows for the needed flexibility.

The use of an objective classification system leads directly toward the development of workload measures instead of caseload measures of supervision.

General point has been that the practice of risk screening, which has recently become a popular element of classification systems, raised a number a management issues, from selection of cut-off and supervision policy to reorganization of staff and workload.

The authors hope that administrators become familiar with the method of screening as well as the practice. In the process, they will learn how to operate screening systems as managerial tools; they will anticipate the problems these devices will raise; they will elaborate on the skeletal, existing practices to find total systems that suit agency needs.

GOTTFREDSON, D.M. (1987). PREDICTION AND CLASSIFICATION IN CRIMINAL JUSTICE DECISION MAKING. IN D.M. GOTTFREDSON & M. TONRY, (EDS.), *PREDICTION AND CLASSIFICATION: CRIMINAL JUSTICE DECISION MAKING* (PP. 1-20). CHICAGO: UNIVERSITY OF CHICAGO PRESS.

Gottfredson links classification to the efforts making criminology a science. He offers a description of the history of classification and prediction, exploring the methodological and ethical problems.

Gottfredson's definition of classification should be one of the first resources used to describe concept. He also makes reference to the use of prediction in a variety of criminal justice decision-making situations.

Gottfredson's definition of classification leads very nicely to discussions of constitutional requirements that violent inmates be separated from non-violent inmates (minimizing within-group variability while maximizing between-group variability) and the matching of offenders with appropriate existing resources and services. Classification and prediction become tools for increased efficiency through the classification, assignment, and a prediction of offenders to the limited, but existing, resources and services.

Gottfredson's article supplies the perspective needed to understand, in general terms, classification and prediction.

GUARINO-GHEZZI, SUSAN, & BYRNE, JAMES M. (1989). DEVELOPING A MODEL OF STRUCTURED DECISION MAKING IN JUVENILE CORRECTIONS: THE MASSACHUSETTS EXPERIENCE. *CRIME & DELINQUENCY*, 35(2):270-302.

Within the juvenile corrections system, three basic classification systems have evolved:

- 1. Objective risk classification systems, which identify the risk of recidivism (i.e., rearrest, reconviction) posed by juvenile offenders during a specified follow-up period.
- 2. Treatment classification systems, in which placement decisions (e.g., residential versus nonresidential treatment) are based both on an assessment of each juvenile's problems and corresponding service needs.
- 3. Control classification systems, which utilize various intake review procedures to identify (and often weed out) those juveniles who pose potential management problems (i.e., threat to others, runaway risk, self-injury) for a program.

Three models of decision-making can be identified in the juvenile sector, each of which progressively decentralizes discretionary authority.

	Legislature ——•	Judiciary>	Juvenile Corrections
Model 1	Washington State	Specific sentencing	Specific security
(Legislative)	Legislature enacts	code to limit judicial	levels identified for
	a presumptive	discretion	serious offender
	sentencing code		limits administrative
	(based on offense		controls
	severity + priors)		
Model 2	Legislature allows	Pennsylvania	Judicial control over
(Judicial)	judges to determine	Judges have power	type of program
	specific programs for	to make specific	placement limits
	juvenile offender	"treatment plan"	administrative
		sentences	control
Model 3	Legislature allows	Judges can commit a	Massachusetts
(Administrative)	judges broad	juvenile to the	Placement
	discretion on the	juvenile corrections	decisions are
	in/out decision	agency, but they	determined and
		cannot specify	managed by the
		treatment	juvenile corrections
			agency

There are a number of applications of the objective risk classification system in administrative decision-making models:

- 1. To determine type of disposition (i.e., the in/out decision),
- 2. To differentiate secure from non-secure placement, and
- 3. To justify differential levels of community supervision and control.

A new model of community-based classification was implemented by the Massachusetts Department of Youth Services (DYS) to limit unpredictable "staffing" decisions by objectively classifying youths into levels according to their predicted risk of recidivating. In this system, an individual risk assessment followed by a needs assessment identifies the appropriate amount of program structure and thereby designates the optimum placement level.

Organizational objectives that shape the design of community classification systems are:

- 1. To structure discretion in placement decisions by automatically taking into account known risk factors.
- 2. To retain rehabilitative services within the program risk levels that address individual treatment issues, thus emphasizing a policy of improved crime control through treatment.
- 3. To specify and monitor the degree f structure and control provided in contracted private sector programs, thus establishing a policy of public sector control over private sector community treatment programs for juveniles.

An overriding policy issue concerning the development of juvenile offender classification systems still remains unanswered: How do we best balance risk, need, and control factors in community classification scheme? Two issues have been focused on in an attempt to answer this question:

- 1. Classifying the risk of recidivism among juveniles placed in one of four levels of community control; and
- 2. Classifying these same offenders according to their specific treatment needs (e.g., counseling, education, training). It must also be recognized that the private sector is weighing not only risk and need, but also "control" concerns.

Massachusetts Department of Youth Services experience with classification systems suggest that considerations having little to do with public safety or treatment (and that are typically marketed as justifiable "pragmatic" concerns) guide decision-making at critical points in juvenile corrections systems in Massachusetts.

Agencies must address the following question: What should be the primary purpose of the organization? It is only after a clear mission statement is drafted that a juvenile corrections agency can begin to consider seriously the issues raised in the development of a comprehensive risk classification system. The next issue, after purpose has been resolved, is how to structure decision-making while at the same time retaining caseworker discretion.

Organizations, such as DYS, must overlay as comprehensive and as rational a structure for management intervention, classification, and decision-making as the system can accommodate. Such a structure serves an essential purpose to provide accountability to routine decisions while also highlighting cases that do not conform to the structure because of such pressures as private sector control. The author's proposal is a decision model that combines classification for secure and nonsecure programs with a hierarchical structure of behavioral sanctions.

#### HOWELL, J.C. (1997). *JUVENILE JUSTICE & YOUTH VIOLENCE* (PP. 178-182). THOUSAND OAKS, CA: SAGE PUBLICATIONS.

Howell discusses classification from effectiveness and efficiency perspectives. He links classification to a community-based approach whereby community norms (expressed through a community working group) defined what is right for their community regarding the nature and level of juvenile justice services. Second, classification is also a tool for making the juvenile justice system more efficient.

Howell links classification to graduated sanctions, a critical component of the OJJDP Comprehensive Strategy. Howell discusses three types of assessment devices: risk assessments, needs assessments, and placement or custody assessments. Taken together, these sources of information make up the classification system. The community or working group determines cut-off points and general criteria for the assignment to programs. While Gottfredson's discusses the scientific and ethical issues surrounding classification and prediction, Howell discusses empirical and consensual models for validating classification systems. The scientific strategy of Gottfredson parallels the empirical model of Howell. However, Howell's consensus model focuses more on the political beliefs of the working group than on the ethical issues surrounding classification. The importance of Howell's discussion is the consensus model because it reinforces the importance of community decision making and the long term effectiveness of classification within the juvenile justice system. Without an effective classification system, graduated sanctions are not effective.

#### HOWELL, J.C. (ED.). (1995, JUNE). *GUIDE FOR IMPLEMENTING THE COMPREHENSIVE STRATEGY FOR SERIOUS, VIOLENT AND CHRONIC JUVENILE OFFENDERS* (PP. 189-230). WASHINGTON, D.C.: OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION.

This is the seminal piece for understanding classification systems. Howell's later work (1997) is a summary of the materials contained in the *Guide* and in Chapter 6 of the *Sourcebook*. The chapter on "Assessment and Classification" covers the same materials and includes numerous examples of classification and assessment instruments.

Development of classification systems is described. Several examples are included even though many are the same as those included in the *Sourcebook*. Howell outlines the method for developing the classification system.

The difficulty with the development of a classification system is its complexity. To develop a reliable classification system, agencies and organizations must have the will and the capacity to conduct basic research about their system. Even though the research and data collection tasks are

only moderate difficulty, in most cases, these tasks and their requirements outstrip the capabilities that exist within many jurisdictions. This is one of the critical reasons for the Jurisdictional Teams concept. If this "stuff" were easy, more jurisdictions would be doing it.

PALMER, TED. (1984). TREATMENT AND THE ROLE OF CLASSIFICATION: A REVIEW OF BASICS. *CRIME & DELINQUENCY*, 30(2): 245-267.

Classification is a way of organizing and summarizing the similarities and differences between offenders so that their main implications for treatment become clear. Classification for treatment assumes that:

- 1. Offenders differ from each other with respect to one or more of the following: primary causes of illegal behavior; present situation; and future prospects, particularly in absence of treatment.
- 2. The preceding differences and similarities, such as life circumstances or primary interests and skills, often bear on the ways in which and means by which socially centered and offendercentered goals may be effectively and humanely accomplished.
- 3. Given assumption (2), and to help achieve those goals, such differences and similarities should be reflected in planning decisions regarding
  - a. the principal tasks that should be accomplished with each particular group or "category" of offenders;
  - b. the personal and/or environmental areas that should be focused on; and
  - c. the approach (techniques and program components) that may help treaters as well as offenders focus on those areas and accomplish those tasks. Thus, for any given individual, a treatment classification should do more than summarize and describe; it should, in effect, predict and perhaps prescribe.

Treatment classification should suggest or prescribe principal tasks, areas of focus, and/or specified approaches which seem appropriate or even essential with respect to achieving socially centered and offender-centered goals for that particular category or type of individual.

Classification for treatment assists in rational planning insofar as it focuses attention on goals and content which are meaningful with respect to dimensions, such as the present situation. Classification can help determine optimal resource allocation.

PARENT, D.G., LEITER, V., KENNEDY, S., LIVENS, L., WENTWORTH, D. & WILCOX, S. (1994, AUGUST). CONDITIONS OF CONFINEMENT: JUVENILE DETENTION AND CORRECTIONS FACILITIES (RESEARCH REPORT) (pp. 94-95). WASHINGTON, D.C.: OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION.

Conditions of confinement is a significant research effort by OJJDP. It is a comprehensive look at the institutional services within juvenile justice. Therefore, references to classification are restricted by the nature of the institutions.

- 5 -

Parent et. al. linked classification with separation as two distinct but interrelated procedures to manage correctional facilities. By making it possible to separate disruptive from non-disruptive residents, effective classification protects the personal safety of both juveniles and staff. Accurate classification systems also permit the use of "step down" programs to move youth to a lesser restrictive environment or program. In this manner, classification systems conducted inside secure facilities can be used to justify an alternative placement in a lesser restrictive environment. This option reinforces the need for a continuum of services or wide range of graduated sanctions. Even though the institution is at the far end of the sanctions alternative, classification is the mechanism by which juvenile offenders are returned to the community independent of court action in numerous cases.

Parent et. al. identified the problems associated with juvenile detention classification. First, detention centers receive a wide range of offenders, and they must have an adequate system (policies, procedures, and practices) and separation areas are their disposal. Classification is frequently very difficult because very little information is available to institutional staff at the time a youth is admitted to the detention facility. Because the youth may also be released after a short period of time, classification must be completed very quickly. In order for a good classification and separation system to be effective, the facility must have the resources available to implement the classification policies. Classification screening criteria and procedures are not effective if incoming juveniles are placed in the first available open bed no matter where it is located.

Parent et. al. outlined the following assessment criteria:

- 1. Does the institution have a written classification plan or procedures?
- 2. Are juveniles classified using at least one of the four following risk dimensions: escape risk, danger to self, danger to others, or offense history?
- 3. Are classification results or findings used to make decisions about housing assignments (sleeping arrangements)?

#### PETERS, MARY ANN. (1988). *Case classification*. Pittsburgh: National Center For Juvenile Justice.

The organization must first clearly set down what it is that it wants to accomplish (objectives) and then select or adapt the tools (case classification) it needs to do the job. Common organization objectives for classifying juveniles are on the basis of the risk they present to the community to do harm or to recidivate or the needs they have which the organization must try to meet in order to rehabilitate them.

Classification is:

- 1. A method of setting priorities,
- 2. A decision making tool,
- 3. A management tool,

4. A means of setting priorities both administratively and through the use of the scales.

Classification:

- 1. Sets up lines of accountability,
- 2. Determines that the agency is going to concentrate more on some cases than others,
- 3. Determines workload not just by risk or need but also those that have priority,
- 4. Drives the management information system.

Common elements of a classification system identified by Clear and Gallagher (1983):

- 1. Most attempt to assess in some ordinal manner the probationers' risk of some disreputable act either a crime or violation of probation rules,
- 2. Generally assesses needs in an ordinal manner by "adding up" problem areas probationers currently confront,
- 3. Either by use of separate scales or by a single scale, groups probationers into categories,
- 4. Establishes supervision standards that vary in intensity for each group.

The following decisions should be made when planning a case management system as recommended by Todd Clear:

- 1. Decided on number of levels of supervision that risk and needs assessment can produce. This will be determined by a scale (low, medium, high, e.g.) or administrative criteria (such as warrant status).
- 2. Determine the appropriate minimum standards for each supervision level before establishing scales/cut-off points.
- 3. Establish the respective roles of risk and needs scales and the relationship between them. Determine what weight each scale will have in determining supervision and override (both automatic and administrative).
- 4. Develop your own scales or validate any borrowed scale to your court.
- 5. Select cut-off scores to define high-risk cases. While there is no optimal cut-off score the cutoff must be set far enough apart so that clients do not cluster at these points. Cut-off points can be based both on recidivism data and resource availability.
- 6. Set intervals for reassessment. Reassessment should occur no more often than every 90 days but no less than every 6 months.
- 7. Decide who will complete the scale and when they will be completed. Risk should be assessed at intake; needs should be assessed at supervision.
- 8. Deal with start-up issues versus on-going issues.

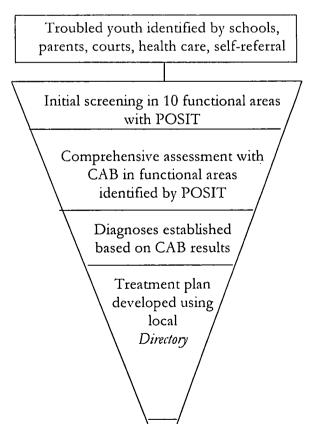
RAHDERT, E. R. (1991?). *The Adolescent Assessment/Referral system MANUAL*. Rockville, MD: US Department of Health and Human Services, National Institute of Drug Abuse.

The Adolescent Assessment/Referral System (AARS) is utilized to provide a cost-efficient method by which to accomplish the following important goals in the field of adolescent substance use and abuse:

- 1. AARS provides a minimally intrusive tool by which to screen for a wide variety of drugrelated problems
- 2. AARS provides the tools by which to assess the nature and extent of illicit drug use, thus aiding in the establishment of standardized criteria for a diagnosis of chemical dependency and abuse in adolescents
- 3. AARS provides the tools by which to assess the nature and extent of problems in other functional areas that tend to complicate, or are the consequence of drug abuse
- 4. AARS can be used in a variety of settings including schools, physical and mental health care facilities, social service agencies, and correctional institutions, and can be used by practitioners with varying backgrounds and qualifications
- 5. AARS makes no attempt to suggest one type or treatment rather than another.

AARS contains tools related to three basic steps in the referral process: 1) the Problem Oriented Screening Instrument for Teenagers, to be completed with the Client Personal History Questionnaire; 2) the Comprehensive Assessment Battery; and the 3) Directory of Adolescent Services.

#### STRUCTURE OF THE AARS



REITSMA-STREET, MARGE, & LESCHIED, ALAN W. (1988). THE CONCEPTUAL-LEVEL MATCHING MODEL IN CORRECTIONS. *CRIMINAL JUSTICE AND BEHAVIOR*, 15(1), 92-108.

The conceptual-level matching model (CLMM) is a way to work with offenders based on a systematic understanding of how individuals develop in interaction with different environments. There a four principles involved with CLMM:

- 1. Individuals vary in conceptual level;
- 2. Environments vary in structure;
- 3. Persons of varying conceptual levels profit more when matched to their environments; and
- 4. Contemporaneous person-environment matching is important for stable management and personal satisfaction, while developmental matching is necessary for challenge and individual growth.

The following table demonstrates characteristics of persons at the four stages of conceptual level.

CL Stage	Person	Matched Environment
Α	EGOCENTRIC, Concrete	VERY HIGH STRUCTURE
	simple, unsocialized	support, involvement;
	"Me"-internal orientation	prepackage interactions;
	TASK IS TO SURVIVE	staff-centered;
		simple, clear.
В	NORM-ORIENTED,	MEDIUM-HIGH STRUCTURE
	relatively unquestioning	clear limits; some
	some ability to differentiate	room for exploration
	"They"-external orientation	questioning.
	TASK IS TO ACCEPT & GET	
	ACCEPTED	
C	INDEPENDENT, inquiring, seeks	MEDIUM LOW STRUCTURE
	alternatives, self-assertive	shared staff-client;
	"I"-internal orientation.	negotiation of expectations
	TASK IS TO BECOME UNIQUE	
D	INTERDEPENDENT, looks	LOW STRUCTURE
	at situations from all angles,	negotiable expectations;
	cognitively complex,	opportunities to lead
	"We"-orientation	and follow
	TASK IS TO DEMONSTRATE	
	COMPASSION	

The heart of CLMM theory is in understanding the nature of interaction. The conceptual level attempts to reflect differentiation, integration, and social interaction as suggested in a person's ability to cope with conflict, authority, infusion of new concepts, and criticism. CLMM must be relevant to treatment or rehabilitation. This refers to the design of correctional programs to promote prosocial change in behaviors, attitudes, and skills in offenders. Program design includes the creation of structure variations in the routines, expectations, activities, resources, and atmosphere

within institutional, community, or detention settings. Different programs are designed to match the contemporaneous and developmental needs of relatively homogeneous groups of offenders.

The strength of CLMM is that its matching principles suggest ways to understand the responsivity or accessibility of offenders to particular expectations, communication patterns, groupings, and specific activities. CLMM needs to be combined with other measures of risk, need, disturbance, and resources of offenders and staff to determine placements. But, CLMM does provide specific ideas for managers and front-line workers about how to set the stage or the opening moves to "reach" offenders, and how to avoid mismatching activities to offender groups.

#### TORBET, P. (1986). *Case classification in probation and parole*. Pittsburgh: National Center for Juvenile Justice.

Classification is a management tool which sets priorities, promotes rational, consistent, and equitable methods of assessing needs and risks of each individual and then allocates resources accordingly. Date gathered through the process can then be used for program/facility planning, monitoring and evaluation, budgeting, and accountability.

Management systems should be able to pursue different purposes, in regards to classification, with different clients simultaneously.

Successful implementation of a classification system hinges on six factors:

- 1. Scoring should be simple; complex tabulations reduce reliability,
- 2. Rationale must be readily apparent and accepted by PO's as well as administrators.
- 3. Allow a PO's subjective judgment to effect the level of supervision.
- 4. Periodic reassessments are essential and should reflect changes in the circumstances surrounding the problem, client's needs, and risks.
- 5. Classification should be incorporated into the agency's record keeping system for monitoring, evaluation, and planning purposes.
- 6. Representatives of each level of the organization should be involved in the entire effort from design/selection of the instruments through training of staff to use the system.

It is advocated that one should adopt an existing validated risk assessment instrument since it was found that all of the better scales contain some combination of factors related to prior criminal history, emotional stability, substance abuse, and employment.

Client Management Classification system (CMC) – used to assign intervention and supervision strategies. CMC assists agents in rapidly gaining understanding of problems and needs, anticipating impediments to effective solution for the above, and developing a casework plan. CMC is used to place clients into one of four differential casework treatment modalities:

- 1. Selective Interventions situational and a subtype, selective intervention-treatment
- 2. Environmental structure

- 3. Casework/control
- 4. Limit setting

Classification is more recently seen as a major management tool and as a means for enhancing consistency and equity in decision making. Differences between juveniles and adults required refinement of the NIC instruments. Juveniles are seen as more volatile, their circumstances and needs change rapidly, and they are generally on supervision for shorter periods.

Based on all the information reviewed, the following elements were selected as universally predictive of continued criminal involvement for juveniles and constitute the Risk Assessment Scale: age at first adjudication, number and severity of prior offenses, number of prior commitments, drug/chemical abuse, alcohol abuse, family relationships, school problems, and peer relationships.

Reclassification should occur relatively frequently and should emphasize adjustment rather than predictive factors.

It was suggested that agencies implementing classification systems first address the need to develop standards for all agency functions. Once scales and standards have been developed, agencies must determine how the instruments will be used in assigning youth to the appropriate classification level.

WIEBUSH, R. G., BAIRD, C., KRISBERG, B., & ONEK, D. (1995). RISK ASSESSMENT AND CLASSIFICATION FOR SERIOUS, VIOLENT, AND CHRONIC JUVENILE OFFENDERS. IN JAMES C. HOWELL, BARRY KRISBERG, J. DAVID HAWKINS, & JOHN J. WILSON (EDS.), *A SOURCEBOOK: SERIOUS, VIOLENT, & CHRONIC JUVENILE OFFENDERS* (PP.171-212). THOUSAND OAKS: SAGE PUBLICATIONS.

All the key levels of system processing (i.e. reporting, arrest, intake, detention, prosecution, disposition, and placement) involve classification decisions based on risk assessment. Effective responses to classification requires a comprehensive continuum of interventions and sanctions. A rationale for such a continuum is that juvenile justice must have the capacity to directly link the nature of the intervention with the offender's need for control, supervision, and services. Much of the potential success of system responses depends upon the ways in which various types of offenders are identified for, and placed at, the several levels of interventions.

Any system predicated on graduated, differential interventions must have:

- 1. Clearly specified selection criteria for the various programs and levels of interventions
- 2. Adequate methods for assessing the degree to which individual youth meet those criteria
- 3. A selection process that ensures that youth targeted for intervention at each level of the system are those who in fact are served at that level

Four potentially negative consequences are evident when the "right" youth is not consistently linked with the intervention designed for them:

- 1. Increased risk to public safety;
- 2. Inefficient use of system resources resulting from the placement of nonviolent or non-highrisk youth in overly restrictive settings;
- 3. Inequities resulting from the placement of youth with similar offense/risk/need characteristics at different levels of intervention;
- 4. The negative or inconclusive evaluation of the system and its individual interventions because of net widening or other evidence of failing to serve intended target populations.

Structured assessment procedures are designed to address problem of inconsistency and inequity by identifying a limited number of factors known or believed to be the most relevant to the decision being made and incorporating them into a simple, standardized format (i.e. tool). Several benefits are evident from this:

- 1. It ensures that some factors are taken into account by all decision makers in all cases, thereby creating greater consistency;
- 2. Empirical basis for instrument increases validity of risk assessment process;
- 3. Results of assessment directly inform the classification decision;
- 4. Unlike subjective methods, rationale for any decision is rendered visible and explicit; which
- makes the agency more accountable;
- 5. Because instrument uses a limited number of relatively objective criteria, it is easy to complete and can expedite the decision making process.

Essential properties of assessment and classification systems are: validity, reliability, equity, and utility. There are six key issues to be considered in the design and development of risk assessment and classification models:

- 1. Distinguish the goals of assessment and classification at different decision points in the system.
- 2. Keep clear distinction between "risk" and "seriousness" in assessment and the classification process.
- 3. Be aware of the limitations of risk instruments in predicting an individual's behavior.
- 4. Conduct the research necessary to validate any instrument adapted.
- 5. Involve key actors from related systems in the development of any classifications that has widespread implications for how cases are handled.
- 6. Realize that the development of a risk assessment and classification system for placement or custody decisions may not automatically result in reduced population in correctional facilities.

Risk assessment and classification in juvenile justice refers to the process of estimating an individual's likelihood of continued involvement in delinquent behavior and making decisions about the most appropriate type of intervention given the identified level of risk.

Assessment of risk and other factors lead directly to a "sorting" of juvenile offenders (i.e., classification decision). Risk assessment instruments refer to those that are a) designed to estimate the likelihood that an identified juvenile offender will subsequently commit another offense within a specified follow-up period; and b) based on statistical relationship between youth characteristics and recidivism.

Classification goal suggests that the key issue in risk assessment is the extent to which it is able to identify groups of offenders with widely different rates of re-offending.

Risk assessment is used to determine an individual's "risk" of continued delinquent behavior or recidivism by comparing their history to a list of risk predictors: age of first referral/adjudication, number of prior referrals/arrests, number of out-of-home placements or institutional commitments, academic achievement, school behavior and attendance, substance abuse, family stability, parental control, and peer relationships. Based on these risk predictors, juveniles will be classified according to the appropriate level of intervention and need.

NATIONAL COUNCIL ON CRIME AND DELINQUENCY. (1997). WISCONSIN JUVENILE OFFENDER CLASSIFICATION STUDY: COUNTY RISK ASSESSMENT REVALIDATION REPORT. MADISON, WI: NATIONAL COUNCIL ON CRIME AND DELINQUENCY.

The Wisconsin Juvenile Delinquency Classification System (WJDCS) was designed to meet the following objectives:

- 1. assess the risk of recidivism for juvenile offenders;
- 2. assess the needs of juveniles and families;
- 3. form recommendations for the juvenile courts;
- 4. justify case decisions;
- 5. provide for structured decision making; and
- 6. gather data for statistical purposes.

Risk assessment tools are used to inform classification decisions.

A uniform juvenile classification system must include the following:

- 1. A risk assessment instrument for determining the probability that a juvenile who has committed an offense will commit another offense.
- 2. A risk assessment instrument for determining the service needs of a juvenile who has committed an offense.
- 3. A services and placement guide for integrating the risk and needs of a juvenile who has committed an offense with other factors to determine an appropriate placement and level of service for the juvenile.

There are two primary rationales underlying the use of formal assessment and classification systems:

- 1. To provide greater validity, structure, and consistency to the assessment and decision making processes;
- 2. To more efficiently allocate limited system resources by targeting the most intensive/intrusive interventions on the most serious, violent, and chronic offenders.

Structured assessment procedures are designed to address the problems of inconsistency and inequity by identifying a limited number of factors known or believed to be the most relevant to the decision being made and incorporating them into a simple, standardized format (i.e., a "tool"). The assessment instrument is then applied to all cases by all decision makers and the results are used to classify offenders according to predetermined decision rules (e.g., everyone with a score of 20 or more points is to receive intensive supervision). There are several benefits associated with this instrument:

- 1. It ensures that the same factors are taken into account by all decision makers in all cases
- 2. Empirical basis for the instrument increases the validity of the risk assessment process
- 3. Results of the assessment directly inform the classification decision
- 4. Rationale for any decision is rendered visible and explicit
- 5. It is easy to complete and can expedite the decision making process.

The classification goal suggests that the key issue in risk assessment is the extent to which it is able to identify groups of offenders with widely different rates of re-offending.

Findings indicate that there are site-specific factors that influence either recidivism or the measurement of it, and, therefore, that an instrument developed in one site may not be transferable to another jurisdiction without validation by the adoption agency.

WRIGHT, KEVIN N. (1988). THE RELATIONSHIP OF RISK, NEEDS, AND PERSONALITY CLASSIFICATION SYSTEMS AND PRISON ADJUSTMENT. *CRIMINAL JUSTICE AND BEHAVIOR*, 15(4):454-471.

Levinson (1982) identified four functions of classification:

- 1. To assign inmates to appropriate security levels
- 2. To place prisoners in different living quarters
- 3. To designate inmates to particular custody levels
- 4. To select program activities for prisoners

Modern techniques now tend to serve managerial functions, such as protection of staff and inmates and the efficient assignment of inmates to places and programs. Classification forms the basis for assigning inmates to settings to minimize problems cost effectively and to make policy decisions regarding the proper care and supervision of prisoners. The court in Ramos v. Lamm ruled on the following criteria for coherent and acceptable classification models: "placement and assignment must be clearly understandable, consistently applied and conceptually complete.

Three commonly used classification schemes are:

- 1. Megargee's MMPI typology which uses psychological inventory to classify inmates into groups with particular characteristics that are hypothesized to be related to their community and troubles in prison.
- 2. Toch's Prison Preference Inventory measures inmates' concerns about eight environmental attributes to determine individual needs.
- 3. Risk assessment which uses demographic, criminal, and behavioral characteristics to distinguish inmates according to their chances of institutional misconduct.

The reported findings indicate that correctional administrators can use classification instruments in making managerial decisions. Certain inmates possess higher probabilities of adjustment problems than others. Within limits, problems can be anticipated using the instruments and security and program assignments and can be made to respond to those expectations.

Courts have repeatedly criticized prison officials for utilizing classification procedures that are based on unfounded and unestablished assumptions regarding inmate behavior. These results clearly tie classification predictions to behavioral outcomes, thus providing the administrator justification that the schemes are not capricious.

Submitted to NTTAC by:

Chad Kielas David Roush NJDA Center for Research & Professional Development Michigan State University February 11, 1998

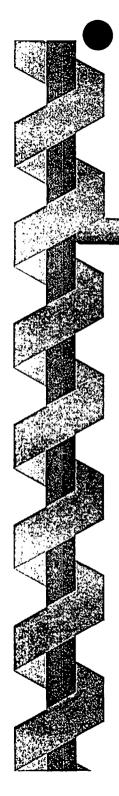
## Developing a Risk Assessment Instrument

Trainer:

Date:

Place:





### Risk Assessments can:

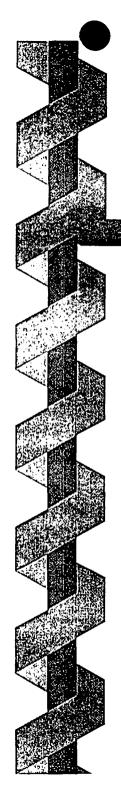
- Objectify the system's decision-making;
- Improve the structure and consistency of detention screening decisions;
- Reduce crowding;
- Safeguard against the inappropriate detention of minority youth.



# Performance Objectives

- 1. List the benefits of implementing a risk assessment instrument.
- 2. Begin building jurisdictional consensus on risk assessments.
- 2. Identify essential elements of an assessment instrument.
- 3. Develop an objective risk assessment instrument that effectively categorizes juvenile offenders.
- 4. Outline a plan for field testing and monitoring the risk assessment instrument.





# Typical Problems

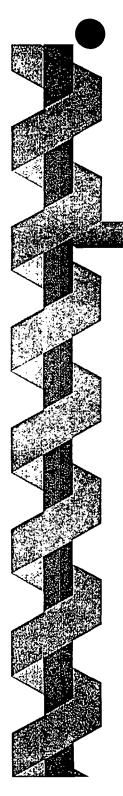
- Vague statutory language
- Too many agencies can refer and admit a youth into secure detention.
- Systems often fail to distinguish between high risk and low risk youth at intake.
- Lack of accurate intake data and monitoring of detention-intake decisions.



# Steps Before Developing Instrument

- 1. Develop consensus on dangers of running a overcrowded facility.
- 2. Develop consensus on purposes of secure detention.
- 3. Develop consensus on detention admissions criteria.
- 4. Develop a consensus on procedures for administering the risk assessment instrument.
- 5. Develop capacity to collect and analyze accurate intake data.
- 6. Develop a consensus on who will make decisions on individual placements.





### Elements of Instrument

- 1. Seriousness of current charge.
- 2. Prior adjudications for delinquent acts.
- 3. Current legal status (e.g. active probation case).
- 4. Prior court, detention/placement history (failure to appear for court hearings).
- 5. Other jurisdictional-specific factors.
- 6. Over-ride: Concrete explanation of why scoring of risk assessment instrument was not followed. Be wary of automatic over-rides.



### Risk Assessment Instrument

### Should:

- A. Contain all essential elements.
- **B.** Separate youth into three categories.
  - Eligible for immediate full release.
  - Eligible for placement in non-secure alternative.
  - Eligible for placement in secure detention.

### Should not:

C. Inadvertently promote racial disparity





Field Testing the Instrument

<u>Retrospective Testing</u> - applied to a three to six month sample of youth who were detained in secure detention.

**Prospective Testing** - applied to a two to three month sample of new intakes

Who would have been released or released to an alternative if the results of the risk assessment had been followed?

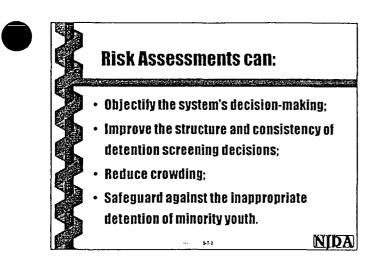
Who would have been eligible for placement in secure detention?

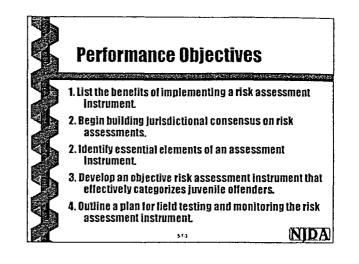


### Monitoring Implementation

- 1. Have the characteristics of the youth detained in secure detention become more consistent?
- 2. Has the population of secure detention been reduced?
- 3. Are low risk youth released or are they placed in alternative programs?
- 4. Are youth who would not have been placed before the implementation of risk assessment being placed in alternative programs? Is there widening of the Net?
- 5. How are over-rides being used? How many over-rides? For what reasons?
- 6. Have pre-adjudication re-arrest rates and/or failure to appear rates changed?
- 7. If necessary, modify instrument based on results of monitoring.







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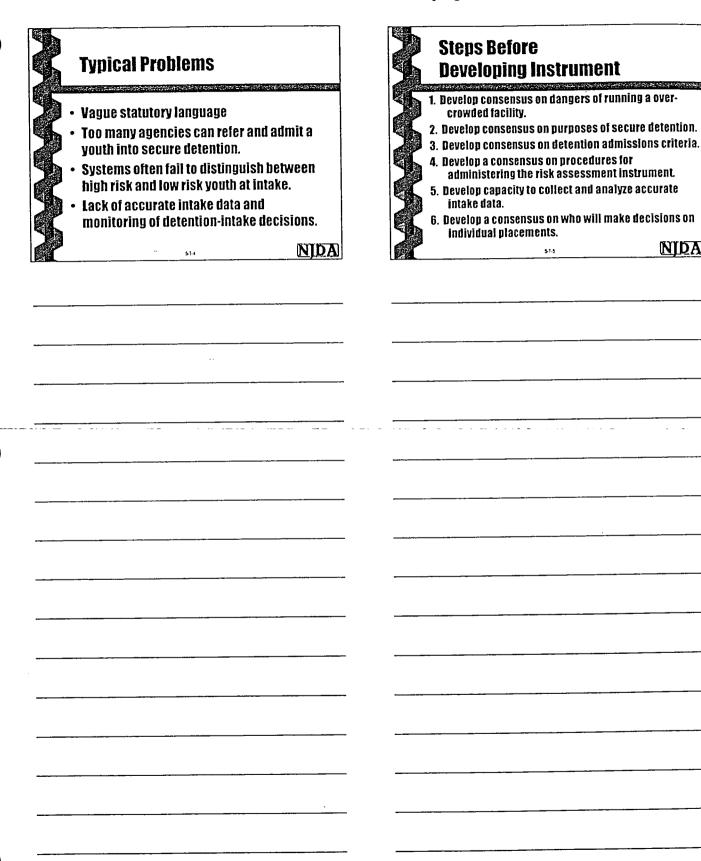
Developing a Risk Assessment Instrument

51.5

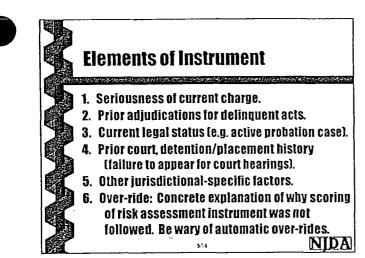
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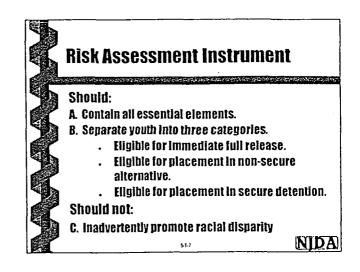
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NIDA









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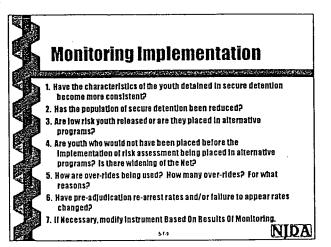
# Field Testing the Instrument Retrospective Testing - applied to a three to six month sample of youth who were detained in secure detention. Prospective Testing - applied to a two to three month sample of new intakes

Who would have been released or released to an alternative if the results of the risk assessment had been followed?

NIDA

Who would have been eligible for placement in secure

detention?



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# **BEFORE Developing the Instrument:** Consensus Activity

**Directions:** As a group, develop a set of questions to allow the group to clarify the expectations of duties and philosophy of risk assessment process. Questions should attempt to identify any areas of contention before administering the instrument. Questions should probe all key stakeholders' positions. Questions should be worded to both identify problem areas and to build consensus.



# **Development of a Risk Assessment Instrument**

**Directions:** As a group, review the sample risk assessment. Choose the best one to develop further. Add any missing essential elements. Eliminate questions or variables that promote racial disparity. Modify or create the scoring system for each variable.

Instrument scoring should separate youth into three categories:

- Eligible for out-right release.
- Eligible for placement in non-secure alternative.
- Eligible for placement in secure detention.



# TJPC INITIAL NEEDS ASSESSMENT

MENT	FAL HEALTH STATUS	CIRCLE# APPLICABLE	CHECK APPLICABLE
1.	Appearance of Youth		
	Signs of alcohol use Sign of drug use Anger . Non compliant . Agitated . Depressed . Disoriented (time, place, person) . Total Score	2 2 1 1 1 1 3	Low Risk 0-2 pts Med Risk 3 pts High Risk 4-10 pts
2.	- Violent Behavior		-
	Verbal threats to others Assaultive history Injured person, pet, animal Destruction of property Frequent violent episodes Total Score	1 2 3 1 3	Low Risk 0-2 pts Med Risk 3 pts High Risk 4-11 pts
3.	History Of:		-
	Arson, fire, starting Suicide attempts Sexual acting (offense, aggression, promiscuity) Property destruction Frequent fighting Frequent lying Frequent lying Frequent cheating Frequent stealing Total Score	3 2 1 2 1 1 1 1	Low Risk 0-2 pts Med Risk 3 pts High Risk 4-12 pts
4.	Peer Relationships		-
	Described as a loner Has no friends Friends - negative peer group Has no best friend Total Score	1 2 2 1	Low Risk 0-2 pts Med Risk 3 pts High Risk 4-5 pts
5.	- Disposition/self image		
	Mood swings - mild Mood swings - severe Self image - low Self image - very negative/inappropriate Total Score	1 3 1 3	Low Risk 0-1 pts Med Risk 2 pts High Risk 3-8 pts
6.	- Identify Problems		
	Confusion as to sexual identify Does not "fit in" No direction/goals in life Fatalistic Total Score	3 1 1 1	Low Risk 0-1 pts Med Risk 2 pts High Risk 3-6 pts

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· 7.	Substance Abuse	CIRCLE # APPLICABLE	CHECK APPLICABLE
)	Alcohol (weekly or more often) Cocaine (weekly or more often) Marijuana (weekly or more often) Inhalant's (weekly or more often) Other illegal drug('weekly or more often) Total Score	2 3 2 3 3	Low Risk N/A Med Risk 2 pts High Risk 3-13 pts
8.	History of Abuse		_
	Physical Sexual Emotional Self (mutilation, scaring) Total Score	3 4 3 . 3	Low Risk N/A Med Risk 3 pts High Risk 4-13 pts
9.	Development History		
	Hyper activity Hypo activity Encoprenic Enuretic Development lags Total Score	1 1 1 2	Low Risk 0-2 pts Med Risk 3 pts High Risk 3 pts
П	EDUCATIONAL STATUS		
1.	Education Status Attending alternative program Dropped out Total Score	1 2	Low Risk N/A Med Risk 1 pts High Risk 2-3 pts
2.	Attendance History Some problem Chronic truancy Total Score	1 3	Low Risk N/A Med Risk 1 pts High Risk 3-4 pts
3.	School Behavior		-
	Little participation (activities) Minor infractions Major/chronic (suspended, expelled) Total Score	1 1 3	Low Risk 0-2 pts Med Risk N/A High Risk 3-9 pts
4.	Academic Difficulties		
	Low achievement Below appropriate grade level Reading, writing, language deficiency Coded ED Coded LD Coded MR Health issues (visual, hearing, speech) Total Score	1 2 3 2 2 2 2	Low Risk 0-2 pts Med Risk 3-6 pts High Risk 6-14 pts

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TJPC-MP-01-05-96

III FA	MILY STATUS	CIRCLE # APPLICABLE	CHECK APPLICABLE
1.	Relationships		
	Non supportive Lack of stability Disorganized/Chaotic	2 2 3	Low Risk N/A Med Risk 2 pts High Risk 3-7 pts
	Total Score		
2.	Parental Supervision		-
	Poor parenting skills Ineffective/inadequate discipline Inconsistent expectations Contribute/encourage delinquency No supervision/limits	2 2 1 4 3	Low Risk 0-1 pts Med Risk 2 pts High Risk 3-11 pts
	Total Score		-
3.	Parental/Family Problems		
	Emotional instability Psychiatric Criminality Substance abuse Family violence Marital discord Total Score	2 3 3 2 3 2	Low Risk 0-2 pts Med Risk 3 pts High Risk 4-15 pts

### **III ASSESSMENT AND RECOMMENDATIONS:**

This is not a validated or scientific test. It is a general assessment meant to identify problem areas and service needs. The evaluator's (J.P.O.) experience in dealing with social/family problems plus common sense judgement are crucial elements to be incorporated into the final assessment and recommendation.

Children who score in 2 or 3 areas of high risk in Section I Mental Health Status; 2 or more in Section II Educational Status and one or more in Section III Family Status would appear to warrant consideration of full psychological testing.

Children scoring in similar areas as medium risk or have fewer high risks scores <u>depending on the section</u> may or may not be referred for testing. A judgement call by the evaluator is part of the process.

#### ASSESSMENT:

High Risk

Med Risk

Low Risk

#### **RECOMMENDATION:**

(Child) is recommended for full psychological testing with the specific

problems presented.

\_ (Child) is not recommended for psychological testing.

**Juvenile Probation Officer** 

TJPC-MP-01-05-96

# SACRAMENTO COUNTY PRE-TRIAL JUVENILE DETENTION RISK ASSESSMENT

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Statute:		Date	é:
INSTRI ONR SI	UCTIONS: Score min core per factor	or for each factor below and enter appropriate	scores in the right hand column. Select only
EACICI 1.	R MOST SERIOUS IN	STANT OFFENSE CARREST WARRANTS ARE SCORED AS	THE OFFENSE)
	8. b. c. d. e. f. g. h. 1. j.	Any 707(b) offense Felony erizes of violence Felony sexual offenses Felony sexual offenses Felony high speed chase (Driver only) Scries of three or more separate felony offens Other felony offenses except drugs Sale of drugs or possession for sale of drugs Possession of drugs Nisdemeanors Probation violations	10 8 7 7 5 5
2.	VARRANTS	Surrandered (0-3) Apprehended (0-5)	
3	LEGAL STATUS		
	8. 6. 6. f. g.	Currently on home supervision Pending Court Ward - lest sustained offense within 3 ponth -lest sustained offense 3 months to 1 -lest sustained offense > 1 year 654/725a None	7 6 5 7 7 7 7 7 7 2 2 0
<b>;</b> .	RISK OF FTA AND	REOFFERSE	
	a. b.	Previous 871 Previous Court FIA's	2 pts each 0-3 pts each (never to exceed 3 pts)
5.	RISK DE NEW OFF	ENSE Previously sustained new offense while pending	
	HITIGATING FACT		
	(Can decrease by a. b. c. d. e.	1 to 3 points - specify) stable & supportive family or caretaker stability in school and/or exployment first offense at 16 or older no arrests within the last year other (please specify below)	-()
	AGGRAVATING FACT	rons / 1 to 3 points - specify)	
	4. b. c. d. e. f.	Witness Intimidation Runaway behavior from home Victim threats Poor or no attendance at school Gang membership Other (Please Specify Below)	•
•	HUNDATCAY DETEXT	TON CASES (Ourrent Case) THESE CASES ARE TO	
	,~á. Escap <del>ca</del> fr	on county institutions b. Abscond from place	ement c. Electronic Hanitoring Arrest Furlauch (failure)
FGAT	ICH DECISION (Che	<	
	e without restrict		
		secure detention (6-9 points)	TOTAL SCORE
	11	alter	
		De Supervision	
		her	·
	Detain (10 or po		
VERI	DE: (state reasons	•	

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Date:		D		NT OF JUVENILE JU ON RISK ASSESSMI		SSN DJJID Referral ID HRS CIS #		
)	DETE	NTION CENT	ER Browa	ard Detention		Record Check		
	Identifying 's Name:	Data		Date of I	Rich-	Age:		
	A Name:			Race:	Sex:	Eyes:		
		-						
Number/Stree	et							
City\State\ZIp	p Code				Telephon	e		
Date Screene	d	Time Screened	A	Assigned Counselor	Program A	Area Contacted:	Yes	No
School or Wor	rk Contacted	Ýes No	Alleged Offer					Category
ParenVGuardia	IN	<u></u>	F.S. F.S.					
Number/Street			F.S. F.S.					
			F.S.					
City/State/ZIP								
City/State/ZIP	· • <b>-</b> · · · ·	<		forcement Agency		, Name and ID or Badge	No.	
Telephone: Ho	ian Interviewed	<ol> <li>Face to Fac</li> <li>Telephone</li> <li>Unable to C</li> <li>Massage Le</li> </ol>	Law Enfo e ontact	forcement Agency Youth advised of right to Protective Services rect Current allegation of Ab History of Confirmed or	ord check? buse/Neglect Pending?	<ul> <li>Yes</li> <li>Yes</li> <li>Yes</li> </ul>	No. [ [ [	<b>-</b>
Telephone: Ho Parent/Guardi O O Yas No Time	ian Interviewed	<ol> <li>Face to Fac</li> <li>Telephone</li> <li>Unable to C</li> <li>Massage Le With whom: Mother</li> </ol>	Law Enfo e ontact	Youth advised of right to Protective Services rect Current allegation of Ab History of Confirmed or Type: Physical Abus	ord check? buse/Neglect Pending? Indicated Abuse/Negle se [] Sexual Abu	☐ Yes ☐ Yes ☐ Yes ect? ☐ Yes use ☐ Neglect ☐	C C Emol	No No No
Telephone: Ho Parent/Guardi O O Yes No Time Name	ian Interviewed	<ol> <li>Face to Fac</li> <li>Telephone</li> <li>Unable to C</li> <li>Massage Le With whom: Mother</li> </ol>	Law Enfo e ontact	Youth advised of right to Protective Services rect Current allegation of Ab History of Confirmed or Type: Physical Abus	ord check? buse/Neglect Pending? Indicated Abuse/Negle se [] Sexual Abu	☐ Yes ☐ Yes ☐ Yes eq? ☐ Yes	C C Emol	No No No
Telephone: Ho Parent/Guardi Yes No Time Name Section II. A. Yo	ian Interviewed	<ol> <li>Face to Fac</li> <li>Telephone</li> <li>Unable to C</li> <li>Massage Le With whom: Mother</li> <li>Relationship</li> <li>CRITERIA</li> </ol>	Law Enfo e ontact :ft	Youth advised of right to Protective Services rect Current allegation of Ab History of Confirmed or Type: Physical Abus	ord check? puse/Neglect Pending? Indicated Abuse/Negle se [] Sexual Abu ut on assigned counse	Yes Yes Yes Yes ect? Neglect Inse Neglect Inse Neglect	C C Emol	No No No
Telephone: Ho Parent/Guardi Yes No Time Name Section II. A. Yo	ADMISSION	<ol> <li>Face to Fac</li> <li>Telephone</li> <li>Unable to C</li> <li>Massage Le With whom: Mother</li> <li>Relationship</li> <li>N CRITERIA</li> <li>elivered and the f</li> <li>The youth control pro transporter</li> </ol>	Law Enfo e ontact eft ollowing criteri is alleged to b gram, furlough d to or from su	Youth advised of right to Protective Services rect Current allegation of Ab History of Confirmed or Type: Physical Abus (If available provide inpu- ia as outlined in s. 39.044 be an escapee or an absco h, or aftercare supervision	ord check? puse/Neglect Pending? Indicated Abuse/Negle se [] Sexual Abu ut on assigned counse (2), F.S., indicate the y onder from a commitment on or is afleged to have in, or the child is wante	Yes Yes Yes Yes ect? Neglect Inse Neglect Inse Neglect	[ [ Emot .)	No No No
Telephone: Ho Parent/Guardi Yes No Time Name Section II. A. Yo de	ADMISSION	<ol> <li>Face to Fac</li> <li>Telephone</li> <li>Unable to C</li> <li>Massage Le With whom: Mother</li> <li>Relationship</li> <li>CRITERIA</li> <li>elivered and the factor of the south control pro- transported an offense</li> <li>The youth</li> </ol>	Law Enfo e ontact off off is alleged to b gram, furlough d to or from su which if comm is charged wit be detained fo	Youth advised of right to Protective Services rect Current allegation of Ab History of Confirmed or Type: Physical Abus (If available provide inpu- tia as outlined in s. 39,044 be an escapee or an absor- h, or aftercare supervision uch program or supervision mitted by an adult, would b th a delinguent act or viola	ord check? buse/Neglect Pending? Indicated Abuse/Negle se Sexual Abu ut on assigned counse (2), F.S., indicate the y onder from a commitme t, or is afleged to have n, or the child is wanter be a felony: ation of law and reques	<ul> <li>Yes</li> <li>Yes</li> <li>Yes</li> <li>Yes</li> <li>ect?</li> <li>Neglect</li> <li>Ior and status in Narrative</li> <li>routh's eligibility for</li> <li>ent program, a community</li> <li>escaped while being lawful</li> </ul>	( [ Emot	No No No
Telephone: Ho Parent/Guardi Yos No Time Name Section II. A. Yo de Yes []	ADMISSION	<ol> <li>Face to Fac</li> <li>Telephone</li> <li>Unable to C</li> <li>Massage Le With whom: Mother</li> <li>Relationship</li> <li>CRITERIA</li> <li>elivered and the f</li> <li>The youth control pro transporter an offense</li> <li>The youth coursel to documenta</li> <li>The youth sibling, spo F.S., a youth</li> </ol>	Law Enfo e ontact eft ollowing criteri is alleged to b gram, furlough d to or from su which if comr ls charged wit be detained fo ation) is charged wit	Youth advised of right to Protective Services reco Current allegation of Ab History of Confirmed or Type: Physical Abus (If available provide inpu- tia as outlined in s. 39,044 be an escapee or an absor- h, or aftercare supervision mitted by an adult, would b th a delinguent act or violator or protection from an imme- th committing an offense of rion and is detained as pro-	ord check? puse/Neglect Pending? Indicated Abuse/Negle se [] Sexual Abu ut on assigned course (2), F.S., indicate the y onder from a commitment n, or is afleged to have in, or the child is wanter be a felony: ation of law and request inent physical threat to of domestic violence ago ovided in s.39.042(2)(b)	<ul> <li>Yes</li> <li>Yes</li> <li>Yes</li> <li>Yes</li> <li>ect?</li> <li>Neglect</li> <li>lor and status in Narrative</li> <li>routh's eligibility for</li> <li>ent program, a community</li> <li>escaped while being lawfund in another jurisdiction for</li> <li>its in writing through legal</li> </ul>	( Emot ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) )	] No ] No ] No ional

Factor #5 requires an affirmative answer to at least one of the qualifiars before a yes answer can be recorded (s. 39.044(2)(d). F.S.).

	Yes	No		<ol> <li>The youth is charged with any second-degree or third-degree felony involving a violation of Chapter 893, F.S., (Felony Drugs), any third-degree felony that is also not a crime of violance (excluding firearm offenses) and the:</li> </ol>
	Yes	No	G	<ul> <li>Youth has a record of failure to appear at court hearings after being properly notified in accordance With the Rules of Juvenile Procedure;</li> </ul>
	Yes	No		(b) Youth has a record of law violations prior to court hearings;
	Yes	No		(c) Youth has already been detained or has been released and is awaiting final disposition of the case;
	Yes	No		(d) Youth has a record of violent conduct resulting in physical injury to others;
	Yes	No		(e) Youth found to be in possession of a firearm.
8.	Yes	No	ם	Not withstanding s.39,042 or s. 39,044(1), F.S., if a minor under 18 years of age is charged with an offense the involves the use or possession of a firearm, as defined in s 790,001, F.S., other than a violation of subsection (3), or is charged for any offense during the commission of which the minor possess a firearm, the minor SHAL BE DETAINED in secure detention unless the state attorney authorizes the release of the minor.
Ç.	Yes	No	0 -	A youth delivered with a judicial order requiring detention care must be detained. The risk assessment instrument still must be completed for informational purposes, but the youth must be detained regardless of the points scored.
D.	Yes	No		A youth may be placed into detention status for contempt of court, however, this requires a written court order.
Ε.	Yes	No		Pursuant with s. 316.635, F.S., a juvenile traffic offender found to be in contempt of court for failure to appear on not performing court-ordered sanctions for traffic violations, must be securely detained, unless a staff secure shelter is available, if ordered by the court.

If any of the abcve (A1-5) are answered yes proceed to Section III, unless youth is charged solely with an act of misdemeanor domestic violence. If each of the above (A1-5) are answered no the youth must be released, unless B through E is answered yes.

The responsibility of law enforcement and case managers for releasing a youth from custody will be discharged in accordance with s. 39:038 

ection III. Risk Assessment

Α.

Β.

Most se 1.	rious current offense Ali capital, life, and first degree felony PBL		15	-
2.	All other first degree felonies, vehicular homicide, violent second degre jurisdiction for a felony offense	ee felonies, youth is wanted by another	12	-
3.	Second degree felony drug charges, escape or absconding, any third possession of a firearm, burglary of an occupied residential structure, weapon by a youth previously adjudicated or with adjudication withhele committed by an adult	or possession of a lifesim or concealed	10	-
4.	Violant third degree felonies		9	-
5.	All other second degree felonies (except dealing stolen property)		8	-
6.	Dealing in stolen property, other third degree felonies that qualify for d (See factor #5 above)	etention in s. 39.044(2)(f)	7	-
7.	Reckless display or unlawful discharge of a firearm (Must Be Securely	Detained)	<sup>-</sup> 4	
	urrent offenses and pending charges (separate, non-related events) Each felony	Points Per Felony 2 #		
1. 2.	Each misdemeanor	Points Per Misdemeanor 1 #		
2. 3.	Prior felony arrest within last 7 days		6	
	tistory 3 felony adjudications or adjudications withheld last 12 months, or		4	
2.	2 felony adjudications or adjudications withheld last 12 months, or		2	
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	3.	1 felony adjudication or adjudication withheld or misdemeanor adjudications or adjudications withhold	1	
D.	Legal 1.	Status Committed or detention	8	
	2.	Active community control cases with last adjudication or adjudication withheld within 90 days	6	
	3.	Active community control cases with last adjudication or adjudication withheld more than 90 days ago	2	
E.	Aggra 1.	ivating or Miligaling Circumstances Aggravaling factors (add to score)	1-3	
	2.	Miligaling factors (subtract from score)	1-3	
		The juvenile probation officer must fully document the reason for scoring aggravating or mitigating points.		
F.	Detai	n/Release Decision 0 - 6 points = release 7 - 11 points = non-secure or home detention 12 or more points = secure detention	n A-E)	
Sec	tion	IV. State Attorney Review/Decision (Complete based upon item #1 being appropriate	e)	
1.		If the Juvenile probation officer believes that a youth who is eligible for detention based upon the results of the ris instrument should be released, the state attorney must be contacted to approve release (s. 39.044(1)( c). the sta may approve home or non-secure detention for a youth who scores eligible for secure detention. The juvenile pr document the reasons for the recommendation in the narrative section.	ate attomay :	also
2.		(a) State Attorney contacted? Yes No O		
		(b) State Attorney decision Datain C Release		
Sec	tion	V. Screening Decision	ne:	
		Placement 🗍 Secure 📋 Home 🗌 Non-secure 🗍 Staff-Secure 🗍 Respite	C 8	lelease
		Criminal Background Check done? Results		
		Release to: Name		<u>_,,,</u>
		ezenbbA		<u> </u>
		Telephone Time		
Sec	tion	VI. Narrative		1
	_			
Juve	nile P	robation Officer Date Reviewed by D	ate	
		Detention Review Specialist D	ate	

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# MULTNOMAH COUNTY DEPARTMENT OF JUVENILE JUSTICE SERVICES RISK ASSESSMENT INSTRUMENT (RAI) III

This paper form is to be used o	only when electronic RAI is unavailable. It <u>must</u> be entered into t	ne electronic RAI as soon as it is	s available.
Date/time youth brought to D		Date/Time of Intake Scre	
	YOUTH'S NAME	Case #	Ref.#
		DOB:	
SPECIAL DETENTION CASES	(CIRCLE "DETAIN"	FOR ALL APPLICABLE C	ATEGORIES)
Escape from secure custody			Detain
Arrest warrant (Detain with li	mited exception, see definitions)		Detain
Type of Warrant:		opposes release	
(Check all that apply)		opposes release	
If Judicial Officer doesn't opp	bose, do not treat as a special detention case. Scre		
In custody youth summoned	for hearing		Detain
Court ordered (Check all that apply)	Community Detention Violation		Detain
	Day Reporting Violation		
	Law Violation Probation Violation		
	Other (specify:)		
	FENSE	18	
MOST SERIOUS INSTANT OF		RCLE HIGHEST APPLIC	
Intentional homicide (aggrava			17
(including Rape I, Sodomy I, a	Felonies involving violence or use or threatened us and Unlawful Sexual Penetration I involving forcible	e of a weapon compulsion)	12
Class B Felonies involving vio	lence or use or threatened use of a weapon		8
Rape I, Sodomy I, Sexual Pen	etration I <u>not</u> involving forcible compulsion		7
Class C Felony involving viole	ence or use or threatened use of a weapon		6
All other Class A and B Felon	ies		5
All other Class C Felonies			3
Misdemeanor involving violen	ce, or possession, use or threatened use of a weap	on	3
All other Misdemeanors			1
Probation/Parole Violation			1
Other, e.g., status offense (N	11P, runaway, curfew, etc.)		0
	SCORE RANGE 0 - 17	SCORE	
ADDITIONAL CURRENT OFFE	NSES (IF A	PPLICABLE, CIRCLE HIGI	IEST SCORE)
Two or more unrelated addition	onal current Felonies		3
One unrelated additional curre	ent Felony		2
	SCORE RANGE 0 -	3 SCORE	

LEGAL STATUS	(CIRCLE ALL	HAT APPLY)
Currently under Juvenile Justice/OYA or other state or County supervision: (Check all that apply)	EITHER: Parole Probation OR: (If this section applies, score <u>either</u> 2	2
	or 1, not both.)  Deferred Disposition Informal Disposition Formal Accountability Agreement DJJS Diversion Other (Specify:)	1
Above referenced status is for felony violent/assaultive law possession of a firearm.		1
Pending trial (or disposition) on a law violation/probation vio serious pending offense using the "Most Serious Instant Off petitions over 6 months old, unless there is an outstanding	lense" values. No score for misdemeanor	17 12 8 7 6 5 3 1 0
Youth is on a conditional release. (Check all that apply, but	score only 1 point.)	1
Community Detention     Electronic Monitoring       House Arrest     Other (specify:	) <u> </u>	
SCOF	RE RANGE 0 - 21 SCORE TOTAL	
ALL WARRANTS (EXCLUDING TRAFFIC AND DEPENDENC)		
Score two (2) points for each warrant (excluding traffic and months (maximum 20 points).	dependency warrants) during the past 18	20 18 16 14 12 10 8 6 4 2
	SCORE RANGE 0 - 20 SCORE	
PRIOR SUSTAINED OFFENSE	(IF APPLICABLE, CIRCLE HIGI	IEST SCORE)
Two or more prior felony adjudications (true findings)		3
One prior felony adjudication, or three or more prior misdem	eanor adjudications (true findings)	2
Two prior misdemeanor adjudications (true findings)		1
SCOF	RE RANGE 0 - 3 SCORE	

# APPENDIX B - Page 2

MITIGATING FACTORS	(CIRCLE ALL ו	(HAT APPLY)
Regular school attendance or employed		-1
Responsible adult to assure supervision and	return to court	-1
No Law Violation referrals within past year	(applies only to youth with a prior history of law violations)	-1
First Law Violation referral at age 16 or old	er	-1
First Law Violation referral (instant offense)		-1
Not on probation, first UTL warrant and una	aware of warrant.	-2
No FTA warrant history (youth must have h	ad a delinquency court appearance history)	-2
	SCORE RANGE -9 to 0 SCORE TOTAL	
AGGRAVATING FACTORS	(CIRCLE ALL 1	HAT APPLY)
No verifiable local community ties		3
Possession of a firearm during instant offen	se without use or threatened use	2
Reported history of runaways from home w home and 1 run from placement	ithin past six (6) months (2 or more) OR 1 run away from	1
Reported history of runaways from out-of-h	ome placement within past six (6) months (2 or more)	2
Multiple victims in instant offense		1
Documented threats to victim/witness (inst	ant_offense)	1
	SCORE RANGE 0 - 10 SCORE	
	TOTAL RISK SCORE	
DECISION SCALE/DECISION	OVERRIDE	
Special Detention Cases12 - OverDetain7 - 11Conditional Release0 - 6Unconditional Release	Detain Conditional Release Unconditional Release Approved by:	
SUMMONS	Reason:	
Y N Preliminary Hearing Summons (Summons to prelim if score over 6 or youth is being released on a warrant, on a charge involving a weapon, on a UUMV charge, domestic violence, or is being placed in a shelter care placement that requires a prelim.)		
Y N Shelter Placement		
Does youth meet statutory criteria for deter	Y N ntion [] [] (If no, youth MUST be released.)	

REASON FOR ADMISSION OF YOUTH H	ELD PENDING A PRELIMINARY HEARING
Probable cause that one or more of the following exists:	
<ul> <li>Committed any felony crime</li> <li>Committed a crime involving infliction of physical injury to another person</li> <li>Possession of a firearm (ORS. 166.250)</li> <li>Escape from a juvenile detention facility</li> <li>Out-of-State runaway</li> </ul>	<ul> <li>Probation/parole violator</li> <li>Fugitive from another jurisdiction</li> <li>APB from state training school</li> <li>Violation of conditional release</li> <li>FTA after summons, citation or subpoena</li> </ul>
AN	١D
No means less restrictive of the youth's liberty gives reasonable assurance that the youth will attend hearing; <u>OR</u>	The youth's behavior endangers the physical welfare of the youth or another person, or endangers the community.
THIRTY-SIX (36)-HOUR HOLD (OVERRID	E/SUPERVISORY APPROVAL REQUIRED)
Youth can be held 36 hours from the time first taken into portught in on a law violation; a parent or guardian cannot be is not available; and <u>the youth cannot be released safely</u> on of the police custody? Release REASON:	e found or will not take responsibility for the youth shate

- 4 -

COMPUTATION OF THE CMS SCORE	
Client's Risk Assessment Instrument (RAI) Score	<del></del>
Add CMS points for each of the current (police) allegations (not just most serious allegation)	
Add CMS points for each "Person" or "Property" allegation that has been filed in a petition	
Add CMS points for each allegation that has been found true	
Add 2 points for each warrant issued (excluding traffic/dependency warrants) within the last 18 months	
Capacity Management System (CMS) Score TOTAL	<u></u>

This paper RAI does not include notification and narrative information found on the face sheet. Include this information when transferring to the electronic RAI.

ATTENTION: Fill out CMS Early Release Plan form on all youth detained with RAI score of less than 12.

1359458.PS/05/06/98

Revised with III on 01/21/98 - Revised with Computation on 01/28/98 - Revised w/Judicial Officer info on 05/06/98



#### SJS - STRATEGIES FOR JUVENILE SUPERVISION Interview Instructions

There are four sections to the SJS Interview:

- A. General Information
- B. Objective History
- C. Interview Behavior
- D. Interviewer Impressions

The above sequence (A to D) should be used with each juvenile.

A Scoring Guide is included for many items to provide criteria and assistance in scoring.

#### Instructions for General Information Section (43 Items)

A semi-structured interview with suggested questions has been developed to elicit general information. Use a comfortable natural, wording appropriate for yourself and the juvenile when asking questions. If the juvenile presents some interesting information requiring follow-up, you are encouraged to follow through before going back to the structured sequence. For each item, you must choose only one alternative. If you can't choose an alternative, don't rate the item.

Each portion of the General Information Section is headed by one or two openended questions which may provide material for rating specific items. If the suggested questions fail to elicit sufficient information, continue to inquire in a different or more direct manner unless you see the word -STOP-. "-STOP-" means to discontinue inquiry except to repeat or clarify the question." For some items, A and B questions are included. Some B questions are asterisked (\*) as a reminder to specifically inquire about this issue.

#### Instructions for Objective History Items (10 Items)

These items follow the General Information Section. The information can probably be obtained quite rapidly with direct questions.

#### Instructions for Interview Behavior Ratings (4 Items)

These ratings are based on the juvenile's behavior during the interview.

#### Instructions for Interviewer Impressions (7 Items)

These ratings should reflect your impression of the importance of each factor contributing to the juvenile's difficulties. On this section you must rate at least one factor as "highly significant (a)" and at least one as "not significant (e)".

#### Instructions for Scoring

Mark correct responses in appropriate box. Use ballpoint pen and press firmly. Do not write in margins except to record responses.

JUVENILE NAME\_\_\_\_\_

AGENT NAME\_\_\_\_\_

DATE OF INTERVIEW\_\_\_\_\_

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#### OFFENSE PATTERN Could you tell me about the trouble you got into?

1A. How did you get involved in your most recent offense IB. How did you decide to do it?

- Purpose for committing current offense a. emotional reasons (e.g. anger, sex) b. material (monetary) reasons
  - c. both emotional and material reasons
    - a. possession or usage of drugs
    - assault (not for robbery)
    - b. prostitution, drug sales, theft
    - c. stealing primarily for peer
      - acceptance
      - stealing for.revenge
      - joy riding

2A. Could you tell me more about the circumstances that led up to this offense?

2B. How did you get caught?

- Acceptance of responsibility for current difficulties a. admits committing and doesn't attempt excuses
- b. admits committing, but emphasizes excuses c. denies committing
- b. "I would never have done it if I hadn't been drinking.\*
  - "My friends get me in trouble."

(Questions 3 to 8) count all criminal and status offenses which led to an arrest. Include serious traffic offenses (e.g. drunk driving, hit and run).

- 3A. Have you been in trouble before? (List arrests and discuss individually)
- \*3B. What else have you been arrested for?

Offense pattern

someone?

a. yes

b. no

threatening behavior?

- a. nothing prior to current offense b. mainly status offenses
- c. no consistent pattern
- d. mainly criminal offenses
  - b. Don't use (b) if client has more than one criminal offense.

4A. In these offenses, have you ever been armed or hurt

4B. Did you ever threaten anyone during an offense? Offense(s) involving armed, assaultive, or

Offense Planned Drinking Alone

- 5. How did you decide to commit these offenses?
  - Offenses were generally
  - a. planned b. no consistent pattern
  - c. impulsive
    - Agent judgement
    - a. Decides to commit an offense, then drinks to build courage

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- Possession of drugs c. - Gets drunk and into fight
- Sees open car with package and suddenly
- decides to steal package
- 6. Were you with someone when you got in trouble?

#### Offenses were generally committed

- a. alone
- b. no consistent pattern
- c. with accomplices
- 7. Were you drinking or on drugs when you got in trouble?

Offenses committed while drinking or on drugs

- a. never b. 50% or less
- c. over 50%
- 8. Have you ever been arrested for offenses against your family, like stealing or runaway?

Offenses directed toward the family

- a. never
- b. sometimes c. usually
- - c. most of legal trouble involved stealing from family, assault on family members, runaways from home

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#### SCHOOL ADJUSTMENT

Now I'd like to ask some things about your background. What was the last grade you completed in school? (9 to 13 refer to entire school history, not just current semester)

- 9A. Do(did) you have any problems with schoolwork? 9B. Do(did) you ever receive special help in school?
  - Academic performance

a. no problems

- b. problems primarily due to lack of intellectual capacity
- c. other achievement problems

If juvenile has both a lack of capacity and other achievement problems, use choice "b".

- c. problems due to lack of interest
  - dyslexia
  - dropouts

10. Do(did) you go to class regularly?

#### School attendance

- a. no truancy
- b. minor truancy
- c. extensive truancy
  - b. I to 5 times per year (not necessarily full days)

	<del>1</del> 2 -		-:	
			. How much drinking do they do? How much drugs do they do?	
			Associates' substance usage a. rarely b. sometimes c. frequent or abusive	
			a couple of times in their lifetime or less c weekly or more frequently	
<u> </u>	Generally, do(did) you get your homework assign- ments done?			· ·
	Completes assignments a. generally no problem		How much drinking and drugs do you do? (For clients who score b or c, ask) How do you get money to pay for it?	
	b. major problems		Juvenile's substance usage a. rarely b. sometimes	
	How do(did) you generally get along with your teacher. and principals?	5	c. frequent or abusive	
	Relationship to school staff a. no problem b. authority problems		a couple of times in his/her lifetime or less c weekly or more frequently	
		20.	How do your parents feel about your friends?	
13.	Do(did) you have any other problems in school?		Parental view of friends	
	School discipline a. no major problems b. scrious problems		<ul> <li>approve</li> <li>mixed or neutral</li> <li>disapprove</li> </ul>	
	b. Extortion Concealed weapons Fighting	21.	When you're with your friends, who generally decide what to do (where to go, etc.)	
14.	How far do you plan to go in school?		Leadership a. friends usually decide b. mixed c. juvenile usually decides	
	Educational goal a. post high school training		Agent impression	
	<ul> <li>b. high school diploma</li> <li>c. GED</li> <li>d. no further education</li> </ul>			
	a Academic or technical degree program		Do you have a closest friend? What do you like best about him/her? -STOP-	
15.	Do(did) you like school? Attitude toward school		Relationship with closest friend a. talk (share feelings) or help each other b. do things together (less emphasis on talking or sharing feelings)	
	a. generally positive		c. has none	<b>L</b>
	b. neutral or mixed c. generally negative		<ul> <li>"We do things for each other"</li> <li>"We're like brothers (sisters)"</li> </ul>	
L	Accept juvenile's view		b "He likes the same activities I do."	
Let's friend	INTERPERSONAL RELATIONSHIPS talk about friends. How do you get along with your s?			
<b>┌───</b> ±∳.	Do you like to hang out with a group, or one or two		EEELINGS	
	friends at a time?		to go from talking about friends to talking about	
	Pattern of associates a. prefers individual friends b. mixed	your fe		•
	c. prefers groups		That kinds of things get you feeling down (depressed) That do you do when you're feeling blue?	•
			Then depressed , seeks someone to talk to about the problem or tries to figure it out	
		c. d.	seeks an activity to distract self drinks or uses drugs isolates him/herself	
17.	Have your friends been in trouble? Associates	¢.	denies getting depressed b "I forget about them" - watch T.V.; listen to music - basis and	LJ
<b></b>	a. essentially not in legal trouble		- shoot pool - play video games	
	b. mixed c. mostly in legal trouble		d, - ~1 pray* - sleep	

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Don't count marijuana use (by itself) as legal trouble. a. - <u>Don't</u> use "a" if juvenile committed <u>any</u> offense with accomplices

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	24.	Have you ever tailooed or cut on yourself?		nrough 36) use biological parents if relationship exists; t, use persons the juvenile identifies as parent figures.
г		Self mutilation		•
		a. ycs b. no		. How do(did) you get along with your mother? . How do you feel about her?
		a homemade tatoos b professionally done tatoo		Present <u>feelings</u> toward mother a. close b. mixed or neutral c. hostile
	25A. 25B.	Have you ever thought seriously about killing yourself? (If juvenile says yes to above) Have you ever tried it?		a loving, affectionate b "We get along" (without implication of closeness)
		Suicide a. never seriously contemplated it b. had definite thoughts c. attempted it		Since about age 12, if you did something wrong how did your mother handle it? What kind of punishment did she use?
		What do you do when you're feeling angry with people? Have you ever hurt anyone when you were angry? In handling anger		Type of discipline mother used ( <u>since are 12</u> ) a. verbal or privilege withdrawal b. permissive (generally let juvenile do as he/she pleased)
Г	]	In handling anger a. physically aggressive toward people b. avoids expression c. trouble expressing anger appropriately d. responds appropriately		c. physical If the juvenile didn't live with mother or mother figure during at least part of their adolescent years, do not rate Item 31.
L	]	Physical aggression problems should take precedence over other choices. Use all sources of information including offenses b denies getting angry c breaks things - "I yell at people" d constructively confronts the person who's making them angry		a. • "She told my father"
	27A. 27B.	. Can you describe your personality? What do you like and dislike about yourself? -STOP-		How do(did) you get along with your father?
		Self description a. emphasizes strength b. emphasizes inadequacy c. can't describe self	318	<ul> <li>How do you feel about him?</li> <li>Present <u>feelings</u> toward father</li> <li>a. close</li> <li>b. mixed or neutral</li> </ul>
F		If both positive and negative statements are given choose the one emphasized the most. If they have equal emphasis, choose the one given first. Choice "c" is for juveniles who lack the ability to describe themselves. - "I'm OK" (and can't elaborate)		c. hostile a loving, affectionate b "We get along" (without implication of closeness)
L	]	- "I'm a nice person" - "I get into too much trouble"		. Since about age 12, If you did something wrong how did your father handle it? . What kind of discipline did he use?
	28.	In general, do you tend to trust or mistrust people? -STOP- Outlook toward people a. basically trusting		Type of discipline father used ( <u>since are 12</u> ) a. verbal or privilege withdrawal b. permissive (generally let juvenile do as he/she pleased) a. physical
L		<ul> <li>b. mixed or complex view</li> <li>c. basically mistrusting</li> <li>b. A complex view of people (e.g., trusts people in some situations but not in others)</li> </ul>		c. physical If juvenile didn't live with father or father figure during at least part of their adolescent years, do not rate frem 33.
-		- "I trust people too much" - "takes a while to get to know them"		
	0 ener	FAMILY ATTITUDES relevers should <u>ask their own questions to obtain</u> ral information regarding family structure; parents, step- nts, siblings, etc. <u>before</u> asking question 29.)	34B.	Were you ever abused by your parents? Did they ever go overboard on punishment? -STOP- Parental abuse a. yes
<b>F</b>	29A	. Are you living at home? . How many different houses or apartments have you		b. no
L		lived lo? Changes in family residence a. 0 to 4		. Were you ever abused by anyone else? Were you ever abused sexually?
		b. 5 to 9 c. 10 or more		Non-parental abuse a. yes

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- b. no a. include prostitution

2 - 2 - 22 - 2

	Did they both see you the same way?			
<b></b> _	Parental view (prior to age 10) a. good kid (normal)			
	b. problem child		. What goals do you have for the future?	
	c. parents differed	•42B	. How do you expect to accomplish your goals? -STOP-	
	a no special problem		Future goals	
	<ul> <li>like anybody else</li> <li>b *parents always complaining</li> </ul>		a. short-term goals (most goals can be fulfilled withi	
	about me"		about 6 months) b. long-term goals	
	- "gave them lots of trouble"		At issue in this question is whether juvenile can	
	- seen as "strange kid" - hyper		articulate goals, not whether they are likely to achieve these goals.	
27	How would you describe yourself during that time		a "No goals, live day to day"	
<b>1</b> "	(prior to are 10)?			
	Cut developing (might to page 10)	43.	How will being on supervision (institution or field) affect your life? -STOP-	L
	Self description ( <u>prior to are 10</u> ) a, good kid (normal)			•
	b. problem kid		Expectation about supervision	
			a. no effect b. counseling or program help	
38.	Would you describe your early childhood (prior to are		c. will keep them out of trouble	
<b></b>	10) as happy or unhappy? -STOP-		d. negative c. mixed or unclear	
	General attitude toward childhood			
	a. happy			
	b. not happy			
	Accept juvenile's view			
39.	If you could change anything about your early childhood, what would you change ( <u>prior to age 10</u> )?			
	canadood, waxi would you campye ( <u>prior to art 10</u> ).			
	Satisfaction with childhood			
لـــــا	a. basically satisfied (little change) b. dissatisfied with material aspect			-
	c. dissatisfied with family		OBJECTIVE HISTORY	
	d. dissatisfied with self	44.	Age of earliest arrest:	
			a. 12 or below	
40.	Can you describe your father's personality? (If answer is <u>unclear</u> , ask juvenile to <u>describe another person</u> they		b. 13 - 14 c. 15 - 16	
	know well.)		d. 17+	
			Include serious traffic offenses (e.g., drunk	
	Personality description a, multifaceted		driving, hit and run)	
	b. superficial			
	This item measures the juvenile's ability to describe	45.	Number of arrests for criminal (non status) offenses:	
	auributes or explain behavior. "Superficial"			
	indicates difficulty perceiving depth in personality and not just an evasion of the question. One		b. 1 - 3 c. 4 - 7	
	complex statement is sufficient for an "a".		d. 8+	
	a "sensitive to others" - "Dad was strict because that's		Include current offense	
	- "Dad was strict because that's the way he was brought up."			
	b "no-good drunk"	46.	Number of arrests for status offenses:	
	- "mean" - Li-d		a, nonc	
	- "kind"		b. I - 4 c. 5+	
				1
			Include current offense	
	PLANS AND PROBLEMS		Number of placements in correctional institutions:	
	d like to get some idea of what you see ahead of you.		a. none b. l	
I				
I			c. 2 or more	
	Aside from trouble with the law, what is the biggest problem in your life now? -STOP-		c. 2 of more Include current commitment in total. Exclude detentions prior to adjudication.	

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- c. education
  d. vocational/financial
  e. no big problems presently

  - a. drinking or drugs, "get my head together"
    b. "Try to get along better with my parents"

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	48.	Time spent under <u>prior</u> probation/parole supervision: a. DONC	
		b. 6 months or less c. 7 months to 12 months	
		d. over 12 months	
			INTERVIEWER IMPRESSIONS
	49.	Medical history: (Note <u>all</u> applicable choices) a. drug/alcohol treatment	Please rate the significance of each factor as it contributes to the juvenite's legal difficulties. Each juvenile must
		h antious head injuries	to the juvenile's legal uniferretic. Deep period of "e" receive at least one score of "a" and one score of "e"
		c. psychological/psychiatric treatment d. none of the above	a = Highly significant
		c. Exclude evaluation	b = Significant c = Somewhat significant
	r1	b skull fractures - head injuries which required	d = Minor significance
		treatment (beyond \$-ray)	e = Not significant
		treatment; include family therapy	
		t-1-1-t-nor remedial	Г <del></del> _
	50.	Did juvenlie ever receive special education or remedial help for learning deficiencies?	58. Social inadequacy
		a. ycs	Defers to the inventie's social skills and ability to
		b. no Exclude language problems in noh-English	nderstand the motives and concerns of people. They are easily led by others and highly immature
		speaker	socially.
		Did juvenlie ever receive special help for emotional or	59. School inadequacy
	51.	behavioral problems in school?	b f and investig's shility to learn and periorm
	<b></b> ]	a, ycs b, no	basic academic skills (reading, writing, arithmetic).
		Exclude speech therapy	
	57	Did any parent have a history of: (Note all applicable	
		choices) a. being on welfare	60. Criminal orientation
	··· []	<ul> <li>b. criminal bchavior</li> <li>c. psychiatric hospitalization</li> </ul>	the estimate behavior is an
		d suicide attempts	acceptable, common part of the would like to be a
1	ليستعمل	e. drinking and drug problems [. non: of the above	successful criminal, and are frequency
		Includes step and adoptive parents	monetary gain.
		the state was been	61. Emotional factors
	53	3. Have slillings (include step and half sibs) ever been arrested?	Refers to degree of emotional, drug, or alcohol
		a. nonc	problems in the juvenile's life.
	$\square$	b. some c. most	
		d not applicable	62. Family history problems
		INTERVIEW BEHAVIOR	Refers to parental family problems or acting out
	•_	case rate the following behaviors as observed during the terview. Use "b" for the average offender. Use "a" and	against family members.
	ינ ר'	for distinct differences from average.	63. Isolated sluational - temporary circumstances
		54. Grooming and dress:	Refers to some unusual or temporary circumstance in the juvenile's life, which is unlikely to be
		2. Below average b. Average	in the juvenile's file, which is unlikely to get in more repeated. (If juvenile is unlikely to get in more legal trouble, score item 63 as "a".)
	-	c. Above average	
		5. Comprehension: a. Below average	64. Interpersonal manipulation
		b. Average c. Above average	Refers to juveniles who use others to gain their own ends. Frequently, they try to manipulate, or
	5	6. Affect: a. Depressed (sluggish)	take advantage of others.
	L	b. Average	
		c. Animated (hyper)	
		57. Self revealing: a. Evasive	
		b. Average	
		c. Very open	

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# ALABAMA DETENTION PROJECT: REVISED RISK ASSESSMENT INTAKE INSTRUMENT

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	Sex:MaleFemale
Rac <del>e</del> :	WhiteBlackHispanicNativeAsian Other Specify:
County of	Jurisdiction
Detention	Facility
	iving Arrangement: Own Home Private Treatment Agency
Alleged O	fonse:(Most serious charge.)
	(Most serious charge.)
	· · · · · · · · · · · · · · · · · · ·
bA	
Ad	mission: Date/ Time: a.m. p.m.
Ad	mission: Date/ Time: a.m. p.m.
Ad Detention	Authorized by: Probation Count Intake staff

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# Public Safety

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Most Serious Current Charge (Range O to 10)	
Class A Felony	Α
Adjudications in Past 2 Years (Range 0 to 7)	
0 0 1 or 2 2 3 or 4 4 5 or More 7	в
Adjudications in Past 2 Years for Class A Felony	
No 0 Yes	c
Age of Onset (First Adjudication) Under 13 1 13 or Older 0	D
Previous Placements Any Prior Out-of-Home Placement Resulting from Adjudication No	Ε
Drug Use Related to Current Offense (Range 0 to 2) No Drug Use Noted 0 Alcohol, Marijuana, Inhalant 1	
Cocaine, Opiate, Amphetamine 2	F
Gang Involvement with Current Charge	
No 0 Yes 1	G
Possession of Firearm at Time of Arrest	
No 0 Y <del>es</del> 3	Н
(Add A through H) PUBLIC SAFETY RISK SOOR	E =

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# Public Safety

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Most Serious Current Charge (Range O to 10)	
Class A Felony 10 Class B Felony 7	
Violent Class C Felony 5 Other Class C Felony 4	
Class A Misdemeanors 3	
Other Misdemeanors 2	
Non-Criminal Violations 2	
Status Offenses 0	Α
Adjudications in Past 2 Years (Range 0 to 7)	
0 0	
1 or 2 2	
3 or 4	
5 or More 7	В
Adjudications in Past 2 Years for Class A Felony	
No	<u>^</u>
Y <del>es</del> 3	c
Age of Onset (First Adjudication)	
Under 13 1	D
13 or Old <del>o</del> r0	0
Previous Placements	
Any Prior Out-of-Home Placement	
Resulting from Adjudication	
No 0	Ε
Yes 1	C
Drug Use Related to Current Offense (Range 0 to 2)	
No Drug Use Noted 0	
Alcohol, Marijuana, Inhalant 1	F
Cocaine, Opiate, Amphetamine 2	
Gang Involvement with Current Charge	
No 0	G
Yes 1	
Possession of Firearm at Time of Arrest	·
No 0	н
Y <del>es</del> 3	•••
(Add A through H) PUBLIC SAFETY RISK SOORE =	

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J \_\_\_\_\_

#### Failure to Appear

If youth failed to appear for prior court hearing(s), select the most serious charge ever involved in those hearings:

Class A Felony	10	
Class B Felony	10	
Violent Class C Felony	10	
Other Class C Felony	5	
Class A Misdemeanors	5	,
Other Misdemeanors	4	
Non-Criminal Violations	4	
Status Offenses	3	1

Total failures to appear during past year (i.e., separate hearings)

(Multiply I and J) FAILURE TO APPEAR SCORE = \_\_\_\_

SCORE-BASED OUTCOME: If PUBLIC SAFETY on FAILURE TO APPEAR scores are:

0 to 5 = strongly consider release or alternative supervision.

10 or more = strong condidate for secure detention.

OVER-RIDES: In the event that a decision is made to detain a youth who scores 0 to 5 points on the PUBLIC SAFETY or FAILURE TO APPEAR risk scores, document the decision to detain as fully as possible. In addition, if a decision is made to detain a youth who scores 6 to 9 points, record the reasons for that decision.

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#### Failure to Appear

If youth failed to appear for prior court hearing(s), select the most serious charge ever involved in those hearings:

Class A Felony	10	
Class B Felony	10	
Violent Class C Felony	10	
Other Class C Felony	5	
Class A Misdemeanors	5	
Other Misdemeanors	4	
Non-Criminal Violations	4	
Status Offenses	3	۱
·		

Total failures to appear during past year (i.e., separate hearings)

J \_\_\_\_

(Multiply I and J) FAILURE TO APPEAR SCORE = \_\_\_\_\_

SCORE-BASED OUTCOME: If PUBLIC SAFETY on FAILURE TO APPEAR scores are:

0 to 5 = strongly consider release or alternative supervision.

6-to 9 = \_\_\_\_\_\_staff for release to alternative supervision or continue in secure detention (in the event that youth remains in secure detention, document the reasons -- see Over-ride section below).

10 or more = strong condidate for secure detention.

OVER-RIDES: In the event that a decision is made to detain a youth who scores 0 to 5 points on the PUBLIC SAFETY or FAILURE TO APPEAR risk scores, document the decision to detain as fully as possible. In addition, if a decision is made to detain a youth who scores 6 to 9 points, record the reasons for that decision.

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### SECURE CUSTODY NEEDS ASSESSMENT FORM

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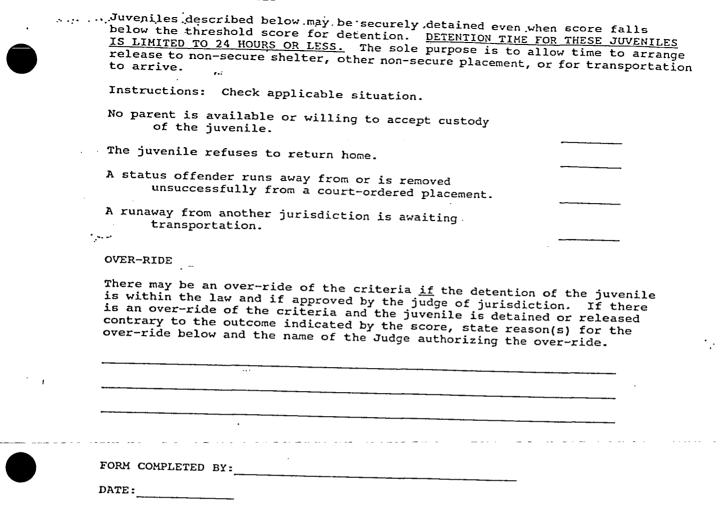
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Name of Juvenile:	Arresting	Officer:
	Release Date/Time:	
Instructions: Score juver	nile in each category below an in space provided in the right	d enter appropriate
I. Most Serious Current	Offense	
A. Juvenile eligit	ole for transfer to adult cour	
based on offe	ense and age	10
B. Offenses Agains 1. First or	st Persons	
aggravate	second degree murder, ed rape, aggravated kidnapping	10
2. All other	s aggravated kidnapping	10 7
C. Offenses agains		7
1. All Felon	nies	5
2. All Hisde	emeanors	3
D. Drug and other	offenses	
1. Drug dist	ribution	10
distrib	on of drugs with intent to	0
	n of firearm, bomb	8 8
4. Felony po	ssession of drugs	8 6
5. Offenses	without victims	3
6. Traffic,	Wildlife, and City	· .
Ordinan	ce Violations	0
7. Non-crimi	nal probation violations	0
II. Number of Prior Arre	sts (last 12 months)	
6 or more	ous (rase iz monens)	5
4 to 5		4
1		2
III. Under the Influence	of Drugs or Alcohol at	
Time of Arres	t Yes $-2$ No $-0$	
IV. Probation Status		
Active Probat	ion case, new criminal offense ion case, non-criminal	e 6
violatio		4
	ion case under FINS	4
No active prol	bation case	0
	4	
V. Warrant/Escape Status,	Placement Failure	
Appear, a del	of a warrant for Failure to inquent warrant from another	
jurisdiction.	is a delinquent who has	
runaway from o	or been unsuccessfully removed	3
from a court-o	ordered placement, or has not	
abided by the	conditions of a home detentio	n
program.		10
		20077
DETAIN/RELEASE DECISION:	0 – 7 RELEASE TOTAL	SCORE
	8 - 9 HOME DETENTION	
	OR OTHER STRUCTURED	
	HOME SUPERVISION	
	10+ DETAIN	
*SEE OTHER SIDE FOR SPECIA	L CIRCUMSTANCES	

SPECIAL CIRCUMSTANCES



	-	<u> </u>	m 6	miale.	Assessment*
Elauro 20.	Kroward	COUNTV	nerention	KINK	ASSESSILLEIL
ridule 20.	Dionauu	COULT	Detertion		

I. Admission Criteria (If each of the following 4 items are answered no the youth must be released. If any of the items are answered yes, complete the risk assessment)

	Yes No 1. Youth is alleged to be an escapee/absconder from a commitment program, community control program, furlough or aftercare; or youth is wanted in other jurisdiction for felony level offense.				
	Yes No	<ol><li>Youth charged with delinquent act/law violation and requests detent from imminent physical threat to his/her personal safety.</li></ol>			
	Yes No	3. Youth charged with capital, life, first degree or second degree felony of	or any violent felony.		
	Yes No	<ol> <li>Youth charged with burglary, grand theft auto, any offense involving any second or third degree felony drug charge and:</li> </ol>	use of firearm, or		
		Yes No youth has record of failure to appear at court hearing Yes No youth has record of law violations prior to court hear Yes No youth has already been detained or has been released final case disposition; or Yes No youth has a record of violent conduct resulting in phy	ings; or I and is awaiting		
II.	Risk Assessmen				
۵	Most Serious Cu	urrent Offense			
111	1. All capital, life	e and first degree felony PBL	15		
	2 All other first	degree felonies, vehicular homicide, violent second degree			
	- felonies, or-	youth wanted by other jurisdiction for felony offense	12		
	3 Second degree	e felony drug charge, escape/abscond, any third degree felony			
	involving u	use of firearm, burglary of occupied residence	10		
	4. Violent third of	degree felony			
	5. All other seco	ond degree felonies (except dealing stolen property)	0 7		
	6. Dealing stoler	n property; third degree felonies that qualify for detention	Δ		
	7. Reckless disp	play, unlawful discharge of firearm			
B.	Other Current C	Offenses and Pending Charges (separate incidents)			
			Z		
	2 Fach misdem	peanor	1		
	3. Prior felony a	arrest within last 7 days	0		
C.	Offense History	У ·			
	1. Three felony	adjudications or withheld adjudications last 12 months	4		
	2 Two felony ac	diudications or withheld adjudications last 12 months	2		
	3. One felony ad	djudication or withheld adjudication or misdemeanor adjudication or	•		
	withheld a	djudication	1		
D	. Legal Status				
	1 Committed o	or detention	8		
	2. Active comm	nunity control case and last adjudication within 90 days	6		
	3. Active comm	nunity control case and last adjudication more than 90 days ago	Z		
E.	Aggravating/M	litigating Factors			
	1. Aggravating	Factors (add 1–3 points to score; document reasons fully)			
	2. Mitigating Fa	actors (subtract 1–3 points; document reasons fully)			
		Total Score (add A throu	gh E)		
D	etain/Release De	ecision:			
	0–6 = Release	7-11 = Nonsecure or home detention 12+ = Secure detention			

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\* Contains slight modifications to format and language.

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SECURE CUSTODY NEEDS ASSESSMENT FORM

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1. 100

Name of Ju		Arresting Officer:		
Arrest Dat	e/Time:	Release Date/Time:	Released to:	
	ns: Score juv	venile in each category belo in space provided in the r	w and enter appropriat	
I. Most S	erious Curren	t Offense		
Α.	Juvenile elig	ible for transfer to adult	court	
	based on of	fense and age	10	
в.	Offenses Agai	nst Persons	10	
	1. First o	r second degree murder,		
	aggrava	ted rape, aggravated kidnap	ping 10	
	. 2. All oth	ers	7	
с.	Offenses agai	nst Property	•	
	1. All Fel	onies	5	
	2. All Mis	demeanors	3	
D. 1	Drug and othe	r offenses		
	1. Drug di	stribution	10	
	2. Possess	ion of drugs with intent to		
	distr		8	
	J. Possess	ion of firearm, bomb	8	
	4. relony	possession of drugs	6	
	5. Oriense:	s without victims	3	
	0. IIdIIIC	, Wildlife, and City		
	7 Non-ori	ance Violations	0	
	7. Ron-Crin	minal probation violations	0	
II. Number	of Prior Ar	rests (last 12 months)		
	6 or more	(Lese iz monens)	c	
	4 to 5		5 4	
	2 to 3		3	
	1		2	
III. Under	the Influence	e of Drugs or Alcohol at		
	Time of Arre	P = 1 + 1 + 1 + 1 + 1 + 1 + 1 + 1 + 1 + 1		
IV. Probat	ion Status			
ave riobal		ation case, new criminal off		
	Active Proba	tion case, non-criminal	ense 6	
	violat		4	
	No activo	tion case under FINS	0	
	no accive pr	obation case	0	
V. Warrant	/Escano Statu	s/Placement Failure		
Juven	ile is subjec	t of a warrant for Failure	· - · · · · · · · · · · · · · · · · · ·	
	Appear, a de	linguent warrant from anoth		
	jurisdiction	, is a delinquent who has	er	
	runaway from	or been unsuccessfully rem	aved	
	from a court	-ordered placement, or has		
	abided by th	e conditions of a home deter	ation	
	program.	dece	10	
	-		~~	
DPD X X /		TO	TAL SCORE	
DETAIN/RELE	ASE DECISION:			
		8 - 9 HOME DETENTION		
		OR OTHER STRUCT		
		HOME SUPERVIS	ION	
		10+ DETAIN		

Excerpts from Part IV of the OJJDP <u>Guide</u> for Implementing the Comprehensive Strategy for Serious, Violent, and Chronic Juvenile <u>Offenders</u> (June 1995)

# Part IV: Risk Assessment and Classification for Serious, Violent, and Chronic Juvenile Offenders

# Background

The success of a comprehensive continuum of interventions and sanctions depends on proper identification of specific types of offenders for placement in the various levels of intervention. For example, what criteria will be used to determine which noncourtinvolved youth require preventive services? Similarly, when confronted with a first-time violent offender, on what basis will the decision be made to place the youth under probation supervision as opposed to a more restrictive placement? And at what point does a chronic, nonviolent offender become eligible for secure care as opposed to a highly structured community-based program?

These questions relate directly to assessment and classification issues. The answers are central to the success not only of the individual programs and interventions within a continuum model, but also to the model itself. It is our contention that any system predicated on graduated, differential interventions must include the following components:

- Clearly specified selection criteria for the various programs and levels of intervention.
- Adequate methods for assessing the degree to which individual youth meet those criteria.
- A selection process that ensures that youth intended for a particular level of intervention will in fact be served at that level.

When assessment and classification procedures consistently fail to link youth with the interventions designed for them, there are a number of potentially negative consequences. Consequences include the following:

- Increased risk to public safety, because high-risk and/or violent youth are placed in a setting that is not sufficiently restrictive to control their behavior.
- Inefficient use of resources resulting from the placement of nonviolent youth or youth who are not high-risk in overly restrictive settings.
- Inequities resulting from placing youth with similar offense, risk, and need characteristics at different levels of intervention.
- Negative or inconclusive evaluation of the system and/or individual interventions because of "net-widening" or other evidence of failing to serve intended target populations.

The success of a comprehensive continuum of interventions and sanctions depends on proper identification of specific types of offenders for placement in the various levels of intervention.

# **Risk Assessment and Classification**

Broadly defined, risk assessment and classification in juvenile justice refer to the process of estimating an individual's likelihood of continued involvement in delinquent behavior and making decisions about the most appropriate intervention for the identified risk level. Classification decisions based on risk assessment are made at all levels of the juvenile justice process including reporting, arrest, intake, detention,

prosecution, disposition, and placement. For example, in making detention decisions, intake staff attempt to assess whether juveniles pose a danger to the community or themselves and whether they are likely to appear for subsequent court hearings. Judges routinely weigh offender risk when determining whether a youth should be placed on probation or in secure care or should be given some type of intermediate sanction. In making security and custody decisions, correctional facility staff must assess the likelihood that an offender will try to escape, commit suicide, or assault someone. The assessment of risk and other factors leads directly to a classification decision. As Glaser (1987, p. 251) has noted, "Risk assessment always involves case classification since the person about whom a judgment must be made is implicitly or explicitly equated with others in a more or less clearly conceived group who are categorized as relatively safe or dangerous individuals."

Historically, risk assessment and classification have been informal, highly discretionary procedures performed by individuals with varying philosophies about juvenile justice, different levels of experience and knowledge, and different criteria for making assessments. Such informal procedures have been criticized because they lead to decisions that may be erroneous, inconsistent or inequitable, and that lack accountability as a result of the "invisible" rationale and criteria used by the decisionmaker (Baird, 1984; Clear, 1988; Glaser, 1987).

Increasingly, such criticisms have prompted the criminal and juvenile justice systems to adopt more formal procedures for decisionmaking, including sentencing guidelines, standardized risk and needs assessment instruments, and structured classification systems. Although empirical data are not available to document this phenomenon, there is evidence that structured decisionmaking is now widespread, if not the norm, in juvenile justice agencies. For example, Barton and Gorsuch (1989) conducted a survey to determine the extent to which risk assessment tools are being used by State juvenile corrections agencies. Of the States responding (n=37), almost half (47 percent) used formal risk assessment tools to make classification decisions. An additional 30 percent of the reporting agencies used formal classification procedures that did not include risk assessment. Only 22

percent reported they do not use formal assessment or classification instruments. Another indicator of the trend toward formal decisionmaking is the growing number of jurisdictions that have worked with the National Council on Crime and Delinquency (NCCD) to develop, implement, or revise risk assessment and classification systems. Between 1990 and 1993, NCCD worked with 20 to 25 State and local jurisdictions on these issues.

If risk assessment and classification are to be the cornerstones of a systematic response to serious, violent, and chronic juvenile offending, it is imperative to clearly define risk assessment.

# **Purpose and Format**

- Despite the increasing use of formal assessment and classification tools in juvenile justice, relatively little attention has been given to variations in system design, especially differences in how tools are used among the distinct levels of the juvenile justice system. If risk assessment and classification are to be the cornerstones of a systematic response to serious, violent, and chronic juvenile offending, it is imperative to clearly define risk assessment, to understand the rationale for structured decisionmaking and to identify how this approach is being used or could be used to enhance the response to juvenile delinquency.

This part provides an overview of the assessment and classification systems in current use, including the problems the systems are designed to address, the general principles upon which they are based, and their roles in case decisionmaking. The different tools and procedures used at various stages in the juvenile justice process are also discussed. For each decision point, promising approaches are identified based on the literature and known assessment and classification systems. The emphasis is on risk assessment, although some discussion of needs assessment is included. The following section examines the rationale and goals of risk assessment and classification in juvenile justice. The discussion includes definitions of different types of assessment scales, their intended uses and methods of development, commonly included variables, and the basic principles of all successful classification systems. Subsequent sections focus on risk assessment at the prevention stage (including risk assessment at the community level and in child welfare agencies) and at different decision points in the juvenile justice system. These decision points include detention, placement, probation/parole supervision, and institutional custody. The final section provides a brief summary and highlights a set of key design and implementation issues.

# Risk Assessment and Classification: Rationale, Goals, and Uses

The primary rationale for using formal assessment and classifications systems is twofold:

- To provide greater validity, structure, and consistency to the assessment and decisionmaking processes.
- To allocate limited system resources more efficiently by directing the most intensive and intrusive interventions to the most serious, violent, and chronic offenders.

# Structure and Consistency

As mentioned previously, traditional approaches to decisionmaking in juvenile justice have been highly discretionary, subjective, and intuitive. The information selected to assess a particular case and how that information is evaluated varies among individual decisionmakers not only according to their philosophy and experience, but also according to their assumptions about what factors are most relevant (Wagner, 1992). For example, one probation officer may determine how closely an offender should be supervised based on the seriousness of the offense, a second officer might make the decision based on a certain risk factor such as the extent of substance abuse, and a third officer might determine the level of supervision based on the client's need for services. Such variations in assessment and classification criteria result in inconsistency among decisionmakers and unequal treatment for similarly situated offenders.

Structured assessment procedures are designed to address this problem by identifying a limited number of factors known or believed to be the most relevant to the decision being made and incorporating them into a simple, standardized format (a "tool"). The assessment instrument is then applied to all cases by all decisionmakers and the results are used to classify offenders according to predetermined decision rules (e.g., everyone with a score of 20 or more points is to receive intensive supervision).

The range of possible risk scores is divided into three groups to discriminate among those with a "low," "moderate," or "high" likelihood of committing another offense.

An example of a well-known and widely used risk assessment instrument is shown in Figure 14. Developed as one component of a Model Case Management System for juveniles (Baird, 1984), this instrument is used to determine the level of community supervision for probationers and/or parolees. It includes eight items that were determined through research to be predictive of recidivism. The points given to an offender for each item are added together to derive a total risk score, with higher scores indicating a greater likelihood of committing a new offense. The range of possible risk scores is divided into three groups to discriminate among those with a "low," "moderate," or "high" likelihood of committing another offense. These classification categories translate directly into an indicated level of supervision.

This type of instrument has several benefits:

 It ensures that the same factors are taken into account by all decisionmakers in all cases, thereby creating greater consistency in the assessment process.

# Figure 14: Juvenile Probation and Aftercare Assessment of Risk

Select the highest point total applicable for each category.

1.	Age at First Adjudication	
	16 or older0	
	14 or 15	
	13 or younger	
2.	Prior Criminal Behavior	
	No prior arrests0	
	Prior arrest record, no formal sanctions	
	Prior delinquency petition sustained; no offenses classified as assaultive	
	Prior petition sustained for an assaultive offense	
3.	Institutional Commitments or Placements of 30 Days or More	
0.	None0	
	One	
	Two or more	
4.	Drug/Chemical Use –	<u>, _</u>
	No known use or no interference with functioning0	
	Some disruption of functioning2	
	Chronic abuse or dependency5	
5.	Alcohol Abuse —	
0.	Note that we are not interference with functioning $0$	
	Occasional abuse, some disruption of functioning	
	Chronic abuse, serious disruption of functioning	
	-	
6.		
	Generally effective	
	Inconsistent and/or ineffective	
	Little or none4	
7.	School Disciplinary Problems -	
	Attending, graduated, GED equivalence0	
	Problems handled at school level	
	Severe truancy or behavioral problems	
	Not attending/expelled	
8.		
	Good support and influence	
	Negative influence, companions involved in delinquent behavior	
	Gang member	

- The empirical basis for the instrument increases the validity of the risk assessment process.
- The results of the assessment directly inform the classification decision, which means that classification and case-handling decisions are more objective and equitable.
- Unlike subjective methods where the decision process is unknown, the rationale for every decision is visible and explicit. Ultimately, this makes both the individual decisionmaker and the agency more accountable.
- Because the instrument uses a limited number of relatively objective criteria, it is easy to complete and can expedite the decisionmaking process.

# **Optimized Resource Allocation**

The second major rationale for structured assessment and classification is that they provide a mechanism for more efficient allocation of system and agency resources. Clearly, all juvenile offenders arrested by the police do not need to be detained; all those placed on probation do not need intensive supervision; and all those committed to the custody of a State correctional agency do not require secure care placement. Although differential intervention is a hallmark of juvenile justice, traditional, unstructured classification methods lead to interventions that have questionable congruence with more objectively determined levels of risk or seriousness. The result is that high-risk offenders may not get the level of intervention required to protect public safety, while lower risk offenders may receive overly intrusive and expensive interventions. In either event, assessment and classification systems that result in inappropriate placements represent serious inefficiencies in resource allocation.

The results of three recently completed studies illustrate these problems. One study focused on the case classification practices for community supervision in Oklahoma's juvenile corrections agency (Wiebush, Wagner, Prestine, and Van Gheem, 1993). The study examined the relationship between the assigned level of supervision (determined informally by the probation officer and the supervisor) and the level of supervision indicated by the results of a structured risk assessment. The results showed that under current practices, only 2 percent of the community-supervised youth were assigned to the "intensive" supervision level, while 73 percent were assigned to the "low" level of supervision. In contrast, the formal risk assessment results indicated that 27 percent of the youth were high-risk (and therefore should have received intensive supervision) and that just 29 percent were low-risk. These extraordinary discrepancies between actual and risk-indicated levels of supervision showed that the use of informal methods resulted in a significant degree of underclassification. In turn, this finding raised important public safety issues because such a small percentage of high-risk offenders were actually receiving the highest level of supervision.

The second study involved an analysis of offense histories and risk characteristics of training school

populations in 14 different States (Krisberg et al., 1993). In each State, researchers had worked with juvenile justice officials to develop a structured risk assessment tool that incorporated the key factors (determined by consensus) in placement decisionmaking. The identified factors reflected an emphasis on public safety concerns and included measures of offense seriousness, offense history, and risk of recidivism. The researchers then applied the instrument to the actual training school population to determine the proportion of incarcerated youth who, according to the guidelines, fell into each of the following categories:

- Required long-term placement in a secure facility.
- Required short-term secure care (1-3 months) followed by movement to a less restrictive setting.
- Could be placed directly into a community-based setting.

The identified factors reflected an emphasis on public safety concerns and included measures of offense seriousness, offense history, and risk of recidivism.

The results showed that in every State at least onethird of the training school population scored "low" or "medium" on the scale and, therefore, did not require long-term stays in secure care. If placement decisions in these States were made strictly according to the agreed-upon public safety criteria, far fewer youth would be assessed as requiring secure care. Moreover, because States commonly spend between \$35,000 and \$60,000 per year to incarcerate a youth (Camp and Camp, 1990), the reductions in training school placements would result in considerable cost savings. The savings in turn could be used to develop alternative intervention programs.

The OJJDP-sponsored Juveniles Taken Into Custody (JTIC) statistical reporting program provides a third source of information on the use of juvenile corrections resources. This annual survey collects and analyzes individual-level data on the characteristics of and the second of the second protection of the second second second second second second second second second s

youth admitted to State juvenile corrections agencies, including the nature of offenses for which youth were committed, number of prior admissions, and length of stay. Analysis of 1992 data (Austin et al., 1994) supports the basic conclusions of the Krisberg study discussed above. For example, the data on the nature of the most serious committing offense show that the vast majority of youth in State custody are not violent offenders. Based on 39,000 admissions in 29 States, Austin et al. found that less than one-third (29 percent) of the admissions were for person offenses, while 42 percent were for property offenses, 10 percent were for drug offenses, and 13 percent were for public order offenses. The JTIC data were also used to create "severity profiles" of admitted youth that incorporated measures of offense severity and number of prior admissions to State custody. The results showed:

- Only 14 percent of the youth taken into custody in the 29 States had been admitted for what were identified as "serious and violent" offenses.<sup>1</sup>
- Another 27 percent did not have a current "serious or violent" offense but had been previously placed into State custody (recommitments).
- Just over half (51 percent) of the admissions involved youth who did not commit a serious or violent offense and who were never previously in State custody.
- Eight percent of the youth had been admitted for what were considered minor offenses.<sup>2</sup>

These data raise the issue of whether we are using our most intensive and expensive resources in the most efficient manner, because it appears that State corrections facilities are not reserved for the "dangerous few", but rather are overloaded with relatively less serious juvenile offenders. The results of these studies emphasize the two primary purposes for using structured assessment and classification approaches—more consistent decisions and more effective resource allocation. These purposes inform all formal classification systems, regardless of the particular instruments used or the point in the system at which those instruments are applied.

### Types of Assessment Instruments

A wide variety of tools are used to assess and classify juvenile offenders. The instruments vary in purpose, structure, content, and method of development. This section provides an overview of the key characteristics of the most frequently used assessment instruments and discusses their similarities and differences.

### **Risk Assessment Instruments**

As used here, risk assessment instruments are tools that are (1) designed to estimate the likelihood that an identified juvenile offender will subsequently commit another offense within a specified followup period (e.g., 18–24 months) and (2) are based on the statistical relationship between youth characteristics and recidivism rates. These instruments generally are used to determine the level of supervision for probationers and parolees, although they have also been integrated into classification systems for sentencing and placement decisions.

Although there are two basic approaches to risk assessment—actuarial and clinical—our definition and focus exclude the latter type for two reasons. First, clinical predictions are typically based on the interpretation and judgment of staff and are not organized in a structured format. Second, clinical risk assessment repeatedly has been demonstrated to be less accurate than empirically derived tools (Dawes, Faust, and Meehl, 1989; Meehl, 1954; Monahan, 1981).

The actuarial approach to risk assessment is similar to that used to determine automobile insurance rates. Historical data on offender (or driver) characteristics and outcomes (new offenses or accidents) are analyzed to determine the set of characteristics most closely correlated with negative outcomes. After those factors are identified, all newly referred offenders (or drivers) are assessed to determine the extent to which their characteristics are similar to those who have had

<sup>1.</sup> Included murder, manslaughter, homicide, forcible rape, other violent sex offenses, sodomy, kidnapping, endangerment, robbery (with priors), and assault (with priors).

<sup>2.</sup> Included shoplifting, minor public order and traffic offenses, status offenses, and technical probation/parole violations.

low, medium, or high failure rates in the past. In other words, the individual's future behavior is estimated based on the known outcomes of a group of individuals with similar characteristics (Baird, 1984; Wagner, 1992).

Because risk instruments are developed from group data, their utility is based on knowledge of aggregate outcomes rather than on the accuracy of prediction for a single individual. The ability to predict an individual offender's behavior is extremely limited. Even the best risk assessment instruments may produce substantial prediction errors. Many identified highrisk offenders never commit another crime while many low-risk offenders do. Therefore, the corrections field has shifted the emphasis in risk assessment from "prediction" to "classification." The classification goal suggests that the key issue in risk assessment is the extent to which it is able to identify groups of offenders with widely different rates of reoffending. Well-designed instruments are typically able to identify a group of high-risk offenders who are four or five times more likely to commit a new offense than the identified low-risk offenders. For example, in

Well-designed instruments are typically able to identify a group of high-risk offenders who are four or five times more likely to commit a new offense than the identified low-risk offenders.

an instrument developed for the State of Michigan, the recidivism rate among Wayne County high-risk juvenile offenders was 76 percent, while the rate among medium- and low-risk offenders was 39 percent and 19 percent respectively. This ability to discriminate risk potential for different subgroups of offenders provides the basis for targeting interventions and resources on those at the highest level of risk, while reducing efforts for those at the lowest level (Baird, 1991; Clear, 1988).

Risk predictors. A core set of variables has been identified repeatedly in the research literature as recidivism predictors for juvenile offenders. These variables include age at first referral or adjudication, number of prior referrals or arrests, number of out-of-home placements or institutional commitments, school behavior and attendance, substance abuse, family stability, parental control, and peer relationships, among others (Baird, 1984; Farrington, 1983; Farrington and Hawkins, 1991; Hawkins, Catalano, and Miller, 1992). In developing the model risk assessment tool, Baird (1984) found that the factors identified above provided the best prediction model for a large sample of probationers and parolees in five different sites. However, an examination of research-based risk instruments currently in use shows a great deal of variation in some of the predictive items. We compared the items from eight different empirically based scales developed for use in probation and parole during the past decade. These scales include Baird's model; the instruments developed for county probation agencies in Calhoun County (Michigan), Cobb County (Georgia), Cuyahoga and Lucas Counties (Ohio); and those developed for statewide use in Indiana, Michigan, and Wisconsin. The results of this analysis appear in Table 5. "School functioning" is the only item that appears on all eight instruments. Age at first referral, number of priors, substance abuse, peers, and family functioning were also typically found to be predictive-each appear on at least five of the eight instruments. The remaining items were included as predictors on half or fewer of the scales.

This comparison suggests that a core set of factors appears repeatedly—if not universally—on validated scales. However, some items increase the prediction or classification power of the scales in some jurisdictions but not in others. This finding suggests that there are site-specific factors that influence either recidivism or the measurement of it. Therefore, an instrument developed for one site may not be transferable to another jurisdiction without first being validated by the adopting agency (Wright, Clear, and Dickson, 1984).

Risk and offense seriousness. Discussions of risk assessment often involve confusion about the relationship between risk and offense seriousness; specifically, whether the seriousness of the presenting offense is predictive of a subsequent offense and whether risk assessment instruments can predict violent behavior.

Table 5:	Compa	rison of I	Risk P	redictors	in Eigl	ht Jurisd	lictions	
	Model	County Systems				State Systems		
Risk Item	Risk	Calhoun	Cobb	Cuyahoga	Lucas	Indiana	Michigan	Wisconsir
Age 1st Referral	x		x	x	x	x	x	x
Number Priors	x		x			x	x	x
Current Offense		x		x	x		x	
Prior Assault	x							x
Prior Out of Home Placement	x					x	x	x
Drug or Alcohol Abuse	x		x	x	x	×	x	x
School Problems	x	x	x	x	x	x	x	x
Special Ed.					x			
Peers	··· x	x	x		x	x		x
Mental Health Stability								×
Family Problems/ Parent Control	x	x	x	x	x	x		
Runaway				x			x	x
Victim Abuse/Neglect				x				x
Gender		x		x	x			
Prior Supervision Adjustment			x			x	x	
Other			1	x	x			

Policymakers and practitioners frequently assume that youth who commit serious or violent offenses are more likely to commit subsequent offenses than those who do not. However, risk research has usually found that the seriousness of the current offense is not highly correlated with, and is often inversely related to, a negative outcome (Clear, 1988). Of the eight instruments reviewed above, only four included seriousness of the current offense as a predictive item. On two of the four instruments (Calhoun and Cuyahoga), youth who committed felony offensesbut not necessarily violent offenses—were found to have higher recidivism rates than those who committed misdemeanor offenses. However, on the other two scales that incorporated this measure, seriousness was inversely related to repeat offenses. In Lucas County,

a misdemeanor offense had a stronger relationship to recidivism than did a felony offense. In Michigan, nonassaultive offenses were predictive, while assaultive offenses were not. Based on the literature and these scales, it appears that offense seriousness is generally not predictive when measured by violence or the felony-misdemeanor dichotomy, although an association was found in some sites.

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Another area of confusion is whether risk instruments are able to predict "dangerousness." Because it is much more difficult to predict recidivism for a specific type of crime than it is to predict repeat criminal behavior generally, most risk instruments have been designed to predict only a reoccurrence. The problem with predicting violent behavior is that the proportion in any given juvenile offender population who go on to commit a violent offense is quite low—usually less than 10 percent. This low "base rate" makes it difficult to identify with statistical confidence those characteristics that discriminate between youth who do and do not subsequently commit violent offenses (Clear, 1988). As a result, most scales are developed using general outcome measures such as rearrest or readjudication, rather than the specific measure of "arrest for a violent crime." Consequently, identifying an individual as high-risk does not mean that person is more likely than other offenders to commit a violent crime.

The problem with predicting violent behavior is that the proportion in any given juvenile offender population who go on to commit a violent offense is quite low usually less than 10 percent.

### Placement and Custody Assessment Instruments

Another widely used assessment tool is the "placement assessment" or "custody assessment" instrument. Although they are often described as risk assessment tools, these instruments are designed to do more than assess an offender's likelihood of committing a new offense. As a result, they incorporate different assessment areas. Although they frequently include predictive items, they are usually driven more by policy considerations than research results. This type of instrument can be used as:

- A screening tool to determine whether a youth should be placed into detention pending an adjudicatory hearing.
- A guide for judges or State corrections officials in determining the appropriate placement or level of security.
- A method for determining the custody needs of incarcerated youth.

Each of these uses is discussed in greater detail later in this part.

The factors incorporated in placement or custody decisionmaking instruments are different from those found in risk instruments because the goals of the assessment and classification process differ. For example, in making placement decisions, judges and corrections officials not only must assess the juvenile's likelihood of reoffending, they also must consider "just desserts" and public sensitivity issues. As a result, instruments designed to guide the selection of an appropriate placement typically include measures of current and prior offense severity. They also give these items relatively greater weight than the predictive factors in the scale (see Figure 15). If a "pure" risk instrument were used to guide placement decisions, it would not capture other dimensions that are relevant to the decision.

Detention screening instruments also have a unique purpose. They focus on the juvenile's short-term threat to public safety and the likelihood that the individual will abscond prior to an adjudicatory hearing. Because the issue is not whether the youth is likely to reoffend during the succeeding 18 months, applying risk assessment instruments developed for probation and/or parole supervision is not appropriate for detention decisions. Instead, these tools typically include measures of current and prior offense severity, the frequency and recency of past offenses, and stability measures such as a history of escapes or runaways.

Finally, custody assessments used within correctional facilities are concerned primarily with a juvenile's "risk" to himself or others while in the institution. Such assessments help determine whether a youth needs a maximum, moderate, or minimum security living environment. In this situation, risk is defined and measured by the potential for disruptive behavior generally, as well as specific behavior such as assaults on staff or peers, escape, or suicide.

The methods used to develop placement and custody instruments are frequently consensus-based rather than empirically based. This is particularly true for placement assessment instruments, in which policy

Figure 15: Colorado Security Placement Instrument 1. Severity of Current Offense Murder, rape, kidnap, escape ......10 All other offenses ......0 2. Severity of Prior Adjudication Other/none.....0 3. Number of Prior Adjudications Less than two .....0 Total Items 1–3 Total Items 1-3. If score is 10 or higher, score as secure placement. If less than 10, score remaining stability items. 4. Age at First Referral 12-13 years of age .....2 14+.....0 5. History of Mental Health Outpatient Care Yes ......1 No.....0 6. Youth Lived Alone or With Friends at Time of Current Adjudication -Yes ......1 No......0 7. Prior Out-of-Home Placements Yes ......1 No .....0 Total Items 1-7 Apply score to the following placement scale. 10+ Consider for Secure 5-9 Short-term Placement 0-4 Immediate Community

concerns are predominant.\* Generally, the developmental process involves a cross section of juvenile justice decisionmakers (e.g., prosecutors, judges, corrections administrators). They determine what items will be included in the scale and how they will be weighted, how the seriousness of offenses will be ranked, and what type of placement will be associated with various assessment scores.

### **Needs Assessment Instruments**

The third type of basic assessment tool used in juvenile justice is the needs assessment instrument. Frequently administered with risk or placement/custody assessment instruments, this instrument is used to systematically identify critical offender problems.

<sup>\*</sup> Detention screening tools are usually developed using the consensus approach. Although risk of absconding or committing a new offense while awaiting adjudication could be measured, the low base rate has precluded (to our knowledge) the development of a researchbased detention screening device. Empirical custody assessments have been developed and are described later in this part.

Needs assessment tools serve multiple purposes, including:

- Consistency—They ensure that certain types of problems are considered by all staff for all youth in the assessment process.
- Conciseness—They provide a "quick read" of a juvenile's problems for the case manager, other staff and supervisors, and service providers from other agencies.
- Case planning—Assessment results provide the foundation for the service plan.
- Workload priorities—Needs scores can provide an additional basis for classification in community settings. Those with the highest scores are usually considered to be more time consuming and are presumed to need more contact.
- Management information—Aggregated needs information provides a database for agency planning and evaluation, especially regarding the sufficiency of available treatment resources.

Risk and/or custody assessments are used to decide the level of supervision or type of placement, while needs assessments help determine the specific program interventions to be delivered within the designated custody/supervision level.

Because of the increased emphasis in recent years on public protection and offender accountability, needs assessment results often are not used to make classification decisions. Instead, risk and/or custody assessments are used to decide the level of supervision or type of placement, while needs assessments help determine the specific program interventions to be delivered within the designated custody/supervision level.

Because needs assessment instruments are designed to describe a juvenile's functioning rather than to predict

outcomes, they are not developed through research. Most agencies use a consensus approach to identify and select the service issues most frequently encountered in the client population. A typical needs assessment tool is shown in Figure 16.

#### **Needs Assessment Items**

The similarities and differences found in needs assessment scales from several different jurisdictions, including the scale developed as part of the Model Case Management System, are shown in Table 6. The table illustrates that needs assessment tools from different sites tend to incorporate similar sets of factors. For example, all nine instruments include items related to substance abuse, family functioning or relationships, emotional stability, school attendance and behavior, and peer relationships. The majority also include measures of health/hygiene, intellectual ability or achievement, and learning disability.

There are also important differences among the scales that reflect potential differences in offender populations and/or in staff perceptions of the important variables in assessment and case planning. For example, there are variations in the measurement of specific concerns such as parental problems (substance abuse, mental health, and criminal behavior); family housing or financial issues; the juvenile's history of abuse or neglect; vocational/employment issues; and involvement in structured activities.

The specific items included on needs assessment instruments may be less important than the scale's format and the extent to which item scoring is clearly defined. Most of the scales reviewed here are 1-page documents that measure 10 to 15 items and that are easy to complete. More complex assessments typically provide more information, but they are also more time consuming and the additional information gained may not be directly relevant to case planning. Whatever the number or nature of the items, they must be clearly defined because many needs issues are subject to wide interpretation (e.g., emotional stability and family functioning). The instrument must include clear definitions to guide scoring or consistency in the assessment process will be limited.



Figure 16: Lucas County Juvenile Court Needs Assessment

1.	Family Relationships		
	Stable/Supportive Some Disorganization/Stress Major Disorganization/Stress	2	
2.	Major Disorganization/Stress Parental Problems (Check all that apply/add points) Inadequate Discipline Emotional Instability Criminality Substance Abuse Physical/Sexual Abuse Family Violence Marital Discord		
3.	Support System Youth Has Support System or None Needed No Family/External Support	0	
4.	School Attendance No Problem Some Truancy Major Truancy	0	
5.		0	
6.	Substance Abuse No Use Experimenter Former Abuse/In Recovery Occasional Use Abuse		
7.	Emotional Stability No Problem Some Problem, Occasional Interference Major Problem, Serious Interference	0	
8.	Peer Relationships Good Support/Influence Associations with Occasional Negative Results Associations Primarily Negative	0	
9.	Health No Problem Some Health Problems Major Handicap/Illness	0	
10.	Sexual Adjustment (check all that apply, enter highest) No Problem Prostitution Sex Offense Sexual Identity/Awareness Problems Pregnant/Has Child Aggressive/Assaultive Sex Offense	0 1 1 1 	
11. :	Structured Activities Involvement No Involvement	0	
	Total	Score	

200

	Model		County Systems				State Systems		
Need Item	Needs	Cuyahoga	Lucas	Orange	Delaware	Indiana	Michigan	Wisconsin	
Substance Abuse	x	x	x	x	x	x	x	x	
Family Relationships	x	×	x	x	x	x	x	x	
Parent Problems*			x		x		x	x	
Parent Skills			x	x	x		x	x	
Mental Health Stability	x	x	x	x	x	x	x	x	
Intellectual Ability/ Academic Achievement	x	x		x	x	x	x	x	
Special Education	x	x		x	x	x		x	
Employment/ Vocational Skills	x	x		x		×	x	x	
School Problems	x	x	x	x	- <u>x</u> -	x		÷ ż	
Peer Relationships	x	x	x	x	x	x	×	x	
Health/Hygiene	x	x	x	x	· ··· ··· ··· ··· ··· ·	x	x	x	
Sexual Adjustment	x		x	x	x		x	x	
Victimization					x	x	x	x	
Housing/Finances		x			<sup>'</sup> x		x		
Structured Activities		x	x		<b>x</b> .	x			
Independent Living Skills					×			x	

201

\* Includes substance abuse, criminality, and/or mental health.



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## Essential Properties of Assessment and Classification Systems

Regardless of the instruments chosen or the way they are used to structure decisions, a classification system must embody the following principles to be successful:

- Validity—Validity exists when an assessment system achieves agency goals. Many systems are statistically based and predictive in nature. These instruments must actually predict what they purport to predict. However, a valid system can also be policy driven and does not have to be statistically valid to achieve agency goals. For example, if placement assessment tools are used to identify the chronic or violent offenders who require secure care, they can be considered valid if they result in secure care populations that consist predominantly of chronic and violent offenders.
- Reliability— Reliability requires clearly specified criteria and staff trained in their use and consistent application. Unreliability flows from widespread discretion and nonstandardized criteria. All youth must be handled in the same way regardless of who is making the decision and youth with similar characteristics must be treated similarly.
- Equity—Assessment and classification systems must be both fair and justifiable. Fairness refers to the system's ability to provide equal, nondiscriminatory treatment. Justifiable systems are consistent with broader social values. Although factors such as race or IQ may be predictive of reoffending, their inclusion in a risk instrument would violate fairness requirements and would not be justifiable. Although it may not be possible to eliminate all bias, systems must be tested against relevant offender subpopulations and be revised as necessary to control potential bias.
- Utility—All tools and associated classification protocols should be easy for staff to use and understand. Complex, confusing, or time-consuming systems will be rejected by staff regardless of their conceptual attractiveness or their efficacy in fulfilling the other principles.

## **Risk Assessment and Prevention**

This section focuses on the use of risk assessment at the prevention stage. It includes a discussion of a communitywide risk assessment strategy and risk assessment in child welfare programs. Traditionally, juvenile justice interventions take place only after a youth has been arrested and referred to the juvenile court. However, a comprehensive and cost-effective approach to serious, violent, and chronic juvenile offenders must also include preventive strategies. Because research on the etiology of delinquency has consistently identified a set of risk indicators at the community, family, and individual level (Elliot, Huizinga and Ageton, 1985; Farrington and Hawkins, 1991; Huizinga et al., 1994), this knowledge can be

Many problems identified as precursors to delinquency have also been determined to be risk indicators for other adolescent behavior problems such as drug and alcohol abuse, school dropout, and teenage pregnancy.

used as the basis for prevention activities. Moreover, many problems identified as precursors to delinquency have also been determined to be risk indicators for other adolescent behavior problems such as drug and alcohol abuse, school dropout, and teenage pregnancy. Successful efforts to identify and control common risk factors can have a prevention impact in multiple domains. This section highlights a communitywide approach to risk assessment that is based on these empirically identified risk factors and uses them as the foundation for the development of primary prevention activities. It discusses the risk factors and assessment process incorporated in the Hawkins and Catalano (1992) Communities That Care (CTC) risk prevention model.

This section also focuses on recent developments in risk assessment in the area of child abuse and neglect. In the CTC model, the prevalence of child abuse and neglect in a community is a key risk factor for adolescent problem behavior. At the individual level,

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national statistics show:

- Less than one-fourth (23 percent) of detainees were charged with violent offenses.
- Only 9 percent were charged with drug offenses.
- Nearly half (47 percent) of the youth were detained for a property offense.
- Over 21 percent were charged with public order offenses (DeComo et al., 1993).

Increased and often inappropriate use of detention (Pappenfort and Young, 1976) has resulted in overcrowded facilities, lawsuits charging violation of constitutional rights, and a severe strain on local budgets (Dale and Sanniti, 1993; Schwartz, Barton, and Orlando 1991; Soler, Shotten, Bell, Jameson, Shauffer, and Warboys, 1990). These conditions have prompted some jurisdictions to turn to risk-screening devices to control populations and introduce greater objectivity into the detention decision. In a recent major detention reform initiative, the Casey Foundation recognized the usefulness of these tools and required participating sites to develop objective assessment procedures as key components of their reform efforts.

Existing detention risk instruments typically are not based on the results of research on youth outcomes for two reasons:

- Detention decisions focus on whether a youth represents an immediate threat to the community (i.e., in the period between arrest and adjudication) and whether the youth is likely to abscond to avoid court processing. Because less than 5 percent of nondetained youth commit a new offense or abscond prior to court appearance (Smykla and Selke, 1982), the low base rate prohibits the development of an empirically based risk tool.
- Although some jurisdictions have risk tools that were developed for probation or parole populations, using such an instrument to guide detention decisions would be inappropriate because the rationale for detention has little to do with the long-term risk of committing a new offense.

As a result, jurisdictions using risk screening for detention have relied on statutory requirements and the identification of criteria that reflect public safety and youth stability issues. As shown in Figures 20 and 21, typical measures of risk include the seriousness of the current offense (with a particular emphasis on violence), the recency and frequency of prior offenses, and whether the youth was under court supervision at the time of the current offense. These measures reflect agreed-upon policy choices regarding who should or should not be detained and are used to structure the detention decision.

### Impact of Risk Screening on Detention

Recent research results show that the use of risk assessment can have a significant impact on the size and composition of detention populations. Sacramento County (a Casey Foundation site) developed detention admission and risk-screening criteria almost identical to that shown in Figure 20. To determine the potential impact on admissions, the criteria were applied to a sample of 396 youth who were admitted to detention in 1992 and who were eligible for diversion. Results of the study were as follows:

- Just 155 youth or 39 percent of the sample would have been admitted to detention using the 4 basic admission guidelines.
- Of youth who met the admission criteria, 10 percent received risk scores that made them eligible for an unrestricted release, and an additional 11 percent received scores indicating that they could be released to a nonsecure detention alternative.
- If admission criteria and risk guidelines had been in place during 1992, they would have resulted in a 45 percent decrease in the number of detention beds required (NCCD, 1993).

Equally dramatic evidence was found in Broward County, Florida. In response to a class action suit, juvenile justice system officials developed structured risk-screening criteria and created alternatives to secure detention (Dale and Sanniti, 1993; Schwartz et al., 1991). In 1988, prior to the implementation of the screening guidelines, the 109-bed detention center had an average daily population (ADP) of 166 youth, of which less than 10 percent were violent offenders. Because of the crowded conditions, youth slept on floors and in classrooms converted into dormitories. Applying the screening instrument to their popula-

## Figure 20: Broward County Detention Risk Assessment\*

- I. Admission Criteria (If each of the following 4 items are answered no the youth must be released. If any of the items are answered yes, complete the risk assessment)
  - Yes \_\_\_\_ No \_\_\_\_ 1. Youth is alleged to be an escapee/absconder from a commitment program, community control program, furlough or aftercare; or youth is wanted in other jurisdiction for felony level offense.
  - Yes \_\_\_\_ No \_\_\_\_ 2. Youth charged with delinquent act/law violation and requests detention for protection from imminent physical threat to his/her personal safety.
  - Yes \_\_\_\_ No \_\_\_\_ 3. Youth charged with capital, life, first degree or second degree felony or any violent felony.
  - Yes \_\_\_\_ No \_\_\_\_ 4. Youth charged with burglary, grand theft auto, any offense involving use of firearm, or any second or third degree felony drug charge and:
    - Yes \_\_\_\_ No \_\_\_\_ youth has record of failure to appear at court hearings; or
    - Yes \_\_\_\_ No \_\_\_\_ youth has record of law violations prior to court hearings; or
    - Yes \_\_\_\_ No \_\_\_\_ youth has already been detained or has been released and is awaiting final case disposition; or

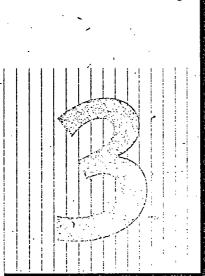
Yes \_\_\_\_ No \_\_\_\_ youth has a record of violent conduct resulting in physical injury.

### II. Risk Assessment

1. All capital, life and first degree felony PBL       15         2. All other first degree felonies, vehicular homicide, violent second degree felonies, or youth wanted by other jurisdiction for felony offense       12         3. Second degree felonies, escape/abscond, any third degree felony       10         4. Violent third degree felonies (except dealing stolen property)       8         6. Dealing stolen property; third degree felonies that qualify for detention       7         7. Reckless display, unlawful discharge of firearm       4         8. Other Current Offenses and Pending Charges (separate incidents)       2         1. Each felony artest within last 7 days       6         C. Offense History       2         1. Three felony adjudications or withheld adjudications last 12 months       2         3. One felony adjudication or withheld adjudication or misdemeanor adjudication or withheld adjudication ast 12 months       1         D. Legal Status       1         1. Committed or detention       6         2. Active community control case and last adjudication more than 90 days ago       2         E. Aggravating Factors (add 1–3 points to score; document reasons fully)       2         2. Mitigating Factors (subtract 1–3 points; document reasons fully)       2         3. Motive case Decision:       4	A. Most Serious Current Offense	<del></del>	
2. All other first degree felonies, vehicular homicide, violent second degree       felonies, or youth wanted by other jurisdiction for felony offense       12         3. Second degree felony drug charge, escape/abscond, any third degree felony       10       10         4. Violent third degree felony       9         5. All other second degree felonies (except dealing stolen property)       8         6. Dealing stolen property; third degree felonies that qualify for detention       7         7. Reckless display, unlawful discharge of firearm       4         B. Other Current Offenses and Pending Charges (separate incidents)       2         1. Each felony       2         2. Each misdemeanor       1         3. Prior felony adjudications or withheld adjudications last 12 months       4         7. Two felony adjudications or withheld adjudications last 12 months       2         3. One felony adjudication or withheld adjudication last 12 months       2         3. One felony adjudication       8         4. Committed or detention       8         5. Active community control case and last adjudication within 90 days ago       2         6. Active community control case and last adjudication more than 90 days ago       2         7. Reckless display and busites factors       1         9. Legal Status       6         1. Committed or detention       8<	1. All capital, life and first degree felony PBL	15	
involving use of firearm, burglary of occupied residence       10         4. Violent third degree felony       9         5. All other second degree felonies (except dealing stolen property)       8         6. Dealing stolen property; third degree felonies that qualify for detention       7         7. Reckless display, unlawful discharge of firearm       4         B. Other Current Offenses and Pending Charges (separate incidents)       2         1. Each felony       2         2. Each misdemeanor       1         3. Prior felony arrest within last 7 days       6         C. Offense History       1         1. Three felony adjudications or withheld adjudications last 12 months       2         3. One felony adjudication or withheld adjudication last 12 months       2         3. One felony adjudication or withheld adjudication or misdemeanor adjudication or withheld adjudication or misdemeanor adjudication or withheld adjudication or misdemeanor adjudication or withheld adjudication within 90 days       6         3. Active community control case and last adjudication more than 90 days ago       2         E. Aggravating/Mitigating Factors	<ol> <li>All other first degree felonies, vehicular homicide, violent second degree felonies, or youth wanted by other jurisdiction for felony offense</li> </ol>		
4. Violent third degree felony       9         5. All other second degree felonies (except dealing stolen property)       8         6. Dealing stolen property; third degree felonies that qualify for detention       7         7. Reckless display, unlawful discharge of firearm       4         B. Other Current Offenses and Pending Charges (separate incidents)       2         1. Each felony       2         2. Each misdemeanor       2         3. Prior felony arrest within last 7 days       6         C. Offense History       1         1. Three felony adjudications or withheld adjudications last 12 months       2         3. One felony adjudication or withheld adjudications last 12 months       2         3. One felony adjudication or withheld adjudication or misdemeanor adjudication or withheld adjudication or misdemeanor adjudication or withheld adjudication or misdemeanor adjudication or withheld adjudication more than 90 days       6         3. Active community control case and last adjudication more than 90 days ago.       2         4. Aggravating/Mitigating Factors	3. Second-degree felony drug charge, escape/abscond, any third degree felony		
5. All other second degree felonies (except dealing stolen property)       8         6. Dealing stolen property; third degree felonies that qualify for detention       7         7. Reckless display, unlawful discharge of firearm       4         B. Other Current Offenses and Pending Charges (separate incidents)       2         1. Each felony       2         2. Each misdemeanor       1         3. Prior felony arrest within last 7 days       6         C. Offense History       1         1. Three felony adjudications or withheld adjudications last 12 months       2         3. One felony adjudication or withheld adjudication last 12 months       2         3. One felony adjudication or withheld adjudication ast 12 months       2         3. One felony adjudication or withheld adjudication and publication or withheld adjudication or misdemeanor adjudication or withheld adjudication or withheld adjudication within 90 days       8         2. Active community control case and last adjudication more than 90 days ago       2         E. Aggravating Factors (add 1-3 points to score; document reasons fully)       2         2. Mitigating Factors (subtract 1-3 points; document reasons fully)       2	involving use of firearm, burglary of occupied residence	10	
6. Dealing stolen property; third degree felonies that qualify for detention       7         7. Reckless display, unlawful discharge of firearm       4         B. Other Current Offenses and Pending Charges (separate incidents)       2         1. Each felony       2         2. Each misdemeanor       1         3. Prior felony arrest within last 7 days       6         C. Offense History       1         1. Three felony adjudications or withheld adjudications last 12 months       4         2. Two felony adjudications or withheld adjudications last 12 months       2         3. One felony adjudication or withheld adjudication or misdemeanor adjudication or withheld adjudication or misdemeanor adjudication or withheld adjudication or misdemeanor adjudication or withheld adjudication within 90 days       1         D. Legal Status       1         1. Committed or detention       8         2. Active community control case and last adjudication more than 90 days ago       2         E. Aggravating/Mitigating Factors	4. Violent third degree felony	9	
7. Reckless display, unlawful discharge of firearm       4         B. Other Current Offenses and Pending Charges (separate incidents)       2         1. Each felony       2         2. Each misdemeanor       1         3. Prior felony arrest within last 7 days       6         C. Offense History       6         1. Three felony adjudications or withheld adjudications last 12 months       4         2. Two felony adjudications or withheld adjudications last 12 months       2         3. One felony adjudication or withheld adjudication or misdemeanor adjudication or withheld adjudication or misdemeanor adjudication or withheld adjudication or misdemeanor adjudication or withheld adjudication within 90 days       6         3. Active community control case and last adjudication more than 90 days ago       2         E. Aggravating/Mitigating Factors	5. All other second degree felonies (except dealing stolen property)		
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1. Each felony       2         2. Each misdemeanor       1         3. Prior felony arrest within last 7 days       6         C. Offense History       6         1. Three felony adjudications or withheld adjudications last 12 months       4         2. Two felony adjudications or withheld adjudications last 12 months       2         3. One felony adjudication or withheld adjudication or misdemeanor adjudication or withheld adjudication or misdemeanor adjudication or withheld adjudication       1         D. Legal Status       1         2. Active community control case and last adjudication within 90 days       6         3. Active community control case and last adjudication more than 90 days ago.       2         E. Aggravating/Mitigating Factors	7. Reckless display, unlawful discharge of firearm		
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<ul> <li>2. Each misdemeanor</li></ul>	1. Each felony	2	
<ul> <li>3. Prior felony arrest within last 7 days</li></ul>	2. Each misdemeanor	1	
<ul> <li>C. Offense History <ol> <li>Three felony adjudications or withheld adjudications last 12 months</li> <li>Two felony adjudications or withheld adjudications last 12 months</li> <li>One felony adjudication or withheld adjudication or misdemeanor adjudication or withheld adjudication</li> <li>D. Legal Status <ol> <li>Committed or detention</li> <li>Active community control case and last adjudication more than 90 days ago.</li> </ol> </li> <li>E. Aggravating/Mitigating Factors <ol> <li>Aggravating Factors (add 1-3 points to score; document reasons fully)</li> <li>Mitigating Factors (subtract 1-3 points; document reasons fully)</li> </ol> </li> </ol></li></ul>	3. Prior felony arrest within last 7 days	6	
<ol> <li>Three felony adjudications or withheld adjudications last 12 months</li></ol>			
<ul> <li>2. Two felony adjudications or withheld adjudications last 12 months</li></ul>	1 Three felony adjudications or withheld adjudications last 12 months	4	
<ul> <li>3. One felony adjudication or withheld adjudication or misdemeanor adjudication or withheld adjudication</li></ul>	2 Two felony adjudications or withheld adjudications last 12 months	2	
withheld adjudication       1         D. Legal Status       1         1. Committed or detention       8         2. Active community control case and last adjudication within 90 days       6         3. Active community control case and last adjudication more than 90 days ago       2         E. Aggravating/Mitigating Factors          1. Aggravating Factors (add 1-3 points to score; document reasons fully)       2. Mitigating Factors (subtract 1-3 points; document reasons fully)         2. Mitigating Factors (subtract 1-3 points; document reasons fully)	3. One felony adjudication or withheld adjudication or misdemeanor adjudication or		
D. Legal Status       8         1. Committed or detention       8         2. Active community control case and last adjudication within 90 days       6         3. Active community control case and last adjudication more than 90 days ago       2         E. Aggravating/Mitigating Factors          1. Aggravating Factors (add 1-3 points to score; document reasons fully)          2. Mitigating Factors (subtract 1-3 points; document reasons fully)	withheld adjudication	1	
1. Committed or detention	·		
<ul> <li>2. Active community control case and last adjudication within 90 days</li></ul>	D. Legal Status		_
<ul> <li>3. Active community control case and last adjudication more than 90 days ago</li></ul>	1. Committee or detention	6	
<ul> <li>E. Aggravating/Mitigating Factors</li> <li>1. Aggravating Factors (add 1-3 points to score; document reasons fully)</li> <li>2. Mitigating Factors (subtract 1-3 points; document reasons fully)</li> <li>Total Score (add A through E)</li> </ul>	2. Active community control case and last adjudication writing to days ago	2	
<ol> <li>Aggravating Factors (add 1–3 points to score; document reasons fully)</li> <li>Mitigating Factors (subtract 1–3 points; document reasons fully)</li> <li>Total Score (add A through E)</li> </ol>			
2. Mitigating Factors (subtract 1–3 points; document reasons fully) Total Score (add A through E)	E. Aggravating/Mitigating Factors		
Total Score (add A through E)	1. Aggravating Factors (add 1-3 points to score; document reasons fully)		
Detain/Release Decision:	Total Score (add A thro	ugh E)	
	Detain/Release Decision:		

0-6 = Release 7-11 = Nonsecure or home detention 12+ = Secure detention

<sup>·</sup> Contains slight modifications to format and language.



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# EMAGERS AND RECEIVED AND AND A CONTRACT OF A

# CONTROLLING THE FRONT GATES

effective admissions policies and practices

by Frank Orlando

# MOLEOFODNIENTS

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# National Juvenile Detention Association

Lesson Plan Cover Sheet

190673

<b>COURSE TITLE</b>	Jurisdictional Teams: Strate	gic Planning	
Module Title	06 Identifying And Implement	nting A Continuu	m Of Detention Alternatives
INSTRUCTOR(S)			· · · · · · · · · · · · · · · · · · ·
AUTHORS	Paul DeMuro		
vary depen	TIME FRAME e hours, but session will ding on activities used and ed for discussion.	TARGET POPULATION NUMBER OF PARTICIPANTS SPACE REQUIREMENTS	Community and Juvenile Justice Leaders, Law Enforcement, School Administrators, Juvenile Confinement Facility Directors 20-30 Classroom set-up
PERFORMANCE	e Objective(s)	EVALUATION	N PROCEDURES
Following this se to:	Following this session participants will be able to:		on, activities, and trainer
	entify detention alternatives;		
	Il principles to consider prior to of detention alternatives;		
3. Outline alterna continuum;	ative detention programs in the		
	for the development of natives in their jurisdiction.		
[			

## **METHODS/TECHNIQUES**

Small group activities, individual activities, lecture and discussion

## **Instructor Materials**

Burrell, S., DeMuro, P., Dunlap, E., Sanniti, C., & Warboys, L. (1998, December). Crowding in juvenile detention centers: A problem solving manual. Richmond, KY: National Juvenile Detention Association.
Howell, J. C. (Ed.). (1995, May). A guide to implementing the comprehensive strategy for serious, violent, and chronic juvenile offenders. Washington, D.C.: Office of Juvenile Justice and Delinquency Prevention.
DeMuro, P. Consider the alternatives: Planning and implementing detention alternatives. Pathways to juvenile detention reform. Annie E. Casey Foundation.

EQUIPMENT AND SUPPLIES NEEDI	ED
1FLIPCHART & STAND	VIDEO PLAYER
NEWSPRINT_FLIPCHART PAD(S)	Type: <u>½</u> " VHS Other (Specify Below)
CHALKBOARD 16 MM PROJECTOR FILM LENGTH:MINUTES SLIDE PROJECTOR CAROUSEL TRAY SOUND-ON-SLIDE SCREEN SCREEN FELT-TIP MARKERS MASKING TAPE	
PARTICIPANT MATERIALS (HANDOUTS)	
TITLE # NEEDEI	D WHEN DISTRIBUTED COMMENTS
Note Guide 1/particip Continuum of Care 1/particip A Systems Approach 1/particip JAIBG Graduated Sanctions 1/particip Consider the Alternatives 1/particip	pant Instructional Input pant Independent Study pant Independent Study

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Lesson Plan	
IDENTIFYING & IMPLEMENTING A CONTINUUM OF DETENTION ALTERNATIVES	NOTES TO TRAINE
	Display 6-T-1
I. ANTICIPATORY SET	
Inform the participants that one of the most critical elements in any strategy to reduce crowding in secure detention is the availability of a sufficient number of alternative detention programs which provide a range of supervision for youths who do not need to be held in secure detention.	Ð
Performance Objectives:	
Inform participants that by the end of this module, they should be able to do the following:	Display 6-T-2
1. Define and identify detention alternatives;	
<ol><li>List the critical principles to consider prior to development of detention alternatives;</li></ol>	
3. Outline alternative detention programs in the continuum;	
4. Initiate a plan for the development of detention alternatives in their jurisdiction.	
DETENTION ALTERNATIVES	
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II. INSTRUCTIONAL INPUT	Display 6 T 3
The definition of <u>alternative</u> – An opportunity for deciding between two or more courses or propositions; something which can be chosen instead.	Display 6-T-3
A. The Need for Effective Detention Alternatives	
Inform participants of the following. In many jurisdictions, judges and probation staff have only two options when faced with youth who have been arrested and charged with an offense—release them or admit them to secure detention facility. Other jurisdictions have only a few other options.	
Poll participants about the alternatives to detention in their jurisdictions. Ask which jurisdictions have a written list. How many are on their lists?	
Ask participants, "What problems do you see with a limited set of alternatives? Why is a continuum of detention alternatives desirable and necessary?" Record their responses. If desired, summarize a large number of responses into larger main ideas such as the following.	Display 6-T-4
<ol> <li>To Reduce crowding: Too many low risk youths in secure detention; the absence of viable alternatives increases the possibility of overcrowding in secure detention centers.</li> </ol>	



IDENTIFYING & IMPLEMENTING A CONTINUUM OF DETENTION ALTERNATIVES	NOTES TO TRAINER	
<ol> <li>To Increase Accountability: The development of a system of effective detention alternatives helps increase the ability of the system to hold itself accountable; namely, to insure that the appropriate youths are held in decently managed (not crowded) secure detention centers by providing alternative methods of supervision to youths who do not need secure detention.</li> </ol>		
3. Keep Costs Down. Secure detention is more expensive than some other alternatives and is an overuse of resources for low risk offenders.		
Using the transparency, give participants the following information:		
The explicit purpose of a detention alternative is to provide <b>appropriate</b> supervision to youth who would have been detained in secure detention so that while remaining in the community, they remain arrest free and make their court hearings.	Display 6-T-5	
Inform participants that alternatives are <b>not</b> appropriate or effective if they:	Display 6-T-6	
a) Widen the net.		
b) Do not provide adequate supervision to youths.		
c) Are not accessible in a timely fashion to youths who enter secure detention.		
B. Critical Principles Regarding the Development of Alternatives	Display 6-T-7	
Inform participants that there are seven (7) critical principles regarding the design and implementation of detention alternatives. Some of them have already been mentioned.		
Detention alternatives should (be):		
<ol> <li>Culturally relevant to youth and community; accessible in their neighborhoods.</li> </ol>		
<ol><li>Designed with the Least Restrictive Alternative philosophy in mind; but provide for Public Safety.</li></ol>		
3. Anti-Net widening.		
<ol> <li>Provide for Continuum of supervision based on risk &amp; needs of youths. Detention is a process, not a single secure site.</li> </ol>		
5. Flexible: So that youths are able to move to lower or higher levels of supervision based on their needs.		
6. Have Clear Measures of Success: Clarity about purpose of detention alternatives to help the youth succeed (remain arrest free and make court hearings) and not to catch the youth breaking		



	DENTIFYING & IMPLEMENTING A CONTINUUM OF DETENTION ALTERNATIVES	NOTES TO TRAINER
	an alternative detention program's rule or sanction.	
	Data Driven: Designed for specific populations in order to reduce the population of secure detention and routinely monitored based on clear outcomes making sure youths remain arrest free and make their court hearings.	
Remin	Continuum of Detention Alternative Models d participants that that they have already seen an example of a uum of care.	
	inuum of detention alternatives generally includes three basic m models.	Display 6-T-8
1.	Home or Community Detention	Refer participants to
	a) House arrest (e.g., home visits by staff, curfew checks, electronic monitoring)	6-H-6
	<ul> <li>Mentor/community supervision (youth supervised by community mentor while youth and mentor are involved in pro-social community activities)</li> </ul>	
	c) Placement in the home of non-parent relatives or other responsible adults.	
2.	Day/evening Reporting Centers	
	a) Non-secure community programs that provide 6-12 hours of daily direct supervision and structured activities.	
	b) Benefits are far lower costs than in secure setting and community is still protected.	
3.	Residential Alternatives	
	a) Shelters – 24 hr, 7 day/wk staff supervision	
	<ul> <li>b) Non-secure group homes – provide age-specific services (e.g., NJ uses intensive supervision of higher-risk youth. Some counties use them for lower risk youth where no family is available.)</li> </ul>	
4.	Host Homes/Foster Care	
	a) Counties have contracted with agencies for slots for younger children, girls, lower-risk cases not suitable for congregate care facility placement.	
	b) Better serves younger youth's developmental needs	
	<ul> <li>c) Normally for a few days until more permanent arrangement. (usually return to parents or relative)</li> </ul>	
5.	Post-dispositional Alternatives	
	Violation Of Probation (VOP). Rather than rely solely on secure detention as the only sanctions for VOP, most of which do not depend on secure lock-up.	



IDENTIFYING & IMPLEMENTING A CONTINUUM OF DETENTION ALTERNATIVES	NOTES TO TRAINER
a) Short term alternative sanctions community work projects.	
Inform participants that these can be combined in various ways. An example would be requiring the juvenile to wear an electronic tether while attending non-secure community program.	
THE DECISION-MAKING PROCESS	
III. INSTRUCTIONAL INPUT	
A. Program Issues	Display 6-T-9
There are many issues that will need to be resolved. Jurisdictional work groups can begin by asking the following questions.	
How will youths access the alternative? On What time frame?	
1. What criteria will be used to determine eligibility? Risk score, age, sex, offense, place in detention process, etc.	
<ul> <li>2. Who makes the Decision for a youth to enter an alternative?</li> <li>Judge</li> <li>Probation</li> <li>Detention staff</li> </ul>	
<ul> <li>3. At what point in the process is the alternative detention decision made?</li> <li>At detention intake</li> <li>Within 3- 5 days after admission to secure detention</li> <li>Later in the detention process; detention alternatives used as step down role of the expediter.</li> </ul>	
<ol> <li>A placement in a detention alternative is a <i>custody decision</i> and, therefore, Average Length of Stay (ALOS) in an alternative detention program needs to be carefully monitored.</li> </ol>	
5. What happens when a youth is non-compliant with an alternative?	
<ul> <li>Due Process Issues (e.g., measure of non-compliance, right to court hearing)</li> </ul>	
• Increase intensity of alternative v. return to secure detention.	
2. How will youths exit alternatives? The distinction between a detention alternative and an alternative commitment/placement Program.	
B. Operation & Management Issues	
<ol> <li>Contract v. public run programs. Will both be considered? What are the accounting and legal issues of using both? How will private programs be monitored?</li> </ol>	
2. Costs/budgets for alternatives, and costs of secure detention, increased costs of crowding.	
3. Marketing Alternatives to the community.	



IDENTIFYING & IMPLEMENTING A CONTINUUM OF DETENTION ALTERNATIVES	NOTES TO TRAINER
<ul> <li>To the juvenile justice community/ stakeholders judges, probation, police.</li> </ul>	
• To the general community.	
4. Pay attention to operational details: e.g. schedules, staff, training & accountability.	
5. Manage length of stay in detention alternatives. Establish time- limited controls.	
6. Quality Assurance of on-going monitoring of alternatives: Review & analyze relevant data are youths placed in alternative detention programs arrest free while in the programs and making their court hearings? What is the impact of the existence of the detention alternative on the population of youths held in secure detention?	
<ol> <li>Be Flexible Make the necessary programmatic and/or administrative adjustments.</li> </ol>	
C. Identifying Jurisdiction Needs	Display 6-T-10
All jurisdictions are different as discussed at the beginning of session. Each will need to identify the strengths and weaknesses in their continuum of care alternatives. Trainer can give the following steps as an example of the process to take in determining a jurisdictions needs.	
The following is an example of steps that can be followed towards identifying the need for alternatives. All steps should be worked on by the entire core work group. Other individuals and agencies will likely need to be brought into some stages. 1. Organize a Stakeholders group (core work group).	
2. Gather and analyze data about youths held in secure detention.	
Categorize youth that could be better served using an alternative (i.e. children and females held regardless of offense; very low risk or status offending youth ).	· .
For specific strategies to improve population controls of minors detained on warrants, on probation violations, in post-adjudication and post-disposition detention, refer participants to JDAI Special Detention Cases: Strategies for Handling Difficult Populations.	
<ol> <li>Collect information about existing and viable detention alternatives. Include site visits to effective programs.</li> </ol>	
Determine why youth who do not necessarily need to be housed in secure detention are assigned – because alternatives exist but are not being utilized (i.e. the alternative program is always full, a key stakeholder does not agree with the alternative, the alternative is not well-known). – Or because of lack of alternatives (i.e. there is no	





# Identifying and Implementing a Continuum of Detention Alternatives

# Trainer:

Date:

**Place:** 

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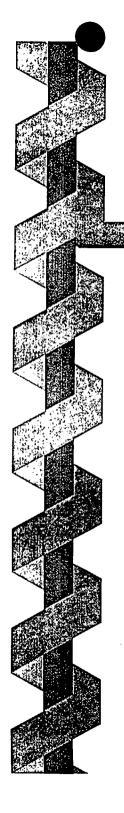
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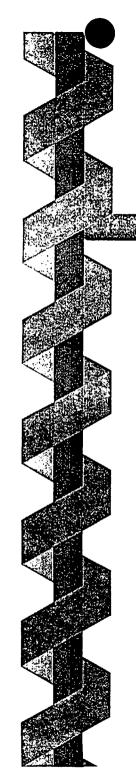




# Performance Objectives

- 1. Define and identify detention alternatives;
- 2. List the critical principles to consider prior to development of detention alternatives;
- 3. Outline alternative detention programs in the continuum;
- 4. Initiate a plan for the development of detention alternatives in their jurisdiction.









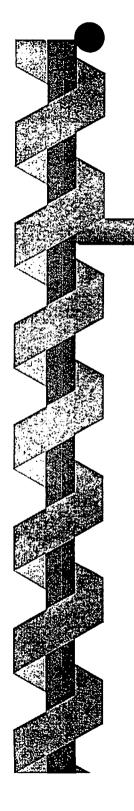
- An opportunity for deciding between two or more courses or propositions;
- Something which can be chosen instead.

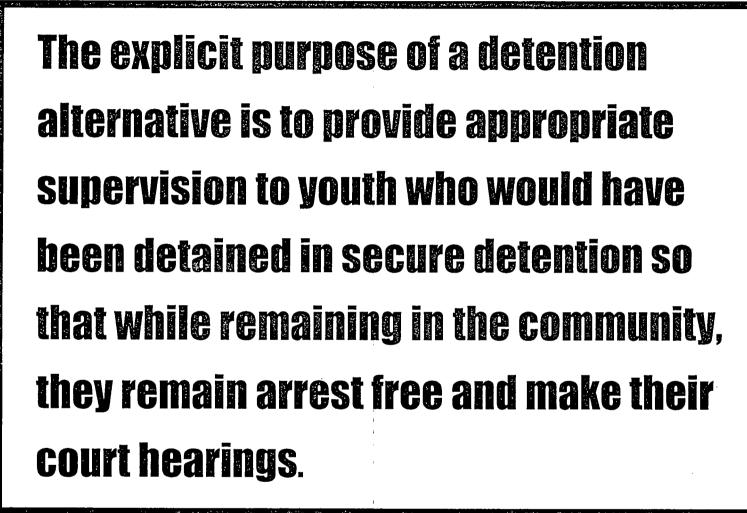




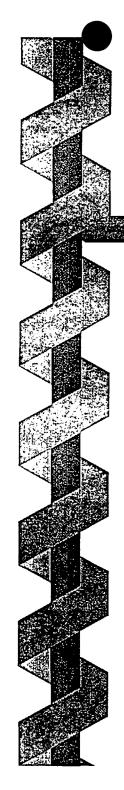
# The Need for Developing Alternatives

- 1. To Reduce Crowding
- 2. To Increase Accountability
- 3. To Keep Costs Down





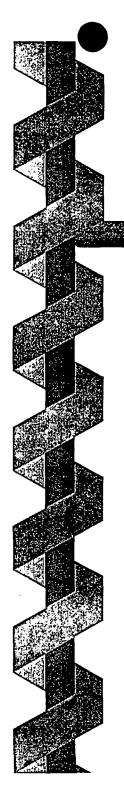




# Appropriate Alternatives :

- SHOULD NOT Widen the net.
- SHOULD provide adequate supervision to youths.
- SHOULD be accessible in a timely fashion to youths who enter secure detention.





# 7 Critical Principles

- 1. Culturally relevant and accessible
- 2. Least restrictive, but provide for public safety
- 3. Anti-net widening
- 4. Provide for continuum of supervision based on risk & needs of youths
- 5. Flexible
- 6. Have clear measures of success
- 7. Data driven and routinely monitored based on clear outcomes.



# **Basic Alternative Program Models**

- Home or Community Detention
- Day and Evening Reporting Centers
- Residential Alternatives
- Host Homes/Foster Care
- Post Dispositional Alternatives



# **Decision-Making Process**

- Program Issues
- On-Going Operation and Management Issues
- Determining Need for Alternatives

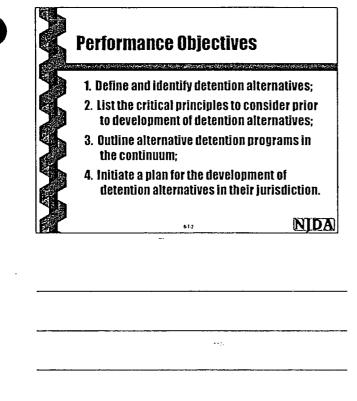


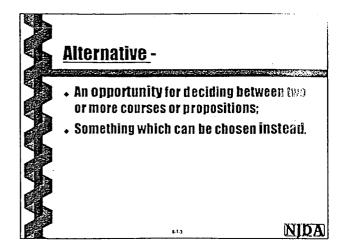
# **Example Steps to Identify Needs:**

- 1. Organize a Stakeholder group (Core Work Group).
- 2. Gather & Analyze data on youths held in secure detention. Categorize youth that would be better served elsewhere. Determine why they are are not getting appropriate level intervention. Alternatives not being used? None available?
- 3. Collect information about existing and viable alternatives.
- 4. Agree on target population to be admitted to alternatives.
- 5. Develop screening instrument.
- 6. Market program to juvenile justice community and public.
- 7. Begin operation of program.
- 8. Monitor program's effectiveness.



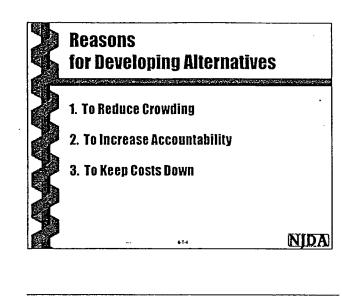
Identifying & Implementing a Continuum of Detention Alternatives





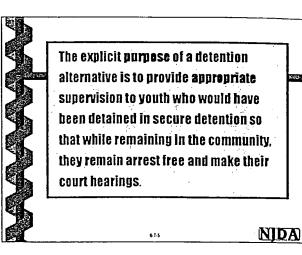
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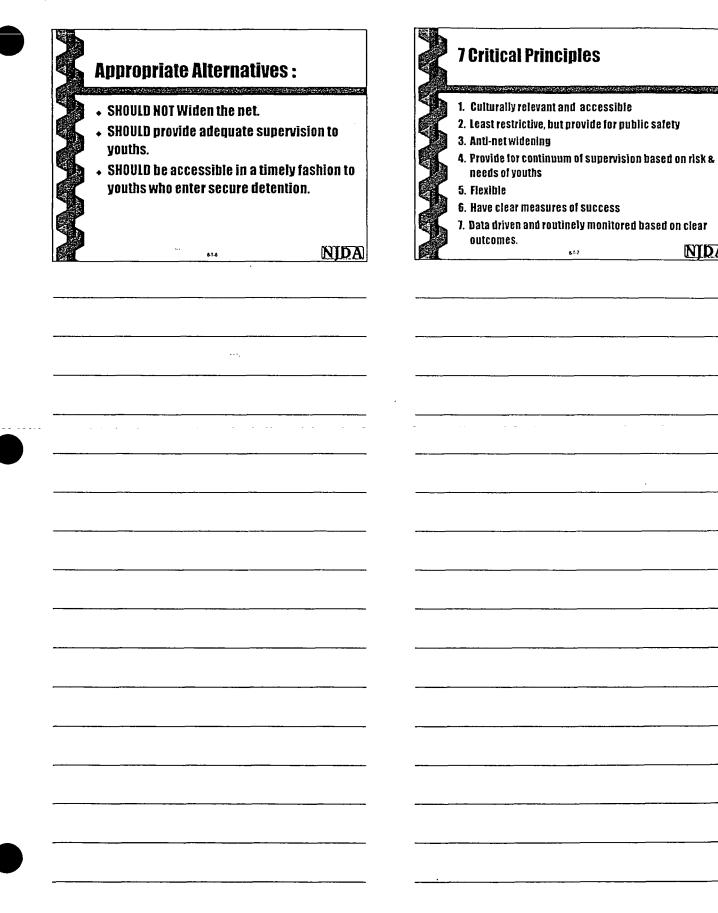
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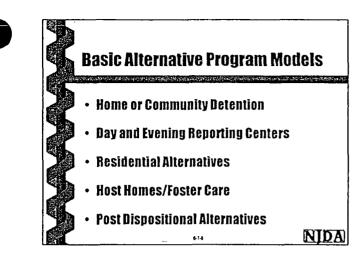


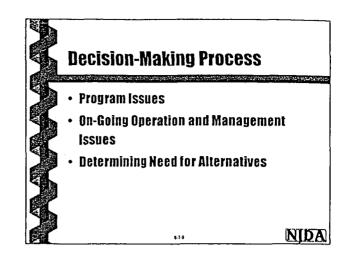
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	-	e Steps to Ider	ntify Needs:			
	<ol> <li>Organize a Stakeholder group (Core Work Group).</li> <li>Gather &amp; Analyze data on youths held in secure detention. Categorize youth that would be better served elsewhere.</li> <li>Collect information about existing and viable alternatives.</li> <li>Agree on target population to be admitted to alternatives.</li> <li>Develop screening instrument.</li> <li>Market program to juvenile justice community and public.</li> <li>Begin operation of program.</li> <li>Monitor program's effectiveness.</li> </ol>					
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# A Systems Approach to Detention Services: Home Detention as the Foundation of the Detention Continuum by Carl Sanniti

He that is good with a hammer tends to think everything is a nail.

---Abraham Maslow

Across the United States there are radical variations in the way juvenile detention is used. From short term, maximum security facilities for predispostional youth, to post-dispositional programs for misdemeanants or weekend sanctions programs for technical violations of probation, secure detention plays many roles in juvenile justice. Unfortunately, many in juvenile justice are satisfied with this use of secure detention, even though these multiple uses make it very difficult to deliver quality programs to such a diverse population. Additionally, many of these detention services could be provided in a less restrictive, community-based setting. Judges often use detention simply because there are no other available programs. Much of the crowding in secure detention results from the lack of alternatives to detention and detention alternatives.

## Development of the Detention Continuum

Mention "alternatives to detention" or "detention alternatives," and many people believe these programs are separate from secure detention and are somehow less important than detention. Shift the focus from detention as a place (i.e., detention as a locked facility) to detention as a process (i.e., range of custody services that includes secure detention) and the development of a continuum of graduated sanctions and services becomes more attractive. The attractiveness increases when considering the lower costs for these services. There are few juvenile justice services that are as expensive as secure detention. The construction cost of a secure detention bed runs between \$100,000 and \$150,000 with an annual operational cost of \$55,000 a year.

A general caution in the development of a continuum of service is "net widening." If the population of the secure detention center does not decrease and if the alternative programs become crowded, it usually means that clear criteria and good risk assessment are missing. In these circumstances, it is not unusual for youth to be on home detention longer than they would have been on probation, and it is not unlikely that a young person would remain in shelter care longer than a correctional facility. Without defined criteria on who can be admitted into the detention continuum of services, the addition of non-secure detention programs will not reduce the secure detention center's population or insure appropriate uses of detention

## **Home Detention**

Home detention is a "foundation" program. That is, a continuum of detention services can be built on it. Home detention is one version of an intense supervision program. Youth live at home or in a non-secure setting under very specific conditions until their court hearing. It is a highly cost effective alternative to secure detention, and programs are relatively easy to implement and inexpensive.

Home detention provides intense, random, faceto-face, and telephone contacts with youth who normally would be held in secure detention. Electronic monitoring often is used to enhance supervision or as a more restrictive sanction. Home detention programs are flexible and are used to provide surveillance for sex offender programs and intense probation programs. In some jurisdictions, multiple use of home detention helps to expand the detention alternative function of the program.

It is important that a detention center develop either an intake risk assessment instrument or a risk assessment instrument to screen the youth in detention for home detention placement. The use of the risk assessment instrument helps to prevent "net" widening.

All youth entering the home detention program must sign a simple, straightforward, behavior contract. Initially, all youth entering home detention are on house arrest. The only time youth are allowed to leave their home is to attend school, go to work, or when accompanied by a designated parent or guardian.

This contract must be clear and direct or youth will attempt to manipulate any "gray" areas in the rules. After a period of good behavior, the home detention worker may grant certain additional privileges.

A contact log is a necessary part of the home detention program. The log must be signed by the youth and youth's parent when home visits are made. The log insures that the specified number of home visits are made with the parent(s) and forces an interaction with the home detention worker. The log also short-circuits any complaints by youth when returned to detention that they were not seen by their home detention officer.

Many home detention programs allow staff to work a "flex" time schedule. This insures completion of evening and weekends contacts and allows the program to attract well-qualified individuals interested in the freedom that a flex time schedule provides.

In order to insure the youth's attendance at school, a school sign-in log is also used. Youth have each teacher sign the log, insuring that they attended each class.

A termination report should be completed on each youth at the end of the program. A copy of the

report should be sent to the judge and the probation officer either the day before the court hearing or upon the youth's return to the center. The report should summarize the youth's adjustment while on home detention.

In order to prevent home detention from becoming crowded due to extended lengths of stay, youth are closed from the program at their court hearing. The judge may always re-refer a youth, but this policy insures that the judge is aware of the length of time the youth has been on home detention and that there is a need for continued supervision.

A key element to the success of any home detention program is the ability to return youth to secure detention center for contract rule violations. Judges and probation officer need to be confidant that the youth is being supervised and that if a home detention rule violation occurs, the youth will be placed in secure detention. It is important that youth understand that the program is "real" and that they will be returned to secure detention if they fail to adhere to the program rules.

To make rule enforcement effective, it is very important that home detention officers make random, unannounced, face-to-face, and telephone contacts. Keeping the youth "off balance" is an important element in the success of the program. It is equally important that home detention officers remember their roles. Home detention officers, who are in the home and have intense contacts with the family, easily begin giving advice outside their roles and job descriptions. Home detention officers must guard against assuming the probation officer role and must refrain from giving legal advice. Home detention officers must remember that their role is to provide surveillance and supervision, not counseling or legal advice.

A successful home detention program should be based on four key principles:

 Aggressive and random monitoring of youth. It is critical that youth understand the certainty of supervision and the need to be present when random monitoring occurs.



- Logs to verify the numbers, times, locations, and persons contacted. Documentation is important in maintaining accountability for both the youth and home detention officer.
- A low, 1 to 9, caseload. Home detention programs succeed when staff have enough time to conduct proper monitoring. Large caseloads lead to shortcuts in monitoring and threaten program integrity.
- A willingness to return to secure detention those youth who violate the conditions of their behavioral contract. The presence of a secure bed strengthens the use of home detention.

Home detention is an example of the classical criminology axiom that punishments need not be severe to be effective, if they are swift and certain. Home detention as a low-level punisher is effective when monitoring and return to secure custody are swift and certain.

- The goals of a home detention program should be simple: the youth should appear in court at the scheduled date and time with no new law violations.
- All youth should sign a clear and direct behavior contract. Youth and parents should understand that rule violations will result in the youth's return to secure detention.
- Youth should be accountable for their whereabouts at all times.
- Youth should be assigned a level of supervision that clearly defines the minimum number of monitoring contacts required.
- Home detention intake should be available 24 hours a day, seven days a week.
- Individual home detention officers and the program supervisor should keep statistical reports.

- Home detention discharge reports, outlining the youth's behaviors at school, home, work, and in the community, must be submitted to the judge and probation officer the day before the youth's court hearing.
- Youth should be released automatically from home detention at their court hearing unless specifically re-referred to the program.
- Home detention programs are cost-efficient and effective alternatives to secure detention.

With the core elements implemented, there is a variety of ways the program can be designed to meet the needs of a jurisdiction.

Other components of the continuum to include are:

Day Reporting Center. A day reporting center is a non-secure detention program designed to provide face-to-face supervision and programming to youth who would otherwise would be held in secure detention. The centers are normally open from 7:00 a.m. to 8:00 p.m., providing educational, recreational, life skills, and tutoring programs. It is also common for the detention shelter program to operate a day reporting center for the youth residing at the shelter as well as youth on home detention.

The day reporting center's education program is an extension of the secure detention school. Youth also may attend their own school, but that determination should be based on the youth's offense, school attendance, and behavior. An afternoon/ evening program will include recreation, life skills, tutoring, current events, group discussion, and dinner. The Saturday program will be similar to the afternoon program, although a community service project should be incorporated into the program. The day reporting center should have flexible programming to meet the supervision needs of the youth. Youth on home detention but not in school can attend the morning educational programming, leaving in the afternoon when parents return home or to go to work. Youth on home detention, who live at home, and attend school can attend just on Saturdays.

Youth assigned to the center have a home detention worker, who insures their attendance, checks to insure the youth's direct return home, and prepares a report on the youth's adjustment and progress while on home detention and attending the center. Unlike shelter care, there does not seem to be a problem serving both non-secure detention and youth on probation as long as probation uses the facility only as a day/evening reporting center and not as a post-dispositional treatment center. Day Reporting Centers, although similar, are not day treatment centers.

Proctor Homes: Similar to specialized foster care, proctor homes are a well established, alternative to secure detention. Used in both urban and rural communities, Proctor Homes provide 24 hour a day adult supervision to youth in a "home" environment. Proctor home "parents", require careful screening and training. Monitoring of the home is important and there should be specific criteria outlining what type of youth can be placed into a proctor home. Proctor homes have proven to be a cost effective and less intrusiveplacement.

Electronic Monitoring: A rapidly growing field, electronic monitoring offers a wide vary of monitoring devices and different and rapidly developing technologies to meet the programming needs and budgets of most jurisdictions.

The two principle methods of monitoring is the "continuous signaling" and the "programmed contact" method. In continuous signaling programs, a signal is sent to the offenders home or other locations where they are to stay during certain hours. The offenders wear a receiver that receives a signal to insure they remain or leave that location. The programmed contact method has a computer call the individual on a random basis during certain hours. Offenders either wear a receiver that they insert into the phone to verify their presence or a voice verification method where their voice is recognized by the computer.

There are varieties of programming options available with the new electronic monitoring technologies. The best application of electronic monitoring seems to be when the technology is used to enhance an existing supervision program. Jurisdictions should be careful to first develop their supervision program, identify the population to be served, and then select the best electronic monitoring hardware to incorporate into their program. Before purchasing equipment, a jurisdiction should ask three important questions: "What do we want this equipment to do?" "How will it enhance our detention goals?" "Will we be able to serve more youth with this equipment?". Once these questions have been answered, the jurisdiction can make an informed decision whether to use electronic monitoring. Sales people then can better match the technology to the jurisdictions needs.

#### Monitoring Detention Population and Program Performance:

The "profiles" of youth entering the continuum of service need to be continuously monitored to insure the programs within the continuum are meeting the supervision needs of the community and the youth. Program performance needs to be evaluated to insure that there are not excessive lengths of stay, that the alternative programs are not being used as post-dispositional alternatives, that these programs do not "widen the net", and that the youth in non-secure detention meet the detention criteria.

One of the best examples of the effective use of this continuum was in Broward County, Florida. The detention center was the subject of a bitter federal lawsuit concerning overcrowding and the conditions of confinement. The Center for the Study of Youth Policy, funded by the Annie E. Casey Foundation, developed a systemic continuum approach to providing detention services. (Dale & Sanniti, 1993).

On October 31, 1987, there were 147 children in the 109 bed Broward Regional Juvenile Detention Center. In 1987, 90.7 percent of the youth in the center were there for non-violent felon offenses, misdemeanor charges, failure to appear, and probation/home detention violations. Less than three years later, on June 12, 1991, 67 youth

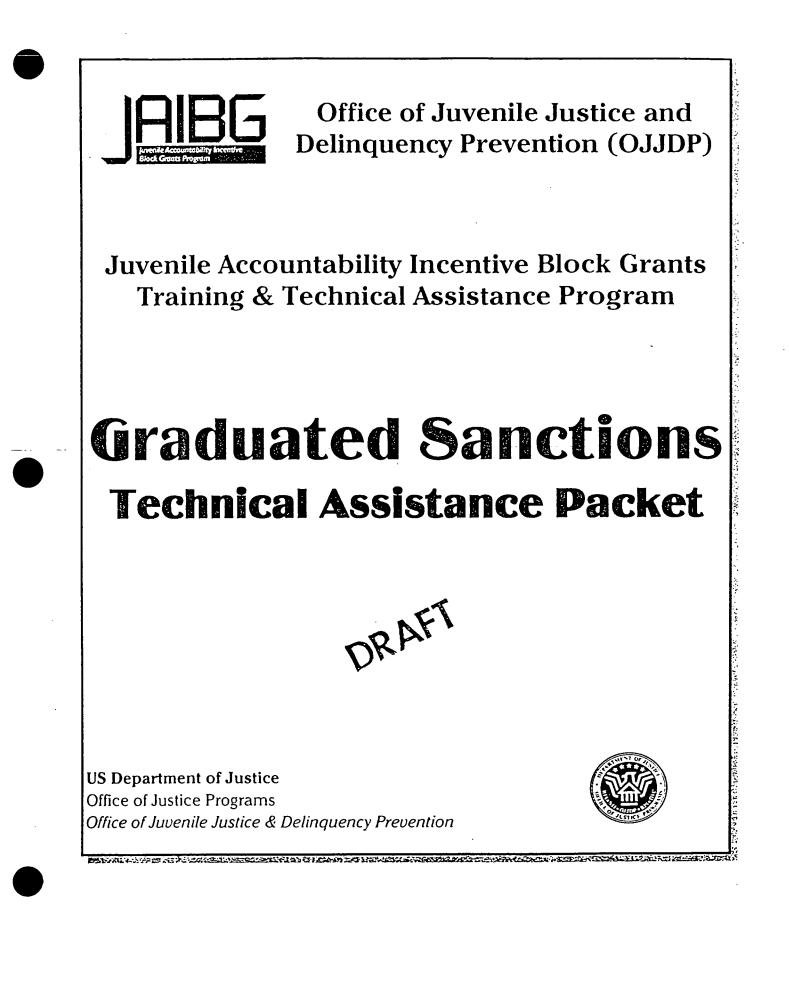
were in the facility, all for more serious offenses. The difference in population was in the non-injury and property felony category. In 1987, 85 youth were being held for third degree property felonies. In 1991, 11 youth were being held. In 1987, 10 youth were being held for misdemeanor offenses. In 1991, no youth were being held for misdemeanor offenses (Dale & Sanniti, 1993).

The development of a key decision makers (core) group, the implementation of a risk assessment instrument, and the development of a continuum of non secure detention programming made the reduction of the secure detention population possible. The development of detention as a continuum of service is not primarily a strategy to reduce crowding, but rather a systemic approach in providing the least intrusive, most cost effective, and most appropriate level of detention service.

#### References

Dale, M.J., & Sanniti, C. (1993, January). Litigation as an instrument for change in juvenile detention: A case study. Crime & Delinquency, 39, 49-67.





# JAIBG Technical Assistance Packet Graduated Sanctions

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#### FOREWORD

The Juvenile Accountability Incentive Block Grants (JAIBG) program is administered by the Office of Juvenile Justice and Delinquency Prevention (OJJDP), a program in the Office of Justice Programs, U.S. Department of Justice. Through the JAIBG program, funds are provided as block grants to States that have implemented or are considering implementation of legislation and/or programs promoting greater accountability in the juvenile justice system. Local and tribal governments can then apply for funds to support local accountability programs.

This packet is one in a series of technical assistance packets pertaining to the 12 purpose areas of the JAIBG program. The listing of materials in this packet does not constitute the universe of all relevant materials, but is an excellent starting point for locating information on these topics.

Most of the citations in this packet are available from the National Criminal Justice Reference Service (NCJRS), a centralized national clearinghouse of criminal justice information sponsored by the Office of Justice Programs agencies and the Office of National Drug Control Policy. The NCJRS database can be accessed via the World Wide Web at <u>http://www.ncjrs.org.</u>

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#### GRADUATED SANCTIONS

#### Articles, Studies and Reports

#### **General Information**

#### Graduated Sanctions for Serious, Violent, and Chronic Juvenile Offenders

Krisberg, B., Currie, E., Onek, D. and Wiebush, R.G., From *Sourcebook on Serious, Violent, and Chronic Juvenile Offenders*, JC. Howell, B Krisberg, et. al., eds., Sage Publications, Thousand Oaks, CA, (1995).

The National Council on Crime and Delinquency (NCCD) has assessed the state of the art in graduated sanctions and risk assessment for serious, violent, and chronic juvenile offenders. The analysis reveals that a model graduated sanctions system should combine reasonable, fair, humane, and appropriate sanctions with treatment and rehabilitation. It should be based on a continuum of care consisting of a variety of diverse programs that include immediate sanctions in the community for first-time, nonviolent offenders; intermediate sanctions in the community for more serious offenders; and secure care programs for the most violent offenders. Youth should move between different levels of the continuum through a well-structured system of phases. Programs at all levels of the continuum need to be small enough to ensure that youth receive individualized attention. Finally, a model graduated sanctions system should address risk and protective factors.

#### Developing and Administering Accountability-Based Sanctions for Juveniles

Griffin, P., U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, (1997).

An accountability-based juvenile justice system embraces the community, system and individual accountability. It is a system in which sanctions are (1) surely, swiftly and consistently attached to wrong doing; (2) imposed with the goal of repairing harm to individual victims and the community to the greatest extent possible and (3) perceived to proceed wherever possible from the community in which the juvenile offender lives; (4) flexible and diverse enough to fit a variety of situations and types of offenders; (5) sufficiently graduated to respond appropriately to each offenders. This paper reviews the key elements of an accountability-based program and identifies successful examples.

#### Corrections in the Community

Latessa, E.J. and Allen, H.E. Anderson Publishing, Cincinnati, OH 45202, (1997).

This overview of community corrections focuses on the criminal justice system, sentencing, probation and parole, case management and service delivery strategies, intermediate sanctions, and community residential corrections programs. Two chapters on sentencing are concerned with sentencing decisions and options, determinate and indeterminate sentences, changes in sentencing

practices, sentencing reform, pre-sentence investigations, and intermediate controls. Chapters on probation and parole look at the historical development of probation and parole in the United States, juvenile probation, probation conditions, restitution, community service, probation revocation, the parole selection process, shock parole, factors influencing parole decisions, recidivism, parole revocation, and responsibilities of probation and parole officers. Final chapters discuss caseload assignment models, casework supervision versus brokerage supervision, case management classification systems, service delivery strategies, intermediate sanctions (intensive supervision, electronic monitoring, and house arrest), community residential corrections programs, the effectiveness of community corrections, and the future of community corrections.

#### Intermediate Sanctions: Sentencing in the 1990s

Smykla, J.O. and Selke, W.L., Anderson Publishing Company, (1995).

This overview of existing intermediate punishment programs and their success potential focuses on electronic monitoring, boot camp, and intensive supervision. Three chapters on electronic monitoring focus on recent issues that have been raised regarding its effectiveness. These chapters describe actual monitoring programs and present analyses that begin to clarify the essential operational elements in electronic monitoring programming. Data are provided to permit judgments as to the effects, both positive and negative, of such programs. Two chapters address the effectiveness of and trends in the programming for boot camps. A multi-State evaluation of boot camps notes that there is no clear evidence that boot camps impact recidivism while graduates are under supervision following program completion. Evaluation limitations for this study are noted, however. The other chapter in this section reports on a trend in boot-camp programming based on a survey. It shows that boot camps are moving more toward rehabilitative programming and away from the military regimen of the first programmatic stage. Three chapters pertain to intensive supervision programs. The chapters focus on the nature, operation and evaluation of intensive probation supervision programs. The programs discussed provide examples of how intensive probation supervision programs have evolved in recent years and the contributions they make to the overall system of criminal sanctions. The concluding section of this book contains two chapters on what are considered "critical issues" related to intermediate sanctions: community corrections in rural areas and the impact of programming and race on recidivism for offenders who have participated in residential probation centers.

Intermediate Sanctions and Community Treatment for Serious and Violent Juvenile Offenders Altschuler, D.M., From Serious and Violent Juvenile Offenders: Risk Factors and Successful Interventions, R. Loeber, D. P. Farrington, eds. pp. 367-85, (1998).

Intermediate sanctions are used with juvenile offenders as alternatives to institutionalization, routine probation and routine parole or aftercare. They include electronic monitoring, house arrest, home detention, community tracking, boot camps, community service and restitution. Juvenile repeat offenders who have committed serious and even violent offenses as well as those at risk of committing such offenses are represented to various degrees among those who receive intermediate sanctions. Juveniles on probation, incarcerated, and on parole display wide variation in terms of the



extent and nature of both their criminal record and their risk of recidivism. This chapter attempts to clarify how and in what ways intermediate sanctions can be used with SVJ offenders in each of the three populations, who should be included, and what are some of the major issues from the standpoint of program design, management, cost, implementation, and evaluation.

#### Community Based Alternative: Intermediate Treatment for Young Offenders

Robertson, A. and McClintock, D., From Children and Young People in Conflict with the Law, Stewart Asquith, ed., pp. 131-54, (1996).

This chapter discusses Intermediate Treatment (IT) as an approach to dealing with young people in trouble with the law. The term intermediate treatment implies interventions that are somewhere between traditional one-to-one supervision and full-time residential care requiring removal from the home. The concept draws on ideas of constructive activity and participation in the community. Research has shown that intermediate treatment can greatly facilitate the diversion of youngsters from more severe penal measures. In addition, IT workers are able to combine welfare and judicial objectives in their work. However, IT has been shown to be no more, and possibly slightly less, effective in preventing further offending than supervision, custody or residential care. Findings suggest that children referred to IT are looking for a more controlled and perhaps more emotionally secure environment in which the limits of tolerable behavior are clearly defined, aggression kept under control and the involvement of children in running the program kept to a minimum. The effectiveness of IT might be enhanced if attendance requirements were increased and structure, clarity and support more specifically integrated into the methods and philosophies of individual IT centers.

Risk Assessment and Classification for Serious, Violent, and Chronic Juvenile Offenders Wiebush, R.G., Baird, C., Krisberg, B. and Onek, D., From *Sourcebook on Serious, Violent, and Chronic Juvenile Offenders*, JC. Howell, B Krisberg, et. al., eds., Sage Publications, Thousand Oaks, CA, (1995).

Well-designed assessment procedures improve the ability to accurately and consistently identify youths who are or may become serious, violent, and chronic juvenile offenders. Carefully crafted classification systems ensure that the system's response is equitable and graduated. They also directly link the offender's need for control and services with the most appropriate intervention. Particularly promising approaches include communitywide risk assessment and prevention strategies such as those developed by Hawkins and Catalano, empirically based risk assessment tools developed for child welfare and juvenile probation/parole that are able to identify youth and families with dramatically different levels of risk, and well-structured placement and custody decisionmaking instruments that reduce inappropriate placements and link risks with program options.



#### Offender Classification: Two Decades of Progress

Clements, C.B., Criminal Justice and Behavior, 23(1): pp. 121-143, (1996).

The concept of offender classification is quite broad and evolving, and the literature reveals promising methodological developments in the directions of improved prediction, responsive treatment assignment, effective institutional and community-based supervision, and better long-range planning. The legal system and developing professional standards in the field of corrections have energized the development of offender classification systems. Recent developments in offender classification have also been driven by risk assessment techniques, treatment planning strategies, and needs assessment protocols, with the goals being to improve correctional resource management and to develop more objective offender classification approaches. Risk assessment has focused primarily on release decisions in the parole context, and this focus parallels the growing preoccupation with dangerousness and clinical/mental health release decisions in terms of both methodology and legal implications. A major priority of correctional administrators is to establish a custodial or security profile for offenders on which to base assignments to different institutional types or to assign offenders to community alternatives. In this context, the rationale for both risk assessment and needs assessment is the identification of salient offender factors that warrant a particular type or level of intervention. Studies that attempt to integrate ideas across risk assessment, needs assessment, personality profiling factors, multiple purposes of offender classification, and differential treatment issues are noted.

#### Boot Camps -

#### Juvenile Boot Camps: Lessons Learned

Peterson, E., U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention. (No Date).

In response to a significant increase in juvenile arrests and repeat offenses over the past decade, several States and many localities have established juvenile boot camps. The first juvenile boot camp programs, modeled after boot camps for adult offenders, emphasized military-style discipline and physical conditioning. OJJDP has supported the development of three juvenile boot camp demonstration sites. This Fact Sheet describes those demonstration projects, their evaluations, and lessons learned that will benefit future boot camp programs.

#### Implementation Evaluation of the First Incarceration Shock Treatment Program: A Boot Camp for Youthful Offenders in Kentucky, Final Report

Bourque, B.B., Felker, D.B., Han, M., White, R.N., U.S. Department of Justice, National Institute of Justice, (1996).

Goals of the FIST program are to help young first offenders change their attitudes toward crime so they can become productive citizens upon release; to ease prison crowding and make additional beds available in secure facilities for violent offenders; to offer more individual and group counseling, individualized educational programming, and substance abuse counseling than are offered to the general prison population; and to improve health and physical stamina through a demanding schedule. The capacity of the FIST program is 50 inmates, 40 men and 10 women. Inmates are admitted in 25-person platoons at 2- month intervals, thereby accommodating about 150 inmates per year. The FIST program is a 127-day program offered to offenders who have at least 4 months remaining to parole eligibility and who have a maximum sentence of 10 years. The rigorous daily schedule includes physical training, individualized academic programs, a 120-day substance abuse program, a living skills program that emphasizes employability skills, work details, community meetings, and military drill and ceremony. The cost of the program is estimated at \$40.67 per day per bed, based on a 45-average daily bed census, or \$36.60 per day per bed, based on a 50-average daily bed census. The average daily per bed rate for an adult medium-security institution in Kentucky is comparable, falling between these two estimates at \$34.39. An evaluation of FIST indicates the program is an effective intermediate sanctions intervention that targets male and female offenders between 17 and 29 years of age. The selection process for boot camp participants is detailed, and aftercare for FIST graduates is discussed. Appendixes contain the FIST program questionnaire, a physical fitness test, program exit and parole questionnaires, orientation and mental health screening forms, a mental health screening clinical interview outline, and a program eligibility review form.

### Tracking Investigation To Determine Boot Camp Success and Offender Risk Assessment for CRIPP Participants

Anderson, J.F. and Dyson, L., Journal of Crime and Justice 19(1): pp.179-190, (1996).

Offenders who were released from the Court Regimented Intensive Probation Program (CRIPP) shock incarceration program in Texas were studied by means of a tracking analysis to determine the program's effectiveness and the risk of recidivism. CRIPP was established in May 1991 to accommodate both male and female offenders in separate areas. CRIPP houses 450-500 participants at any given time. Each participant is assigned to a Harris County probation officer, who provides counseling until the participant finishes the program. Security measures and general supervision are also part of the CRIPP program. The analysis considered data from all 1,225 male boot camp graduates released at the end of 1992. The followup data were collected over a 2-year period. Results revealed that the recidivism rate was 22 percent, compared to 28.53 percent for regular probationers and 28.6 percent for regular parolees in Texas. The analysis also indicated the typologies of offenders most likely to recidivate and pose a serious threat to an already drained criminal justice system. The strongest indicator of recidivism was a prior felony. Findings indicated that CRIPP is a viable intermediate sanction in Harris County and potentially for other local jurisdictions.

### Boot Camps for Juvenile Offenders: An Implementation Evaluation of Three Demonstration Programs

Bourque, B.B., Cronin R.C., Pearson, F.R., Felker, D.B., Han, M., Hill, S.M., US Department of Justice, National Institute of Justice, (1996).

This study evaluates the implementation and short-term impact of three demonstration juvenile boot camp programs initiated by the Federal Office of Juvenile Justice and Delinquency Prevention. The core of the assessment was a management information system that collected administrative data as

offenders progressed through the demonstration program. Researchers also made an average of five site visits to each of the three programs, in which they spoke with participants and interviewed program staff and representatives of the agencies that constituted each program. One chapter of this evaluation report describes the basic program design and provides an overview of each program. Another chapter presents each site's selection process, i.e., the procedures each program used to select candidates for participation in the program; the characteristics of program participants; and the characteristics of those who failed to complete the program. Detailed descriptions of the programs' boot camp phase are presented in one chapter, followed by a chapter on the aftercare programs of the three sties. Another chapter analyzes observable changes in boot camp participants during the program period and the program completion and attrition rates. The evaluation concludes that the programs were successful in implementing their various phases and that short-term effects were achieved in educational improvement and positive changes in attitudes and behavior. The aftercare period, however, did not sustain the improvements observed during the program. The report recommends that boot camp programs clarify the cause-and-effect rationales they are using to explain expectations for changing participant behavior. Further boot camp programs should define and select target populations in the context of goals for rehabilitation, recidivism, cost containment, punishment, and other significant areas. Because aftercare was the period during which most attrition occurred, this phase of the program needs to be improved and perhaps restructured.

#### **Correctional Boot Camps: A Tough Intermediate Sanction**

MacKenzie, D.L. and Hebert, E.E., US Department of Justice, National Institute of Justice, (1996).

The idea of military-style punishment as an alternative to extended incarceration is attractive because it promises financial savings through shortened sentences, it has an uncompromising image of rigorous discipline for offenders, and it frees up scarce correctional bedspace. Since the first prison boot camp programs began in Oklahoma and Georgia, the National Institute of Justice has pioneered the research and evaluation of this alternative sanction. Various approaches to boot camps nationwide are described, including the evolution of the first programs in Georgia, boot camps operated by the California Youth Authority, and the highly structured approach to shock incarceration in New York. Book chapters focus on Federal, State, and local boot camp programs and on those for both adults and juveniles. Other chapters report on boot camp programs for special populations such as women, disruptive inmates, and offenders with mental health problems. Different program models are discussed, and program design and planning guidelines are presented. Factors affecting the future growth of boot camps are noted, including political and popular interest, success in achieving program goals, and legal issues associated with the selection of program participants.

#### **Electronic Monitoring**

### Five Years of Electronic Monitoring of Adults and Juveniles in Lake County, Indiana: A Comparative Study on Factors Related to Failure

Roy, S., Journal of Crime and Justice. Volume 20, Issue 1, pp. 141-60, (1997).

Court-ordered home detention and the use of electronic devices to monitor offender compliance has grown significantly over recent years. This study examined 233 adults and 560 juveniles sentenced to the Lake County, IN, program from the beginning of 1990 to the end of 1994. The program sought to determine whether the two groups differed in terms of failure to complete their home detention sentences and to identify the factors related to failure within each group. Findings disclosed that: (1) among adults, failure-rates (22 percent) were the same for first-time and repeat offenders; (2) for juveniles, failure rates were 7 percent for first-time offenders and 63 percent among repeat offenders; (3) participants' attitude and perception about their current sentence varied between the two groups and between first-time and repeat offenders within each group; (4) as the sentence length exceeded 180 days the probability of adult failure increased 2.5 times; and (5) current offense, substance abuse history, prior offense history and most recent prior offense were predictors of juvenile program failure.

Juvenile Electronic Monitoring Program in Lake County, Indiana: An Evaluation Roy, S. and Brown, M.P., From *Intermediate Sanctions: Sentencing in the 1990s*, John Ortiz Smykla and William L Selke, eds., Anderson Publishing Company 2035 Reading Road, Cincinnati, OH 45202, pp. 21-35, (1995).

The program was begun in February 1990. An experimental design was used to focus on the program's impact on the participating offenders. Two types of home detention are used with juveniles in Lake County: electronic monitoring and "in-house" or manual. In this study electronic monitoring was used as an experimental group and in-house/manual was used as a comparison group. The program's impact was measured in terms of offender compliance with home detention requirements and offender recidivism subsequent to successful exit from home detention. The dissimilarities between the two groups resulted in differences between them in terms of offenders successfully completing home detention and offenders recidivating during the follow-up period, after their successful release from home detention. The experimental group had a higher percentage of program completion (90.3 percent) than the comparison group (75 percent). Also, the experimental group had a lower recidivism rate (16.9 percent) than the comparison group (25.9 percent) during the follow-up period. Although the electronic monitoring program has curbed overcrowding at the detention center, its use has widened the net for intensive supervision of juvenile detention in the county. Because electronic monitoring is a more efficient form of tracking juveniles than manual home detention, noncompliance is more readily documented, and the activities of participants are more closely supervised. Reducing offender recidivism after release is a reasonable program goal. It is now time to involve more high-risk offenders in this supervision and then evaluate the program's impact on a varied range of offenders, from low- risk to high-risk.



### Varied Uses of Electronic Monitoring: The Los Angeles County Experience

Zhang, S.X., Polakow, R., and Nidorf, B.J., From *Intermediate Sanctions: Sentencing in the 1990s*, John Ortiz Smykla and William L Selke, eds. Anderson Publishing Company 2035 Reading Road, Cincinnati, OH 45202, pp. 3-20, (1995).

This paper describes how EM is used in Los Angeles County. In describing the various contexts in which EM is used in Los Angeles County, the authors focus on intensive probation supervision; the Supervised Release Program, which releases felons from jail to EM supervision; the work furlough EM home detention program; the Community Detention Program, which targets the juvenile probation population; the use of EM with gang members involved in drug-related violence; EM for drug offenders with an order for narcotic testing as a condition of probation; and the EM/Home Detention Program. Other topics discussed are EM equipment selection and criteria establishment, addressing bureaucratic barriers in the implementation of EM programs, and EM costs. The paper concludes with a listing of key aspects of a successful EM program. They are the inclusion of all affected personnel and agencies in prior planning; specific and attainable goals with quantifiable measurement that allows evaluation; the definition and study of affected offender populations; and direct contact between the monitoring staff and the supervising deputy officers when monitoring is done by private vendors.

Electronic Monitoring: Overview of an Alternative to Incarceration for Juvenile Offenders Montgomery. I., *Journal for Juvenile Justice and Detention Services*, Volume 10, Issue 1, pp. 26-28, (1995).

Electronic monitoring tracks and monitors offender movement using a central computer and devices attached to the offender's leg or wrist and may be used at various points in the juvenile justice system. For example, electronic monitoring may initially be imposed to monitor the movement of juveniles on home detention or it may be applied as an intermediate sanction for juveniles who have committed an infraction while in an intensive probation program. Electronic monitoring equipment varies considerably in sophistication but relies on the use of telephone lines, a central computer, and tracing devices. Electronic monitoring program costs vary by type of equipment, number of staff, and caseload size. Costs for equipment are estimated to range from \$3.17 to \$411 per day; annual program operation costs vary between \$46,317 and \$77,000. These costs are low in comparison to secure detention and institutions where costs range from \$42 to \$500 per day and from \$98,420 to \$113,400 per year. Criteria for selecting offenders to participate in electronic monitoring programs are examined. Benefits of electronic monitoring are noted, implementation issues are discussed, and factors to consider before implementing an electronic monitoring program are listed.



#### Day Reporting

#### Metropolitan Day Reporting Center: An Evaluation

McDevitt, J., Domino, M., and Baum, K., Northeastern University College of Criminal Justice: Boston, (1997).

The Metropolitan Day Reporting Center (MDRC) in Boston was evaluated to assess characteristics of clients participating in the program and to identify clients most likely to successfully complete the program. The sample included all MDRC clients between April 1992 and December 1994. Data indicated clients who participated in the MDRC were twice as likely to remain crime free after their release from the program, compared to clients released directly without participation in the program. Only 1.3 percent of 466 clients for whom records were available committed a new crime while in the program. Clients who successfully completed the program were the least likely to recidivate of all groups reviewed. Notably, 8 of 10 clients were working or were involved in a job search as part of their program participation. In terms of demographics, 80 percent of clients were 25 years of age or older. Most clients self-reported having a serious drug or alcohol abuse problem, and the most common drug of choice appeared to be cocaine. About 12 percent of clients had 3 or more previous incarcerations, while 54.8 percent had no prior offense records. Prior criminal records primarily involved property crimes and drug-related offenses. As clients aged, the likelihood of recidivism decreased. In addition, clients living with a spouse or children had very low recidivism rates, while clients living with parents and siblings had significantly higher rates. About 60 percent of clients with 3 or more prior incarcerations did not recidivate.

### Evaluation of the Fairfax Day Reporting Center (FDRC), Final Report to the Governor and the General Assembly of Virginia

Orchowsky, S., Lucas, J., and Bogle, T., US Department of Justice, National Institute of Justice, (1995).

The Fairfax Day Reporting Center (FDRC) began accepting offenders in August 1993. While the FDRC program was originally conceptualized to target the population of probationers and parolees who technically violated community supervision programs, the scope of the FDRC program was expanded to include offenders directly sentenced to the program by Fairfax County circuit court judges and inmates released directly to the program by the Virginia Parole Board. The FDRC is operated by Virginia Department of Corrections staff who supervise and monitor offenders and provide educational, drug treatment, and life skills assistance. The FDRC program incorporates three levels of treatment and supervision, with each level providing less stringent supervision requirements than the preceding one. In addition, offenders are sanctioned to discourage negative behaviors. Results of an evaluation of the FDRC suggest the program is achieving its goals of ensuring public safety and providing individualized treatment and rehabilitation services to many clients. Five recommendations are offered to improve program effectiveness even further: (1) develop empirically-based criteria for program admission to identify offenders who will most benefit from the program; (2) ensure appropriate sanctions are applied to unsuccessful program participants; (3) expand resources for substance abuse services; (4) increase emphasis on employment and

educational needs of offenders; and (5) address potential benefits received by unsuccessful participants and conduct additional research to examine outcomes for offenders who complete the program, are terminated from the program, or do not participate in the program.

### Day Reporting Centers as an Intermediate Sanction: Evaluation of Programs Operated by the ATTIC Correctional Services

Craddock, A. and Graham, L.A., US Department of Justice, National Institute of Justice, (1996)

This report presents the methodology and findings of a process and outcome evaluation of three Wisconsin day reporting centers (DRC's) operated by the ATTIC Correctional Services. Two of the DRC's have similar schedules and content. They consist of three 4-week phases in decreasing levels of intensity, followed by 3 months of aftercare. All clients have a case manager who monitors client progress, provides individual counseling, and coordinates client activities with the Division of Probation and Parole and other agencies. Programming is provided in three major areas: alcohol and other drug abuse, criminality issues, and independent living skills. The third DRC is one of a statewide group of programs modeled on the Treatment Alternatives to Street Crime approach. ATTIC provides case management for male clients and conducts a Corrective Thinking group. Case management includes assessment, referral to appropriate services, urinalyses, and periodic meetings regarding progress and plans. The program is designed to last 6 months. The evaluation used a quasiexperimental design and compared ATTIC clients to probationers overall in their respective counties and to ATTIC-eligible probationers (substance-abusing probationers). The process evaluation focused on DRC differences by type of location, implementation issues, types of offenders served, and factors associated with the successful completion of DRC programs. The evaluation of client outcomes addressed factors associated with the re-arrest of DRC clients and the arrests of DRC clients compared to other probationers. Overall, the evaluation shows that DRC's provide a viable correctional treatment option for the highest risk offenders supervised in the community; however, because the evaluation did not use an experimental design, it cannot conclude that program participation, or the lack thereof, is the primary factor that influenced recidivism. Recommendations are offered for improving program operations and evaluation research.

#### Day reporting centers as an alternative for drug using offenders

McBride, D. and VanderWaal, C., Journal of Drug Issues, 27(2): pp.379-397, (1997).

It is the purpose of this paper to examine the development, implementation, and effectiveness of a day reporting center (DRC) for drug- using offenders in Cook County, Illinois. At the time of the evaluation, the program primarily offered services to African Americans with limited education and job experience and extensive histories of opiate and cocaine use. The analysis showed that while in the program, participants reduced their drug use, significantly improved the rate of their appearance for court dates, and had a very low rate of arrests on new charges. It was also found that the program had difficulties in integrating its services with other community services after participants left the program. Conclusions support the use of day reporting programs for drug-using offenders as an effective means to reduce drug use. It was also concluded that it was crucial to integrate this type of pre-trial service with other needed community services.

#### **Restorative Justice**

#### Balanced and Restorative Justice Project (BARJ)

Bilchik, S., U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, (1996).

The venerable concept of restorative justice1 holds that when a crime is committed the offender incurs an obligation to restore the victim--and by extension the community--to the state of well-being that existed before the offense. The principle of balance in connection with restorative justice derives from the balanced approach concept,2 which suggests that the juvenile justice system should give equal weight to (1) ensuring community safety,(2) holding offenders accountable to victims, and(3) providing competency development for offenders in the system so they can pursue legitimate endeavors after release.

### Restorative Justice and Earned Redemption: Communities, Victims, and Offender Reintegration

Bazemore, G., The American Behavioral Scientist 41(6): pp. 768-813, (1998).



The author provides a comprehensive discussion of the roots of the new reintegrative and restorative justice theories as well as the success of current, preliminary applications of these theories. Arguing that the traditional and opposing theories of the retributive paradigm and the treatment model offer only a simplistic choice between helping or hurting offenders, the author contends that these systems fail to address adequately the needs of communities and victims. In place of these two paradigms, he suggests a new model that he terms reintegrative or restorative justice. This new theory, based on specific cultural approaches to crime found in New Zealand Japan, and elsewhere, seeks to address the needs of communities and victims through apology and reparation, a process that hopefully leads to the reintegration of offenders into society.

### Assessing the Citizens Role in Community Sanctioning: Restorative and Community Justice Dimensions

Bazemore, G., U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, in press.

The term community justice is used to describe a preference for neighborhood-based, more accessible, and less formal justice services. The term restorative justice refers to a different way of thinking about crime. Restorative justice also acknowledges the harm caused by offending to individuals, communities and relationships. The purpose of this paper is to explore the meaning and implications of these new approaches. Specifically, it will explore the dimensions of variation which distinguish different approaches and which may allow evaluators to assess the integrity of community justice intervention.



#### Reconsidering Restorative Justice: The Corruption of Benevolence Revisited Levrant, S., Cullen, F.T., Fulton, B. and Wozniak, F.J., *Crime and Delinquency* 45(1): pp. 3-27, (1998).

Restorative justice has emerged as an increasingly popular correctional paradigm that is drawing support not only from conservatives but also from liberals. Although this approach has value, its ready embrace as a progressive reform is potentially problematic in two respects. First, the risk exists that restorative justice programs will be corrupted to serve nonprogressive goals and thus do more harm than good. Second, there is little reason to anticipate that restorative justice programs will have a meaningful effect on offender recidivism. Thus, restorative justice should be viewed and implemented with caution.

#### Victim-Offender Reconciliation Programs: Pro and Con

Karmen, A. and Lindner, C., Perspectives, Volume 20(1): pp.11-17, (1996).

Restorative justice is practiced in Victim-Offender Reconciliation Programs (VORP's); with the help of mediators, victims who are willing to confront offenders are able to engage in direct negotiations which may lead to restitution arrangements. The VORP approach to resolving criminal incidents clearly represents a sharp break in the conventional way cases are processed in juvenile and adult courts. Restorative justice experiments involving the alternative dispute resolution model and offered at neighborhood justice centers have been encouraged by the Law Enforcement Administration, the Office of Juvenile Justice and Delinquency Prevention, the American Bar Association, the Institute for Mediation and Conflict Resolution, the National Institute for Dispute Resolution, and many other government and private agencies. When successfully implemented, restorative justice holds great promise for probation departments seeking to promote offender rehabilitation, reduce community tensions, and assist victims. Because restorative justice challenges basic tenets of the criminal justice system, the applicability of the restorative justice approach to various criminal situations is discussed. Certain criticisms of the VORP approach are noted that focus on the inequitable treatment of offenders, the release of dangerous offenders back into society, and whether VORP's work to the advantage of both victims and offenders. Difficult policy questions associated with the VORP approach are considered, as well as the need for more experimentation with mediation, restitution, and reconciliation.

## Communities, Victims, Offenders, and Relationships: Toward a Restorative Approach to Rehabilitation in Juvenile Justice

Bazemore, G., Community Corrections Report on Law and Corrections Practice 6(1): pp.1-14, (1998).

Juvenile rehabilitation under the concepts of restorative justice requires that communities, victims, and offenders interact with one another within structures that enable each to provide input and engage in actions that enhance the lives of the others. Crime harms victims, offenders, and their families, and in essence damages the social fabric and peace of communities. Citizens, crime victims, and offenders are caught up in a cycle in which crime is both a cause and a result of



breakdowns in interpersonal and community relationships. One of the most basic themes in restorative justice is the need to strengthen or rebuild connections and community. At the individual level, if crime is viewed as the result of weak bonds, a restorative approach to rehabilitation must focus on strengthening the offender's bonds to conventional adults and peers, enhancing youth-adult relationships, and changing the offender's view of law-abiding citizens and the community. At the community level, intervention to strengthen bonds must focus on changing citizens' views of offenders and on increasing the willingness and capacity of community groups to take responsibility for the integration and reintegration of at-risk and delinquent youth, as well as for participating in informal sanctioning, dispute resolution, and social control. Because juvenile justice interventions have seldom been informed by meaningful citizen input, most ignore the myriad justice needs of communities that have little or nothing to do with whether and how offenders are punished or treated. This article discusses the connecting of justice needs and functions; of primary stakeholders in the response to youth crime; and of young offenders, adults, and socializing institutions.

#### Balanced and Restorative Justice: Implementing the Philosophy

Torbet, P. and Thomas, D., Pennsylvania Progress, 4(3), (1997).

This paper describes Pennsylvania's progress in implementing the Balanced and Restorative Justice (BARJ) philosophy statewide and across the full spectrum of juvenile justice system interventions and the victims and communities impacted by juvenile crime. The balanced approach consolidates community protection, accountability, competency development, and individualized assessment into the core elements of effective juvenile court and probation practices. Retributive justice responds to crime as an act against the government, with offender accountability defined in punitive terms; restorative justice gives priority to repairing the harm done to victims and communities, with offender accountability defined in terms of assuming responsibility and taking action to repair that harm. The balanced approach mandates contained in Pennsylvania's Juvenile Act, as amended by Act 33, provided the framework for restorative justice to occur within the State's juvenile justice system. Although the implementation of BARJ in Pennsylvania is still only in its initial stages, much has already been achieved. The collaboration of powerful juvenile justice policy committees representing many interests across the State and representation of local jurisdictions has already been a significant achievement. The effort to implement BARJ has seen the establishment of a core group of influential practitioners eager to implement BARJ in their communities; the implementation of BARJ in several counties willing to demonstrate the efficacy of this approach; the increased collaboration among statewide juvenile justice and victim services policy organizations; and the development of training and technical assistance materials as well as the distribution of these materials.

#### Implementing a Balanced and Restorative Justice Approach in Juvenile Detention Moeser, J., Journal for Juvenile Justice and Detention Services 12(2): pp. 47-52, (1997).

The majority of the literature on the balanced and restorative justice model focuses on working with offenders in the community. However, its principles can be useful in directing the future of juvenile detention practices as well. This model rejects the traditional paradigm of punishment versus



treatment and replaces it with a new way of thinking about juvenile justice. Its basic principles include (1) a balance among community protection, accountability, and competency; (2) equal involvement by the community, victims, offenders, and professionals in the process and system; (3) greater emphasis on the restoration of relationships damaged by crime; (4) significant changes in professional roles; (5) greater emphasis on offenders' strengths and abilities than on their deficits. Juvenile detention can use these principles to focus its practices on balancing community protection, competency development, and accountability in its policies, procedures, and programs. Implementing changes may be difficult. However, this offers exciting new opportunities for juvenile detention to go beyond the rhetoric of the past, resolve the conflicts of the past, and create new ways to interact with youth that provide significant opportunities for change within a safe and secure setting.

#### Guide for Implementing the Balanced and Restorative Justice Model

Pranis, K., US Department of Justice, Office of Juvenile Justice and Delinquency Prevention, (1998).

The Balanced and Restorative Justice (BARJ) model, developed by the Office of Juvenile Justice and Delinquency Prevention, is an effective tool for achieving youth accountability and enhancing community safety. BARJ goals are to provide training and technical assistance and to develop a variety of written materials that inform policy and practice. The emphasis is on accountability, competency development, and community safety. The BARJ model focuses attention on enabling offenders to make amends to victims and communities, increasing offender competencies, and protecting the public. In addition, the BARJ model responds to many issues raised by the victims movement, including concerns that victims have little input into the resolution of their own cases. The balanced approach embodied in BARJ is based on an understanding of crime as an act against the victim and the community. The BARJ implementation guide is part of a series of policy and practice monographs and training materials for the field. The guide contains sections on balanced and restorative justice policies and practices and practice and includes case studies that demonstrate change toward a balanced and restorative justice model. Additional information on the BARJ model is provided in three appendixes.

#### Intensive Supervision/Probation/Pretrial Services

#### Focus on Accountability: Best Practices for the Juvenile Court and Probation

Kurlychek, M., Torbet, P. and Bozynski, M., US Department of Justice, Office of Juvenile Justice and Delinquency Prevention, in press.

Juvenile courts and probation departments play a central role in the administration of juvenile justice in the United States. Thus, the policies and programs advanced by these entities greatly define the nation's response to juvenile crime. The extensive and critical roles played by the probation department clearly reflect the importance of ensuring that accountability is a cental factor in court and probation case processing, decision-making, program planning and delivery. This paper details the roles of the juvenile court and probation systems in the administration of juvenile justice, identify key elements of successful programs, and describe effective accountability-based community initiative.

#### Juvenile Intensive Supervision: Planning Guide, Program Summary

Krisberg, B., Neuenfeldt, D., Wiebush, R., and Rodriguez, O., US Department of Justice, Office of Juvenile Justice and Delinquency Prevention, (1994).

Responding to the need to provide community-based intensive supervision programs (ISPs) to serious juvenile offenders, the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention (OJJDP), funded Post-adjudication Nonresidential Intensive Supervision Programs. Project goals included identifying and assessing operational or effective intensive supervision programs, providing the capability to selected localities to implement effective programs for serious offenders, and disseminating program designs for the supervision of serious juvenile offenders. This manual outlines the elements of a good ISP and is organized around five key elements. The first, program context, encompasses philosophy and a theoretical framework for the program. Client identification involves identifying the target population and outlining selection procedures and criteria. Phases of the intensive strategy, the third key element, include residential or institutional placement, day treatment, outreach and tracking, regular supervision, and discharge and follow-up. Contextual and implementation issues relate to the external environment, program linkages, and internal linkages. The final element, goals and evaluations, consists of demonstration goals, a management information system, and process and outcome evaluation.

#### Evaluation of the Reasoning and Rehabilitation Cognitive Skills Development Program as Implemented in Juvenile ISP (Intensive Supervision Probation) in Colorado Pullen, S., US Department of Justice, National Institute of Justice, (1996)

This report presents the methodology and findings from the Colorado Division of Criminal Justice's evaluation of the Reasoning and Rehabilitation (R and R) cognitive skills development program, as it is delivered to juveniles placed on Juvenile Intensive Supervision Probation (JISP) in Colorado. The R and R program is a mandatory program component of JISP. The program is a copyrighted education program that focuses on teaching the following cognitive skills to offenders: problemsolving, consequential thinking, means-end reasoning, social perspective-taking, critical reasoning, abstract reasoning, creative thinking, and values. The evaluation research focused on whether the program is delivered appropriately, whether the program integrity is achieved and sustained, whether the program works to change attitudes and behaviors, whether the program has an impact on posttermination rates of recidivism, and the types of offenders for which the program works best. The study was undertaken in three phases. In the first phase, group sessions were videotaped and reviewed by one of the original developers of the program. In the second phase, pretest/post-test questionnaires were administered to JISP clients, and data were also collected by interviewing youth before and after the program. Re-arrest data were collected on each individual in the sample to examine recidivism. In the third phase, relevant offender subgroups were identified during the analysis portion of the study. Findings show that the program barely met the standard of R and R program developers. Although the content of the program was delivered, the process of imparting knowledge and skills to the offenders barely occurred. Some shortcomings identified were lack of lesson preparation, inability to explain concepts or explaining concepts incorrectly, inappropriate

combination of program sessions, and failure to make the program relevant to adolescents. Findings from the process evaluation show that JISP officers did not sufficiently prepare for program delivery. Results from the outcome evaluation provide limited evidence that offenders in JISP who participated in the program improved pro-social attitudes or increased cognitive skill levels. There is no evidence to suggest that offenders who received the R and R program were less likely to recidivate after terminating from JISP

## Who Gets Revoked? A Comparison of Intensive Supervision Successes and Failures in Vermont

Ryan, J.E., Crime and Delinquency, 43(1): pp.104-119, (1997).

Little research exists on differences between intensive community supervision successes and failures. One of the reasons for this scarcity of information is that a narrow range of criteria is often used to select candidates for such programs, hence differences among those who succeed and those who fail are difficult to discern. This research examined differences between successes and failures using a more heterogeneous population offenders placed on furlough in preparation for release from incarceration in Vermont. The main finding was that the offender most likely to fail was the same offender likely to be selected for intensive community supervision.

## The Implementation of an Intensive Aftercare Program for Serious Juvenile Offenders: A Case Study

Goodstein, L. and Sontheimer, H., Criminal Justice and Behavior, 24(3): pp. 332-359, (1998).

This article presents the results of a study of the implementation of an intensive aftercare probation (IAP) program developed in Philadelphia. In addition to presenting program design and standards, the article discusses issues involved in effecting a successful innovation. These include (a) the transition from the old to the new model of supervision, (b) evolution of the IAP's mission and philosophy, (c) applications of the evolved model, (d) unanticipated conditions affecting program operations, and (e) client responses to the IAP program. The program experienced difficulties in several areas. A critical period occurred in which there was a breakdown in service delivery, officers apparently had difficulty understanding and adjusting to the new organizational norms implicit in the program's mission, and program goals and philosophy were not articulated clearly by program planners. Nevertheless, over the course of the implementation period, a successful model incorporating social control and rehabilitative elements was developed and stabilized.

### Juvenile Probation: The Workhorse of the Juvenile Justice System

Torbet, P., US Department of Justice, Office of Juvenile Justice and Delinquency Prevention, (1996).

Juvenile probation is discussed with respect to the work of juvenile probation officers and probation departments, the characteristics of youth on probation, and challenges to probation. In 1993, 56 percent of all cases adjudicated for a delinquency offense received probation as the most severe disposition, compared with 28 percent that were placed in some kind of residential facility, 12 percent that were given some other disposition, and 4 percent that were dismissed with no further



sanctions. Juvenile probation officers are generally college-educated white males ages 30-49, who have an average caseload of 41 juveniles. Typical problems include a lack of resources, insufficient staff, and too many cases. Although they chose this work to help youth, their greatest sources of frustration are an inability to influence youths' lives, the attitudes of probationers and their families, and difficulties in identifying successes. Fifty-four percent of the cases placed on formal probation in 1993 involved property offenses, 21 percent involve person offenses, 18 percent involved public order offenses, and 7 percent involved drug law violations.

#### Intensive Probation: An Alternative to Placement

Clouser, M., Pennsylvania Progress 3(1), (1996).

This paper describes the experience of Pennsylvania's Erie County in implementing its intensive juvenile probation program model, profiles the collaborative efforts of the Pennsylvania Commission on Crime and Delinquency (PCCD) and the Pennsylvania Juvenile Court Judges' Commission (PJCJC) in expanding the availability of this program across the State, and reviews the results of program evaluations.

#### Evaluation of the Utah Second District Juvenile Court Intensive Supervision Probation Program

Norman, M.D., US Department of Justice, Bureau of Justice Assistance, (1995).

This study used an experimental research design that involved 45 randomly selected control-group youths and 88 experimental-group youths to test the effectiveness of the Utah Juvenile Court's intensive juvenile probation program. The principal elements of the Intensive Supervision Program (ISP) were increased amounts of contact with youth, required participation in a home confinement program, random testing for substance use, required compliance with prescribed treatment programs, and participation in an electronic monitoring program for selected youths. The dependent variables measured were the length of probation supervision, the cost of probation supervision, and recidivism. The ISP achieved a significant reduction in the length of probation supervision, was cost- effective, and produced a modest reduction (58 to 48 percent) in the percentage of youths rearrested for known felony and misdemeanor offenses compared to the control group on regular probation. The report recommends that the ISP become a more "balanced" blend of surveillance and treatment programming. Specifically, more alcohol and drug treatment should be offered, along with parenting skills training and parent/child communication. It further recommends that the probation staff develop and implement both risk- and needs-assessment instruments to better identify treatment needs, as well as which youths belong in the ISP.

#### Intensive Juvenile Aftercare as a Public Safety Approach

Altschuler, D.M. and Armstrong, T.L., Corrections Today 60(4): pp.118-123, (1998).

The experiences of the States in the third year of a demonstration project sponsored by the Office of Juvenile Justice and Delinquency Prevention to test the feasibility and impact of the Intensive Aftercare Program (IAP) model have revealed issues and challenges involved in establishing such

programs. The IAP model aims to address high juvenile recidivism rates, facility crowding, and escalating costs of confinement. The model emphasizes: (1) preparatory institutional services that directly lend themselves to application and reinforcement in the community, (2) a highly structured transitional experience that bridges the institution and community, and (3) the delivery of intensive supervision and follow-up services in the community. The experiences in Colorado, New Jersey, Nevada, and Virginia have already produced understanding of the issues and challenges involved. Challenges include the allocation of sufficient numbers of qualified staff and the development of organizational capacity to facilitate consistency and compatibility in service delivery. Other issues include the need to heighten surveillance in a way that promotes participation in treatment and the finding that high levels of supervision for lower-risk offenders is counterproductive. Each demonstration programs applies it IAP to correspond to the local situation while meeting the requirement for overarching case management. Implementation challenges include resistance from institutional corrections, insufficient funding and staffing for intensive supervision and enhanced service delivery, the need for formal assessment procedures, and the importance of specific guidelines about the nature and purpose of increased contact between youth and staff. Nevertheless, developing a workable model of reintegratively oriented incarceration is possible, although much remains to be accomplished.

Risk Assessment for Juveniles on Probation: A focus on Gender Criminal Justice and Behavior Funk, S.J., Criminal Justice and Behavior 26(1): pp. 44-69, (1999).

This article describes a study that examines the utility of separate risk assessment instruments for classifying male and female delinquents on probation. It addresses these questions: (a) Do separate instruments classify juveniles' risks for re-offending better than a combined instrument? and (b) Do risk factors differ for female and male re-offenders? These issues are explored using data gathered from a large metropolitan juvenile court. The findings indicate that separate risk assessment instruments improve classifications of risk for re-offending, especially among females. Furthermore, female risk factors differ substantially from those of their male counterparts. Implications are discussed for applied and theoretical research.

#### **Recommending Juvenile Offenders for Pretrial Release**

Metchik, E., Juvenile and Family Court Journal 43(1): pp. 39-50, (1992).

Court histories of 501 juvenile offenders prosecuted in adult court in New York City were followed as part of an effort to develop a point-scale recommendation system for a large pretrial services agency. The youths had all been arrested during the latter half of 1982 and completed comprehensive interviews that gathered information on residence, school, and employment histories. Data from this interview were related to the main outcome measure, failure to appear for a scheduled court adjournment. Results revealed that the vast majority of the juveniles prosecuted in adult court will return reliably for each court appearance and will not recidivate during the prosecution period. In addition, more than 90 percent of those who stayed in the adult court were convicted, and more than half of this group received prison terms. Results also revealed that the point scale and two variations used criteria that predicted failure to appear more accurately than when other traditional criteria used for adults were applied to this population. Thus, a separate recommendation system for juvenile offenders is both feasible and highly preferable to using the standard adult scale for this population.

### Reducing Juvenile Recidivism Through Pre-Trial Diversion Programs: A Community's Involvement

Panzer, C., Journal of Juvenile Law 18(1): pp. 186-207, (1997)

Statutory and community pretrial diversionary programs for juveniles benefit not only the juveniles but also the community by reducing recidivism. These programs clear the juvenile justice system of offenders of minor offenses, holding the juveniles accountable for their actions while leaving the formal system freer to concentrate its resources on serious offenders. The programs reflect recognition that the blend of a rehabilitative approach with a punitive one appears to reduce juvenile recidivism more than any singular approach, whether it is the traditional rehabilitative or the punitive approach. Pretrial diversionary programs allow the juvenile offender to avoid the stigma associated with the formal juvenile court system. These programs bridge the gap between parental sanctions that may be too lenient and juvenile sanctions that may be too harsh for first-time offenders. However, statutory pretrial diversionary programs may be adversely affected by reduced funding. Community-sponsored programs, which do not require State or Federal funding and are staffed by community volunteers, therefore have an extremely important function in reducing juvenile recidivism and the need for more prisons.

#### Federal Juvenile Corrections in South Dakota

US Probation/Pretrial Services Office, District of South Dakota, Federal Probation 61 Issue(1): pp. 38-46, (1997).

This article describes how juvenile offenders are investigated and supervised by the U.S. probation/pretrial services office for the District of South Dakota. This description follows a "typical" juvenile offender profile with a "typical" offense profile through the pretrial, pre-sentence, and post-adjudication supervision processes. In the course of this description, the authors interject commentary about various related issues in order to explain the unique tasks and issues confronted by pretrial services and probation officers who work with juvenile offenders. The tasks of the pretrial services officer include the pretrial interview with the juvenile, a pretrial investigation, and the development of a treatment plan. In the case profiled, the juvenile admits the allegations against him. The court accepts the admission, finds the juvenile to be delinquent, and orders a pre-sentence investigation. A probation officer conducts the pre-sentence investigation. In this investigation, the officer must determine the reasons for the juvenile's delinquent behavior and develop a treatment plan that addresses these reasons. At the dispositional hearing, the court imposes the legal consequences of the juvenile's antisocial behavior; he is to be on probation until he is 21 years old. During this period of supervision and treatment, as the juvenile begins to progress in treatment and mature in his behavior, supervisory interventions by the probation officer diminish. The portrait of the probationary processing of the "typical" juvenile offender ends with him at home and involved with a variety of positive, self-improvement activities and preparing to take his GED when he caches his 18th birthday.

### JAIBG Training and Technical Assistance Grantees

**Florida Atlantic University's** (FAU) Community Justice Institute is building national, state, and local capacity to develop practitioner skills and enhance consistency in local and state efforts to implement the Balanced and Restorative Justice (BARJ) approach. This "balanced approach" to the problem of delinquency is based on the premise that a crime is committed against both a victim *and* a community. Communities which adopt this model involve the individual victim and the wider community in promoting offender accountability, strengthening offender competencies, and enhancing community safety. FAU, located in Ft. Lauderdale, FL, has addressed the mandates of JAIBG appropriations by updating the current BARJ curriculum. They will be offering this curriculum in two 10-day comprehensive train-the-trainer sessions. Each BARJ training is a 68-hour event that includes (1) 20 hours of training and facilitation skill instruction; (2) 12 hours of review of BARJ resource materials; (3) 8 hours of practical instruction on circle sentencing and conferencing techniques; and (4) 28 hours of teaching practice. FAU's <u>Guide for Implementing the Balanced and Restorative Justice Model</u> (Report # NCJ167887) can be obtained through NCJRS at (800) 638-8736 or on-line at www.ojjdp.ncjrs.org.

The National Center for Juvenile Justice (NCJJ) provides technical assistance to juvenile courts and probation departments through four specific tasks: (1) Conduct of a survey of juvenile probation partments to identify programs, interventions, and services needed to hold juveniles accountable. (2) Identifying protocols and mechanisms for information sharing and ascertaining technical assistance needs. (3) Developing 10 to 15 information packets on the topics identified in the survey. (4) Preparing and disseminating two bulletins -- one on the judge's role in establishing balanced and restorative justice initiatives and another on strategies for meeting information sharing needs. NCJJ, located in Pittsburgh, PA, is the research division of the National Council of Juvenile and Family Courts Judges. Their Web address is www.ncjj.org.

#### Other Related Organizations/Resources

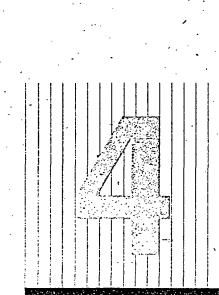
American Community Corrections Institute (ACCI) http://www.accilifeskills.com

American Correctional Association http://www.corrections.com/aca

Center for Restorative Justice and Mediation http://ssw.che.umn.edu/ctr4rjm

Corrections Connection Network http://www.corrections.com

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#### A PROJECT OF THE ANNIE E. CASEY FOUNDATION

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# CONSIDER THE ALTERNATIVES

planning and implementing detention alternatives

by Paul DeMuro

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### National Juvenile Detention Association

Lesson Plan Cover Sheet

MODULE TIT	LE 07 Step-Down Strategies		
INSTRUCTOR(	s)		
AUTHOR	Carl Sanniti		
TIME FRAME Allow three hours, but session time will vary depending on activities used and amount of discussion allowed.		TARGET POPULATION NUMBER OF PARTICIPANTS SPACE REQUIREMENTS	Community and Juvenile Justice Leaders, Law Enforcement, School Administrators, Juvenile Confinement Facility Directors 20-30 Classroom set-up
PERFORMANCE OBJECTIVE(S)		EVALUATION	PROCEDURES
Following this to:	session participants will be able	Group discussion	on, and trainer evaluation.
both pre-ac youth into	e strategies and techniques to mov ljudicated and post-adjudicated less restrictive or alternative s when appropriate.	re	
		11	

#### METHODS/TECHNIQUES Lecture and discussion

#### **Instructor Materials**

Burrell, S., DeMuro, P., Dunlap, E.L., Sanniti, C., & Warboys, L. (1998, Dec.). *Crowding in juvenile detention centers; A problem solving manual*. Richmond, KY: National Juvenile Detention Association.

DeMuro, P. & Dunlap, E. (1999). A reasonable alternative to locking kids up: The development of jurisdictional core groups. In D. W. Roush (Ed.), *Crowding in juvenile detention centers: Practitioner perspectives on what to do about it* [monograph]. National Juvenile Detention Association & Youth Law Center.

EQUIPMENT AND SUPPL	ies Needed		<u></u>	· ·····
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Lesson Plan - 07				
STEP-DOWN STRATEGIES	NOTES TO TRAINER			
I. ANTICIPATORY SET				
Step-Down strategies are an important method for moving youth out of secure detention into a lesser restrictive placement. The concept is driven by the fact that nearly all juvenile detention facilities detain youth who do not need a secure setting to achieve the goals of protecting public safety, preventing absconding, and preventing re- offending before the youth goes to trial.	Display 7-T-1			
Ask participants the following questions:				
<ul> <li>"Does the juvenile detention facility in your jurisdiction ever detain youth who do not need a secure setting?"</li> </ul>				
• "What proportion of youth in your jurisdiction could be safely detained in less secure settings?				
• Do you know of youth who, after a few days in detention, could be safely detained at home?				
II. INSTRUCTIONAL INPUT				
A. Definition	Display 7-T-2			
Step-Down is a systematic decision-making process that:				
1. Evaluates the youth's risks, needs, and strengths;				
2. Identifies a placement or detention alternative that fits these evaluations while simultaneously safeguarding the three goals of detention (protecting public safety, ensuring the youth's presence at court, and preventing re-offending); and				
3. Moves youth into a more appropriate, less restrictive setting, when possible.				
Step-Down is an attractive option because movement to a less estrictive placement normally does not require a hearing.				
3. Purpose:	Diamlass 7 T 2			
The following topics of discussion will provide knowledge for mplementing step-down strategies. It should be pointed out that lthough the strategies and tasks are laid out here, it takes leadership o implement the strategies.	Display 7-T-3			
1. Case Tracking and Identification:				
• Use of facility's behavior modification program.				

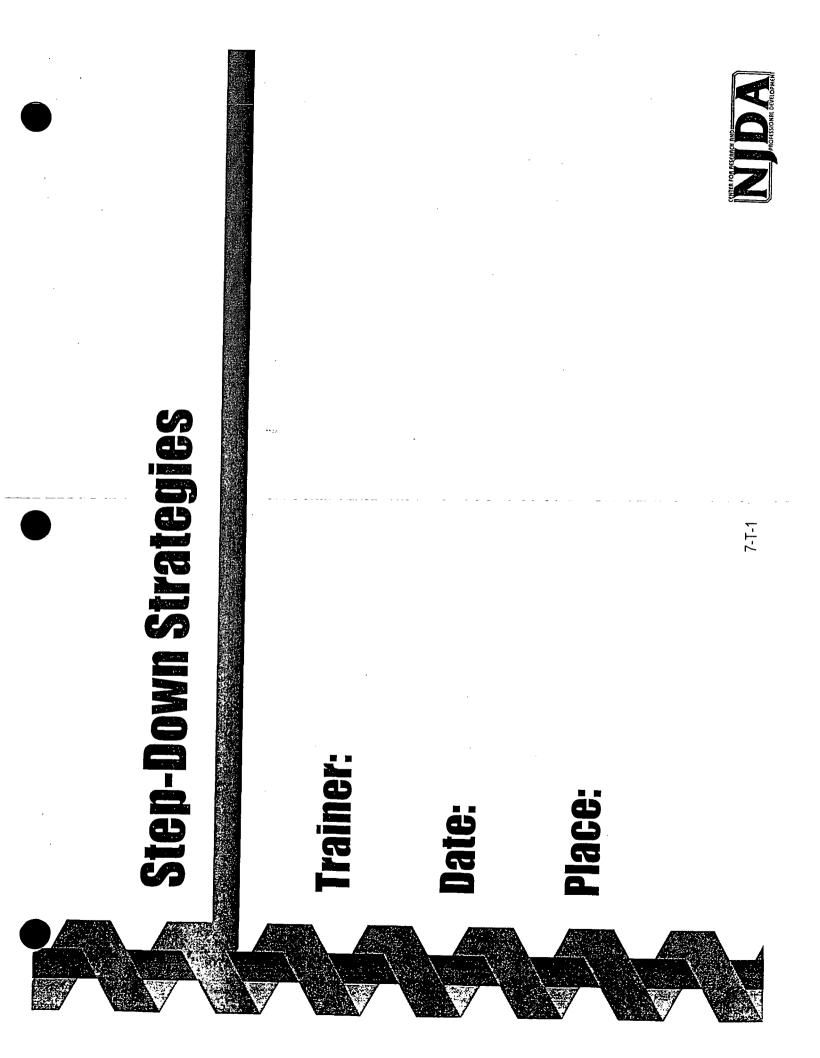


STEP-DOWN STRATEGIES	NOTES TO TRAINER
• Use of risk instrument.	
• Use of alternative detention placements.	
2. Use of the Detention Review Process	Display 7-T-4
A good example of the Detention Review Process would be the Lucas County Juvenile Court in Toledo, Ohio. Every week, the Court administrator convenes a meeting over lunch in the detention center. Present are the Chief Probation Officer, the Placement Coordinator, the Detention Superintendent, the Attorney Referee, and the judges. Starting with those detainees with the highest number of day care, the group conducts the tasks listed below, assigning new deadlines for action or new action strategies at the meeting. The Court Administrator takes notes for follow-up at subsequent meetings.	
• Identify case status and alternative placement options.	
• Identify post-dispositional options.	
• Identify step-down alternative placements.	
3. Alternative Placements	Display 7-T-5
• Identification of appropriate youth.	
• Secure and non-secure placement options.	
• Examples of existing programs.	
4. Youth Waiting Criminal Court Trial	
• Placement within the juvenile institution.	
Alternative placement.	
• Accelerated case processing.	
5. Secure "Off-Site" Facilities	Display 7-T-6
• Role of alternative secure placements.	
• Jurisdiction - management of alternative secure placements.	
• Identification of youth for off site placement.	
• Managing off-site populations.	
5. Step - Down Strategies for Post-Dispositional Youth	
Placement options.	

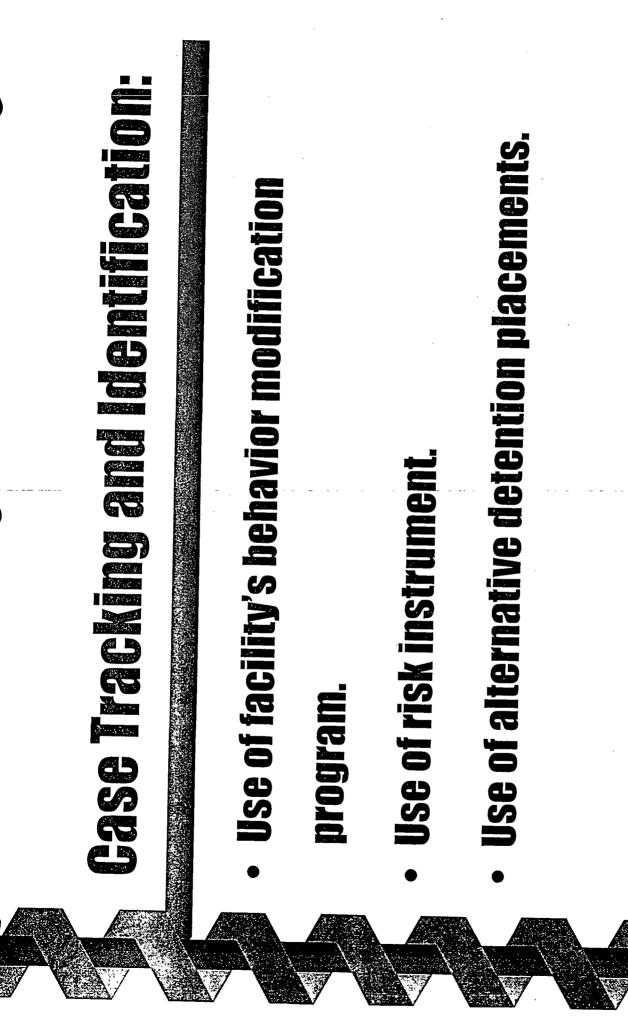


STEP-DOWN STRATEGIES	NOTES TO TRAINER
• Selection assessment for non-secure placement.	
III. SUMMARY	
/hen circumstances warrant, it should be possible to move youth ithin the continuum of care to a more appropriate place. Usually be consideration is for increased security. Having step-down rategies in place prepares the system to also respond to positive ctions of youth.	
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Cincologya States - Cown States - Comn State	ling process that: ks, needs, and strengt r detention alternativ hile simultaneously Joals of detention y, ensuring the youth' reventing re-offendin appropriate, less rest	Participant
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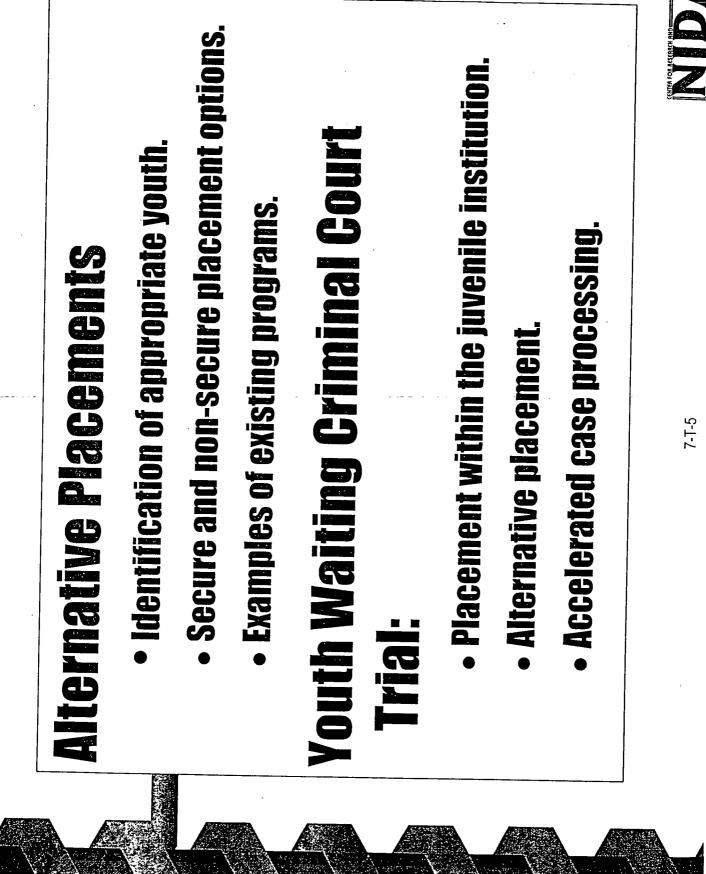


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	e status and alternative		t-dispositional options.	-down alternative placements.	· ·	CUTCH POIL A FOR A
	Identify case status a	placement options.	Identify post-disposit	Identify step-down al		7-T-4
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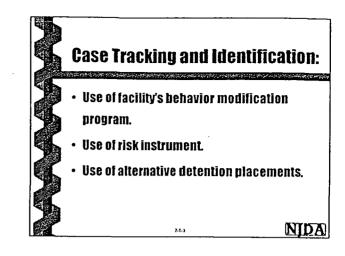
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# **Definition of Step-Down Strategy** A systematic decision-making process that: 1. Evaluates the youth's risks, needs, and strengths 2. Identifies a placement or detention alternative that fits these evaluations while simultaneously saleguarding the three goals of detention (protecting public safety, ensuring the youth's presence at court, and preventing re-offending) 3. Moves youth into a more appropriate, less restrictive setting, when possible. 7.1.2

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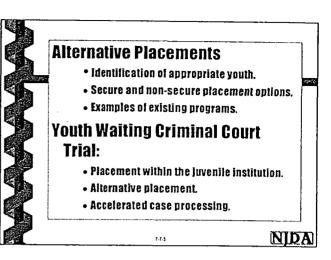
- Identify case status and alternative placement options.
- · Identify post-dispositional options.
- Identify step-down alternative placements.

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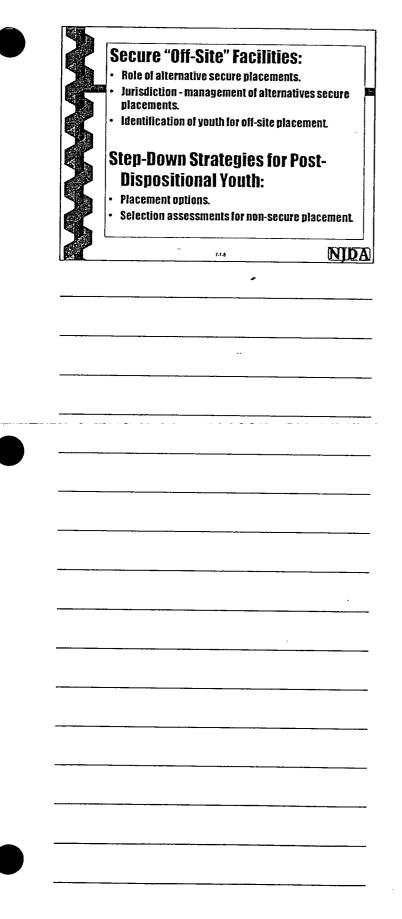
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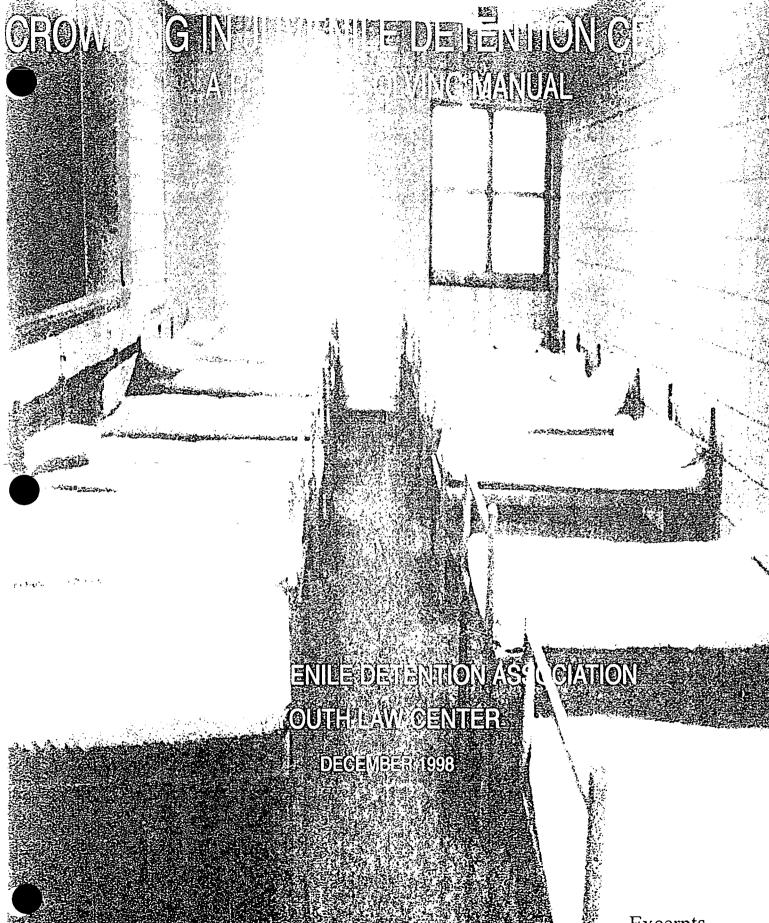


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Excerpts

9. Using Detention Reviews and Expediters

One of the most effective methods of reducing crowding and unnecessary placement in detention centers is often overlooked: expediting the cases of the youth in secure detention. Reducing the average length of stay for youth in detention has a significant impact on the population level of the secure detention center. The use of "expediters" has been one of the most effective strategies for reform in the Annie E. Casey Foundation's JDAI.<sup>108</sup> The jurisdiction may accomplish the expediting process through either the use of an individual expediter or regular group reviews of the detention population.

A study of one detention center concluded that the creation of an expediter position had a significant impact on reducing the center's population. Having an expediter resulted in closer adherence to stated intake policies (so that, for example, abused and neglected children were not detained) and acceleration of processing and placement among detained youth. This, in turn, decreased length of stay, and greatly reduced the number of post-disposition youth awaiting placement.<sup>109</sup>

Ideally, the expediter works within the secure detention center but is knowledgeable about the court process and community resources. He or she works through formal processes and informal networks to ensure that cases move through the detention process as efficiently as possible. The expediter ensures that a youth's testing appointments are scheduled and held in a timely fashion; that attorneys and parents receive notice of all hearings; and that youth are not "lost" because of errors in communication. The expediter reviews the detention population at least daily to determine if any youth is appropriate for release to a "step-down" staff-secure placement or other program. This can be useful if, for example, a responsible relative or a shelter bed has now been located. Finally, the expediter works to move committed youth out of detention as quickly as possible after the court has decided on a placement.

Another means of providing ongoing detention review is through the use of a detention review group that meets frequently. A number of jurisdictions in the Assessment of Solutions to Overcrowding survey have successfully implemented weekly interagency reviews of youth in the detention facility, with representa-

Ideally, the expediter works within the secure detention center but is knowledgeable about the court process and community resources. He or she works through formal processes and informal networks to ensure that cases move through the detention process as efficiently as possible. tion from probation, the juvenile court, detention center staff, and in some jurisdictions, mental health, the schools and private providers. The advantages of group review are that a variety of agency and provider representation may be helpful in tailoring alternatives to the particular youth, and that agencies or groups that might otherwise feel bypassed are at the table.

Jurisdictions may wish to use both an individual expediter, who can quickly react to day-to-day needs, and group detention review to examine cases that are less quickly addressed or that involve systemic inadequacies or barriers. The success of both individual expediters and detention review groups requires access to comprehensive individual data on detained youth.

# 10. Expanding Front End Resources Through Social Worker Programs

Some jurisdictions accomplish the expediter function or supplement their expediter services through the use of social workers.<sup>110</sup> The social worker program may be located in a juvenile justice agency such as the public defender or probation, or may operate as an independent entity. As part of these programs, social workers screen youth at the initial detention stage and review the cases of already detained youth for possible modifications or changes in detention orders. They research the availability of appropriate community-based services or programs and make personal contact with service providers, agencies, or individuals who will be responsible for the youth. They are often able to provide more complete background information on the youth and factors relating to the detention decision than would otherwise be available from initial probation or attorney interviews. Program staff in some jurisdictions actually appear in court to advocate for detention alternatives.

# 11. Streamlining Intake Procedures

In some jurisdictions, children spend unnecessary time in detention even though they are eligible for release, because there is no one to process their case at certain times of the day or night. In others, intake staff have no follow-up resources to notify families of their child's detention or court hearings, if the family fails to answer the telephone. Jurisdictions may wish to use both an individual expediter, who can quickly react to day-to-day needs, and group detention review to examine cases that are less quickly addressed or that involve systemic inadequacies or barriers.

Some jurisdictions accomplish the expediter function or supplement their expediter services through the use of social workers. They research the availability of appropriate communitybased services or programs and make personal contact with service providers, agencies, or individuals who will be responsible for the youth. Detention admissions and length of stay can be substantially reduced through improved efficiency in the intake and admission process.

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The procedures for handling each of the categories of youth awaiting post-disposition placement or transfer should be reviewed for ways to expedite the process. Detention admissions and length of stay can be substantially reduced through improved efficiency in the intake and admission process. For some facilities, this may mean assuring the availability of round-the-clock intake screening. For others, it may mean allocating additional staff to intake to help with investigation, notifying parents, and setting up alternative programs or placements. For still others, it may mean simply assuring that implementation of written policies and procedures setting forth the detention criteria, use of the risk assessment instrument, and employment of alternatives to secure detention actually occur.

The need for this strategy is readily apparent, for example, in jurisdictions where a large proportion of youth are released at the initial detention hearing.<sup>111</sup> In such jurisdictions, improved intake procedures may reduce the unnecessary use of short-term secure detention.

# 12. Accelerating Transfer of Post-Disposition Youth

In many jurisdictions youth languish in detention centers for weeks or even months after a dispositional order has been entered in their case. In some jurisdictions, the process of finding placements for "difficult to place" youth takes a long time — even though many of these youth will ultimately go to staff-secure placements. In others, delays occur because crowded training schools refuse to accept new admissions until beds are available. Accelerated transfer is a strategy aimed at assuring expeditious movement of youth to placements or commitment programs after the disposition hearing.

Each of these problems can and should be resolved. The procedures for handling each of the categories of youth awaiting post-disposition placement or transfer should be reviewed for ways to expedite the process. For example, delays may routinely occur because efforts to locate placements do not begin until the disposition hearing. Since, with regard to most detained youth, probation staff have a fairly good idea what level of disposition will be forthcoming if the allegations are sustained, placement investigation can begin from the time of detention. This enables placement to follow quickly on the heels of the dispositional order. Delays in moving committed youth to the state training schools may necessitate interagency meetings with state officials. Where delays are caused by crowding at state facilities, detention administrators should encourage systemic efforts to "free up" training school beds and, if those efforts fail, consider bringing legal challenges to effectuate the transfer of committed youth. Court orders and settlement agreements in a number of cases have placed time limits on post-disposition detention pending transfer to other facilities.<sup>112</sup> Failing those efforts, it may be feasible in some jurisdictions to work for the enactment of regulations or statutes that set time limits for the transfer of committed youth to state facilities.

On a more mundane level, attention should be given to case processing procedures. In many instances, delays may be reduced simply by improving communication and paperwork needed for transfer. For instance, one Assessment of Solutions to Overcrowding site was able to accelerate the transfer of committed youth to the training school simply by working with the judges to develop expedited court order procedures.

It may be useful to set up appearance court reviews of placement progress at specified intervals, if this does not already occur. This will enable the juvenile justice system to monitor problem areas and increase accountability for assuring that youth are moved expeditiously out of the detention center. The use of an expediter or detention review group may also be useful. Some of



the jurisdictions responding to the Assessment of Solutions to Overcrowding survey reported that regular monitoring conferences improved post-disposition movement of youth. One response stated bluntly, that daily planning conferences with probation officers assure that "they can no longer detain and let them sit forever."

# 13. Developing Mechanisms for Making Release Decisions

Some jurisdictions have developed systems for prioritizing the release of detained juveniles in the event of population crises.<sup>113</sup> In some, release is by court order, while in others it is through the decision of a designated agency or committee. Although a number of jurisdictions have instituted early release in response to litigation,<sup>114</sup> others have simply added it to their menu of population reduction strategies.

More than half the jurisdictions responding to the Assessment of Solutions to Overcrowding survey have used release mechanisms, and all of them consider this to be at least somewhat effective as a strategy to reduce crowding. This strategy is more apt than others to raise political eyebrows because it suggests that children who would otherwise be detained are "getting off easy." In one of the survey sites, the practice was discontinued when a change in the judiciary occurred, and the new judge disapproved.

Nonetheless, until facilities detain only the youth who are truly dangerous or are truly unlikely to appear in court, most jurisdictions will continue to detain at least some juveniles who merit release because they should not have been detained at the outset. Moreover, jurisdictions using release mechanisms typically select carefully the youth that qualify. For example, one jurisdiction agreed to convene a panel that includes representatives from the juvenile court, the prosecutor's office and the juvenile detention facility to review the files of the lowest-risk youth for consideration of release to a less restrictive setting.<sup>115</sup> In addition, the term "release" is misleading, because many youth may be transferred to staff-secure settings or other out-of-home placements, and others may be placed in intensive home detention programs.

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# 14. Improving Advocacy on Behalf of Youth Facing Detention

Youth facing juvenile court proceedings are constitutionally entitled to the assistance of appointed counsel at all critical stages of the proceedings.<sup>116</sup> Nonetheless, a surprising number of youth appear without counsel at the time the detention decision is made. Others literally meet their lawyer in the courtroom.<sup>117</sup> Still others are represented by lawyers who are completely unprepared for the initial hearing. The absence of counsel (or representation by inadequately prepared counsel) at the initial hearing has a dramatic effect on the detention decision and length of confinement. The failure of systems to provide effective assistance of counsel at the detention stage also opens the door to constitutional and statutory legal challenges.<sup>118</sup>



When we first visited one of the project sites, youth detained there commonly spent close to three weeks in custody before meeting their lawyers. The absence of counsel at the initial hearing meant that the detention decision was based on whatever information the probation officer was able to muster during the intake process. There was no opportunity for youth to dispute inaccuracies in that information or to present additional options to the court. Most youth admitted the charges and were released at the first moment a lawyer appeared for them. The detention center superintendent calculated that, over a six-month period, an additional 10 days of detention bed space was being used for each youth who admitted the charges at the "pretrial" hearing. Had counsel been available at the detention or arraignment hearings (within a week of detention), the population in this detention center would have been dramatically reduced.<sup>119</sup>

The assistance of counsel at initial hearings is essential in protecting youth against unnecessary detention. In some cases, counsel may be able to demonstrate that there is no probable cause to believe the youth committed an offense and, thus, that the proceedings should be dismissed at the initial hearing. Similarly, counsel may be able to correct false or incomplete information that otherwise might tip the balance toward detention. In other cases, the court may have legitimate concerns about sending the youth home to an inadequate parent, but a few phone calls by counsel may locate a responsible relative to care for the youth pending the outcome of the case. In many cases, counsel may assist the court in identifying programs, services, or additional supervision that would enable the youth to remain safely in the community.<sup>120</sup> In jurisdictions where juveniles are entitled to bail, counsel may be able to argue persuasively for a reduction that would enable the child to be released.

The presence of counsel at the earliest stages increases the likelihood that the case will be appropriately investigated and prepared. When counsel is involved from the beginning, there is more of an opportunity to prepare motions, work with experts, procure records, perform legal research on evidentiary issues, or do the background work needed to convince the prosecutor that the charges should be reduced. Such early involvement of counsel reduces the chances that the youth will be subjected to inappropriate findings of "guilt" and resulting long-term detention.

It is important that counsel be appointed with sufficient time to provide meaningful assistance at the detention hearing. Court procedures should be examined and streamlined to assure that lawyers receive filing papers at the earliest possible moment to facilitate pre-hearing investigation on the need for detention. Meaningful assistance also demands that attorneys representing detained youth be well-acquainted with community resources (shelters, home detention, case management programs) and services available through other agencies (for example, special education

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programs, parenting classes) that may obviate the need for secure detention. Finally, defender systems should assure that attorneys have appropriate caseloads to enable them to provide meaningful assistance and reduce the number of continuances and other delays in processing cases of detained youth.

The provision of counsel at initial hearings is of major importance for jurisdictions seeking to reduce unnecessary detention. Court systems that do not currently provide counsel at the detention hearing may face additional costs in appointing lawyers, but those costs will be offset by reduction in the substantial costs associated with unnecessary detention, or legal challenges for failure to provide counsel.

#### Reducing the Use of Detention as a Post-15. **Disposition Sanction**

One of the most troubling developments in recent times is increased use of detention facilities for post-disposition sentencing. Some detention professionals have acquiesced in this practice because, given a local shortage of more appropriate services and programs, it seems better than either "doing nothing" or committing the youth to a more restrictive long-term facility. However, most agree that detention centers are not designed for, should not be used as a post-disposition option. The strength of this sentiment is reflected in a recent American Correctional Association standard demanding that detention centers be used only for pretrial holding, and not for post-trial treatment,<sup>121</sup> and in a National Juvenile Detention Association position statement supporting a prohibition on the use of detention as a dispositional option.<sup>122</sup> Nonetheless, some states now specifically allow post-disposition confinement by state law, and others permit it as a matter of case law or judicial policy. The Conditions of Confinement study reported that fully 11% of youth in detention centers are there for post-disposition commitment, 123

Courts in some jurisdictions persist in the belief that a healthy dose of incarceration will frighten or otherwise convince the child that he or she does not wish to return. Other courts simply ignore the rehabilitative mission of the juvenile justice system and impose detention as punishment for the child's misbehavior, much as they would for an adult defendant. In still other jurisdic-



Detention facilities are unsuitable for post-disposition confinement. They are designed for short-term stays and are often ill-equipped to provide the longterm programming, counseling, education programs, and rehabilitative services needed for children in the post-disposition phase. tions, the increase in post-disposition confinement has closely corresponded with a decrease in disposition resources. When local camps, ranches, or community-based programs are closed for fiscal reasons, judges, otherwise faced with a choice between probation or sending the youth to the state training school, opt for detention center confinement as a makeshift mid-level disposition.

Such use of detention raises serious legal issues. Subjecting children to a more restrictive level of confinement than they need, simply because of inadequate resources, may violate due process protections under the Fourteenth Amendment.<sup>124</sup> Such detention may also violate state statutory provisions calling for confinement in the least restrictive appropriate setting.<sup>125</sup>

Beyond the legal issues, detention facilities are unsuitable for post-disposition confinement. They are designed for short-term stays and are often ill-equipped to provide the long-term programming, counseling, education programs, and rehabilitative services needed for children in the post-disposition phase. The regimented daily schedule in most detention centers leaves little opportunity for youth to learn to exercise the judgment skills, initiative, and personal responsibility needed for success in the community — they are told when to eat, sleep, and even when to go to the bathroom. Accountability can be achieved more effectively in less restrictive settings, where children are better able to make connections with community programs and work opportunities. Moreover, the severe limitations detention centers place on movement and personal autonomy are difficult enough for short-term confinement; they are unhealthy, and sometimes dangerous for youth subjected to longer-term confinement..<sup>126</sup>

Sentencing of post-disposition youth to detention centers also has a serious impact on institutional population. Some facilities experience significant crowding on weekends because of courtordered dispositional confinement. Others have great difficulties implementing an appropriate classification system. For example, the offenses committed by many youth sentenced to a detention center are much less serious than those of a majority of the youth being detained at the facility while awaiting a court hearing. In fact, it is often the case that the sentenced youth would not even have qualified for secure detention under the jurisdiction's agreedupon risk assessment process. Several jurisdictions responding to the Assessment of Solutions to Overcrowding survey expressed serious concern over the use of their facilities for sentenced youth. To reduce the use of detention centers for post-disposition commitment, jurisdictions must develop and use a continuum of programs. For youth who are at the verge of state training school commitment, this may mean assuring the availability of long-term secure camps or ranches. For youth who need less stringent intervention, this means assuring the availability of community-based programs, intensive probation supervision, or non-secure placements. For example, the use of home-based family preservation services (with ongoing in-home visits and family counseling in conjunction with mental health/substance abuse/educational services) may significantly reduce the need for post-disposition detention.<sup>127</sup>

# 16. Reducing the Use of Secure Detention for Probation Violations and Bench Warrants

In some jurisdictions, youth who violate probation or are brought in on bench warrants are routinely placed in secure detention. While this may be appropriate for those who have committed a serious violation or a new offense, it represents a misuse of detention when employed for minor violations. Thus, for youth missing school, failing to make a scheduled call to their probation officer, or disobeying a curfew, detention may be used for "attitude adjustment." It is difficult to support the argument that such youth are a danger to the community or will fail to appear in court.

While many youth may be justifiably detained on bench warrants, there may be situations in which miscommunication or factors outside their control resulted in a failure to appear. The jurisdiction should assure that children's explanations are investigated, and that prehearing detention is minimized. In addition, courts should refrain from using detention as a sanction for children who are late to court, and should develop other ways to demand accountability. In one of the Annie E. Casey JDAI sites, there are administrative sanctions and at least six levels of non-secure alternative programs to be used before secure detention is considered for probation violations. These include use of community outreach supervision, home confinement, evening reporting centers, supervised work programs, electronic monitoring, and staff-secure shelters.<sup>128</sup> ... [F]or youth missing school, failing to make a scheduled call to their probation officer, or disobeying a curfew, detention may be sometimes used for "attitude adjustment." It is difficult to support the argument that such youth are a danger to the community or will fail to appear in court.... As irritating as failures to appear and probation violations might be, many can be addressed without using valuable detention bedspace. Hary Cuting

As irritating as failures to appear and probation violations might be, many can be addressed without using valuable detention bedspace. Courts and probation officers should first look into the reasons for the violation and, where appropriate, consider adjustments to probation conditions, programs using community supervision, staff-secure programs, or increased probation officer contact in lieu of secure confinement.

Attention should also be given to *preventing* bench warrants and probation violations. It may be, for example, that court proceedings move so quickly that youth are actually confused about what is expected of them. Thus, one Assessment of Solutions to Overcrowding survey site has instituted a program to reduce the number of youth detained for bench warrants by personal contact and phone calls prior to and after hearings. Similarly, one of the Annie E. Casey JDAI sites provides written notice and telephone reminders to all juveniles before each court hearing.<sup>129</sup> Jurisdictions may also find that formal reminder systems to help youth remember the terms of their probation assists in reducing the number of technical probation violations.

# 17. Reducing the Time for Completion of Court Proceedings

Although detention review committees and expediters can do much to reduce unnecessary detention and reduce length of stay in the facility, the juvenile court, court administrator, probation department, prosecutor, and public defender also need to make a continuing commitment to process cases as efficiently as possible.

Many jurisdictions give special priority to detention cases, which helps to move them more quickly through the court process. Nonetheless, in some jurisdictions, paperwork needed to process cases is late or delivered at the last minute, causing delays and unwanted continuances. In other jurisdictions, delays in physically bringing detained children to court cause unnecessary detention. In still others, defense lawyers are appointed long after detention occurs, delaying resolution of the vast majority of cases that result in admission of the charges. Long-existing practices should be reviewed to determine whether there are systemic problems that could reduce delays and continuances.<sup>130</sup> One jurisdiction in the survey reported that docketing changes had been an effective strategy in reducing the detention population. In another, cases were handled much more quickly with two additional juvenile court judges.

Some jurisdictions have actually changed the period within which juvenile cases must be brought to court. One response to the survey indicated that before time limits were imposed, some children had spent months in custody before their cases were heard. Time limits may be changed through local policy or through court rules, regulations, or statutes. They may also be imposed by appellate courts as a matter of constitutional or statutory interpretation. Thus, the United States Supreme Court has imposed a 48-hour time limit for adults to receive probable cause hearings; jurisdictions that allow a longer time for juvenile cases may wish to address this issue through legislation or legal challenges.<sup>131</sup>

Scheduling a realistic number of court hearings for a particular day may reduce the number of cases that need to be continued to another day, thus affecting detention and length of stay. Also, working for a "court culture" that discourages continuances by attorneys, probation staff, or the court may have an impact on the length of time youth spend in detention.<sup>132</sup> Tightening up the expectations for timely delivery of needed documents such as disposition reports or discovery materials may significantly help to reduce continuances, as well.

"Early resolution" programs may also reduce the time for case processing. Under these programs, the probation department prepares expedited disposition plans for detained youth, and the prosecutor and defense counsel quickly review the cases to facilitate discussion of plea agreements. In the early resolution program at one of the Annie E. Casey JDAI sites, cases are resolved within five days of detention.<sup>133</sup> These front end efforts enable many children to admit the charges much earlier in the proceedings, saving them from serving additional weeks or even months in detention. Early resolution programs may have an additional long-term effect on the use of detention, as well. By providing quicker accountability and entry into services for youth, such programs may reduce delinquent behavior and the associated need for secure confinement. However, early resolution programs need to be carefully developed in a way that respects children's constitutional rights, with active involvement of defense attorneys in the drafting of program guidelines.

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"Early resolution" programs may also reduce the time for case processing. Under these programs, the probation department prepares expedited disposition plans for detained youth, and the prosecutor and defense counsel quickly review the cases to facilitate discussion of plea agreements.

# 18. Making Court Processing More Efficient

Unnecessary detention could be reduced in some jurisdictions simply by making court processing more efficient. In a great many jurisdictions, installing computers and photocopying machines could vastly improve efficiency in a way that affects detention. Information on ways to contact the youth's family, other pertinent background data, and availability of non-secure program slots can be entered into the system. This information can then be accessed even when the person who obtained it is not available, thus speeding up the investigation process and providing more complete information for the detention decision.

Allocation of staff resources may also have an impact on detention. In our site work, project staff heard repeated complaints from probation officers, who often spend many hours simply waiting for their court cases to be called. This prevented them from performing the kind of investigation and follow-up work we have discussed as essential to reducing unnecessary detention. This inefficiency contributes to detention in a long-term sense, as well, because it decreases the extent to which the probation department can provide direct services and non-custodial programs that may reduce recidivism (and attendant detention).

Thus, one of the most useful things a jurisdiction can do is to analyze the court process to determine where greater efficiency is possible and develop ways to make better use of staff resources. Inefficiencies that cross over agency lines may be a good subject for the core working group to address. In one of the sites, probation staff planned to do a time-study of how time was actually spent over a period of several weeks, in order to identify the areas where staff time could be better allocated. This analysis was to track the time spent in all kinds of tasks, ranging from face-to-face interviews, going to court hearings, report writing, and field supervision, to mundane activities such as data entry, photocopying, and travel time. When the study was completed, staff planned to explore ways to reduce duplication, waiting time, and other misallocation of resources.

In addressing inefficiencies, it bears repeating that the juvenile court judges play an important role. As one Assessment of Solutions to Overcrowding survey respondent indicated, "The most

Unnecessary detention could be reduced in some jurisdictions simply by making court processing more efficient. In a great many jurisdictions, simply installing computers and photocopying machines could vastly improve efficiency in a way that affects detention. . . . Allocation of staff resources may also have an impact on detention.

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critical mechanism in the successful reduction of facility crowding was the commitment by the Chief Judge to solve the problem. This commitment drove the implementation or utilization of other mechanisms. Other court divisions took notice and responded to the new direction of the court."

# 19. Locating Secure Beds in Other Facilities

Some jurisdictions have stopped short of building, but have increased detention capacity by arranging for bedspace in other jurisdictions or facilities. One jurisdiction responding to the Assessment of Solutions to Crowding survey indicated that it sends the number of children that exceed its population cap to a state regional detention center. A second jurisdiction has an agreement for purchase of bedspace in another county. Another jurisdiction opened a satellite detention center in the newly built adult jail.

These kinds of arrangements may be useful for emergency situations, but they leave much to be desired as an ongoing solution. Finding a nearby facility with suitable extra space is often difficult or impossible. As one survey response stated, even if an agreement is developed with another facility, bedspace may not always be available when needed because of crowding in that facility. Additionally, the other facility may decide to end the agreement at any time, making long-term planning very difficult. If space in another facility is found, there are added costs for renting bed space and for transportation and personnel.

In addition, housing youth far away from families and attorneys may interfere with constitutionally protected interests.<sup>134</sup> It necessarily results in a loss of control over how the youth are treated, thus increasing the chances that they will be subjected to harm. When youth are sent to facilities not designed for children, other laws may be violated, as well. For example, opening juvenile detention beds at adult correctional facilities may violate state or federal laws on removal of juveniles from adult jails and the mandates regarding separation of juvenile and adult offenders. Some jurisdictions have stopped short of building, but have increased detention capacity by arranging for bedspace in other jurisdictions or facilities. . . . These kinds of arrangements may be useful for emergency situations, but they leave much to be desired as an ongoing solution. The juvenile detention population reduction plan for each jurisdiction needs to carefully consider the merits of various options for dealing with transferred youth, and to work with the adult criminal justice system for a solution that will not simply move the crowding problem to another facility

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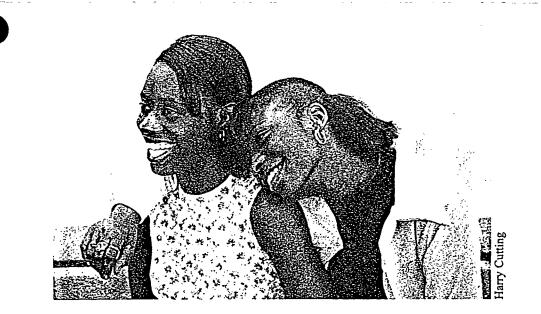
# 20. Moving Youth Facing Adult Trials to Other facilities

An increasing problem for many secure detention centers is the growing number of juveniles who are being securely detained in juvenile facilities while their cases are being processed in the adult court system. In many centers, "transferred" or "waived" juvenile offenders spend nine months or longer in secure juvenile detention centers. This may have a significant long-term impact on the detained population and may thwart other efforts to reduce crowding. It may also affect institutional operation, since it may necessitate special classification and housing arrangements.

Some detention centers deal with the influx of youth awaiting adult court proceedings by transferring them to adult jails as soon as they have been formally waived to adult court. This procedure may reduce population in the juvenile detention center but, ironically, may cause population and classification problems in the adult facility to which youth are moved. In addition, conditions for youth in many adult jails are far from acceptable. Many jails lack education programs, and youth may not receive adequate recreation or needed mental health services. Jail staff generally lack the training and experience needed to manage adolescent youth effectively. The jail diet, disciplinary system, and provisions for visiting and access to the courts are all geared to adults, rather than to the developmental needs of adolescents.<sup>135</sup> Moreover, if they are mixed with adult inmates, youth may be subjected to physical or sexual assault or intimidation. Accordingly, the National Juvenile Detention Association has drafted a position statement calling for waived or transferred youth to be held in juvenile facilities pending criminal court proceedings, absent a judicial determination to the contrary, 136

The juvenile detention population reduction plan for each jurisdiction needs to carefully consider the merits of various options for dealing with transferred youth, and to work with the adult criminal justice system for a solution that will not simply move the crowding problem to another facility. Some of the strategies that might be pursued with the support of both juvenile and adult justice officials include:

- Facilitating bail (and bail reduction) hearings in selected cases.
- Developing procedures allowing transfer to an adult facility only in specific, limited circumstances (e.g., when the youth reaches a certain age or engages in certain behavior in the juvenile detention center).
- Creating and implementing highly structured, alternative detention programs for selected cases (e.g., a combination of house arrest, electronic monitoring, and day reporting).
- Working to ensure that state and county efforts to implement speedy adult trials include youth held in secure detention.





# **National Juvenile Detention Association**

Lesson Plan Cover Sheet

190675

**COURSE TITLE** Jurisdictional Teams: Strategic Planning

MODULE TITLE 08 Role of the Expeditor

**INSTRUCTOR(S)** 

AUTHOR

**Carl Sanniti** TIME FRAME Community and Juvenile Justice Leaders, Law Enforcement, TARGET School Superintendents, Juvenile POPULATION Allow three hours, but Confinement Administrators session time will vary depending on activities used NUMBER OF 20-30 and amount of discussion PARTICIPANTS allowed Classroom set-up SPACE REQUIREMENTS **PERFORMANCE OBJECTIVE(S) EVALUATION PROCEDURES** Group discussion, activities, and trainer Following this session participants will be able evaluation to: 1. Understand the role an Expediter can have in reducing crowding 2. Be familiar with the specific duties and functions of the Expediter. 3. Be familiar with some of "Expediter" systems jurisdictions have used.

### METHODS/TECHNIQUES Lecture and discussion

# **Instructor Materials**

Burrell, S., DeMuro, P., Dunlap, E.L., Sanniti, C, & Warboys, L. (1998, Dec.). *Crowding in juvenile detention centers; A problem solving manual*. Richmond, KY: National Juvenile Detention Association.

Dale, M. J., & Sanniti, C. (1993, January). Litigation as an instrument for change in juvenile detention: A case study. *Crime & Delinquency*, 39, 49-67.

Steinhart, D. (2000) Special Detention Cases: Strategies for handling difficult cases. *Pathways to Juvenile Detention Reform*, (Annie E. Casey Foundation)

EQUIPMENT AND SUPPLIES NEEDED	
X_FLIPCHART & STAND (# NEEDED) 1 X_FLIPCHART PADS (# NEEDED): 1 CHALKBOARD 16 MM PROJECTOR FILM LENGTH:MINUTES SLIDE PROJECTOR TYPE:CAROUSEL TRAY SOUND-ON-SLIDE SCREEN	VIDEO PLAYER         TYPE:       '/2" VHS        OTHER (SPECIFY BELOW)         VIDEO TAPE LENGTH:       MINUTES        VIDEO TAPE RECORDER WITH CAMERA        PUBLIC ADDRESS SYSTEM         _X_OVERHEAD PROJECTOR         _X_OTHER (SPECIFY)         Transparencies
<u>X</u> Felt-tip Markers <u>X</u> Masking Tape	

### PARTICIPANT MATERIALS (HANDOUTS)

TITLE	# NEEDED	WHEN DISTRIBUTED	COMMENTS
Notetaking Guide	1/participant	Anticipatory Set	
Litigation as	1/participant	Independent Study	
JDAI Special Detention	1/participant	Independent Study (if available)	)

Lesson Plan				
THE ROLE OF THE EXPEDITER	NOTES TO TRAINER			
I. ANTICIPATORY SET Definition: The Expediter may be the most important element in a successful strategy to reduce and control detention crowding. He or she works through formal processes and informal networks to ensure that cases move through the detention process as efficiently as possible. The expediter works to move committed youth out of detention as quickly as possible after the court has decided on a placement.	Display 8-T-1			
<b>Performance Objectives:</b> This module is not intended to teach someone how to be an expediter or to provide the specific duties, particularly since the role will change depending on the needs of individual jurisdictions.	Display 8-T-2			
Following this program, participants will				
1. Understand the role an Expediter can have in reducing crowding				
2. Be familiar with the specific duties and functions of the Expediter.	· · · · · · · · · · · · · · · · · · ·			
<ol><li>Be familiar with some of "Expediter" systems jurisdictions have used.</li></ol>				
Ask participants the following questions:				
• How many are familiar with the Expediter position?				
• Who has experience with an Expediter?				
• Was the experience positive? If so, please explain why. If not, explain why?				
Inform participants that the use of Expediters was one of the most effective strategies for reform in the Juvenile Detention Alternatives. Initiative.				
II. INSTRUCTIONAL INPUT	Ð			
A. Role of the Expediter	Display 8-T-3			
Youth in detention often "disappear." They are out-of-sight, out-of- mind to probation officers, school officials or families. Things may even be going more smoothly for everyone, so why rock the boat?				
The Expediter should rock the boat. Extending a detention stay for the convenience of others is wrong. In some cases, it is risky to the youth in detention, probably harmful, and possibly illegal.				



THE ROLE OF THE EXPEDITER	NOTES TO TRAINER
In the vast majority of cases, the court and the public accept the length- of-stay required to take a case through adjudication and disposition. Again, in times of crowding, the need arises to keep the legal process moving as quickly as possible to reduce the average length-of-stay and, subsequently, some of the pressure caused by crowding. The Expediter primarily does this by keeping the plight of detention before the court and by constantly contacting involved parties.	
The role of the expediter can be broken into these categories.	Display 8-T-3
1. Effectiveness in population management - not necessarily quicker justice.	
2. Efficiency - identification of needed improvements within the judicial system.	
This should accomplish:	
3. Reduction in average length of stay, without an increase in length of stay within the alternative programs.	
B. Essential Functions	Display 8-T-4
Essentially, the expediter does the following:	
1. Maintains frequent contact daily with the court, the judges, and intake referees.	
2. Maintains frequent contact daily with the detention center staff.	
3. Gathers information from probation officers, court services staff, etc. about targeted youth.	
<ol> <li>Gathers information about placements, detention alternatives, step-down programs, etc.</li> </ol>	
<ol> <li>Brokers information and action between stakeholders to facilitate decision-making and action.</li> </ol>	•
The Expediter must be able to persist and persevere when the faint of heart would have given up; a combination of Mother Teresa and Attila the Hun. Ask participants to name personal and professional characteristics would make an expediter effective.	Record responses on newsprint.
C. Specific areas of concern for the Expediter	
<ol> <li>Data Collection – The expediter must be have access to and be familiar with the following type of information.</li> </ol>	Display 8-T-5
• How is detention used?	
Client profile.	
Timeline for case processing.	CONTRA POR ATTERNOT AND



THE ROLE OF THE EXPEDITER	NOTES TO TRAINER
• Average-length-of-stay (Detention hearing to adjudication; adjudication to disposition; disposition to placement; requirements)	
2. System Review – The expediter should have an understanding of the information flow at and between all of the agencies affecting the detention population. This requires research and study by the expediter. It requires the various agencies to be open and available for questions and examination from outsiders.	Display 8-T-6
• System "Walk Through" - How do cases/paperwork flow through the system.	
• Identification of policies and procedures that contribute to crowding.	
• What "informal" practices contribute to crowding?	
<ul> <li>Case Tracking – The Expediter will need to establish a system for him or herself with the cooperation of the rest of the jurisdiction. The Expediter reviews the detention population at least daily to determine if any youth is appropriate for release t a "step-down" staff-secure placement or other program. The Expediter should insure that individual youth are not "lost" because of errors in communication.</li> </ul>	
4. Calendar Monitoring – The Expediter must become immersed i each youth's calendar, in the court calendar. He or she must try to ensure established timelines are met, or try to develop other reasonable, yet swift schedules.	
a. Some courts use written notice, telephone calls, or personal contact and phone calls prior to and/or after hearings to reduce the number of miscommunications that result in bench warrant and probation violations, both of which can contribute to detention crowding.	5
b. The expediter can also ensure that attorneys and parents and juveniles receive notice of all hearings, particularly since lack of representation (or unprepared representation) is a contribution to delayed court processing.	
c. Scheduling a realistic number of court hearings for a particular day may reduce the number of cases that need to be continued to another day, thus affecting detention and length-o stay.	f-
d. The Expediter can work for a "court culture" that discourages continuances by attorneys, probation staff, or the	



THE ROLE OF THE EXPEDITER	NOTES TO TRAINER
court.	
e. And the Expediter can monitor the timely delivery of needed documents such as disposition reports, filing papers and discovery materials, to insure they are contributing to delays. Sometimes it is delays in transporting youth to court or to other placements that causes crowding.	
Ask participants how key stakeholders would feel if they were told that their department or their personal practice was slowing the system and thereby contributing to crowding. For example, ask representatives from law enforcement how they would react if their Expediter came to them and said that their transportation delays were causing a problem. Would they give excuses for why they could not improve the situation or seek to work with the Expediter to improve timeliness?	
D. Expediter Systems	Display 8-T-9
Depending upon the needs of the jurisdiction, the Expediter position can be responsible for some or all the above. Or a single Expediter can act as a monitor to others in these processes.	
<ol> <li>Individual Full-time Expediter         Ideally, the Expediter works within the secure detention center, but is knowledgeable about the court process and community resources, as well as respected by other agency stakeholders. As examples, the Expediter should be able to know if a shelter bed has opened up or to enlist other agencies in finding a responsible relative. Or the Expediter might be able to improve court processing by reducing delays in physically bringing detained children to court or in paperwork being delivered.</li> </ol>	
2. The Detention Review Group Like individual Expediters, the detention review group ensures on-going detention review. Using representatives from probation, the juvenile court, detention center staff and in some jurisdictions, mental health, school and private provider staff, the group accomplishes the same duties and functions. The detention review group meets frequently, communicating problems and devising solutions together.	
<ul> <li>Advantages to group review are that agencies or groups otherwise bypassed are included, and that it may be more effective in addressing systemic inadequacies.</li> </ul>	
<ul> <li>Disadvantages are that the group may be slower to react to day-to-day needs. For this reason, jurisdictions may want to incorporate both an individual Expediter and the review</li> </ul>	



THE ROLE OF THE EXPEDITER	NOTES TO TRAINER
group.	
3. Social Workers These are considered an expansion of "Front-End Resources". Usually, these "Expediters" screen youth at the initial detention stage and review the cases of already detained youth for possible modifications or changes in detention orders. They act as liaisons between various agencies and individual practitioners for the youth, matching individual youth to appropriate community-based services and programs. They also act as a central resource of information on the youth and factors relating	
to the detention decision; sometimes providing more complete background than would be available from initial probation or attorney interviews.	
As with other Expediter systems, the social worker program can be implemented in several ways. The social worker program may be located in a juvenile justice agency such as the public defender or probation, or may operate as an independent entity. Some programs actually have the social worker expediter appear in court to advocate for detention alternatives.	
III. Summary	
As a knowledgeable juvenile justice practitioner, the Expediter asks the right questions, persists in getting answers, provides information, and advocates for youth by keeping institutional populations below capacity.	



# Litigation as an Instrument for Change in Juvenile Detention: A Case Study

# Michael J. Dale Carl Sanniti

Litigation is an expensive and contentious means to solve the twin problems of overcrowding and dangerous conditions in juvenile detention centers. However, it is possible to use lawsuits as effective agents for change. Willingness to mediate settlement and develop a common approach to problems causes greater change than through trial and court-imposed injunction or consent decree. This alternative approach obligates litigants to engage a consortium to attack institutional conditions and develop a continuum of alternatives. It also requires sensible population control resulting in decreased costs and a guarantee that children charged with serious and repeated offenses remain in secure detention.

In February 1989, Florida's Attorney General, Robert Butterworth, rose to his feet in a federal courtroom in Ft. Lauderdale to announce the settlement of a class action civil rights lawsuit challenging conditions in the Broward County Regional Juvenile Detention Center.<sup>1</sup> He described the settlement agreement as a model for correcting problems in detention centers throughout the state. His assessment was correct, albeit premature. Conditions in Florida's detention centers remain dismal and a number of them remain severely overcrowded (State of Florida Office of the Auditor General 1991). The Broward County settlement agreement was a highly unusual, if not unique, effort to solve a problem that is endemic in this country (Schwartz 1989). In 1989, detention centers in the United States housed 499,621 children (Krisberg and Herrera 1991) under conditions that in many instances are clearly violative of constitutional rights as well as terribly harmful to

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children (Soler et al. 1990). In some cases state agencies themselves or child advocates acting outside the system, have worked with some success to ameliorate the conditions. On the other hand, litigation has been and continues to be a necessary force to effectuate change in many juvenile institutions (Soler 1988; Swanger 1988; Soler, Dale, and Flake 1980).

The litigation in Ft. Lauderdale and the response of the parties to that lawsuit appear to be very different from the usual situation in which hardnosed litigation results either in a trial and court order enjoining policies and procedures or a negotiated settlement with third party monitoring. As a result of the settlement approach described in this article, an institution that in 1987 was severely overcrowded and in which children were subjected to extended periods of isolation, beatings, lack of mental health and educational services, recreation, and myriad other problems, is now a clean, generally healthy and safe facility with a smaller and manageable population. This article seeks to assess why this lawsuit succeeded as it did and draw conclusions of general application.

After this introduction, the article describes the conditions in the facility when the lawsuit was filed and analyzes the litigation process. It reviews the theories of the lawsuit, the initial discovery efforts, the antagonisms of the parties, and the mediated settlement process. Part 2 discusses implementation of the settlement agreement and the evolving nonadversarial approach to correcting the major problems of overcrowding and quality of life in the institution. Part 3 analyzes the lessons learned. It evaluates the litigation, settlement agreement, and implementation from the vantage point of those on the inside—the agency and its employees, and those on the outside—the plaintiffs' counsel, the court, prosecutors, and public defenders. The article concludes with a discussion of why litigation should be employed, albeit sparingly, as a prescription for change, and how it can serve as a catalyst for developing consensus and combined action to correct conditions in juvenile detention centers.

# THE LITIGATION

The Broward County Regional Juvenile Detention Center is a 109-bed locked facility operated by Florida's Department of Health and Rehabilitative Services (hereafter HRS or the Department) (State of Florida Office of the Auditor General 1991; Fla. Stat. § 959.022). Florida's Department of Health and Rehabilitative Services is a state agency with responsibilities for mental health, welfare, child welfare, and juvenile justice services (Fla. Stat. Ch. 409, 415, and 959). Florida is, therefore, different from other jurisdictions where such responsibilities are divided among several state agencies, or where the responsibility for the operation of a detention center rests on the county level (Schwartz 1989; Soler et al. 1990).

In the spring of 1987, the average daily population in the Broward Detention Center was 157 (Table 1). The population had even risen to a single-day high of 207. Of the average of 157 children in the facility on any given day, 90.7% were incarcerated for property felonies, misdemeanor warrants, or probation violations (Figure 1). Children were sleeping on mattresses on the floor or on foldaway cots. Classrooms had been turned into dormitories. It was not uncommon for children to spend extended periods of time in isolation. Mental health counseling services were virtually nonexistent and both outdoor and indoor recreation were sporadic and inadequate.

A class action civil rights lawsuit entitled In Re G.C. v. Coler et al., was filed in the federal district court in Ft. Lauderdale on March 27, 1987. The named defendants were the then Secretary of HRS and the superintendent of the facility. Although the initial complaint included a claim for money damages, the complaint was amended on June 26, 1987, to withdraw the monetary claim and to add claims under the Education for All Handicapped Children Act (20 U.S.C. § 1401 et seq.) and § 504 of the Rehabilitation Act of 1973 (29 U.S.C. §794 et seq.).<sup>2</sup>

The amended complaint sought injunctive and declaratory relief to correct what the complaint described as "cruel, abusive, inadequate, and inappropriate conditions of confinement that violate rights" guaranteed to children by the substantive due process clause of the Fourteenth Amendment to the Constitution and federal law (Paragraph 2 of First Amended Complaint). The particular conditions that the plaintiffs sought to challenge included inadequate physical and psychological safety, lack of meaningful access to treatment, recreation and education, restrictions on access to and communication with family and community, overcrowding, inappropriate placement, unsanitary and dangerous physical conditions, and abusive punishment including the inappropriate use of isolation, and lack of security, medical and psychological care, adequate staff, and appropriate education and programming including special education (Paragraph 2 of First Amended Complaint).

In addition to the state agency defendants, the plaintiffs sued the Broward County School Board, claiming violations of the federal special education law. The school board filed a motion to dismiss for failure to state a claim for relief. That motion was granted by the federal court in a written opinion on the basis that the plaintiffs were obligated to exhaust their administrative remedies before the school system as required by the special education statute

	1987	1988	1989	1990	1991
January	161	172	131	115	80
February	148	195	123	135	89
March	146	163	126	124	89
April	141	168	125	120	77
May	162	148	133	111	54
June	162	152	141	112	57
July	158	148	126	101	61
August	158	173	133	107	49
September	156	140	137	106	
October	153	120	153	103	
November	155	111	147	92	
December	150	111	134	78	
Total	156.6	150	122.6	108.6	69.5

TABLE 1: Broward Regional Juvenile Detention Center Average Daily Population

before going to federal court. The plaintiffs chose not to appeal the ruling nor press their special education claim. They did so for two reasons. First, very early on the school board and HRS began negotiations to augment the educational program in the detention facility (Schepis and Schultz 1991). Second, because of the short period of time in which children remain in detention centers in Florida—a statutory maximum of 21 days preadjudication and 15 days postdisposition (Fla. Stat. § 39.044(4)(b) and (11)) plaintiffs' counsel concluded that the special education services, even if provided, would be limited in nature. Initially, plaintiffs' counsel had been concerned because many children were spending much more than 21 days in secure detention. As population dropped, so did the average length of stay.

In the early stages, the litigation progressed in typical fashion with the parties undertaking discovery including requests for production of documents, interrogatories, and depositions. For approximately 1 year, both sides engaged in serious, protracted, and increasingly adversarial discovery. Then, in the summer of 1988, antagonisms reached a head. Because of discovery disputes and the failure of the Department to provide certain evidentiary information, the plaintiffs filed a series of motions to compel. The federal court responded by entering a preliminary injunction ordering defendants to make certain changes at the institution and issuing an order to show cause why the Secretary of the Department should not be held in contempt (Court Order dated August 17, 1988). These rulings broke the log jam that allowed the parties to begin the process of resolving the dispute.

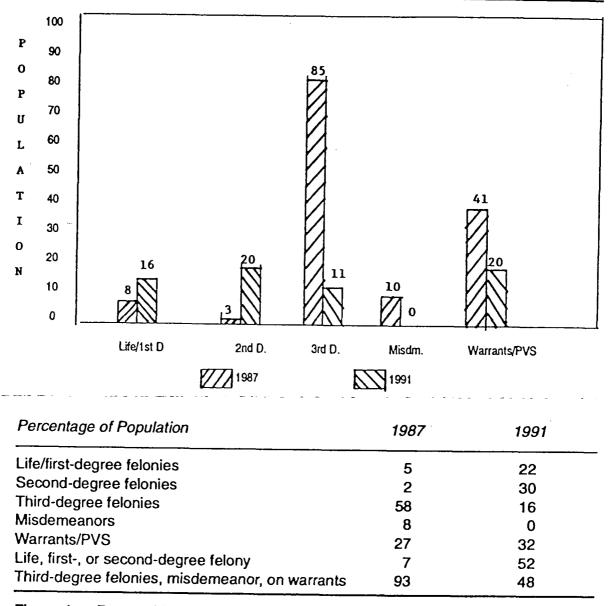


Figure 1: Broward Regional Juvenile Detention Center: Population Comparison October 31, 1987 (Population = 147) and June 12, 1991 (Population = 67)

## The Mediation Process

Concomitantly with the litigation process, the Center for the Study of Youth Policy (the Center) began a study of secure detention in Broward County funded by a grant from the Annie Casey Foundation (Schwartz, Barton, and Orlando 1991). The combination of the court's order and the willingness of the Center to fund settlement discussions and certain alternative services, resulted in a highly unusual mediation effort between the parties (Anderson and Schwartz 1990).

Neither court-ordered arbitration nor mediation is required in the federal court system. Indeed, mediation efforts are only being employed on a test

basis in a small number of predetermined federal district courts (28 U.S.C. §§ 651-658; Dale 1989). Thus, although the parties were not mandated to engage in arbitration or mediation, the Center's willingness to fund such an effort helped convince the parties to try the methodology as an alternative to continued litigation and more traditional negotiations (Schwartz et al. 1991). The mediation efforts took place over several months beginning in September 1988 and culminated in a settlement agreement in late December of the same year. Significantly, the mediation process brought to the surface issues and concerns that otherwise may not have been discussed in the more traditional negotiations process engaged in by the two parties alone or in the course of litigation that would have resulted in a court order after trial.

For example, it had been known that one of the problems directly relating to overcrowding in the Broward Detention Center, as in many jurisdictions, was the placement of children-status offenders and abused and neglected youngsters-in the institution who simply did not belong there (Schwartz 1989). It was also known that in Florida, the court has substantial statutory authority over the placement of children in detention. The court has the ability to make orders initially placing children in detention and holding children after detention hearings (Fla. Stat. § 39.044). However, a preliminary study by the Center also found that the detention facility had no effective control over that part of the detention intake process that did not involve court orders (Schwartz et al. 1991). For example, it was found that at least 66% of the detention population was charged with nonviolent offenses, and at least 10-15 children a night were placed in the detention facility because they lacked a suitable home (Schwartz et al. 1991). This knowledge expanded the settlement possibilities because the parties better understood each other's positions and problems. Thus, while mediation was going on, the parties were learning much more about the interstices of the problems than they would ordinarily have. Furthermore, they also began to discuss the possibility of working together to develop methods to alter who went into the facility and thus reduce population and correct the conditions inside the center.

# The Settlement Agreement

By late December 1988, the parties had developed a settlement document in the form of a consent decree, which was then presented to the federal court in February 1989. In certain respects, the agreement was typical of decrees settling institutional conditions cases. For example, it set a cap on the facility at 109. It also established certain staffing patterns, increased mental health services, augmented recreational services, and corrected problems of access to family and counsel.

The agreement was unusual because it also established a working relationship between the agency and plaintiffs' counsel that called on the parties to engage a series of third parties in efforts to make further changes in the facility. The agreement obligated the parties to contact the Office of the Public Defender, the State Attorney, and the Court to change the grounds for both initial and continued detention of children in the facility. The agreement also called for participation by these parties and the center in development of detention criteria and a risk assessment instrument. The parties anticipated that these efforts would ultimately result in population reduction below the cap and increase the quality of life for the children in the facility. However, they did not know how long it would take. Although they agreed on a continuation of court jurisdiction to supervise implementation of the decree, they also put language into the agreement that gave HRS time to reduce population and bring about quality-of-life changes. To protect the plaintiffs, the agreement also required continued jurisdiction for a period of time after the agency had achieved a reduced population and increased quality of life in the facility. As it turned out, it did take time to make the changes and court jurisdiction did not end until July 25, 1991, 2<sup>1</sup>/<sub>2</sub> years after the court signed the consent decree.

#### Implementation of the Decree

The parties continued interaction on both fronts—overcrowding and quality of life. To solve overcrowding, the parties spoke regularly with the Office of the Public Defender to convince it to challenge orders of the trial court, which resulted in illegal placement of children in the detention facility.<sup>3</sup> The parties also sought to convince the Office of the State Attorney to support the detention of children on serious or repeated charges as opposed to holding children charged with minor offenses or status offenses, or neglected or abused youngsters. Finally, the parties urged the sitting juvenile court judges to help reduce the population by convincing them that certain children did not belong in the detention center and developing alternatives to secure detention so that the Court might have placements for those children it felt it could not return home without supervision.

The Center for the Study of Youth Policy initially developed detention criteria and a risk assessment instrument in 1988 and 1989 for use at the Broward Center. The risk assessment instrument assigned points to each of the children screened based on the current charge, past history, circumstance of the offense, and other standards (Schwartz et al. 1991).

To improve the quality of the nonsecure detention program, the Center provided enhanced training to the home detention staff and made available electronic monitoring overlay services to fortify that program. Florida's Department of Health and Rehabilitative Services developed a six-bed nonsecure detention center along with a day reporting center for children on home detention and/or shelter who are not in school.

The parties also looked at conditions in the facility beyond those specifically spoken to in the consent decree. Thus a number of improvements were made to the physical plant and quality of life within the facility. Plaintiffs' counsel, acting as monitor, toured the facility regularly to point out problems. The building, inside and out, had been painted an institutional brown. The exterior was repainted in bright colors, and the staff chose soft pastel colors for the interior. More recently, with the aid of the Ft. Lauderdale Art Institute, the staff painted murals on interior walls. Children were taken out of institutional clothing and given golf shirts. Cameras were placed in the holding cells to secure the safety of children while they were waiting entrance into the institution. The outside exercise area was expanded. An early morning recreation period was created together with an additional school recreation period. The two rooms that had been used as sleeping rooms due to high population were-turned into an educational assessment center and an enlarged medical services clinic. Carpeting was placed in the housing units.<sup>4</sup> Mental health and counseling was made available twenty-four hours a day. A secure patio area was built providing a second outside space for the youngsters. The exterior was landscaped and plants were donated for the inside of the building.

After a number of changes were made at the facility, the delinquency program administrator and the superintendent began a public relations campaign aimed at local judges, HRS administration, county officials, and, most important, the staff itself. The plan was to demonstrate that the detention facility was the best in Florida and probably the best in the South. Plaintiffs' counsel joined in. Although it could not be proven that the facility was the best in Florida if not in the South, the parties concluded that the staff needed to believe in the institution and in its own skills. The HRS district administration, the court system, and the State Attorney had to see the detention center as something other than a lost cause. Thus the parties began a campaign to use the perception of success as a means to actually achieve success.

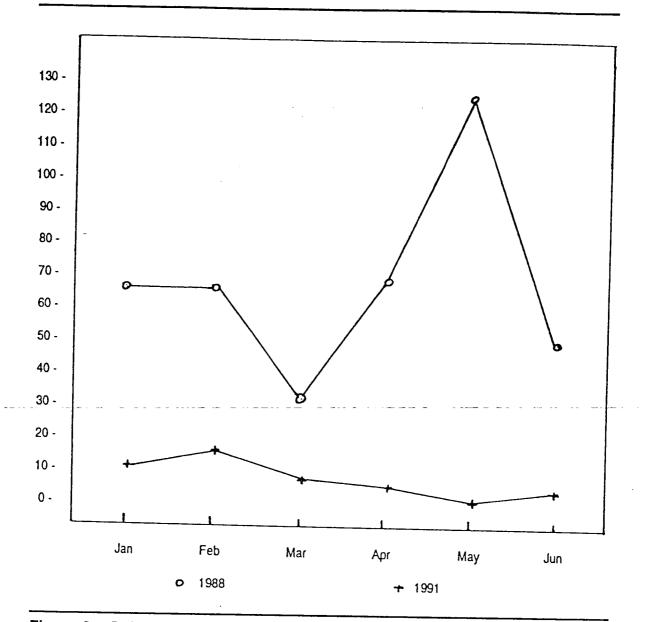
Through the process of working together, the parties had become convinced that delinquency is a community problem and the community needed to be involved in the effort to resolve the population and conditions problems. The agency actively solicited volunteers to come into the facility to provide additional services for the children. Biweekly lunches were held with judges to involve them in the process of reducing population and increasing services in the institution. The administrators encouraged tours and publicly expressed how effective staff was at managing childrens' behavior, screening, and providing home detention alternatives. As a result, as the staff took people through the facility, the facility became cleaner and safer. Indeed, word spread to the extent that the local newspapers began commenting on the change in conditions in the facility.

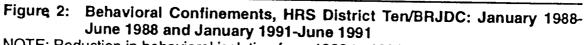
The population also began to drop. During the first 6 months of 1988 the average daily population was 166. By the first 6 months of 1991 the average daily population was 74. This was a 55.4% reduction (Table 1). The population reduction caused other changes. For example, overtime dropped during the same period from 3,556 hours in 1988 to 1,533 in 1991, a 56.9% reduction. Food costs were reduced from \$87,745.00 in 1988 to \$54,427.00 in 1991, a 37.9% savings. The food cost reduction was realized even though the detention center upgraded the quality of meat from 70% lean, 30% fat to 85% lean, 15% fat. At the same time, the Center expanded its provision of lunches to outside facilities also operated by HRS. Combined with a drop in population, the facility experienced a dramatic decrease in the number of disciplinary isolations from 461 and an average of 38 a month in 1989 to 100 or an average of 8 a month in 1990. This was a 81% reduction (Figure 2).

A change in the Florida Juvenile Code occurred after the time the assessment criteria were developed for use in Broward County. The legislature revamped the delinquency provisions of the juvenile code to moderately restrict the use of secure detention (Fla. Stat. 39.044(2)) effective in the fall of 1990. Florida had gone through several changes in its approach to secure detention, employing it sparingly in the late 1970s, dramatically increasing detention criteria and producing increased numbers of children held securely in the early 1980s, and then tightening the detention standards slightly in 1990 (Brummer and Levine 1986; Levine 1984; Dale 1992). It is difficult to determine what impact, if any, the most recent changes in the law have had on the population in Florida's detention centers. However, a preliminary study by HRS suggests there may have been some initial reduction in population statewide during the first 3 months under the new law (State of Florida Office of the Auditor General 1991).

#### ANALYSIS

The Broward County Regional Juvenile Detention Center currently operates well below its architectural capacity. Its rate of use of room isolation is virtually zero (Figure 2). Students are in school, have access to outdoor recreation, mental health services, and healthy food, and reside in a generally safe and clean environment with staff who now interact with them and can





NOTE: Reduction in behavioral isolation from 1988 to 1991 = 87.5%.

listen to their problems. The litigation process, subsequent mediation, and combined community-based efforts to reduce population and increase quality of life in the institution, suggest several lessons that may be replicated elsewhere.

#### The Role of Litigation

There is no way to know with certainty, but it seems clear that without litigation, conditions in this detention center would not have changed. Litigation is an expensive, time-consuming, adversarial, and antagonistic

process. The G.C. v. Coler case began in just such a way as evidenced by the extended and expensive period of discovery that culminated in the federal court's threat to hold the Secretary of the Department in contempt. On the other hand, litigation is a catalyst for change. It is also a viable tool when other efforts such as legislative and community-based advocacy fail.

Litigation may be used to the advantage of government agencies for several reasons. The power and authority of the federal court can be used by the plaintiffs to place constraints on the agency, and at the same time the agency can accept reasonable limitations on its operation, which will have a direct effect on third parties over whom the agency has no control (Dale 1990). Thus when judges, prosecutors, police departments, or other parties wish to use detention beds for illegal or other inappropriate purposes, the existence of a federal court cap will preclude such activities.<sup>5</sup>

Litigation can also be used for a variety of political purposes. For example, blame can always be placed on plaintiffs' counsel or on the federal judge. But most important, the G.C. v. Coler case demonstrates that litigation can be used as a means to force parties with divergent interests to find common ground and discuss how to solve problems.

# The Development of a Consortium and a Continuum of Services

To establish control of a detention center's population and quality of life, it is essential to set in place policy changes governing population and develop alternative detention programs to produce a continuum of pretrial services. Policy changes relate to who comes into the institution, how long they stay, when they leave, and what life is like once they are in the facility. A continuum of services provides for placement of children who do not need to be in the detention center in other pretrial locations that are protective of their interests and those of society.

Alternative nonsecure detention programs range in their degree of restrictiveness. They include home detention, home detention with electronic monitoring, day reporting centers for children on home detention and in shelter programs but who are not in school or who are suspended, and nonsecure and staff secure shelters. All are cost-effective and efficient alternatives to secure detention (Ball, Huff, and Lilly 1988).

An important issue in this regard is whether the superintendent of the detention facility should have authority over these alternative programs. The authors believe that if the superintendent is held responsible for the total population in secure detention, he or she must have control over intake and alternative services other than secure detention.

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A continuum of dispositional services is also necessary. In many jurisdictions, including Florida, state law allows children who have had adjudicatory and dispositional hearings to remain in the detention facility for varying periods of time until they are transferred to dispositional placement operated by the same or other agencies (Fla. Stat. §§ 39.044 and .055). The lack of a dispositional continuum creates problems in the secure detention center because a lack of appropriate placements causes postdispositional youngsters to back up in the detention center. However, a dispositional continuum is much more difficult to achieve because it requires statewide involvement.

To effectuate necessary changes and produce a detention continuum, it is crucial that a consortium of individuals in the community be brought together to make the changes. It is crucial that there be a firm commitment from the administrative judge of the local court system and the chief administrator of the agency responsible for the operation of the detention center to reduce the secure detention population and to provide alternatives. Locking individuals up is simple, popular, and politically safe. Conversely, it is not popular for detention staff and local administrators to refuse to accept children into secure detention-or insist on alternative-placements. Police-officers, judges, prosecutors, and parents often feel that secure detention is the only acceptable placement for allegedly delinquent children. A consortium of leaders must develop and support alternatives.

#### Population Controls

There are several devices available to assist in the process of controlling population. First, on the basis of state statutes, regulations, or local policy, detention admissions standards and a risk assessment instrument must be developed. There must be written criteria that clearly outline what crimes and past behavior require detention services and a more detailed risk assessment instrument that places the child in the appropriate least restrictive detention setting (Schwartz et al. 1991).

Second, to assure that detention admission standards and the risk assessment instrument are employed properly, the agency should establish the position of facility expediter. This person's responsibility is to see to it that the right youngsters are held and the wrong youngsters are not. There are two ways to control a detention center's population—reduction in admissions and reduction in average length of stay. Because reducing either will impact population, an expediter should be employed to effect both. Reduction in average length of stay is a simple process. It also costs little because there is no program start-up cost, no screening issues, and no need to train staff. Indeed, there is not even a philosophical argument about who should or

	Resident		Average Length	Beginning		Transferre	ad
Facility	Days	Population	of Stay	Population	Admissions	In	Total
Leon	9,510	26.1	6.5	22	, 801	649	1,472
Marion	18,505	50.7	19.3	40	799	122	961

TABLE 2:	State of Florida Detention Population Report 7/1/88 to 6/30/89 (Secure
	Detention)

should not be held. The state statute and risk assessment instrument dictate who shall be held. Detention is not a treatment modality, and so speedy movement out of the institution is appropriate. Thus, to the extent that the agency can affect what goes on in the courtroom, good management dictates that the child be moved to disposition as soon as possible and be released or placed into an appropriate program. A good expediter assures such movement.

An example of how significant a reduction in the average length of stay can be, is a comparison of statistics at two detention centers in Florida. In 1988-1989, the Leon County Detention Center had 1,472 admissions. During the same period, the Marion County Detention Center had 961 admissions. Leon County had an average length of stay of 6½ days and an average daily population of 26.1. Marion County had an average length of stay of 19.3 days and an average daily population of 50.7. The Marion facility provided almost 9,000 more days of care than did Leon, even though it had 511 fewer admissions (Table 2). Had Marion County employed an expediter, it could have significantly reduced the average daily population and thus reduced its operating costs. Therefore, expediting population can be viewed as an economic decision as well as good management practice. In Broward County, the parties worked together to achieve this end.

#### Cost Controls

Over the course of the settlement of the G.C. v. Coler case, no evidence was produced that the operating costs of the facility were excessive or out of line with other detention centers in the state (Figure 3). From 1986 to 1990, the operating costs of detention centers in Florida increased by 37%. The Broward facility's operating costs increased by 42% (Table 3). Three detention centers that were not sued had greater percentage increases (Table 3). All of the detention centers with the exception of Dade and Broward Counties, had an increase in population. The population in Dade County dropped by 2.6% and in Broward County by 14% (Table 3). Although

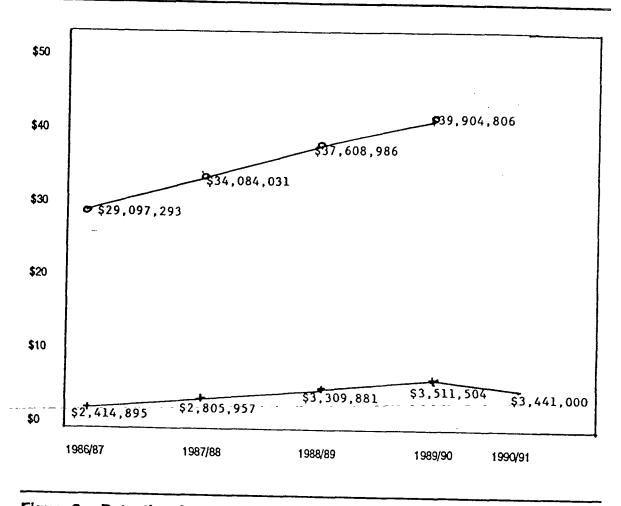


Figure 3: Detention Center Cost/Expenditures Statewide

operating costs are sometimes difficult to measure, it does not appear that those in Broward County, insofar as they were effected by the litigation and changes in operating conditions and population, are out of line with those in other Florida detention centers.

A second cost factor relating to detention population is the pressure to build. Thus, as recently as February 1990, the local HRS administration felt the need for a larger detention center. The detention facility was designed and built in the late 1970s as a 109-bed facility. Broward County experienced a population explosion in the 1980s growing by an estimated 300,000 people during that period (U.S. Bureau of the Census 1990). In February of 1990, 1 year after the consent decree was signed, the population continued to be over the cap, averaging about 130. This meant that the population was too high to terminate court jurisdiction. As a result, HRS held discussions about expanding the facility. The average cost per juvenile detention center bed in the United States is between \$75,000 and \$100,000.<sup>6</sup> If HRS had added a unit to the Broward facility for 40 children, at \$75,000 per bed, the construction cost

TABLE 3:	Cost Comparison by District <sup>a</sup>	on by District <sup>a</sup>				
District	No. of Centers	Expenditures	<b>Clients Serviced</b>	Resident Days	Cost per Resident Days	Percentage Increase
-	~	939,199.33	941	13,745	68.33	22
		1,153,362.14	1199	19,814	58.20	
2	2	1,135,158.18	1534	18,288	62.00	77
		2,010,658.04	2688	21,545	93.32	
ო	N	2,467,369.04	2170	38,052	64.00	41
		3,476,799.85	2650	52,500		
4	0	3,326,733.93	4769	63,573	52.00	46
		4,845,650.96	4843	81,085	59.76	
5	-	1,741,178.04	3031	37,793	46.00	70
		2,965,820.21	3773	49,272	60.19	
9	ო	4,043,944.39	5891	80,164	50.00	21
		4,959,965.50	5512	81,671	60.73	
7	ო	3,239,184.22	4370	57,816	56.00	42
		4,539,790.21	6603	81,142	56.56	
ω	<b>*</b>	1,178,004.23	1267	19,026	61.00	20
		1,422,185.06	1592	22,163	64.17	
თ	2	2,024,197.57	4011	55,355	54.00	105
			4068	58,339	71.59	
10	•	2,414,895.30	3644	53,737	44.00	42
		3,511,504.48	2938	47,106	74.54	
11	•	5,554,428.79	5800	82,383	67.00	22
		6,792,285.96	5889	80,232	84.66	
Statewide	20	29,097,293.02	37,057	520,397	55.00	37
		39,904,806.42	41,756	594,869	67.00	
NOTE: Only percentage a. First figui	NOTE: Only Districts 10 and 11 show a decrease in the percentage increase in detention spending than District a. First figure in table = FY 1986/87, second figure = FY	11 show a decreation spending tha 186/87, second fig	NOTE: Only Districts 10 and 11 show a decrease in the number of percentage increase in detention spending than District 10. a. First figure in table = FY 1986/87, second figure = FY 1989/90.	f clients serviced a	ınd residents days. Five dis	e number of clients serviced and residents days. Five districts show an equal or greater t 10. r 1989/90.

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would have been \$3 million. The yearly cost to operate a bed at the detention center is approximately \$31,000. Therefore, an additional 40 beds would have increased the operating budget by \$1,240,000 a year.

The opposing argument was that the money saved through reduction in population and not building could be reinvested in the Center to improve the quality of life in the facility as well as to develop alternative programs. The agency chose to continue to press for population reduction, which it achieved with significant cost savings. As a result, the agency most recently has discussed reducing the facility to 78 beds with a significant reduction in staff and operating budget, just the opposite plan from that discussed a year ago.

## Detaining Dangerous Children

Children who are charged with serious offenses or repeated offenses are still held in secure detention. Those who need less secure supervision are placed in alternative programs (Figure 1). On October 31, 1987, there were 147 children in the 109-bed Broward facility. Of these children, 90.7% were there for nonviolent felony offenses, misdemeanor charges, failure to appear, and probation and home detention violations. Less than 3 years later, on June 12, 1991, 67 children were housed in the facility, all for more serious offenses. On October 31, 1987, there were 8 children in the facility for life or first-degree felonies. In 1991, there were 13. In October 1987, there were 3 children held for second-degree felonies. In June 1991, there were 20 children held for second-degree felonies (Figure 2).

The crucial difference in population is in the noninjury and property felony category (Figure 1). On October 31, 1987, 58% of the center's population or 85 children were held for third-degree felonies and in 1991, 16% of the population was held for third-degree felonies. In October 1987, 10 children were being held for misdemeanor charges. None was held in 1991. In fact, if in 1987 the children charged with third-degree felonies and misdemeanors were held in alternative detention programs rather than in the detention center, the population of the Broward Detention Center would have been 62, less than the number of children held on June 12, 1991.

Still other factors determine the kind of child who is detained. A longstanding federal lawsuit, *Bobby M. v. Martinez*, challenged conditions in the Florida state juvenile training schools. A consent decree reduced the population in the training schools, and also obligated HRS to dramatically increase alternative dispositional placements. Those alternative placements have not come on line in part because of funding problems. As a result, children committed to HRS back up in the detention centers. Others are released who should go into commitment facilities and some commit additional crimes. The lack of proper commitment programs may also have an impact on the attitude of the prosecutor who may seek to hold children accountable in the adult system by waiver or direct file simply because of the lack of commitment beds in the juvenile system.

#### CONCLUSION

Neither a lawsuit nor a tragedy in a detention center should be the stimulus for change. As this article demonstrates, it does not take vast sums of money to clean up a facility. Nor does it take a national expert to convince administrators not to strike a child or place him or her in isolation for hours without clothing. However, the public policy ingredients that coalesce to drive up population in juvenile detention centers and reduce quality of life are complicated and require thoughtful attention. Where population is unconscionably high and conditions are unconstitutional, litigation is a viable tool to correct problems.

If litigation occurs, defendants and plaintiffs' counsel would do well to find common ground as early as possible and engage in a joint and concerted effort to correct conditions. They should do so by developing a consortium made up of the parties who affect the conditions in the institution. They should develop a continuum of services for children such that only those charged with serious and/or repeated offenses are placed in the secure detention center. They should develop assessment criteria in the form of statutes, regulations, or local policy guidelines that articulate specifically who should be placed in detention. They should do so in an effort to see to it that those charged with the most serious or repeated offenses remain in secure detention and that others are placed in reasonable alternatives. They should hire appropriate staff, including an expediter, to enforce the criteria. All of this can be done without great cost to the agency and at the same time with a reasonable assurance that the public will be protected. But the parties must work together.

#### NOTES

1. "This is the first time we have taken a case involving a jail or detention center and mediated it outside," said Attorney General Bob Butterworth. "It gives us a model that we will use with other jails and detention centers." "It was a landmark suit with all the right players and the right issues." (Petchel 1989).

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2. Commonly known as Public Law 194-142, the special education statute was recently renamed the Individuals With Disabilities Education Act (20 U.S.C. § 1400) (1990).

3. The Office of the Public Defender subsequently litigated scores of cases by writ of habeas corpus to Florida's intermediate appellate courts seeking relief for children illegally confined in the detention facility. (Dale 1992).

4. Carpeting had been removed during periods of high population because the youngsters would plug up toilets and flood the facility resulting in wet carpets that were very difficult to dry. (Conversation with Superintendent Ron Fryer, July 25, 1991.)

5. Should a state court judge attempt to hold a public official operating a detention center in contempt for failure to comply with an order to take a child into custody and, if there is a federal court order in existence, then pursuant to the Supremacy Clause to the federal Constitution, the state judge cannot hold the public official in contempt. *Badgley v. Santacroce* (1988).

6. Michael McMillian, A.I.A., Community Research Associates, telephone conversation November 4, 1991.

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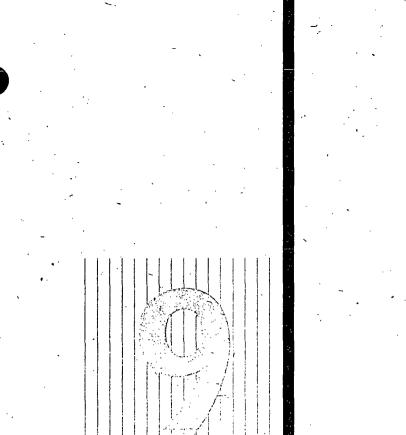
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DETENTION

SPECIAL strategies CASES for handling difficult populations

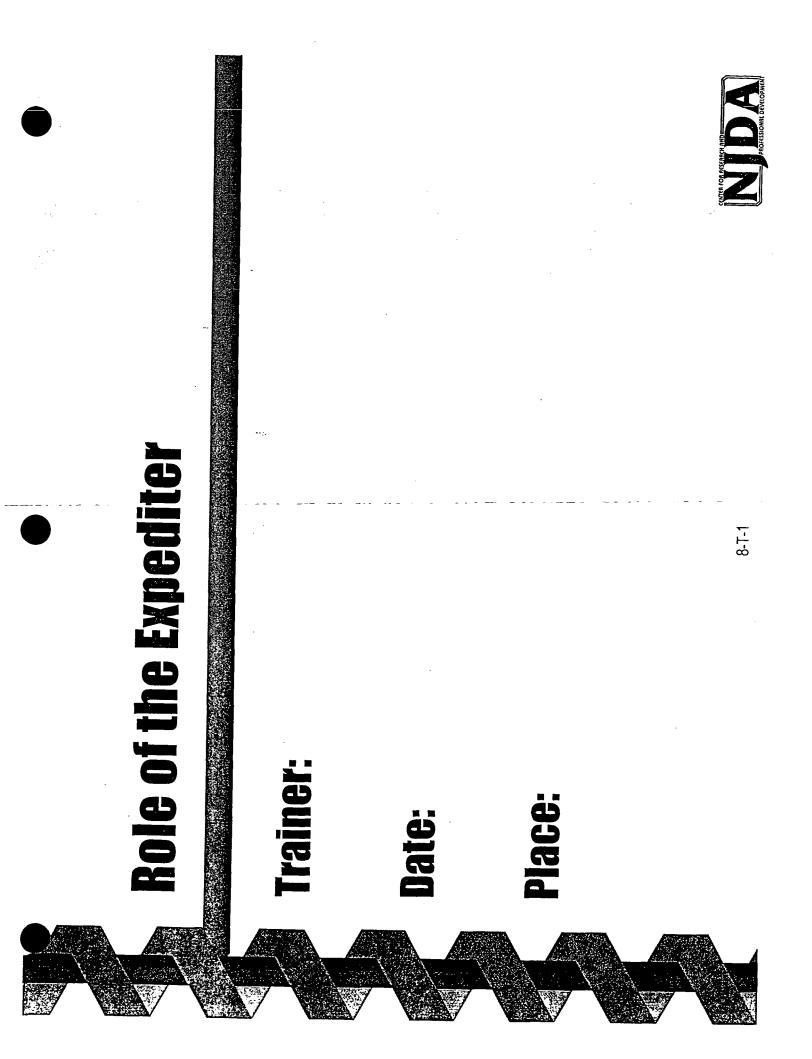
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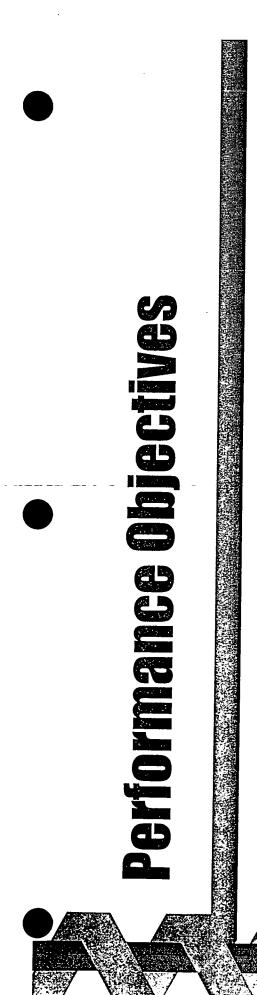
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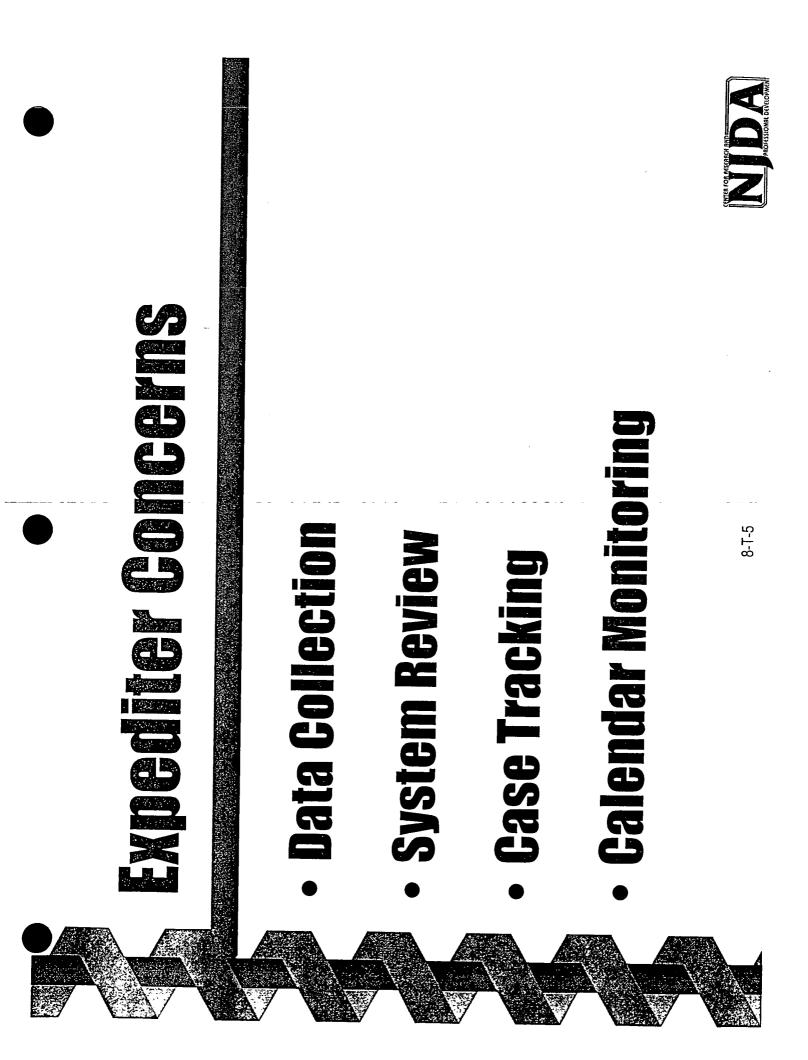


- 1. Understand the role an Expediter can have in reducing crowding
- 2. Be familiar with the specific duties and functions of the Expediter
- 3. Be familiar with with some of "Expediter"
  - systems jurisdictions have used.



	management - not	ntification of needed improvements cial system	verage-length-of-stay in detention, 'ease in length of stay within the	CUTA ION RECEIPTION
Role of the Expediter. To Rock the Boat	Effectiveness in population management - not necessarily quicker justice	Efficiency - identification of within the judicial system	Reduction in average-length-of-stay in detention Without an increase in length of stay within the	alternative programs. <sup>8-1-3</sup>
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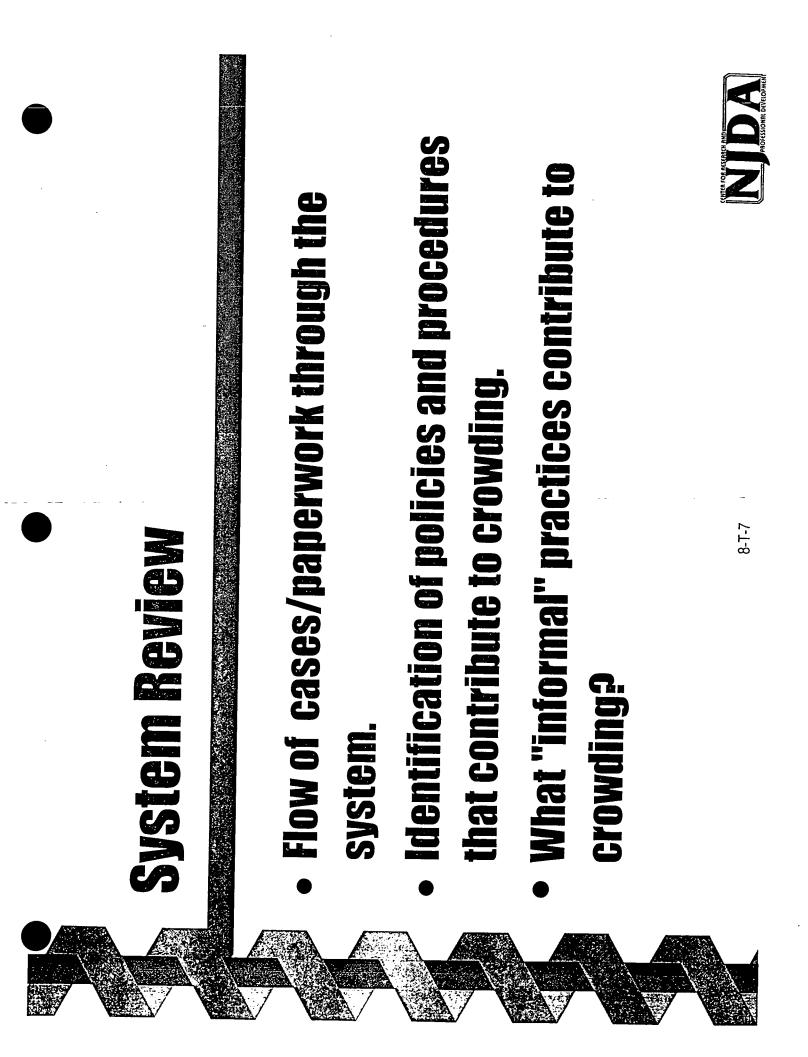
- **Client profile**
- **Timeline for case processing**
- Average-length-of-stay

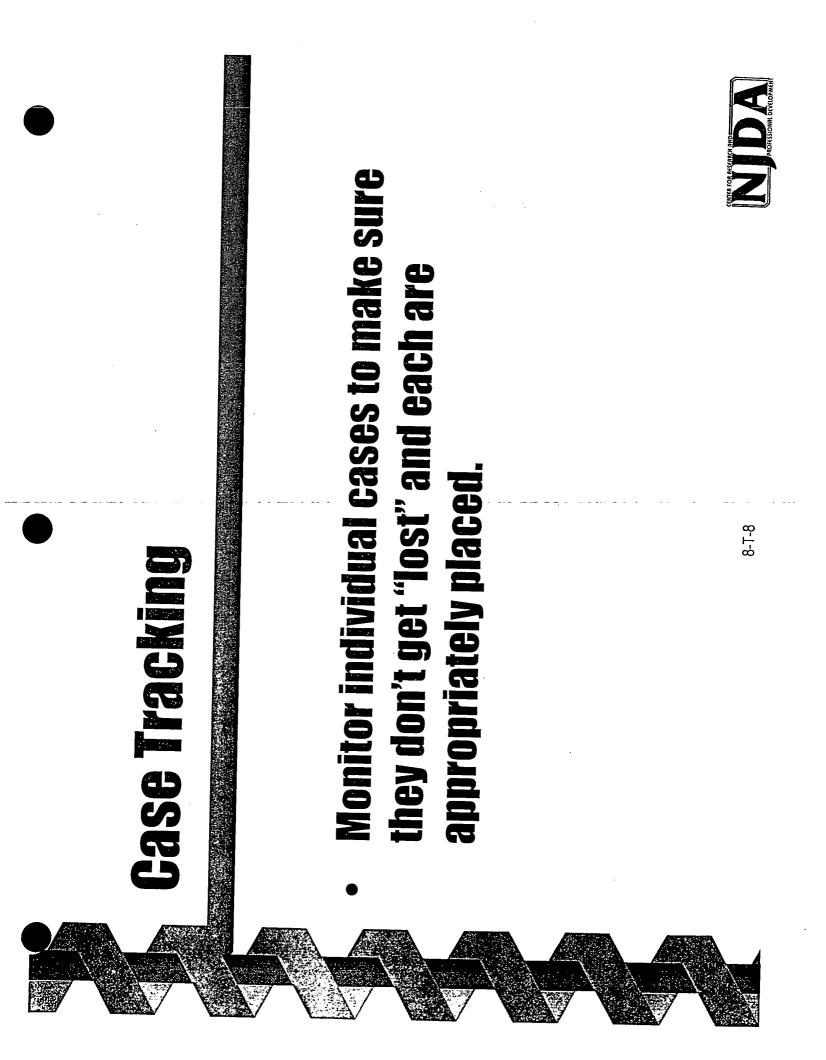
Detention hearing to adjudication;

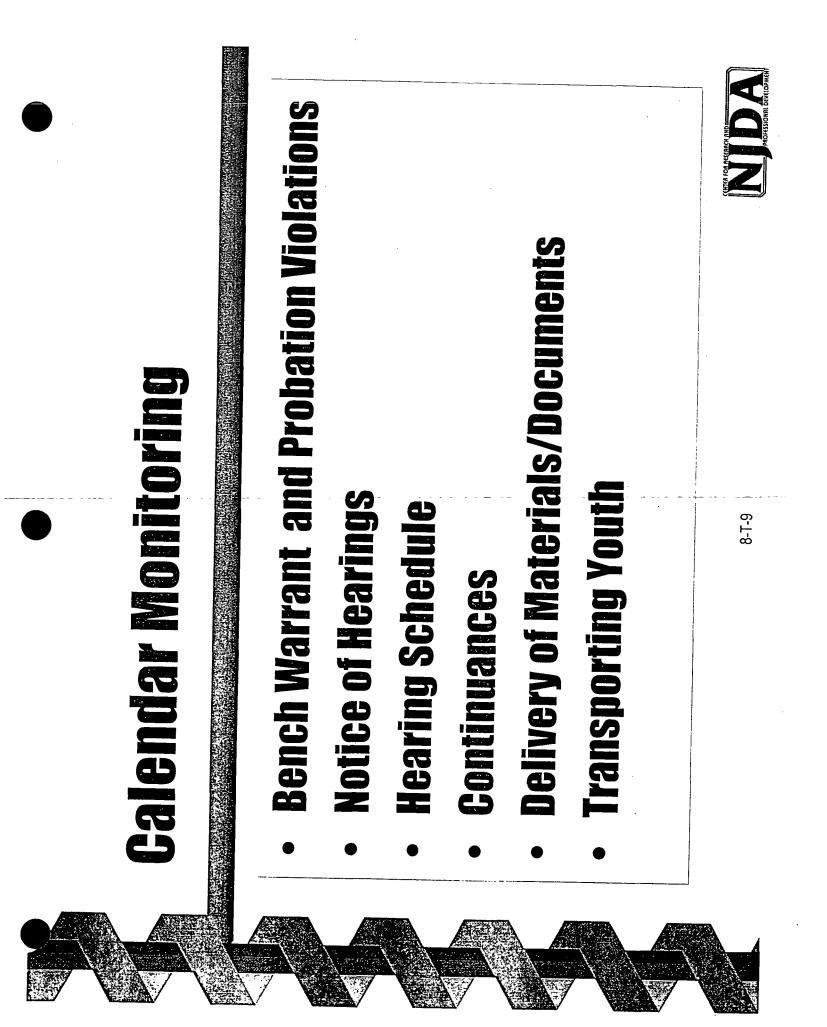
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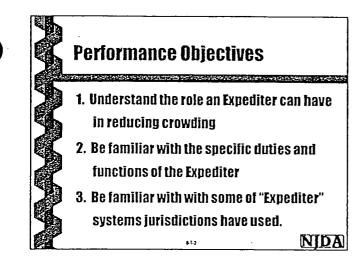


- Individual Full-Time Expediter
- **Detention Review Group or Committee**
- **Social Workers**



8-T-10

NIDA



# Role of the Expeditor: To Rock the Boat Effectiveness in population management - not

necessarily quicker justice
Efficiency - Identification of needed improvements within the judicial system
Reduction in average-length-of-stay in detention, without an increase in length of stay within the alternative programs.

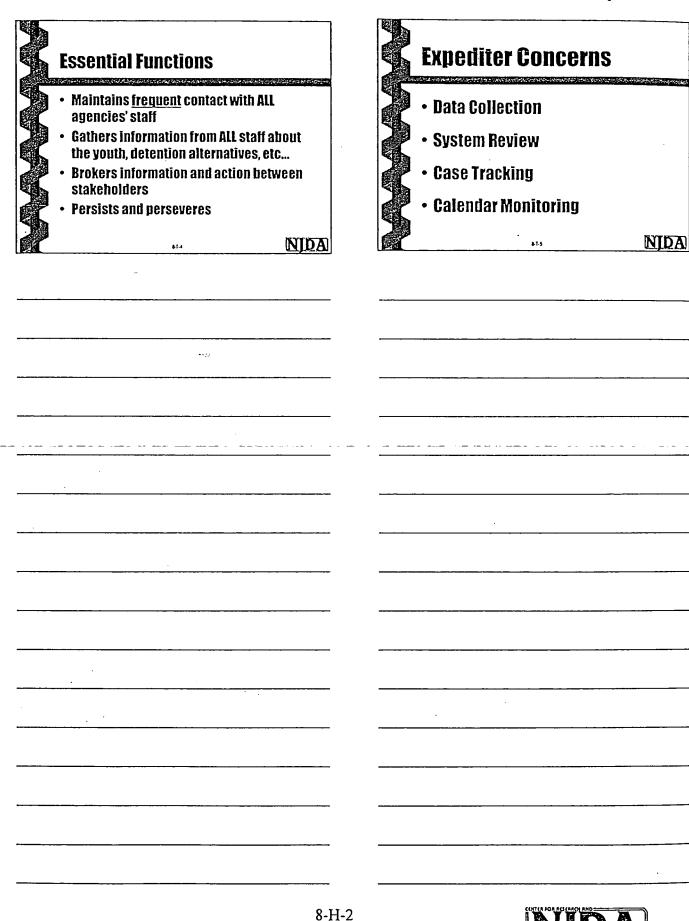
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Role of the Expediter

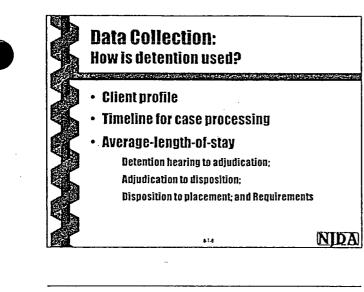
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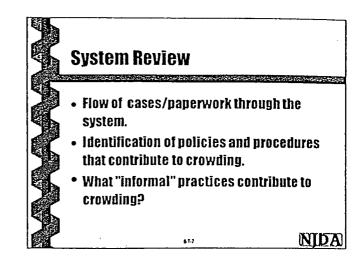




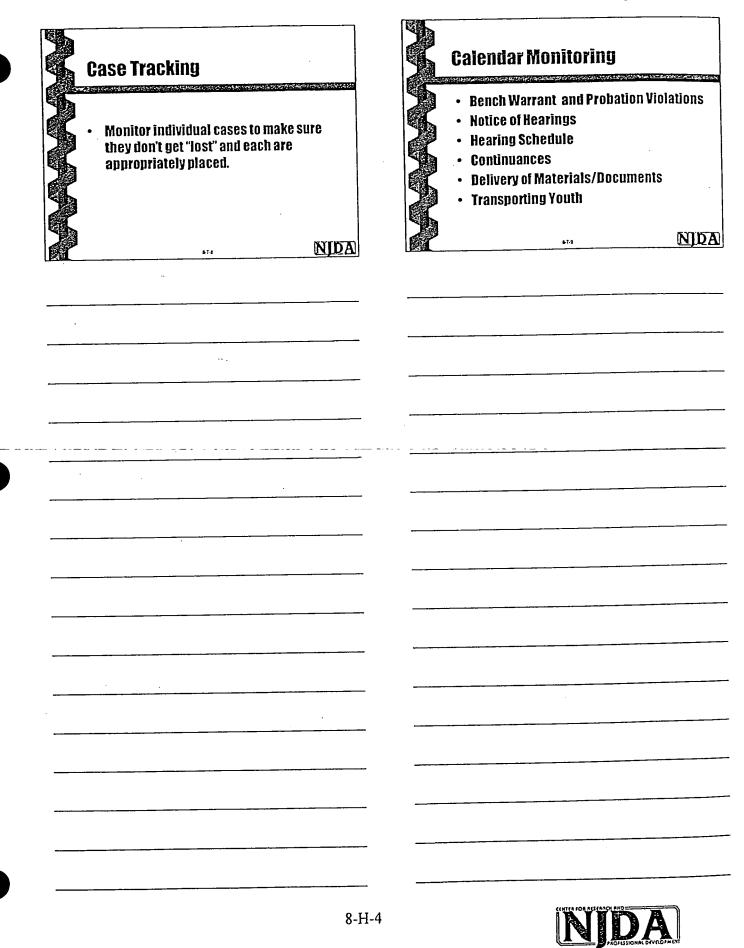
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#### **TERMS and PROCEDURES**

#### **Definition of Terms**

**Home Detention**-The temporary custody of a youth while the youth is released to the custody of his/her parents, guardian, or custodian in a physically non-restrictive environment under the supervision of department staff pending adjudication, disposition, or placement

**Non-Secure Detention**-The temporary custody of a youth while the youth is placed in a contracted residential home in the community in a physically nonrestrictive environment under the supervision of the department pending adjudication, disposition, or placement, Such a home may not have more than ten (10) youth on non-secure detention status assigned to it at any time

**Detention Review Specialist**-The person who conducts daily reviews of youth placed in detention care to identify youth who may be inappropriately or illegally detained. The detention review specialist works with CYF case management counselors, case management supervisors, detention superintendents, juvenile judges, state attorneys, public defenders, and private counsel representing youth to seek the most appropriate placement pending a youth's appearance in court or release from detention

**Case Management Counselor-**The person who receives custody of youth from law enforcement agencies, reviews the facts in the law enforcement report or probable cause affidavit and makes such further inquiry as may be necessary to determine whether detention care is required

**Risk Assessment Instrument**-A scoring instrument utilized by case management counselors to determine whether detention care is warranted, and if so, whether the youth should be placed into secure, non-secure, or home detention care

**Detention Reviews**-The process of reviewing and assessing cases of detained youth for the purpose of identifying youth inappropriately or illegally detained and taking needed action to facilitate release or appropriate placement. The detention reviews will be conducted daily by the detention review specialist and weekly by the detention review team

#### **Detention Review Team**

- Review team should consist of, but not be limited to, the following core members:
- Detention review specialist (chair)
- The sub-district administrator or operations program administrator
- The detention superintendent, or designee
- Case management supervisor (detention screening unit)
- Each case management supervisor
- Child welfare supervisor (if applicable)

• Core membership should not be delegated to lower level staff and attendance should not be routinely delegated to lower level staff. Optional members suggested to attend these meeting may be the mental health liaisons, state attorneys, public defenders and facility medical staff, and commitment managers

#### **Procedure for Daily Detention Reviews**

The detention review specialist shall conduct daily reviews of all new admissions to secure detention, home detention and non-secure detention car to identify any youth inappropriately or illegally detained and to validate the detention decision. This review should be thoroughly documented detaining the appropriateness or inappropriateness of the detention decisions and completeness of the risk assessment instrument.

The daily review should include a review of the following

- The Police Complaint Report (Probable Cause Affidavit)
- The Detention Risk Assessment Instrument (RAI) to validate the score and subsequent decision
- Substance Abuse and Mental Health Screening Form (SAMH1) if available
- Suicide Risk Assessment
- Florida Protective Services Systems face sheet (Abuse/Neglect History)
- Client Information System Pace Sheet
- Judicial order to detain, if a part of the case

In the cases of youth who have been inappropriately or illegally placed in detention status as a result of a case management screening error, the detention review specialist shall arrange a release from detention

#### **Procedures for Weekly Detention Reviews**

- 1. The detention review specialist will chair the weekly detention review team. The purpose of the review team is to identify cases needing resolution and developing follow-up action.
- 2. Prior to the meeting, the detention review specialist must have reviewed all of the documents in each detention file as identified in section 2b and be knowledgeable of the contents.
- 3. The review team will initially review all cases that have been placed in secure detention, home detention, and non-secure detention since the last review
- 4. The review team must review and update the status of all other youth in detention and determine if additional action is necessary.
- 5. The case management supervisor and/or case management counselor must present the case to the review team, including any relevant information which may have been unavailable at the time of the initial screening.

- 6. If there is disagreement or the case management supervisor fail to act in a timely manner, the detention review specialist shall seek assistance from the appropriate district CYF program administrator.
- 7. Following the weekly review meeting, the detention review specialist will coordinate, with the case management supervisor, activities relating to the youth's continued detention, transfer to non-secure detention, transfer to home detention or release from the facility

8. Formal documentation of the detention review meeting must take place, including outcomes, assignments, and other pertinent information

Section 4-Ongoing Responsibility: The detention specialist shall

- Review court orders and refer all questionable orders to district legal counsel as required in HRSR 30-1, Processing Questionable Court Orders
- Serve as a liaison between HRS, parents, juvenile court judges, state attorneys, public defenders, law enforcement, and other departmental staff to manage and coordinate situations when the decision to detain appears questionable or follow-up action is needed
- Act as an advocate for youth in situations when it is determined that the youth should be released from detention care or placed in a less restrictive program. This advocacy may involve court appearances on behalf of youth
  - Meet with the youth as needed to keep the youth informed of the status of his/her case and document the same
- Ensure that commitment packages of youth in detention care contain all appropriate documentation prior to the youth being transported to a program
- Coordinate with the case management counselors concerning their activities in acting as an advocate for the youth, especially when there are court appearances in order to present consensus to their court

Home Detention and Non-Secure Detention	n
Sample Weekly Review Form	

Number of home detention and non-secure detention direct admissions reviewed by the detention review specialist. (This is the total number of direct admissions since the last monthly report)

\_\_\_\_ Number of youth directly placed from intake screening into the home detention program

\_\_\_\_ Number of youth directly placed from intake screening into the non-secure detention program

Number of youth detained in home detention and non-secure detention that did meet criteria in s.39.044 (2)

\_\_\_\_ Number of youth screened without judicial order

Number of youth above screened with judicial order

Number of youth detained in home detention and non-secure detention that did meet criteria in s.39.044 (2)

\_\_\_\_\_ Number that scored 12 or more on RAL

- \_\_\_\_ Number that scored 7-11 on RAL
- \_\_\_\_ Number that scored 0-6 on RAL -

\_\_\_ Number of youth referred to District Legal Counsel per HRSR 30-1

\_\_\_ Number of responses by District Legal Counsel as required by HRSR 30-1

\_\_\_\_ Number of youth released as a result of the detention review specialist's activities.

\_\_\_\_ Total number of detention review staffings held during the month

\_\_\_\_ Total number of cases reviewed during the weekly review staffing. (All youth in home detention and non-secure detention status should be reviewed weekly.)

\_\_\_\_ Total number of cases reviewed during the weekly review staffing

\_\_\_\_ Number of contacts with State Attorney at intake screening to recommend release for a youth from home or non-secure detention

\_\_\_\_ Number of youth on home or non-secure detention beyond the 21 days without an adjudicatory hearing without proper court ordered ordinance

\_ Number of home or non-secure detention youth who 15 days after an order of adjudication did not have a disposition hearing, or the hearing was continued beyond 15 days

\_\_\_\_ Number of RALs correctly completed on home or non-secure detention youth

\_\_\_\_ Number of RALs incorrectly completed on home or non-secure detention youth

Date	Detention Review Specialist	Facility
Dale	Detention Review Specialist	Pacifity

## Secure Detention Sample Weekly Review Form

\_\_\_\_ Number of secure detention admissions reviews by the detention review specialist. (This is the total number of new admissions since the last monthly report.)

Number of youth detained in secure detention that did not meet criteria in s.39.044
 (2), F.S.

\_\_\_\_\_ Number of youth screened without judicial order

Number of youth above screened with judicial order

\_\_\_\_Number of youth detained in secure detention that did meet criteria in s. 39.044 (2)

\_\_\_\_ Number that scored 12 or more on RAL

\_\_\_\_ Number that scored 7-11 on RAL

\_\_\_\_ Number that scored 0-6 on RAL

\_\_\_\_ Number of youth referred to District Legal Counsel per HRSR 30-1

\_\_\_\_ Number of responses by District Legal Counsel as required by HRSR 30-1

\_ Number of youth released or transferred to home detention or non-secure detention as a result of the detention review specialist's activities

\_\_\_\_ Number of youth initially places on non-secure or home detention by the case management counselor, but were ordered into secure detention by the judge at the detention hearing

\_\_\_\_ Total number of detention review staffings held during the month

\_\_\_\_ Total number of cases reviewed during the weekly review staffing

\_\_\_\_ Number of contacts with State Attorney at intake screening to recommend release or reduce the level of secure detention

Number of youth in secure detention beyond 21 days without an adjudicatory hearing without proper court ordered continuance

\_\_\_\_ Number of securely detained youth who 15 days after an order of adjudication did not have a disposition hearing, or the hearing was continued beyond 15 days

\_\_\_\_ Number of RALs correctly completed on home or non-secure detention youth

\_\_\_\_ Number of RALs incorrectly completed on home or non-secure detention youth

Date

Detention Review Specialist

Facility

### Expeditor

#### Sample Job Responsibilities and Performance Standards

- 1. Monitors and tracks the youths detained in RYDC(s) and produces corresponding tracking and status reports
  - Enters demographic, case and detention information on all detainees into a database and tracks their immediate status
  - Prepares and distributes caseload reports to supervisor on a weekly basis
  - Updates database with new case status information
  - Prepares status reports of youth that are released to non-secure alternative detention programs for case managers or court
  - Prepares reports on program failures from Housebound Detention, non-secure detention and other alternative programs to secure detention
  - Prepares weekly management reports containing the legal status of all detained youth
  - Prepares monthly statistical reports on the number and types of releases from detention
- 2. Make alternative detention recommendations to the court for pre-adjudicated detainees
  - Monitors the Juvenile Court hearing calendar on a daily basis for youth eligible for an
  - alternative to detention pending court hearing
  - Investigates and evaluates youth for possible release from secure detention to the home of the parent/guardian, the Housebound Detention program, the Intensive Supervision Program, shelter care or other alternative program
  - Prepares orders for release and coordinates transfer of information with the alternative detention programs
- 3. Reduces the average length of detention time between the date of commitment to DJJ and the transfer of youth to placement programs
  - Consults with case managers and others to facilitate admission of youth to community placement programs
  - Identifies youth for release from secure detention to interim or temporary alternative programs awaiting long term placement
  - Insures that psychological evaluations, medical or other evaluations as necessary are obtained to facilitate the expeditious placement of youth in residential community-based programs
  - Assists case manager in arranging placements for youths as necessary

- 4. Monitors SB 440 youth and bind over cases in secure detention awaiting Superior Court proceedings to expedite the process
  - Tracks youth in secure detention awaiting Superior Court
  - Maintains contact with the District Attorney's Office to insure cases are handled expeditiously
  - Insures that youth bound over from Juvenile Court to Superior Court are processed by the DJJ Screening Committee within ten (10) working days from the date of sentencing
  - Consults with court, district attorney and defense attorney as necessary
- 5. Provides administrative direction and support for the ongoing operation of placement alternatives to detention and other designated functions
  - Organizes and maintains a system of fiscal accountability for all alternatives to detention funds that are decentralized to the catchment areas
  - Prepares periodic budget summaries, registers and reports for the alternative to detention program and distributes to appropriate personnel according to established guidelines
  - Reviews and endorses expense documents for payment to vendors and service providers
- 6. Maintains working relationships and networks with law and youth serving agencies to keep current on juvenile issues and new services
  - Identifies team goals and ways to work with coworkers to accomplish those goals; works to deep group activities productive/focused on results



# National Juvenile Detention Association

Lesson Plan Cover Sheet

•	09 Monitoring Strategies		
INSTRUCTOR(S)			
Authors(s)	Paul DeMuro		
will vary de	TIME FRAME hours, but session time pending on activities nount of discussion	TARGET POPULATION NUMBER OF PARTICIPANTS SPACE REQUIREMENTS	Community and Juvenile Justice Leaders, Law Enforcement, School Superintendents, Facility Directors-Juvenile Confinement 20-30 Enough to comfortably seat all participants in classroom seating and in small groups.
<ol> <li>Following this ses</li> <li>Be familiar wind for program end</li> <li>Be familiar wind comprehensive</li> <li>Understand the accurate data for the second the seco</li></ol>	th two parts of a e evaluation component e importance of complete and for monitoring y of measurements to other strategies to reduce	EVALUATION Group discussion	DN.

# **Methods/Techniques**

Lecture, group discussion and independent study.

### **Instructor Materials**

Howell, J. C. (Ed.). (1995, May). A guide to implementing the comprehensive strategy for serious, violent, and chronic juvenile offenders. Washington, D.C.: Office of Juvenile Justice and Delinquency Prevention.

Slayton, J. Establishing and Maintaining Interagency Information Sharing. JAIBG Bulletin, (March 2000).

PLIES NEEDED		
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Lesson Plan	
MONITORING STRATEGIES	NOTES TO TRAINER
I. ANTICIPATORY SET	Display 9-T-1
This session only covers issues related to the development and operation of alternative detention programs. It does not address monitoring issues regarding the operation of secure detention facilities or other system issues which affect crowding in secure detention, e.g., length of stay in secure detention, timeliness of court hearings, use of risk assessment, etc.	
<b>Performance Objectives:</b> Following this presentation, participants will:	Display 9-T-2
1. Be familiar with two parts of a comprehensive evaluation component	
2. Be familiar with internal and external evaluations	
3. Be familiar with the concept of setting goals for program evaluation	
4. Understand the importance of complete and accurate data for monitoring	
II. INSTRUCTIONAL INPUT	
A. Monitoring = Accountability	Display 9-T-3
Without monitoring and the associated evaluation tools, administrators cannot know if the strategies are having the intended effects. Just as it is important to hold youths placed in detention alternatives accountable by monitoring their daily activities, the system needs to ensure that it monitors the operation of its alternative programs.	
B. Goals of Monitoring	( minutes)
Activity: Divide participants to work in small groups. Half of the groups should be assigned to list on newsprint the ways their urisdiction could use positive evaluation of the implementation of their strategy to reduce crowding. <i>Possible responses include: To colicit increased public support of programs; To increase support of expanding strategies; To increase morale of various agency: staff</i>	Divide participants into groups of 5-7. Provide each group with 1-2 sheets of newsprint. Post use of evaluation results on walls.
The other groups should list the ways their jurisdiction could use negative evaluation of implementation of their strategies. Possible responses include: To solicit funding from various sources – axpayers, government and private grants; To discover specific areas for improvement; To spur creativity or action by the group:	

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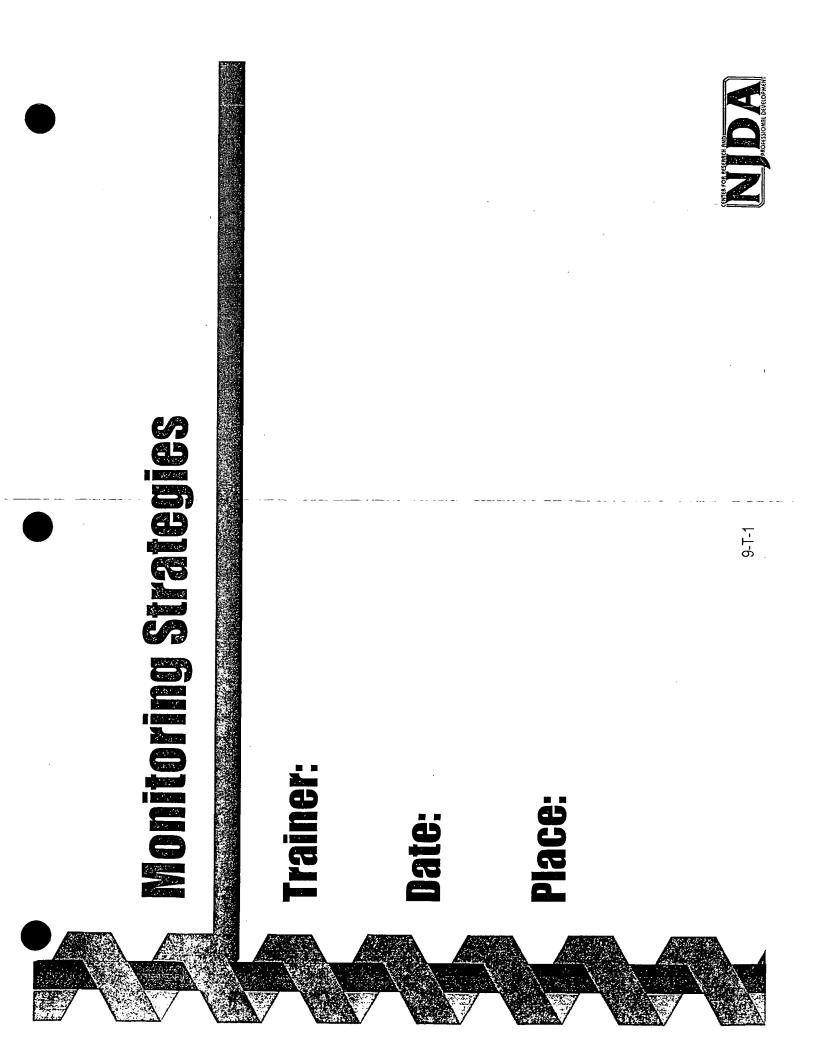


MONITORING STRATEGIES	NOTES TO TRAINER
To discover a need for outside expertise or further research; To liscover areas of redundancy; To identify a population needing alternative programs; To convince a reluctant stakeholder of the need for their cooperation.	
The reasons for and goals of monitoring and evaluating are many. Each jurisdiction may place emphasis on different areas, but some onsistent reasons are:	
1. To provide a rationale for program implementation	Display 9-T-4
2. To increase the program's effectiveness	
3. To improve accountability to diverse groups	
4. To increase the program's credibility	
5. To advocate for change in the system	
. Comprehensive Evaluation	
here are several ways to develop monitoring strategies. OJJDP's uide for Implementing a Comprehensive Strategy suggests acluding two parts.	Display 9-T-5
<ol> <li>Process Evaluation – to assess the degree to which the model was implemented as planned. It will describe and analyze how the strategy was implemented and is currently being executed.</li> </ol>	
<ol> <li>Outcome Evaluation – to analyze how successfully the strategy is working. This is best handled by an independent research group with experimental designs used, including random sampling of the data for detention center residents and alternative placement youth. However, with effort jurisdictions can also monitor strategies if outside evaluation is not possible and should establish some method of on-going monitoring strategy.</li> </ol>	
echnical assistance can be sought for insuring that jurisdictions ocess for analyzing data is effective. Again, outside or mporary consults can assist in establishing a system. Analysis of ta should consider several measures of effectiveness.	
Data Sources	Display 9-T-6
To monitor the crowding reduction strategies, records must be kept on the characteristics of youth coming in contact with the juvenile justice system and the results of their contact including:	
<ul> <li>age, sex, prior police and court record, current charge, placement history, etc.</li> </ul>	
The records must be complete and accurate for any	



MONITORING STRATEGIES	NOTES TO TRAINER
analysis to be meaningful. Because of this, stakeholders might consider monitoring and spot checking accuracy of records or instituting training on record-keeping methods. If a determination cannot be made based on available information, then more data may need to be generated.	
Participants should already be familiar with some of the reasons for keeping records on youth through the Jurisdictional Team Training. As a review, ask participants what other purpose data collection is used for in the juvenile justice system.	
<b>C. Measures of Effectiveness</b> The effectiveness of strategies to reduce crowding can be analyzed by looking at data through the following categories. Compare the information with data gathered before implementation.	Display 9-T-7
<ol> <li>Secure Detention         Is the program handling the youth for whom it was designed? Is there a reduction in the population in secure care? Are youth for whom alternative programs designed still being placed in secure detention. Has there been an effect on the average-length-of-stay (ALOS)? Are step-down strategies being implemented?     </li> </ol>	Display 9-T-8
2. Alternative Programs	
Does the detention alternative fulfill the basic functions of court ordered detention? Are youth in the alternative program remaining arrest free and attending their court hearings? Are only those youth who would have been placed in secure detention before the creation of the alternative being placed in the alternatives created for them or has the net been widened? Has there been a change in the ALOS in alternative programs that existed before? (Note: ALOS in alternative program should be 20-40 days)	Display 9-T-9
3. Safety	
Are youth being placed appropriately? Are there any changes in inappropriate behavior in either secure detention. alternatives? Does the public report any change in community safety?	
Comparisons should be made between youths placed in alternative programs and youths placed in secure detention. Ask participants f they can think of any other measures of effectiveness?	
II. SUMMARY	





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l. Be familiar with	program evaluation Be familiar with two r	evaluation con . Understand the	accurate data Know a varietv	whether strate	ellecuve.
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ustike volth must be hell accountable for their actions, the justice system

needs to ensure it is monitoring itself.

Cationale for program fion	To increase the program's effectiveness To improve accountability to diverse groups	FIGURAR SCREEK PLANAR CREEK PLANAR SCREEK
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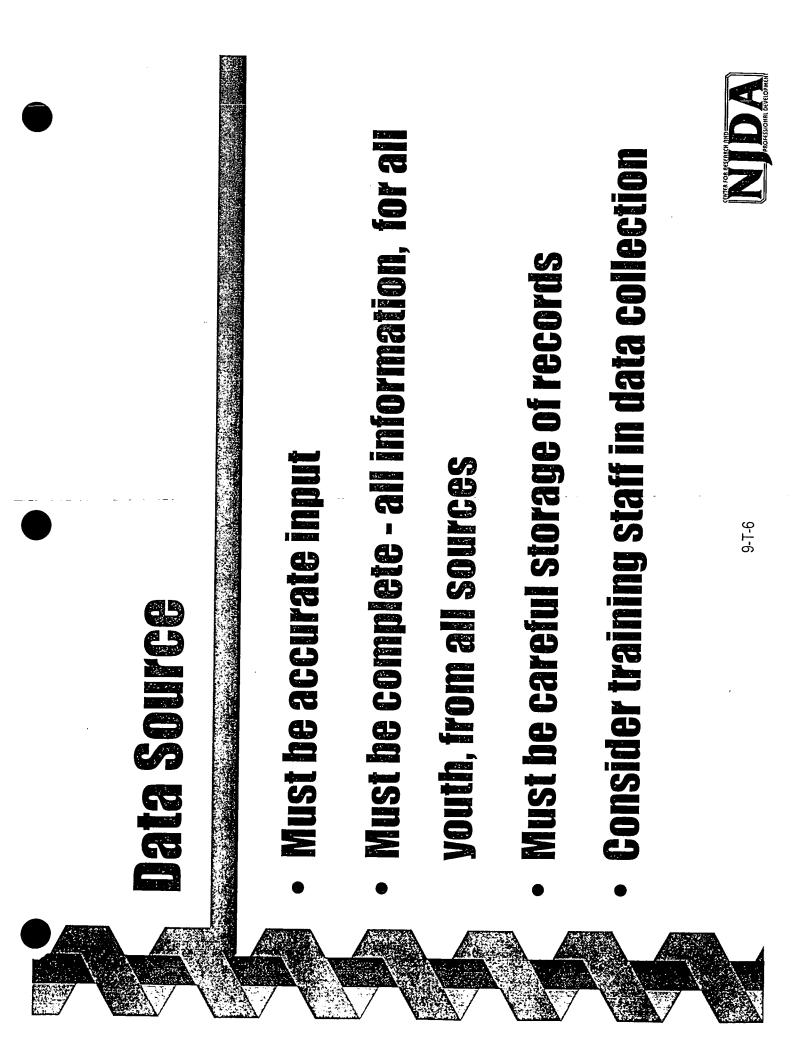


# Process Evaluation – to assess the degree to which the model was implemented as planned

successfully the strategy is working Outcome Evaluation — to analyze now



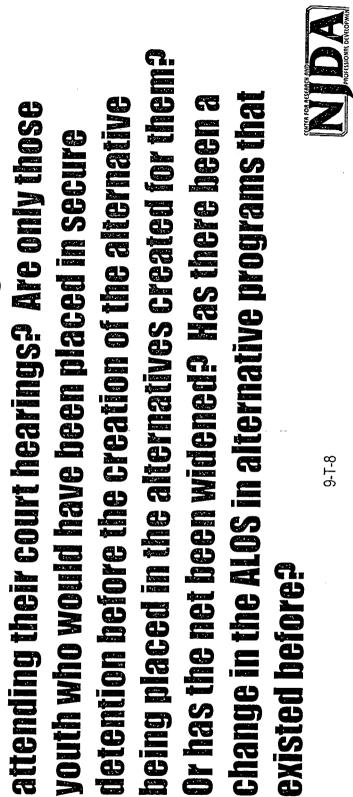
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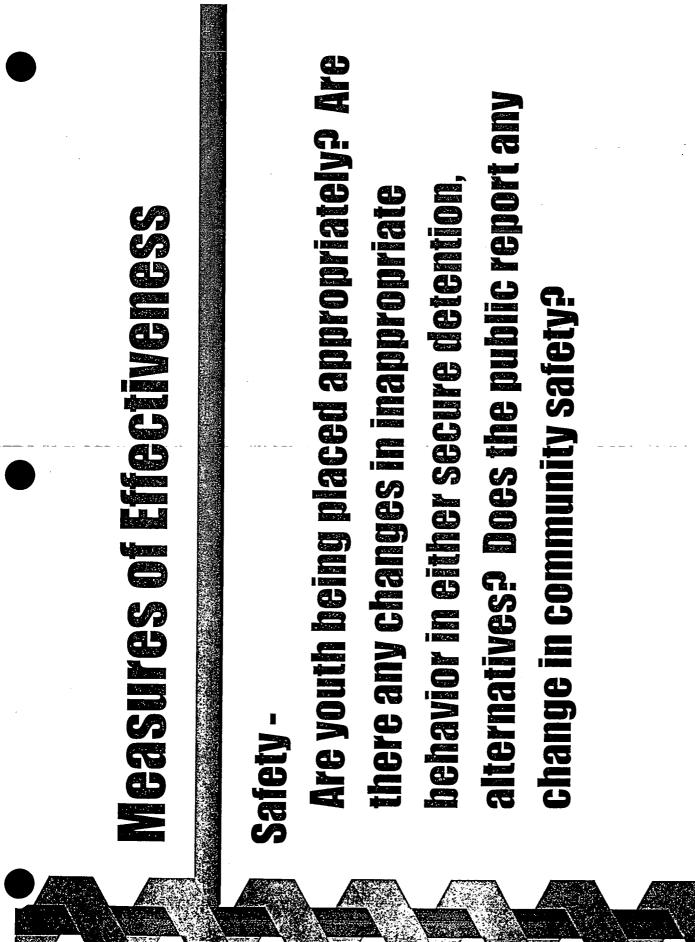
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Alternative Programs-

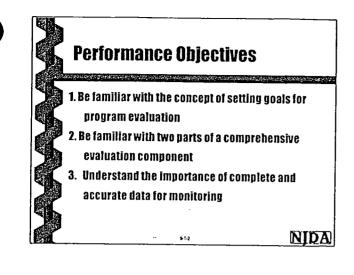
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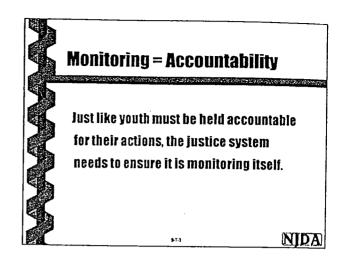




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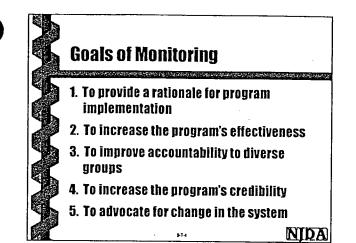


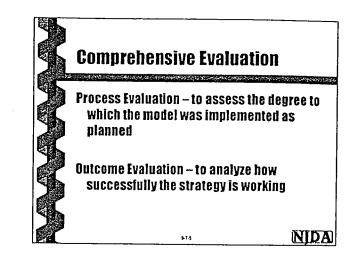
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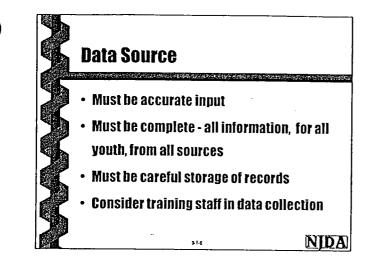


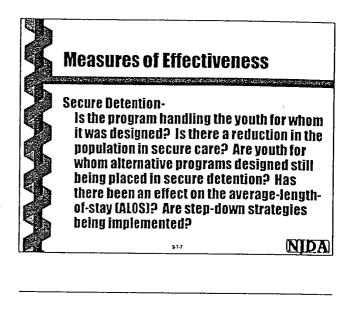




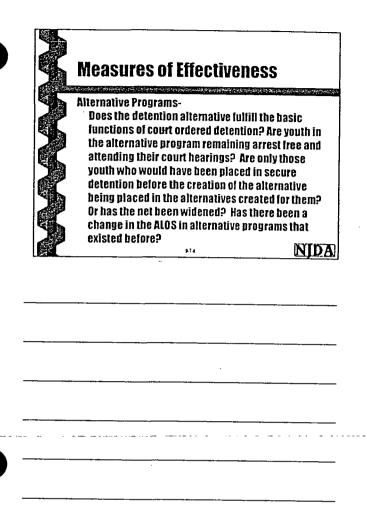
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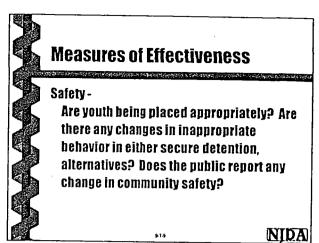












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Operates in a dynamic and flexible manner. Items and report formats can be added, changed, or deleted without a major programming effort.

Routinely provides aggregate information to management. (Management use of this information should, in turn, be conveyed to line staff.)

Provides timely and useful information to all levels of the organization and is integrally tied to other management functions.

Includes routine editing procedures (manual and/ or automated) to protect the integrity of the data.

A comprehensive MIS is crucial in the management and evaluation of the Comprehensive Strategy. Recent technology has made it relatively easy for all communities implementing the Comprehensive Strategy to operate such a system.

# Evaluating the Comprehensive Strategy

The Comprehensive Strategy must incorporate a comprehensive evaluation component consisting of two parts: a process evaluation and an outcome evaluation. The process evaluation will assess the degree to which the model was implemented as planned. The outcome evaluation will analyze how successfully it reduced youth crime and recidivism.

The process evaluation will describe how the Comprehensive Strategy actually operates. It will describe and analyze the planning and implementation of the model. The evaluation will discuss the forces that influenced the model's implementation.

Ideally, the evaluation should be conducted by an outside organization that is independent of the agency operating the Comprehensive Strategy. If the evaluation is not conducted by an outside organization, its design should describe how the organization will maintain neutrality and objectivity and how conflicts between the needs of the model and the needs of the evaluation will be avoided.

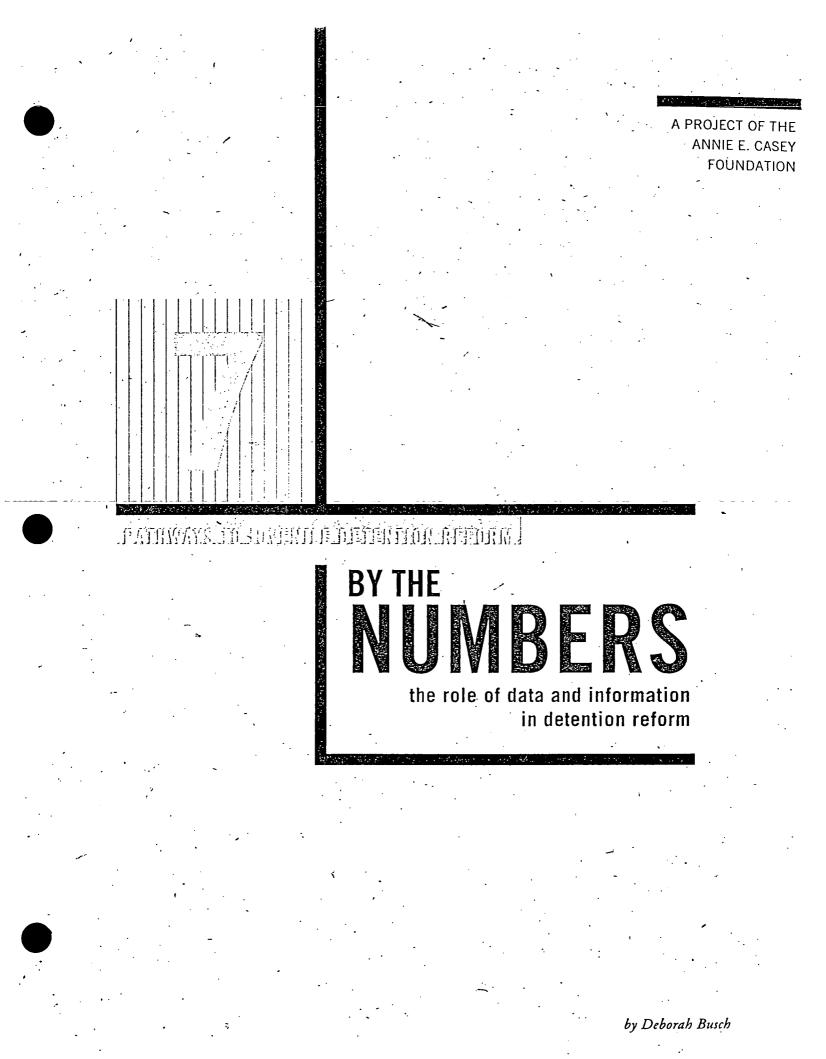
The process evaluation should include at a minimum an analysis of the following program elements: context, client identification, program interventions, and program linkages. Contextual issues include system philosophy, local juvenile justice conditions, and key decisionmakers involved in the development and implementation of the model. Client identification refers to the degree to which planned client selection procedures were implemented and selected youth reflect the planned target population. The element of program interventions includes information on all programs in the continuum of graduated sanctions. Types of information include number of youth served and youth and staff attitudes towards each program. Program linkages refer to a description and assessment of the formal and informal conditions and relationships that may hinder or support program operations. The attitudes of agency staff and staff from other juvenile justice agencies should be analyzed, as should the degree of cooperation between the agency and other service-providing agencies.

An independent research group should conduct the outcome evaluation. When possible, experimental designs should be used to test the efficacy of program interventions. This means that youth in various components of the model system should be compared to a randomly selected control group. The outcome evaluation should examine recidivism, positive social adjustments, and costs.

Several recidivism outcome measures should be included in the evaluation. These include the number and seriousness of rearrests, number and seriousness of readjudications, number of incarcerations, and self-report delinquency measures. The design should specify how the analysis will treat technical violations that do not involve a new offense.

Youth's "positive adjustment" refers to their participation in educational, vocational, family, and community activities that research has shown can reduce delinquency. Measures for the "positive adjustment" portion of the evaluation could include attendance at educational programs, completion of educational programs, and improvements in educational scores; employment measures such as hours worked per week and income earned; and attitudinal and motivational measures such as satisfaction with family and law-abiding friends, self-esteem, and perceived control over life.

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# MBLE OF CONTENTS

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Chapter 3	Using Data for Planning and Assessment: Examples	18
	Supporting Day-to-Day Operations with Technology: Examples	
	Lessons Learned	
Chapter 6	Getting Started	42
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	Titles in the <i>Pathways</i> Series	



# National Juvenile Detention Association

Lesson Plan Cover Sheet

-	190677
COURSE TITLE Jurisdictional Teams: Strateg	gic Planning
MODULE TITLE 10 Designing a Management	Information System
Instructor(s)	
AUTHORS(S) Karen Chinn	
TIME FRAME Allow three hours, but session time will vary depending on activities used and amount of discussion allowed.	Community and Juvenile Justice Leaders, Law Enforcement, School Superintendents, Facility Directors-Juvenile ConfinementNUMBER OF PARTICIPANTS20-30Space REQUIREMENTSClassroom set-up and room for small group activity.
<ul> <li>PERFORMANCE OBJECTIVE(S)</li> <li>Following this program, participants will: <ol> <li>Be familiar with key factors to successful information sharing</li> <li>Be familiar with the general process for developing a management information system</li> <li>Be familiar with the general legal issues that need to be researched regarding the collection, use, maintenance of information</li> <li>Be aware of barriers to successful information sharing.</li> </ol> </li> </ul>	EVALUATION PROCEDURES Lecture, small group activity, trainer evaluation.

## METHODS/TECHNIQUES

Lecture, small group activity and discussion

### **Instructor Materials**

Slayton, J. Establishing and Maintaining Interagency Information Sharing. *JAIBG Bulletin*, (March 2000).

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TITLE	# NEEDED	WHEN DISTRIBUTED	COMMENTS
Notetaking Guide Establishing and Info Sharing Dilemmas	1/participant 1/participant 1/group	Instructional Input Independent Study Optional Activity	

Lesson Plan	
THE MANAGEMENT INFORMATION SYSTEM	NOTES TO TRAINER
I. ANTICIPATORY SET A management information system (MIS) can be thought of as an on-going, established set of procedures and methods for sharing information. This discussion will focus on developing a management information system between several agencies in contact with youth, especially those staff making decisions on the processing and handling of youth in the juvenile justice system.	Display 10-T-1
Performance Objectives:	
Participants will:	Display 10-T-2
1. Be familiar with key factors to successful information sharing	
2. Be familiar with the general process for developing a management information system	
3. Be familiar with the general legal issues that need to be researched regarding the collection, use, maintenance of information	
4. Be aware of barriers to successful information sharing.	
II. INSTRUCTIONAL INPUT	
	Display 10-T-3
A. Success Factors	Display 10-1-5
Five key factors that affect the success of local collaborative efforts to establish effective interagency information sharing systems have been identified.	
1. Climate in which the initiative begins,	
2. Processes used to develop trust and handle conflict,	
3. People involved,	
4. Policies that support or inhibit their efforts,	
5. Availability of resources to enable their effects to continue,	
6. Having and knowing relevant laws.	
B. Identify Appropriate Partners	Display 10-T-4
Probably all Jurisdictional Team members are logical choices, but other agencies that would benefit from developing an information sharing program or that could contribute should be considered, as well. These would include police, probation, education, social	

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THE MANAGEMENT INFORMATION SYSTEM	NOTES TO TRAINER
ervices, prosecution, judicial and corrections agencies. Differences in legal, ethical and financial issues would need to be considered for private agencies or civilian individuals.	Refer to Model Interagency Agreement in JAIBG
Jurisdictions might want to consider developing an Interagency Agreement.	Bulletin.
C. Goals of Developing a MIS	
The groups must establish what goals they want to accomplish through the interagency collaboration. Goals will determine the level of information to be shared (i.e. case-level, department/agency-level, community-level) and thus the correct staff to incorporate into developing a system. As demonstrated with the vision and mission activities, time will need to be spent to ensure everyone in the group has compatible goals for developing an interagency information sharing system.	Display 10-T-5
It is suggested that goals focus on delinquency prevention and intervention, community safety, efficiency, and coordination. The following are examples.	
• Improve programs and services to juveniles currently- involved in the juvenile justice (or social service), (or education) system.	
<ul> <li>Provide appropriate programs and services to deter at-risk juveniles from delinquent behavior</li> </ul>	
• Increase the safety and security of the community	
Eliminate duplication of services	
<ul> <li>Leverage or conserve resources and training programs through coordination</li> </ul>	
<ul> <li>Improve case- and management-level decision-making.</li> </ul>	
D. Research the Legal Issues	Display 10-T-6
1. Policies	
There are laws, policies and procedures that address the collection, maintenance, use and release of information. In most cases however, it is policies, or lack thereof, that are the barriers to sharing information; not laws. A successful program requires political and monetary support.	
2. State Laws	
Jurisdictions need to research laws particular to their geographic area, including state laws. Lexis/Nexis and Westlaw are comprehensive online legal databases that provide access to State and Federal legislation, case law and	



THE MANAGEMENT INFORMATION SYSTEM	NOTES TO TRAINER
also other law-related documents.	
3. Federal Laws	Display 10-T-7
Privacy Act of 1974	Display 10-1-7
Correction of Youthful Offenders of 1984	
<ul> <li>Family Educational Rights and Privacy Act (FERPA) of 1974</li> </ul>	
• Computer Matching and Privacy Protection Act of 1988	
<ul> <li>Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 and the Drug Abuse and Treatment Act of 1972</li> </ul>	
<ul> <li>Child Abuse Prevention and Treatment and Adoption Reform Act of 1977</li> </ul>	
E. Activity: Information Sharing Ethics	
Divide participants into very small groups (3-4). Provide each with a scenario. Ask them to discuss think about the feasibility of interagency sharing of information. Encourage brainstorming of all possible repercussions both positive and negative from information sharing in that situation. Ask them to consider if the information could alter a decision affecting a youth.	Divide participants into small groups. Distribute one scenario to each group.
After giving them 5-10 minutes, bring groups back together and have them summarize their discussions. Allow for additional input from the larger group. Does the group think it should be shared? Ask participants from agencies that would be the receiver of the information if they would want that information shared with them. Do they think their front line staff would act on that information?	
F. Form a MIS Development Team	Refer participants to 10-H-4
Representatives should be chosen based on their access to the appropriate information and authority to make decisions regarding development of information sharing systems. Consideration should be taken to include technical staff if sharing information via computer is being considered. The Development Team will handle details of available information, opportunities and methods for sharing information.	
G. Steps for Developing MIS	
A system can be as simple as encouraging staff to phone the other gency when they have questions or as complicated sharing an nternet database. Along with initial goals for the MIS, finances, taffing, technological development of partner agencies are some	Display 10-T-8



f the factors that will determine how evolved the final product should be.       Display 10-T-9         H. Barriers to Success       .         Lack of Trust       .         Burden of gathering and reporting information       .         Lack of adequate funding resources       .         Difficulty in working with schools and other youth – serving systems       .         Failure to conduct and evaluation.       .         Technical incompatibilities       .         III. SUMMARY       Although developing a management information system can be time-consuming and complicated, the benefits can be sizable and long-lasting. Information sharing is an tool that can be taken advantage of by agencies that deal with at-risk and delinquent youth. Sharing information can facilitate services and treatment, improve decision-making and feedback concerning juveniles and nsure that children do not fall through the gaps.	THE MANAGEMENT INFORMATION SYSTEM	NOTES TO TRAINER
<ul> <li>H. Barriers to Success</li> <li>Lack of Trust</li> <li>Burden of gathering and reporting information</li> <li>Lack of adequate funding resources</li> <li>Difficulty in working with schools and other youth – serving systems</li> <li>Failure to conduct and evaluation.</li> <li>Technical incompatibilities</li> <li>III. SUMMARY</li> <li>Although developing a management information system can be time-consuming and complicated, the benefits can be sizable and long-lasting. Information sharing is an tool that can be taken advantage of by agencies that deal with at-risk and delinquent youth. Sharing information can facilitate services and treatment, improve decision-making and feedback concerning juveniles and</li> </ul>		
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# National Juvenile Detention Association

Lesson Plan Cover Sheet

COURSE TITLE Jurisdictional Teams: Strate	gic Planning					
MODULE TITLE 09 Monitoring Strategies						
INSTRUCTOR(S)						
AUTHORS(S) Paul DeMuro	Paul DeMuro					
TIME FRAME Allow three hours, but session time will vary depending on activities used and amount of discussion allowed.	TARGET POPULATION NUMBER OF PARTICIPANTS SPACE	Community and Juvenile Justice Leaders, Law Enforcement, School Superintendents, Facility Directors-Juvenile Confinement 20-30 Enough to comfortably seat all participants in classroom seating				
Performance-Objective(s)	REQUIREMENTS EVALUATION	and in small groups. PROCEDURES				
Following this session participants will:	Group discussio	on.				
1. Be familiar with the concept of setting goals for program evaluation						
2. Be familiar with two parts of a comprehensive evaluation component						
3. Understand the importance of complete and accurate data for monitoring						
<ol> <li>Know a variety of measurements to determine whether strategies to reduce crowding are effective.</li> </ol>						

### **METHODS/TECHNIQUES**

Lecture, group discussion and independent study.

### **Instructor Materials**

Howell, J. C. (Ed.). (1995, May). A guide to implementing the comprehensive strategy for serious, violent, and chronic juvenile offenders. Washington, D.C.: Office of Juvenile Justice and Delinquency Prevention.

Slayton, J. Establishing and Maintaining Interagency Information Sharing. JAIBG Bulletin, (March 2000).

EQUIPMENT AND SUPPLI	es Needed		· ·
EQUIPMENT AND SUPPLI     XFLIPCHART & STAND (# NEE     XFLIPCHART PADS (# NEEDED    CHALKBOARD    16 MM PROJECTOR    16 MM PROJECTOR    FILM LENGTH:MINU    SLIDE PROJECTOR     TYPE:CAROUSEL    TRAY    SOUND-ON-S    SCREEN     XFELT-TIP MARKERS     XMASKING TAPE	DED) <u>1</u> ): <u>1</u> TES	VIDEO PLAYER TYPE: VIDEO TAPE VIDEO TAPE RECO PUBLIC ADDRESS X OVERHEAD PROJE X OTHER (SPECIFY) Transparencies	DRDER WITH CAMERA System ECTOR
PARTICIPANT MATERIALS (HANDO TITLE Notetaking Guide Page 53 of Guide	# NEEDED	WHEN DISTRIBUTED Anticipatory Set Independent Study	COMMENTS

Lesson Plan	
MONITORING STRATEGIES	NOTES TO TRAINER
I. ANTICIPATORY SET	Display 9-T-1
This session only covers issues related to the development and operation of alternative detention programs. It does not address monitoring issues regarding the operation of secure detention facilities or other system issues which affect crowding in secure detention, e.g., length of stay in secure detention, timeliness of court hearings, use of risk assessment, etc.	
<b>Performance Objectives:</b> Following this presentation, participants will:	Display 9-T-2
1. Be familiar with two parts of a comprehensive evaluation component	
2. Be familiar with internal and external evaluations	
3. Be familiar with the concept of setting goals for program evaluation	
4. Understand the importance of complete and accurate data for monitoring	
II. INSTRUCTIONAL INPUT	
A. Monitoring = Accountability	Display 9-T-3
Without monitoring and the associated evaluation tools, administrators cannot know if the strategies are having the intended effects. Just as it is important to hold youths placed in detention alternatives accountable by monitoring their daily activities, the system needs to ensure that it monitors the operation of its alternative programs.	
B. Goals of Monitoring	( minutes)
Activity: Divide participants to work in small groups. Half of the groups should be assigned to list on newsprint the ways their jurisdiction could use positive evaluation of the implementation of their strategy to reduce crowding. <i>Possible responses include: To solicit increased public support of programs; To increase support of expanding strategies; To increase morale of various agency staff</i>	Divide participants into groups of 5-7. Provide each group with 1-2 sheets of newsprint. Post use of evaluation results on walls.
The other groups should list the ways their jurisdiction could use negative evaluation of implementation of their strategies. <i>Possible responses include: To solicit funding from various sources – taxpayers, government and private grants; To discover specific areas for improvement; To spur creativity or action by the group;</i>	

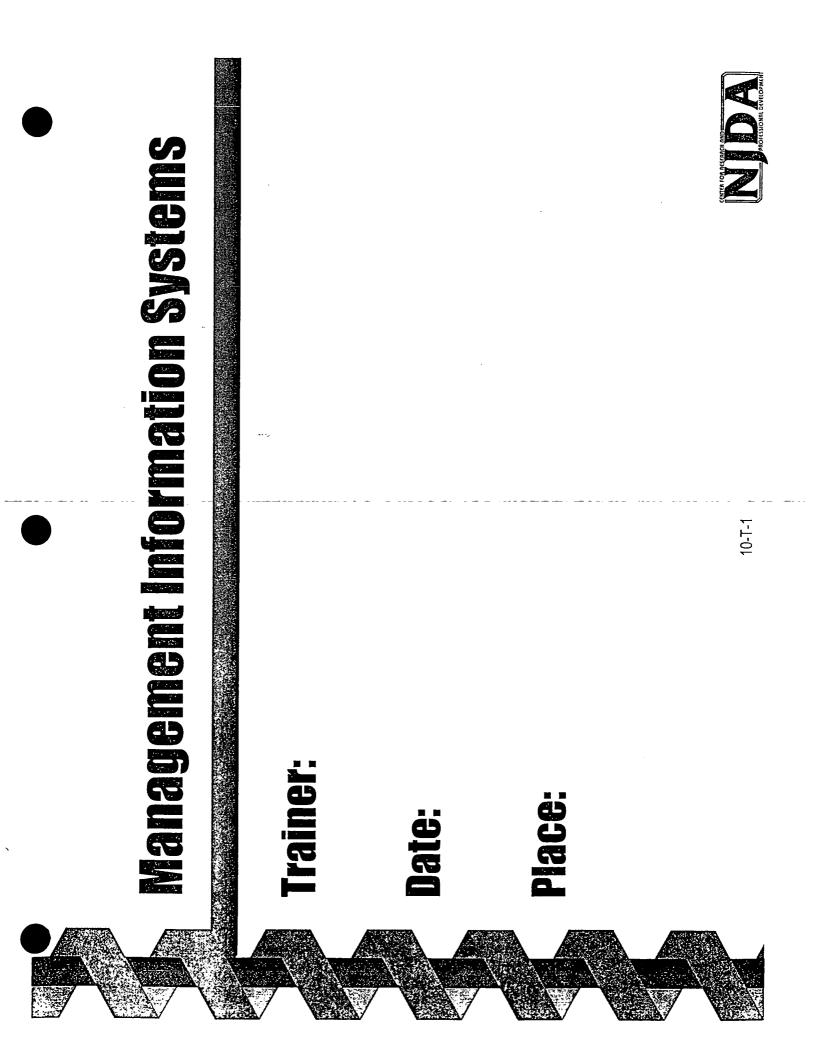


MONITORING STRATEGIES	NOTES TO TRAINER
To discover a need for outside expertise or further research; To scover areas of redundancy; To identify a population needing liternative programs; To convince a reluctant stakeholder of the need for their cooperation.	
The reasons for and goals of monitoring and evaluating are many. Each jurisdiction may place emphasis on different areas, but some consistent reasons are:	
1. To provide a rationale for program implementation	Display 9-T-4
2. To increase the program's effectiveness	
3. To improve accountability to diverse groups	
4. To increase the program's credibility	
5. To advocate for change in the system	
C. Comprehensive Evaluation	
There are several ways to develop monitoring strategies. OJJDP's Guide for Implementing a Comprehensive Strategy suggests ncluding two parts.	Display 9-T-5
<ol> <li>Process Evaluation – to assess the degree to which the</li> <li>model was implemented as planned. It will describe and analyze how the strategy was implemented and is currently being executed.</li> </ol>	· · · · · · · · · · · · · · · · · · ·
<ol> <li>Outcome Evaluation – to analyze how successfully the strategy is working. This is best handled by an independent research group with experimental designs used, including random sampling of the data for detention center residents and alternative placement youth. However, with effort jurisdictions can also monitor strategies if outside evaluation is not possible and should establish some method of on-going monitoring strategy.</li> </ol>	
Technical assistance can be sought for insuring that jurisdictions process for analyzing data is effective. Again, outside or emporary consults can assist in establishing a system. Analysis of data should consider several measures of effectiveness.	
D. Data Sources	Display 9-T-6
<ul> <li>To monitor the crowding reduction strategies, records must be kept on the characteristics of youth coming in contact with the juvenile justice system and the results of their contact including:</li> <li>age, sex, prior police and court record, current charge, placement history, etc.</li> </ul>	
The records must be complete and accurate for any	



MONITORING STRATEGIES	NOTES TO TRAINER
analysis to be meaningful. Because of this, stakeholders might consider monitoring and spot checking accuracy of records or instituting training on record-keeping methods. If a determination cannot be made based on available information, then more data may need to be generated.	
Participants should already be familiar with some of the reasons for keeping records on youth through the Jurisdictional Team Training. As a review, ask participants what other purpose data collection is used for in the juvenile justice system.	
C. Measures of Effectiveness	Display 9-T-7
The effectiveness of strategies to reduce crowding can be analyzed by looking at data through the following categories. Compare the information with data gathered before implementation.	
<ol> <li>Secure Detention         Is the program handling the youth for whom it was         designed? Is there a reduction in the population in secure         care? Are youth for whom alternative programs designed         still being placed in secure detention. Has there been an         effect on the average-length-of-stay (ALOS)? Are step-         down strategies being implemented?     </li> </ol>	Display 9-T-8
2. Alternative Programs	
Does the detention alternative fulfill the basic functions of court ordered detention? Are youth in the alternative program remaining arrest free and attending their court hearings? Are only those youth who would have been placed in secure detention before the creation of the alternative being placed in the alternatives created for them or has the net been widened? Has there been a change in the ALOS in alternative programs that existed before? (Note: ALOS in alternative program should be 20-40 days)	Display 9-T-9
3. Safety	
Are youth being placed appropriately? Are there any changes in inappropriate behavior in either secure detention, alternatives? Does the public report any change in community safety?	
Comparisons should be made between youths placed in alternative programs and youths placed in secure detention. Ask participants if they can think of any other measures of effectiveness?	





Paricipants will :	2. Be familiar with the general process for	developing a management information system 3. Be familiar with the general legal issues that	need to be researched regarding the collection, use maintenance of intermation	e of barriers to successful information	Sharing.

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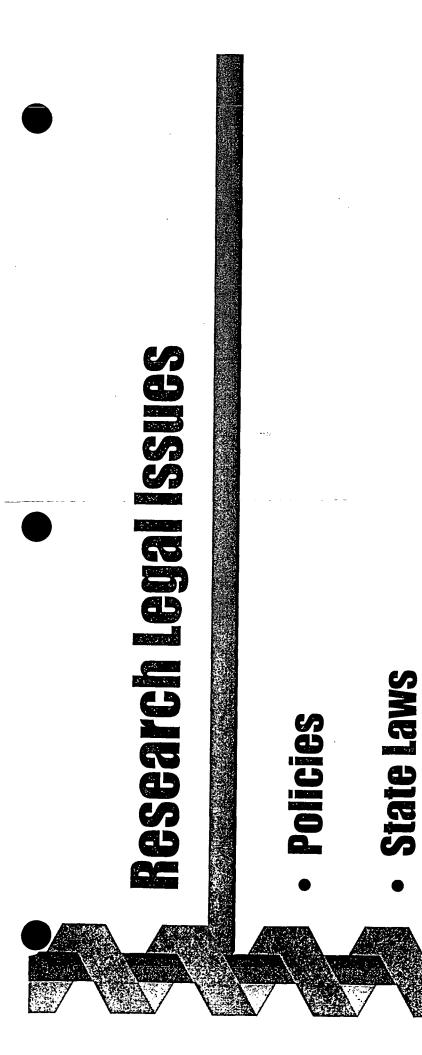
	Climate in which the initiative begins, Processes used to develop trust and handle conflict,	People involved, Policies that support of infinit their efforts, Availability of resources to enable their	effects to continue, Having and knowing laws.
C) CA	2. Pro 2. Pro		6. Hav

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	3				
	Benefit from information sharing	<b>Contribute te information base</b>	to consider legal issues for some	members.	10-T-4
	• Benef	• Contri	• NCCU	team	

Cosis of coerds a MS	Should focus on delinquency prevention and intervention, community safety, efficiency, and coordination. J	<ul><li>Examples:</li><li>Increase the safety and security of the community</li></ul>	<ul> <li>Eliminate duplication of services</li> </ul>	<ul> <li>Leverage or conserve resources and training programs through coordination</li> </ul>	<ul> <li>Improve case- and management-level decision- making</li> </ul>	10-T-5
	R R					

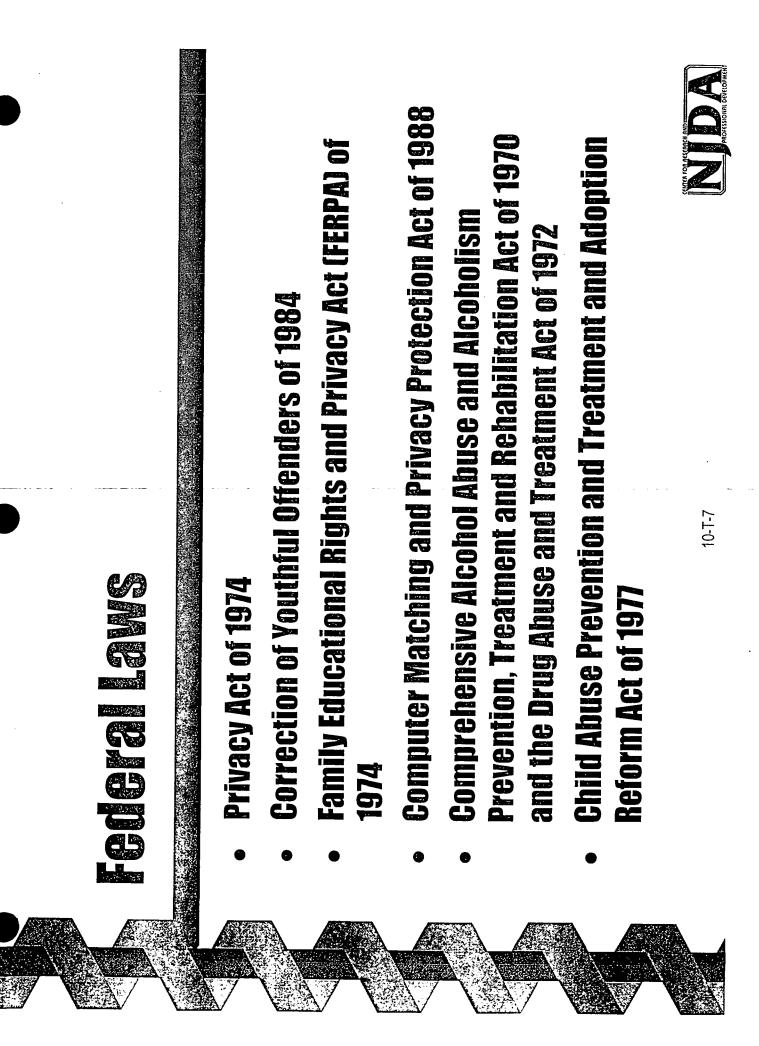
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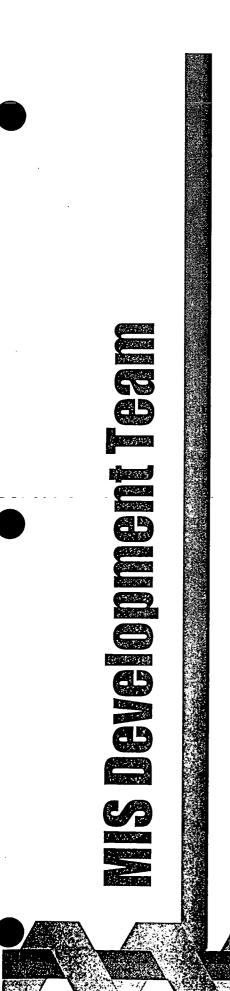


# Federal Laws

10-T-6







Access to/User of Information

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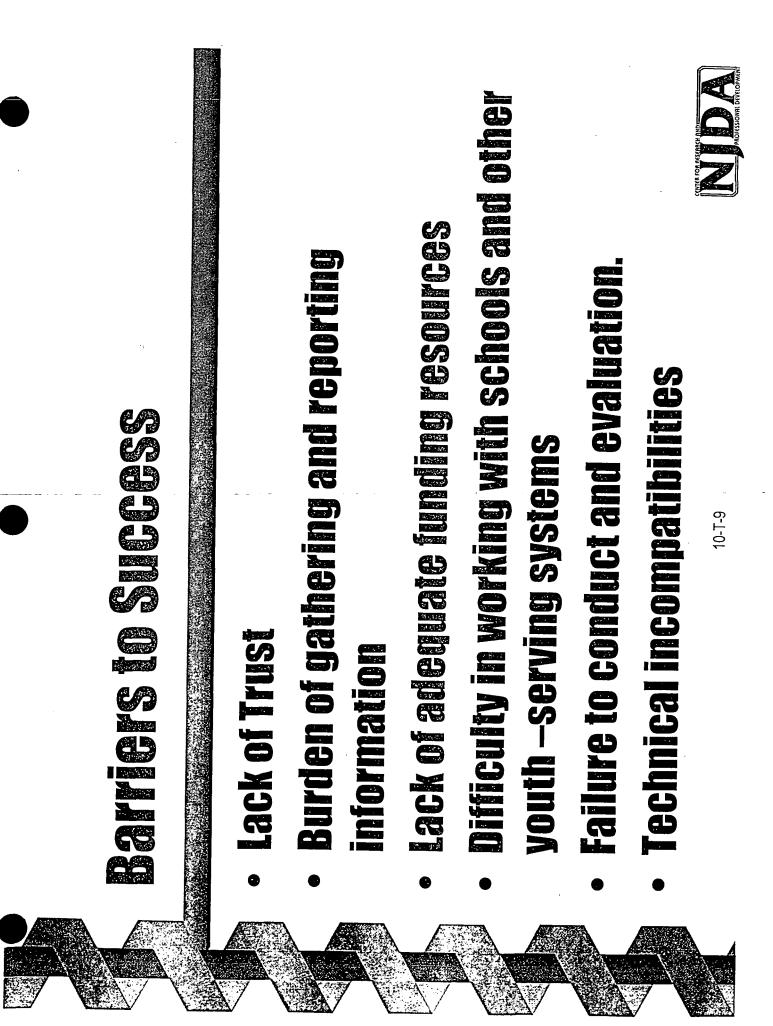
- Authority to make decisions
- · Technical Knowledge



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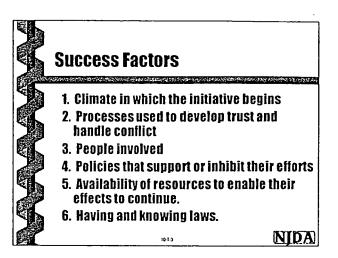
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# Performance Objectives Participants will : 1. be familiar with key factors to successful information sharing 2. Be familiar with the general process for developing a management information system

- Be familiar with the general legal issues that need to be researched regarding the collection, use, maintenance of information
- 4. Be aware of barriers to successful information sharing.

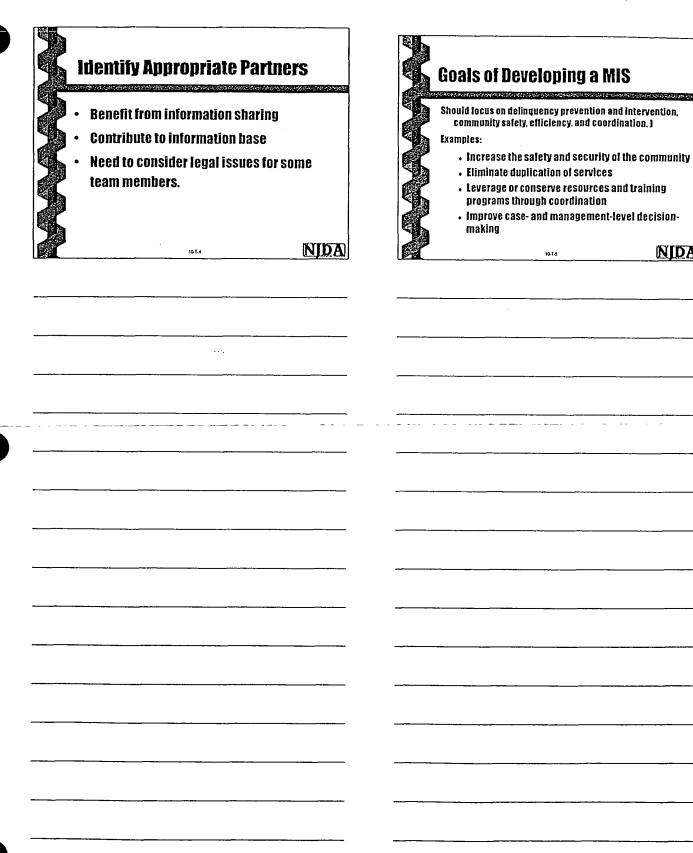
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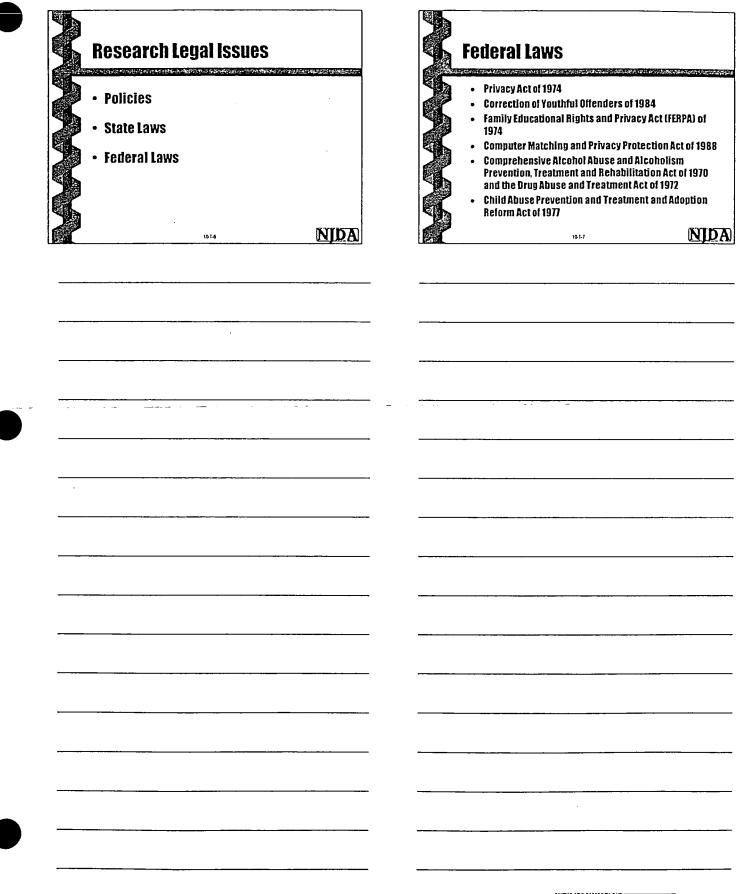


10-7-5

NIDA







NIDA PACHESICINAL DEVELOPMENT

# Sample Plan for Designing a Management Information System

### A. Interview Key Users

- 1. Determine Data and Information Needs
- 2. Determine Data Elements Collected and Methodology
- 3. Identify Shared Information Needs Among Agencies
- 4. Analyze Reports Currently Generated
- B. Form Data User Group

### C. Develop Reporting Format

- 1. Standardized Reports
- 2. Ad-Hoc Report Capability
- 3. On-line Database Sharing

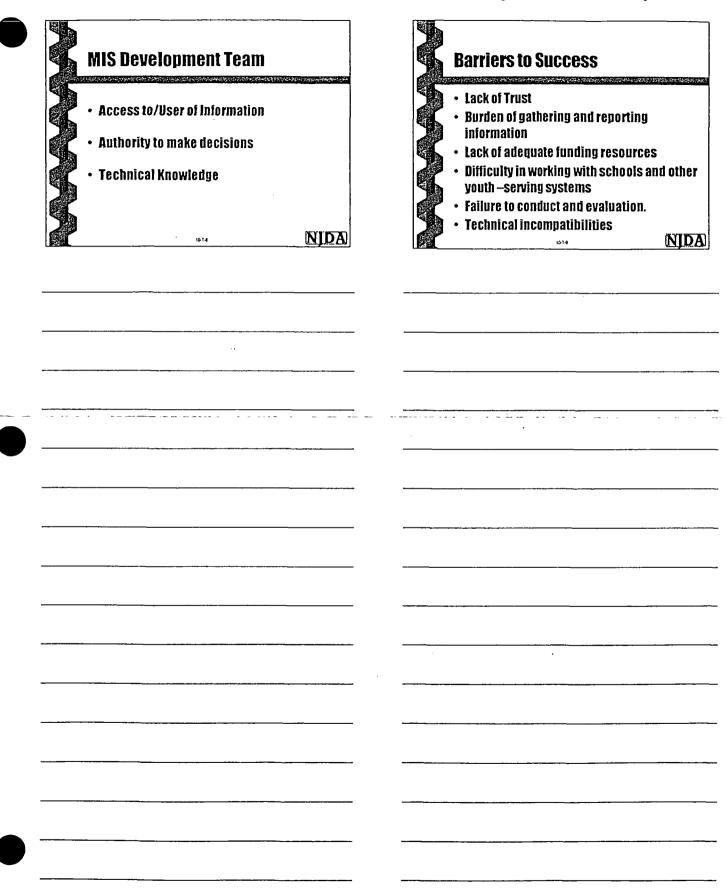
### D. Develop Collection Methodology

- 1. Develop Data Collection Forms
- 2. Set Up Data Forms on Computer for Input
- 3. Conduct Training on Data Input
- 4. Conduct Training with Multiple Agencies

### E. Monitor Data Input And Reporting

- 1. Review Data Collection and Reporting with User Group
- 2. Change Procedures/Reports as Needed
- 3. Monitor Data Reports and Update as Required











March 2000

## From the Administrator

Communities across the Nation are working in a collaborative and comprehensive way to address juvenile crime. To provide appropriate interventions, however, they need information about the youth in their communities, their families, and the problems they face. Multidisciplinary collaboration and information sharing are crucial elements of success in helping at-risk and delinquent juveniles.

This Bulletin, one of OJJDP's JAIBG Best Practices series, describes key elements of effective information sharing, provides a model interagency agreement, and highlights examples of best practices for a partners working to integrate juvenile justice services and develop informed, appropriate decisions regarding youth. Attaining interagency collaboration and setting parameters for information sharing is challenging, but success in these areas can help ensure that juveniles receive the support they need.

John J. Wilson



# Establishing and Maintaining Interagency Information Sharing

### Julie Slayton

This Bulletin is part of OJJDP's Juvenile Accountability Incentive Block Grants (JAIBG) Best Practices Series. The basic premise underlying the JAIBG program, initially funded in fiscal year 1998, is that young people who violate the law need to be held accountable for their offenses if society is to improve the quality of life in the Nation's communities. Holding a juvenile offender "accountable" in the juvenile justice system means that once the juvenile is determined to have committed law-violating behavior, by admission or adjudication, he or she is held responsible for the act through consequences or sanctions, imposed pursuant to law, that are proportionate to the offense. Consequences or sanctions that are applied swiftly, surely, and consistently, and are graduated to provide appropriate and effective responses to varying levels of offense seriousness and offender chronicity, work best in preventing, controlling, and reducing further law violations.

In an effort to help States and units of local government develop programs in the 12 purpose areas established for JAIBG funding, Bulletins in this series are designed to present the most up-to-date knowledge to juvenile justice policymakers, researchers, and practitioners about programs and approaches that hold juvenile offenders accountable for their behavior. An indepth description of the JAIBG program and a list of the 12 program purpose areas appear in the overview Bulletin for this series.

Since the beginning of the 1990's, public bodies, professional organizations, and business groups have been calling for greater interagency coordination to achieve a more comprehensive approach to providing services for children and families at risk (Soler, Shotton, and Bell, 1993). Central to interagency coordination efforts is the establishment of interagency informationsharing networks or programs. More specifically, collaboration and information sharing may provide for multidisciplinary, multiagency approaches to comprehensively address problems posed by juveniles who are at risk of or have already committed serious delinquent or criminal acts. Information-sharing programs also present a way to further partnerships between agencies that are currently engaged with each other to serve these same juveniles, their siblings, or their families. These partnerships, therefore, work to preserve the family unit by addressing the needs of the juvenile, the sibling, and/or the entire family as the need arises.

Information-sharing programs make it possible to coordinate juvenile justice services that foster more informed, appropriate decisions regarding juveniles. An information-sharing program would, for example, provide a teacher who believes a student may be at risk of becoming involved in gang or drug activity with a method for notifying the appropriate service providers who could intervene before the student engages in such activities. Similarly, such a program might require probation officers to furnish information to teachers about the conditions of a juvenile's probation so that they could monitor the student's behavior and be aware of any risks the student might present to others in the classroom. Sharing information will allow service providers to more efficiently determine the level and type of services juveniles need by avoiding redundancy of service and conflict in treatment approach. A central database of information regarding delinquent, at-risk, and dependent juveniles would eliminate the need for multiple agencies serving a single juvenile to collect the same information and might also eliminate the need for each of these agencies to obtain a release to gather the information needed to serve that juvenile.

Additionally, sharing information can facilitate services and treatment, improve decisionmaking and feedback concerning juveniles, and ensure that children do not fall through the gaps in civil society into the world of drugs, gangs, and juvenile delinquency. For example, such a program would allow the formation of a treatment team to address the needs of a juvenile who has been adjudicated delinquent for threatening a public official. Each member of the team-probation, mental health, and juvenile justice—would provide the appropriate services to that juvenile based on shared information. Similarly, information sharing can

improve a system participant's ability to make case- or management-level decisions, which ultimately may significantly improve the treatment of juveniles and decrease or eliminate offending behaviors. For example, educators—people who frequently see the first warning signs of delinquency and/or have critical information about youth involved in the juvenile justice system—can help justice and other youth-serving agencies develop effective intervention strategies by sharing information (Medaris, Campbell, and James, 1997).

Information sharing is an effective tool for those who deal with at-risk and delinquent juveniles. Agencies can use a great many methods for sharing information. As Soler and colleagues (1993, p. 47) suggest: "Written releases, interagency agreements, court orders, memoranda of understanding, statutory authorizations for information sharing, as well as designations of information-not-consideredconfidential, all present agencies with abundant opportunities to work together to provide better services for children and families."

This Bulletin offers an overview of what is necessary to establish and maintain an interagency informationsharing program. It presents strategies and sources for the development of information-sharing programs, details the functional requirements for an effective and efficient program, and identifies policy concerns and key issues in the implementation and maintenance of information-sharing programs. Agencies building collaborative information-sharing programs must consider several key issues, including possible legal restrictions in Federal and State laws, the need for an evaluation system to determine the effectiveness of the information-sharing program, and potential barriers to successful programs.

### Key Elements of an Effective Information-Sharing Program

### Strategies and Sources for Development

Interagency partnerships should, where possible, begin by building on existing methods of information sharing. Communities should strive to develop a comprehensive and systemwide information-sharing program that maintains financial accountability, contains cumulative data for reporting purposes, and can be evaluated to determine whether it meets the goals of the system's partners (Etten and Petrone, 1994). The partnership must also establish high levels of security to prevent the inappropriate release of information and should give extensive consideration to training staff in the technical aspects of the information system, including all security measures (Soler, Shotton, and Bell, 1993).

In addition to determining the appropriate strategy for sharing information in a given community or jurisdiction, it is important to identify available sources of information within each participating agency. Sources used to create a common pool of information for program participants will have to be determined by the partners in the program. A partial list of agencies and organizations to consider as potential sources of information would include the following: police, probation, education, social services, prosecution, judicial, and corrections (Bellmio, 1995). The information gathered from these sources may range from statistics regarding rates of crime or victimization among juveniles in a given community to probation information, including conditions of community control and predisposition reports; disposition of juvenile court cases; parole information for youth to be released from juvenile institutions; data on juvenile crimes and arrests from

neighboring jurisdictions; human service information related to abuse, neglect, or exploitation of juveniles; accounts of gang involvement or substance abuse by youth; and school records (Bellmio, 1995). The specific sources used by each informationsharing partnership should come from the community context and the expectations of the partners. Thus, the participating agencies need to determine which sources of information will most efficiently provide the information needed for success in dealing with juveniles in the partners' service area. Partners will have to look beyond the usual information and determine the specific needs of their community. Finally, they will have to develop policies and procedures that will formalize the gathering and sharing of informa-

### **Functional Requirements**

A variety of factors must be in place for effective interagency information sharing. Melaville and Blank (1991) identify five key factors that affect the success of local collaborative efforts:

tion in a secure manner (Bellmio, 1995).

- The climate in which the initiative begins.
- The processes used to develop trust and handle conflict.
- The people involved.
- The policies that support or inhibit their efforts.
- The availability of resources to enable their effects to continue.

In addition, the success of an information-sharing program can depend on the completion of several other functional requirements: identifying appropriate partners, establishing program goals, focusing on intervention and prevention, developing a common framework, knowing the law, communicating frequently, providing technical assistance, and developing a computerized information-sharing system.

### **Identify Appropriate Partners**

It is of primary importance that the right "players" from agencies serving specific juvenile populations are brought to the table to facilitate collaborative cross-system planning and delivery (Isaacs, 1992; Melaville and Blank, 1991). To identify appropriate partners, it might be useful for multidisciplinary teams to conduct a community self-assessment to learn more about the nature of juvenile problems in the community and to build a commitment to change. The assessment can help identify community and interagency partners outside the juvenile justice system and locate untapped community resources.

### **Establish Program Goals**

Once agency partners have been identified, an interagency task force should be established to create the framework within which the program will operate and to set forth the goals of the information-sharing partnership. The task force must be composed of agency representatives with the power to make decisions. The goals must be clearly laid out and shared by all the agencies participating in the information-sharing program (Wagner et al., 1997). The goals will determine the level of information to be shared (i.e., case-level, department/agency-level, communitylevel) and the individuals within each agency who should have access to the information. Medaris, Campbell, and James (1997) suggest that these goals focus on delinquency prevention and intervention, community safety, efficiency, and coordination. The goals of the partnership also may include the following:

- Providing appropriate programs and services to intervene with juveniles currently involved in the juvenile justice system.
- Providing appropriate programs and services to deter at-risk juveniles from delinquent behavior.

- Increasing the safety and security of the community and its children by reducing juvenile crime.
- Eliminating duplication of services.

- Leveraging resources and training programs through coordination.
- Improving case- and managementlevel decisionmaking.

# Focus on Intervention and Prevention

In order to establish an interagency information-sharing partnership that provides information geared toward both intervention and prevention, the system must help service providers to be both proactive and reactive. James (1994) defines a reactive program as one in which the partners wait until incidents of criminal activity occur, identify the violators, and then mete out appropriate sanctions. He defines a proactive program as one in which the partners scan the horizon for signs of trouble and devise plans to respond to symptoms that arise prior to the outbreak of undesired behavior. A partnership is reactive if the partners provide each other with information about juveniles who have already committed serious violent or criminal acts and proactive if they also share information identifying at-risk juveniles.

### Develop a Common Framework

Other imperatives for a successful information-sharing plan are developing a common definition of youth who are "at risk" and identifying the juvenile population(s) that will be the focus of the information-sharing partnership. It is important that participating agencies share the same criteria for defining youth at risk of delinquency, delinquent youth who are at risk of becoming serious habitual juvenile offenders, and youth already considered serious habitual

continued on page 6

3

### Model Interagency Agreement

Medaris, Campbell, and James (1997) outlined goals of a model interagency agreement for partners of an informationsharing program that includes representatives from juvenile court, probation, social services, education, law enforcement, and prosecution. The following model agreement is adapted from that document.

Each of the parties agrees to:

- Promote a coordinated effort among agencies and staff to achieve maximum public safety with the goal of reducing juvenile crime.
- 2. Participate in interagency planning meetings, as appropriate.
- 3. Assign staff, as appropriate, to participate in a consolidated case management system, to facilitate reentry into school of children returning from detention or commitment programs, and other information-sharing activities to assess and develop plans for at-risk youth and those involved in the juvenile justice system.
- If applicable, participate in the planning and implementation of a juvenile assessment, receiving, and truancy center to the extent feasible for each party.
- 5. Jointly plan and/or provide information and access to training opportunities, when feasible.
- Develop internal policies and cooperative procedures, as needed, to implement this agreement to the maximum extent possible.
- 7. Comply with relevant State and Federal law and other applicable local rules that relate to records use, security, dissemination, and retention/ destruction.

The juvenile court agrees to:

- Notify the superintendent, or designee, of the name and address of any student adjudicated delinquent or who has had his or her adjudication withheld following determination of responsibility. Notification shall be within 48 hours and shall include the specific adjudicated or withheld delinquent act or specific crime for which the student was convicted if prosecuted in the criminal justice system.
- 2. Identify sanctions for youth who are in violation of a court order requiring school attendance.
- Upon request by the school district, share dispositional information with the superintendent or a designee regarding juveniles who are students within the educational system for purposes of assessment, placement, or security of persons and property.

- 4. Consider the issuance of court orders necessary to promote the goals of this agreement, particularly information sharing between the agencies involved.
- 5. Develop, in cooperation with school, law enforcement, and local service providers, a written plan to determine the procedures to follow when a child is identified as being truant from school.
- 6. Develop appropriate internal written policies to ensure that confidential education record information is disseminated only to appropriate and authorized personnel.

The Department of Probation agrees to:

- Notify the sheriff and superintendent of schools or designees, immediately upon learning of the move or other relocation of a juvenile offender into, out of, or within the jurisdiction, who has been adjudicated delinquent or had an adjudication withheld for a violent misdemeanor or felony-level offense.
- Share dispositional, placement, and case management information with other agencies as appropriate for purposes of assessment, placement, and enhanced supervision of juveniles.
- Develop, in cooperation with school, law enforcement, and local service providers, a written plan to determine the procedures to take when a child is identified as being truant from school.
- 4. Develop appropriate internal written policies to ensure that confidential education record information is disseminated only to appropriate authorized personnel.

The Department of Health (or Social Services or similar agency) agrees to:

- Provide notice to the superintendent of schools or a designee, immediately upon the initiation of planning efforts with private nonprofit entities or governmental entities, including agencies that are part of this agreement, which could result in the creation, relocation, or expansion of youth services programs and which may impact the school district.
- Develop, in cooperation with school, law enforcement, and local service providers, a written plan to determine the procedures to take when a child is identified as being truant from school.

The school superintendent agrees to:

rized personnel.

- Notify, within 24 hours, the school principal of a juvenile arrested for a criminal act upon receipt of such information from law enforcement, the court system, or probation department. The principal, within 24 hours of such notice, shall provide such information to student service personnel, the school resource officer, the student assistance coordinator, and the student's immediate teachers.
- Designate the contact person to be responsible for receiving juvenile arrest information and inform all parties as to the superintendent's designee.
- Request criminal history information only for the purposes of assessment, placement, or security of persons and property.
- Designate the contact person(s) to be responsible for receiving confidential offender history information and inform all parties as to the names of those individuals.
- Develop appropriate internal written policies to ensure that confidential offender history information is disseminated only to appropriate and authorized school personnel.
- 6. Share information on student achievement and behavioral and attendance history on juvenile offenders and juveniles at risk of delinquency with the parties to this agreement for the purpose of assessment and treatment.
- 7. Develop, in cooperation with school, law enforcement, and local service providers, a written plan to determine the procedures to take when a child is identified as being truant from school.
- 8. Notify the appropriate law enforcement agency when an adult or a student commits any of the following offenses on school property, on schoolsponsored transportation, or at school-sponsored activities: homicide; sexual battery; armed robbery; aggravated battery on a teacher or other school personnel; kidnaping or abduction; arson; possession, use, or sale of any firearm; possession, use, or sale of any controlled substance; or any act that

compromises school or community safety. Additionally, if the offense involves a victim, school officials shall notify the victim and the victim's parents of the offense and the victim's right to sign a criminal complaint against the offender. School personnel shall cooperate in any investigation or other proceedings leading to the victim's exercise of this right as provided by law.

Each law enforcement chief [or sheriff] agrees to:

- 1. Notify the superintendent, or designee, of the name and address of any student arrested for a criminal act. Notification shall be within 24 hours and shall include the specific act that led to the arrest.
- 2. Upon request by the school district, share summary offender history information with the superintendent or a designee regarding juveniles who are students within the educational system for purposes of assessment, placement, or security of persons and property.
- 3. Develop appropriate internal written policies to ensure that confidential education record information\_is disseminated\_only\_to\_appropriate and authorized personnel.
- 4. Develop, in cooperation with school, law enforcement, and local service providers, a written plan to determine the procedures to take when a child is identified as being truant from school.
- 5. Notify the superintendent or designee of the name and address of any employee of the school district who is charged with a felony or with a misdemeanor involving the abuse of a minor child or the sale or possession of a controlled substance. Notification shall be within 24 hours and shall include the specific act that led to the arrest.

The State attorney [or district attorney] agrees to:

- Notify the superintendent or designee in a timely manner when a student is formally charged with a criminal offense or a delinquent act that would be a felony if committed by an adult.
- Provide copies in a timely manner to the superintendent or designee of all petitions, other charging documents, or no file decisions regarding students charged with criminal misdemeanors and felonies or delinquent acts that would be felonies if committed by an adult.

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juvenile offenders (Bellmio, 1995). A common framework can improve communication between participating agencies. Thus, after defining the juvenile population(s) to be served, the task force should determine the specific information that will be shared and develop interagency agreements for sharing that information (Soler, Shotton, and Bell, 1993). The partnership should also consider mechanisms to protect the interests of clients, including notifying them of the scope and purposes of the information system, determining the information that will be provided by agency workers, and deciding on the form of any written releases (Soler, Shotton, and Bell, 1993).

### Know the Law and Communicate Frequently

Melaville and Blank (1991) list two other factors necessary for the successful development and implementation of an interagency informationsharing program:

- Having law(s) in place that will allow interagency information sharing to take place.
- Knowing the laws and the way they provide for interagency information sharing.

Wasik, Lam, and Kane (1994) add to these factors the need for partners in an interagency information-sharing network to communicate frequently and share information in a timely manner. Mechanisms for sharing information vary from information requests and responses via telephone or written reports to online access to a set of core data from a multiagency information database. Failure to share information in a timely manner can undermine the effectiveness of a coordinated effort.

Provide Technical Assistance Further, for an interagency partnership to be developed successfully, the

participants will need technical assistance for general project development and implementation. They will need access to a common information base and implementation resources. Technical assistance, including information on materials and procedures, should be provided through staff training. As part of its mandate, the task force should develop staff training policies and procedures (Soler, Shotton, and Bell, 1993). Similarly, technical assistance in developing and implementing supervisory procedures is also helpful. Finally, technical assistance may be necessary for developing and implementing sound procedures for evaluating the information-sharing system. Project evaluation should determine if or how well the system is accomplishing the goals outlined by the partners and identify specific changes that might be necessary to ensure the program meets its goals.

### Develop a Computerized Information-Sharing System

When considering whether to develop a computerized central informationsharing system, a number of preliminary issues should be explored. For example, how quickly would the partners like to begin sharing information. The development of a computerized central information-sharing system may be expensive and can be extremely time consuming. It may take months or years to develop the appropriate software to link different partners to the system. Inputting information into the system may also be time consuming and may require a great deal of coordination between members. On the other hand, despite these potential difficulties, there are also good reasons for implementing a central computerized information-sharing system. These include both the ease of access to information and the consistency of the information available to all partners at the same time.

Other issues need to be considered prior to developing a computerized and central information-sharing system (Etten and Petrone, 1994; Soler, Shotton, and Bell, 1993), including:

- Overall policies and procedures covering the purposes of the information system.
- The importance of limiting information.
- Methods of interagency cooperation and information sharing.
- Notices to clients and other protections of clients' interests.
- System security measures.
- The type of data contained in the computerized files.
- The individuals and agencies authorized to receive data.
- The purposes for which data will be used.
- The relationship between the system and the clients/juveniles whose records are in the data bank.
- Confidentiality protections.

Similarly, system developers should address how information will be recorded and entered and what will happen when inaccurate information is entered into the system (Etten and Petrone, 1994). Etten and Petrone also strongly suggest that any computerized system have an electronic security system that allows access only by authorized personnel. As part of its mandate, the task force should develop these policies and procedures, which should be approved by all agencies involved in the partnership (Soler, Shotton, and Bell, 1993).

### **Policy Issues**

A variety of policy issues need to be considered when attempting to establish or maintain an interagency information-sharing program. A successful program requires political and monetary support from policymakers. In some instances, policymakers will need to sponsor legislation allowing interagency collaboration. In other instances, legislation will not be necessary but political support will be.

State-level efforts, legislative or otherwise, to create information-sharing networks must require or encourage a diverse group of youth-serving agencies (such as child welfare, mental health, juvenile justice, law enforcement, substance abuse, and health) to take the lead in forming interagency partnerships that meet the needs of each community. This State-level political support may be necessary to convince different agencies to begin to collaborate or to garner public support for such a system.

Policymakers can help ensure that the necessary financial resources are available to establish and maintain the interagency information-sharing program and that the policies and approaches chosen to support the system are having their intended effect. Finally, a policy issue that should be considered by those at both the State and local levels who are interested in information sharing is how agencies can use the system to prevent and reduce juvenile delinquency. Demonstrating the system's potential or actual effectiveness in dealing with at-risk and offending juveniles will help to earn the support of community members and potential agency participants in the program.

### Legal Issues

Most agencies that collect data on uveniles must follow Federal, State, and local statutes, ordinances, resolutions, regulations, court orders, and legal opinions (Etten and Petrone, 1994), These Taws, policies, and procedures address the collection, maintenance, and release of information. Before any interagency informationsharing program can begin operating, it is imperative that all parties to the partnership reveal anything that they

### Twenty Steps to Successful Information Sharing

Etten and Petrone (1994) developed a 20-point prescription for comprehensive system development:

- 1. Appoint an Information Management Committee composed of representatives from every agency in the juvenile justice system and funding agency officials, legislative staff, management information system experts, community representatives, child welfare agents, and parents.
- 2. Determine the information collected and maintained by all the agencies.
- 3. Evaluate information needs.
- 4. Evaluate agency goals and identify those that are overlapping.
- 5. Determine the mission (overall goals) of the juvenile justice system.
- 6. Clarify reasons to share information.
- 7. Identify what specific information is to be shared and who needs access to each item of information.
- 8. Determine statutory record requirements about information collection and dissemination mandated by Federal, State, and local governments.
- 9. Determine exceptions to statutory requirements.
- 10. Draft an interagency agreement.
- H. Fund the system.
- 12. Designate information management liaisons in each agency.
- 13. Build the system.
- 14. Prepare and/or revise policies and procedures.
- 15. Train staff.
- 16. Supervise confidentiality needs.
- 17. Review policies regularly.
- 18. Review needs regularly.
- 19. Revise system as necessary based on audits and system needs.
- 20. Repeat steps 14 through 19.

A successful information-sharing program can be formulated by focusing on the majority of these points.

think might interfere with their ability to share information. For example, potential partners should identify any laws that they think might impede their ability to share information between or among agencies. In some cases, both Federal and State legal barriers will limit the sharing of certain types of information without consent or a court order. It is important to stress that in most cases, however, there are no legal barriers to sharing information. Rather, policies assoctated with these laws, or the lack thereof, may have interfered with the sharing of information between agencies. Many of the legal or ethical concerns associated with the informal information sharing that is already taking place in many communities also can be overcome through the development of a simple consent procedure or a discussion with clients of the need to sometimes share limited amounts of confidential information (Soler, Shotton, and Bell, 1993).

The Federal and State statutes discussed below should be considered as information-sharing partnerships are being developed. However, it must be emphasized that all of these laws allow programs to share information. There are ways to appropriately share vital information within the legal limitations that exist, and policies can be changed to encourage interagency information sharing.

### Federal Laws

Privacy Act of 1974.<sup>1</sup> This Act applies to all records regarding individuals that are collected by Federal agencies. It prohibits any Federal agency from disclosing, without consent, individually identifiable records maintained in a records system that can be retrieved by a person's name or identification number. Although the law does allow for disclosure of records without consent under limited circumstances, it does not authorize the parent or guardian of a minor to consent to disclosure of a minor's medical records. However, the minor can give consent to release records, and disclosure without consent is allowed to other government agencies for civil or criminal law enforcement purposes, in instances where the health or safety of the person is endangered, or by court order. Because information-sharing partnerships are intended to address civil or criminal law enforcement purposes and circumstances where the health and safety of the juvenile is endangered, information can be shared between government agencies. Where nongovernment agencies are part of

the partnership or where none of the above-mentioned exceptions exist, a court order will allow for the sharing of this information. Thus, this Act need not present a major impediment to appropriate information sharing.

- Ocrrection of Youthful Offenders (1984).<sup>2</sup> This Act requires that records of juvenile delinquency proceedings in Federal district courts be safeguarded from disclosure to unauthorized persons except under a variety of circumstances that fit directly into the needs of an information-sharing program. These include inquiries from another court of law, agencies preparing presentence reports, investigative law enforcement agencies, treatment agencies assigned by a court, or a victim regarding disposition of his or her case. Thus, it is unlikely that this law will pose a barrier to the appropriate sharing of information.
- Family Educational Rights and Privacy Act of 1974.<sup>3</sup> The Family Educational Rights and Privacy Act (FERPA), also known as the "Buckley Amendment," applies to "educational agencies and institutions" that receive funds under any program administered by the U.S. Secretary of Education. This includes virtually every public elementary and secondary school and school district and also most postsecondary institutions in the United States. FERPA protects parents' and students' privacy interests in "education records" maintained by the agency or institution.4 Parents or eligible students (those who are 18 years of age or attending postsecondary institutions) must provide a signed and dated written consent before an educational agency or institution may release personally identifiable information

from a student's education records, except in conditions specified by statute.

There are several specific exceptions to the prior written consent rule under FERPA that may permit educational agencies and institutions to share information from the education records of at-risk or delinquent juveniles as part of a properly constructed informationsharing network. The most pertinent of these, the Juvenile Justice System Exception, permits nonconsensual disclosure to State and local officials or authorities to whom the information is specifically allowed to be reported or disclosed pursuant to a State statute if the reporting or disclosure concerns the juvenile justice system and its ability to effectively serve the student whose records are released.

Educational agencies and institutions may also release without consent personally identifiable information that has been designated as "directory information" in accordance with FERPA requirements. Directory information includes the student's name, address, date of birth, dates of attendance ("from and to" dates of enrollment), and other general information that is not considered an invasion of privacy if disclosed. However, directory information does not include a student's Social Security or other identification number. Also, parents and students have the right to refuse to allow agencies and institutions to disclose directory information without consent.

FERPA contains other exceptions for nonconsensual disclosure that may be of value in establishing an informationsharing program, including disclosures in connection with a health and safety emergency and in compliance with a judicial order or lawfully issued subpoena. Also, records of the law enforcement unit of an educational agency or institution that were created and maintained for the purpose of enforcing any Federal, State, or local laws are excluded from FERPA's definition of education records and,

<sup>2 18</sup> U.S.C. §5038.

<sup>3 20</sup> U.S.C. § 1232g; 34 CFR Part 99.

<sup>&</sup>lt;sup>4</sup>Education records are defined as any information recorded in any way—including handwriting, print, computer media, video or audio tape, microfilm, and microfiche—that is directly related to a student and maintained by an educational agency or institution or by a party acting for the agency or institution.

<sup>15</sup> U.S.C. § 522 (a); 1 CFR § 425.1 et seq.

### Juvenile Justice System Exception to FERPA

Under the Juvenile Justice System Exception, State legislators may authorize the sharing of student information between educational institutions and other youth-serving agencies without parental consent or the consent of an eligible student if four conditions are met:

- The disclosure or reporting of the records must be to a State or local juvenile justice system agency (to be defined by the State legislation).
- The disclosure must be based on a State statute authorizing the disclosure.
- The State law was passed after November 19, 1974, and the allowed reporting or disclosure concerns the juvenile justice system's ability to effectively serve, prior to adjudication, the student whose records are released.
- The State or local officials and authorities to whom such information is disclosed must certify in writing to the educational agency or institution that the information will not be disclosed to any other party except as provided under State law without the prior written consent of the parent of the student.

Once a State has authorized information sharing, FERPA requires that:

- Schools maintain a record, kept with the education records of each student, that will indicate all individuals, agencies, or organizations that have requested or obtained access to a student's education records maintained by such educational agency or institution and that will indicate specifically the legitimate interest that each such person, agency, or organization has in obtaining this information.
- Any agency that violates the disclosure limitations shall be prohibited from obtaining access to information from education records for a period of not less than 5 years.

therefore, from the Act's protections a written agreement specifying the puragainst nonconsensual disclosure. pose for collection of the information

Thus, FERPA allows for the sharing of information under a variety of circumstances—with parental or eligible student consent, by judicial order or subpoena, in accordance with a State statute that allows for sharing, or in a health and safety emergency—and should not pose a problem for the sharing of information from schools to other agencies participating in an information-sharing program. Furthermore, FERPA does not impede, in any way, a school from receiving information from any other participant in such a program.<sup>5</sup>

Computer Matching and Privacy Protection Act of 1988.<sup>6</sup> This Act mandates that computer records can be disclosed only to a Federal agency in a computermatching program except pursuant to

• 5 U.S.C. § 552a.

pose for collection of the information and procedures for ensuring its security. This includes any item, collection, or grouping of information-educational, financial, medical, criminal, or occupational-identifying an individual that is maintained by a Federal agency. Other communications are allowable, including those pursuant to a court order, those for a government agency for civil or criminal law enforcement activity, and those for a person showing compelling circumstances of a risk to health or safety (Soler, Shotton, and Bell, 1993). Thus, as with the other Federal laws described here, this Act does not present a significant barrier to sharing information in an interagency partnership.

**&** Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act (1970)<sup>7</sup> and Drug Abuse and Treatment Act (1972).<sup>8</sup> These Acts specifically apply -to-the confidentiality of-patient records in alcohol or drug abuse programs receiving Federal assistance. The programs and practitioners covered by these Acts include but are not limited to treatment or rehabilitation programs, programs within general hospitals, school-based programs, and private practitioners who hold themselves out as providing alcohol or drug abuse diagnosis, treatment, or referral for treatment (42 CFR 2.12, 1998). These laws prohibit the release of patient record information, either verbally or in writing, except under limited circumstances.

Generally speaking, a program or practitioner cannot release any information, directly or indirectly, that identifies a person in the program and cannot acknowledge the presence of an individual in the program. But patient record information can be released under the following exceptions:

It will be used in internal communications between or among those with a legitimate interest who need the information in connection with

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<sup>&</sup>lt;sup>3</sup> OJJDP has published a guide to FERPA called Sharing Information: A Guide to the Family Educational Rights and Privacy Act and Participation in Juvenile Justice Programs (NCJ 163705).

<sup>2 42</sup> U.S.C. §4541 et seq.

<sup>\* 42</sup> U.S.C. §290dd-2; 42 CFR § 2.1 et seq.

their duties that arise out of the provision of diagnosis, treatment, or referral for treatment of alcohol or drug abuse if the communications are within the program or between a program and an entity that has direct administrative control over the program.

- It relates to a medical emergency requiring assistance.
- It relates to research or an audit of the program or service.
- It relates to a crime on the premises involving drug use or a mental condition.
- It relates to reports of suspected child abuse and neglect.
- A court order has been obtained.
- It will be used by qualified organizations providing services to the program.
- Proper consent, by way of a criminal justice consent form, has been obtained from the individual in the program (in the case of a minor, the consent must be obtained from either the patient, the parents, or both). This consent must be in writing and must contain each of the following items:
  - The name and general description of the program(s) making the disclosure.
  - The name of the individual or organization that will receive the disclosure.
  - The name of the patient who is the subject of the disclosure.
  - The purpose or need for the disclosure.
  - How much and what kind of information will be disclosed.
  - □ A statement regarding revocation of consent.
  - The date, event, or condition upon which the consent will expire.

- □ The signature of the patient.
- The date on which the consent is signed.

The requirements regarding consent for the sharing of information among treatment programs and criminal justice agencies are somewhat unusual and strict but must be carefully followed. A general medical release form, or any consent form that does not contain all of the elements listed above, is not acceptable. Whenever possible, it is best to have a proper criminal justice system consent form signed by the defendant before he or she is referred to the treatment program. All disclosures, and especially those made pursuant to a consent form, must be limited to information that is necessary to accomplish the purpose for the disclosure (§2.13(a)). It would be improper to disclose everything in a defendant's file if the recipient of the information needs only one piece of information.

It is important to note that these two laws and regulations prohibit the use of information obtained from patient records to initiate or substantiate any criminal charges against a patient or to conduct any criminal investigation of a patient, regardless of the status of the person obtaining the information or of whether the information was obtained in accordance with these regulations (42 CFR § 2.12, 1998). Finally, if a patient's alcohol or drug abuse diagnosis, treatment, or referral for treatment is not provided by a program that is federally conducted, regulated, or supported, that patient's record is not covered by these regulations. It is, therefore, possible for an individual patient to benefit from Federal support yet not be covered by these confidentiality regulations, because the program in which the patient is enrolled is not federally assisted. The abovementioned special exemptions for information under these Acts (especially the court order) should

provide information-sharing programs with the tools necessary to obtain the information they need. Thus, these laws should not present a barrier to such a partnership.

Child Abuse Prevention and Treatment and Adoption Reform Act (1977).<sup>9</sup> This Act protects the confidentiality of children's records listed in the child protective services files of agencies that want to remain eligible for Federal funds. Under this Act, the right to confidentiality must be balanced with the need to ensure the accuracy and currency of the information. States may draft legislation complying with this Act that provides records access by (Etten and Petrone, 1994):

- Local child protective services.
- Law enforcement officers investigating reports of abuse or neglect.
- Persons legally authorized to place children in protective custody.
- Physicians, parents, guardians, or supervisory agencies.
- Courts, so long as the review is limited to an *in camera* inspection.
- Grand juries.

Moreover, consent by the child would also allow the release of this information.

In general, juvenile records relating to court dispositions, school information, child abuse, and drug/alcohol treatment can be released under specific circumstances to interested parties. In fact, almost all of these laws permit the sharing of information by obtaining the consent of the individual to whom the information pertains. Thus, Federal statutes provide sufficient flexibility to permit interagency information sharing in appropriate circumstances while protecting the confidentiality of juveniles and their families.

<sup>\* 42</sup> U.S.C. § 5106a(b)(4); 45 CFR § 1350.14(j).

### State Laws

In addition to Federal statutes that may impact the establishment and maintenance of interagency informationsharing networks, State statutes also must be considered. Each agency group interested in establishing this type of network will need to identify State laws that govern the collection, use, and dissemination of juvenile records by juvenile justice and other juvenile-related agencies. Specifically, these laws will include but may not be limited to those governing law enforcement records, school records (a State-level codification of FERPA), juvenile court records (legal and social), child protective services and other youth-serving agency records, and mental health records.

Some States treat juvenile court records as public information (see, for example, Washington Revised Code 12.50.050; 13.50.010). Other States permit access to court records only by the juvenile and agencies directly involved in the juvenile justice system. Most States use a method of conditional disclosure of juvenile court records in which a judge issues a court order that permits access to agencies that are not part of the juvenile justice system (see, for example, Pennsylvania Revised Code 6307; 6308). Most State codes do not address procedures for verbal exchanges of information and, for the most part, recognize the right of service providers to share confidential information verbally (Etten and Petrone, 1994).

In the past several years, many State legislatures have reconsidered their laws concerning juvenile records, making them more flexible in order to allow youth-serving agencies to comprehensively address juveniles who have committed serious or violent offenses. In fact, since 1992, 40 of the 50 State legislatures and the District of Columbia have made substantive changes to their laws relating to the confidentiality of juvenile records or proceedings (Torbet et al., 1996). Relevant statutes can be identified in a number of ways. The most efficient approach is to access either a Lexis/ Nexis or Westlaw database<sup>10</sup> in order to identify relevant State statutes through a keyword search. Alternatively, each State's codes are available in any law library. It will likely be most effective to assign a representative from the juvenile justice side of the partnership to determine which laws are relevant to the partnership.

Finally, in addition to identifying the statutes that impose legitimate constraints on establishing and maintaining interagency information-sharing programs, each group will need to identify policies that restrict or limit information sharing. Policies, while often based on laws, are much easier to change. After determining the applicable State laws in each of these areas, it is important to assess implementation policies and practices related to or derived from these laws to see if they inappropriately hinder the ability of agencies to share information with each other. In many instances, policy and practice, not laws, may impede the sharing of information. In either case, both law and policy may need to be changed to increase access to information.

# Evaluation Plans $*^{0}$

A good evaluation mechanism is another element needed to establish a successful information-sharing network (Wagner et al., 1997). Without evaluation tools, program participants are unable to determine whether the program is serving the needs of its intended clients and cannot make adjustments where necessary to do a better job. The lack of evaluation results can make it impossible to determine with any certainty whether information-sharing programs are effective in preventing or reducing juvenile delinquency (Isaacs, 1992).

Moreover, Wagner et al. (1997) suggest that both internal and external evaluations are necessary. An internal evaluation provides the participants in the network with a firsthand look at the way the program operates and builds capacity within the collaborating organizations for analyzing information and improving decisionmaking. An external evaluation provides for a degree of objectivity that an internal evaluation might not. Therefore, Wagner et al. (1997) set out six major goals that should be established when structuring a system evaluation process:

- Provide a rationale for the collaboration. This means making a commitment to a particular set of results that are meaningful for each member agency and the community at large. This commitment will provide a stronger basis for partners to continue to work together.
- Increase the program's effectiveness. In other words, track the program's progress toward a specific result. This tracking makes it more likely that the program will actually make a difference because the participants will know if they need to make changes to increase the program's effectiveness.
- Improve accountability to diverse groups. The evaluation should provide a detailed report of the results achieved or not achieved to help the partners tailor future efforts.
- Increase the program's credibility. An evaluation will provide documented results that will increase the program's credibility with funders and constituents who want to know that the money is being used efficiently and effectively. This may be particularly important given that one of the

<sup>&</sup>lt;sup>10</sup> Lexis/Nexis and Westlaw are comprehensive online legal databases that provide access to State and Federal legislation and case law and also other law-related documents.

major impediments to the continued existence of many programs is the lack of ongoing and stable funding.

- Advocate for change in the system. Having ongoing documented knowledge of what is and is not working in the current system can provide a credible rationale for making fundamental changes in how the system works.
- Take into account the information needs of all concerned. Community participation is required to help build support for collaborative efforts. When an interagency informationsharing program enlists all groups that are affected by juvenile delinquency, every community resource can be used to its fullest potential. It is also important to stay flexible to address new information needs that arise within the partnership.

In addition to the goals set out for the evaluation, Wagner et al. (1997) suggest that the evaluation must have specific strategies for reaching these goals. The evaluation must be clear about the outcome desired by the partnership—in this case, a decrease in the amount of juvenile delinquency. Wagner et al. (1997) also assert that the evaluation must choose adequate measurement tools to assess the success of partnership activities for which data are available. These measurement tools must demonstrate a link between the activities of the partnership and its stated goals. If this is accomplished, the evaluation will necessarily meet the six goals outlined by Wagner et al. (1997) for the evaluation process. Thus, the evaluation should have at least two components-goals and measures that will be used to assess whether the partnership is reaching the goals. To successfully create these components, it is crucial to identify at the outset the assumptions that the partners are making about what will and will not work in a given community

(Wagner et al., 1997). Proposed activities must be consistent with these assumptions. It is also important to continuously update the partnership's goals to reflect revised activities and to create short-term, interim, and long-term indicators for the continuous evaluation process.

### **Barriers to Success**

In addition to focusing on which aspects are most important in the development of a successful informationsharing partnership, it is also necessary to identify those obstacles that most frequently impede or undermine the establishment, implementation, or continued existence of an interagency information-sharing partnership, so that they can be avoided at the outset.

Lack of trust. One of the most common barriers to information sharing is the lack of trust between agencies that typically do not work together, which can lead to information territorialism (Etten and Petrone, 1994). Differences in agency cultures, goals, vocabularies, and frames of reference also can interfere with appropriate information sharing. Similarly, it is difficult to transfer knowledge when there is a shortage of time and meeting places. Other major barriers that are cited as frequently affecting interagency information-sharing programs include (Isaacs, 1992; Wagner et al., 1997):

- The burden of gathering and reporting information.
- The lack of adequate funding and resources to enable successful programs to continue.
- The difficulty in working effectively with the school system and other youth-serving agencies.
- The failure to conduct an evaluation.

Technical incompatibilities. Moreover, technological incompatibilities can impede information sharing. For example, if agencies do not use a common client identifier for all cases, they may be unable to match a juvenile's name in the different agency computer systems. Agencies may use different coding procedures and have systems using incompatible computer programming languages. Similarly, agencies may define variables using different classification methods (Etten and Petrone, 1994).

Lack of funding. Isaacs (1992) asserts that long-term, stable funding frequently does not exist for interagency partnerships. Thus, programs are not able to hire necessary staff, operate for a significant duration or on a significant scale, or provide continuity of services.

There also is always the risk that an agency may opt out of an interagency information-sharing partnership because it is not the lead organization. Another risk of sharing information between a diverse group of service providers is that children may be prematurely labeled by mental health insurers or other agencies.

In some instances, because of narrow statutory interpretations, long-standing practices, a lack of understanding of other agencies' duties and policies, or a mistrust of other agencies, some agencies will continue to refuse to share their information with others in the system, despite evidence that sharing will contribute to achieving systemwide goals of rehabilitating juveniles and protecting the public (Etten and Petrone, 1994). Yet such problems should not discourage an agency or agency group from attempting to establish an information-sharing program. In many cases, the barriers described above can be overcome with thoughtful planning and by working closely with potential partners. For example, differences in agency cultures can be resolved through discussion, teambuilding, job rotation, and other efforts to find common ground. Scheduling conflicts can be addressed by establishing

flexible schedules and mutually convenient places for knowledge transfer, including rotating the meeting place between the different agencies to encourage full participation and ownership of the activity. Finally, technological obstacles may be overcome by having different agencies adopt similar computer programming languages so that each agency's computer system can access the same data (Etten and Petrone, 1994).

### **Promising Programs**

Interagency information sharing already exists in some form in every community in the country. Many juvenile justice and other youth-serving agencies already engage in informal information-sharing practices. Some agencies share information through hard-copy formats but are unable or unwilling to establish similar automated arrangements. Many agencies share information informally over the phone, but never make such sharing routine or formalized (Soler, Shotton, and Bell, 1993). These informal approaches usually take place in the context of long-term relationships between individuals at different agencies and are based on high levels of trust.

Because sharing information among agencies is an easy and effective way to confront problems posed by at-risk juveniles and juvenile offenders, the goal for communities should be to establish a formalized informationsharing system. Throughout the country, an increasing number of agencies have developed formalized information-sharing relationships. In some cases, agencies have implemented an automated system for entering core information into a database that all parties can access. This shared database eliminates the need to have each agency grant direct access to its information system. A number of jurisdictions have gone further and are developing fully integrated multiagency information

systems. The examples below illustrate three different strategies adopted to foster information sharing.

### Serious Habitual Offender Comprehensive Action Program

Thirty-two counties in Florida and communities in Maryland, North Carolina, Texas, Virginia, and Washington have implemented the Serious Habitual Offender Comprehensive Action Program (SHOCAP). This program establishes an interagency information-sharing process through agency collaboration. Communities adopt shared criteria for identifying serious habitual offenders and at-risk youth. These criteria allow the agencies to focus on the same population of juveniles. Information resources are used to make better decisions regarding control, intervention, and prevention strategies.

Florida's initiative is a statewide effort that involves the Florida Department of Law Enforcement, the Florida Department of Juvenile Justice (DJJ), and the Florida Department of Education. The initiative grew out of reform efforts begun in 1990 by the State legislature, which created a commission to monitor and review the implementation of long-range juvenile justice reforms. However, from 1990 through 1992, efforts were frustrated by delays in funding and the inability of the human services umbrella agency responsible for juvenile justice programs at the time to rapidly implement new programs and provide treatment slots for youth in need. Significant legislative reforms took place in 1993 regarding information sharing among public and private agencies that enhanced the penalties for the use and possession of weapons by minors and allocated funding (\$50 million) to establish additional delinquency, drug, and mental health placement beds. In 1994, the legislature transferred responsibility for the delinquency programs

from the human services agency to a new department-level authority, DJJ, devoted solely to juvenile justice. The reform bill also targeted violent and chronic juvenile offenders with measures that, among other things, relaxed confidentiality standards for juvenile records. In 1995, the legislature appropriated funds to implement the continuum of juvenile justice services it had established in the 1994 legislation.

### Houston's Juvenile Accountability Court Program

In 1998, the Mayor's Office, the Houston Police Department, and the U.S. Attorney's Office worked together to identify systemwide changes they felt were needed to enhance the operation and management of the juvenile and criminal justice systems, to support and link various Federal initiatives (including JAIBG), and to promote prevention and early intervention for juvenile offenders in Houston. One outgrowth of this collaboration was the establishment of Houston's Youth-Focused Community Policing Initiative (YFCP). The goals of Houston's YFCP initiative are to:

- Improve interagency collaboration.
- Remove legal barriers to information sharing.
- Eliminate service duplication.
- Enhance service coordination.
- Develop a formal structure and process for interagency collaboration.
- Identify processes and data systems for resource collection and dissemination.

In June 1999, the YFCP initiative implemented the Juvenile Accountability Court Program (JACP) to identify and intervene with juveniles who have committed minor criminal offenses before they commit more serious ones. JACP places counselors, most of whom are social workers, in the Municipal and Justice of the Peace

courts. A juvenile who has committed a Class C misdemeanor is referred by municipal and peace court judges to a JACP counselor for a needs assessment. The assessment is conducted before or at the juvenile's hearing. The counselor makes recommendations to the judge, and they work together to determine which services will be provided to the juvenile. The juvenile is then ordered by the court to attend these services. Several different types and levels of support are available. JACP provides both direct services and workshops to juveniles. The programs range from less to more intensive. They include prosocial behavior programs, gang intervention, drug and alcohol intervention, parenting classes, and anger management. In addition, JACP can refer a juvenile to outside nonpaid mental health programs.

The JACP contracts with communitybased nonprofit organizations to provide services. In addition to the contracted service providers, JACP has established relationships with other nonpaid service providers who donate their services. Each service provider is required to outline and implement a well-defined program. Moreover, each service provider is required to report information concerning the juvenile's participation and progress back to JACP. In addition to the information JACP receives from service providers, it also has access to county and city arrest records, gang records, and juvenile probation records. Similarly, JACP has formed informal relationships with the Houston Independent School District and Operation Weed and Seed to share information regarding juveniles in their programs.

Over the first year of the program's operation, JACP counselors have faced a number of challenges. First, they found that the workshops they provided were too large. They not only needed to provide smaller workshops, but they also needed to provide more monitoring. They also had to face the reality that a large percentage of the juveniles they treat have drug and alcohol problems. Additionally, they discovered that many of the juveniles with whom they deal are under the jurisdiction of multiple courts. And finally, an unexpectedly large number of the juveniles for whom they provide services are in need of anger management training.

JACP began operation in June 1999. The counselors see approximately 100 juveniles a week. Since its inception, the program has formally served more than 400 juveniles and has referred many more who do not fall within the program guidelines to other service providers.

### Missouri Juvenile Justice Information System

In 1995, the Missouri Legislature mandated that the Office of the State Courts Administrator (OSCA) and the Departments of Social Services, Mental Health, and Health coordinate their information systems "to allow for tracking of individual children by the juvenile court and the departments of social services, mental health and health" (Mo. Stat. Rev. § 210.865). Consequently, a statewide effort was begun to implement an "information sharing network between juvenile offices/courts and executive branch youth service agencies" (Missouri Office of the State Courts Administrator, 1998b). The developers of the Missouri Juvenile Justice Information System (MOJJIS) began their efforts by identifying existing system deficiencies. The problems they identified included (Missouri Office of the State Courts Administrator, 1998a):

- The lack of a uniform data collection process pertaining to individual youth as they proceed through the juvenile justice system.
- The lack of a statewide database to track juvenile offenders or allow

for the systemic reporting of offender dispositions.

- The difficulty in determining the duration, effectiveness, or costs of youth programs across the State.
- The dependence on a system of juvenile/family self-reporting which leads to duplicate services among agencies.
- The absence of an immediate method through which the State can notify agencies about an offender's circumstances and family history.
- The lack of a means for law enforcement agencies, sheriffs, the Missouri Highway Patrol, schools, and social service agencies to request a record check in order to determine if a juvenile or family is known to the juvenile justice system.

The MOJJIS developers established two primary goals: (1) allow juvenile offices to have online access to perti--nent juvenile data gathered from cooperating executive agencies and (2) establish a cooperative informationsharing system among juvenile justice agencies. Then, they took the following preliminary steps:

- A coordinated juvenile informationsharing workgroup representing OSCA; the Departments of Social Service, Elementary and Secondary Education, Mental Health, and Health; and the Missouri Juvenile Justice Association was formed.
- A draft of a cooperative informationsharing agreement was completed.
- Agency information needs and common data elements were identified.

According to the MOJJIS grant administrator, the first jurisdictions came online in mid-1999. To date, juvenile justice agencies are able to communicate with each other online, sharing confidential information through a secured network. Other participating agencies, including the 40 school districts, the Division of Youth Services, the Department of Mental Health, and others, are able to share nonconfidential information with each other via e-mail. MOJJIS is supported by a \$6 million grant from the U.S. Department of Justice's Office of Community Oriented Policing Services and additional funding from the Missouri State Legislature. Efforts to procure additional funding are currently under way.

### Conclusion

States and local entities must turn to multidisciplinary and multiagency approaches to combat and prevent delinquent acts by juveniles. This means creating partnerships among representatives from a variety of fields, including public health, mental health, juvenile justice, education, law, child welfare, child advocacy, and law enforcement. Members of the community, families, and private groups also should be included. Central to creating partnerships that will focus on serving this juvenile population is the ability to share information among all the agencies responsible for delivering services to children. Interagency collaboration for sharing information can be and is being done effectively. With time and patience, a community or jurisdiction can establish a successful information-sharing partnership.

### For Further Information

An interagency information-sharing resource package that contains abstracts and copies of all the articles cited in this Bulletin and additional papers, studies, and articles on information sharing is available from Development Services Group, Inc., JAIBG Training and Technical Assistance grantee, 7315 Wisconsin Avenue, Suite 700E, Bethesda, MD 20814; 877–GO-JAIBG (877–465–2424); www.dsgonline.com (Internet). The resource package also includes: information available on the Internet, relevant State Statutes on information sharing and confidentiality, sample interagency agreements and memoranda of understanding, sample court orders, and model consent forms.

Additional resources and assistance are available from OJJDP's Training and Technical Assistance Center, 800 K Street, Washington, DC 20531; 800–830–4031 (phone); 202–353–9095 (fax); nttac@community-research.com (e-mail).

For information about the Los Angeles information-sharing project, contact: Robert Sainz, Associate Executive Director, Commission for Children, Youth, and Their Families, 333 S. Spring Street, Los Angeles, CA, 90013; 213–485–3821 (phone).

For information about the Houston Juvenile Accountability Court Program, contact: Robin Melrose, Program Manager, Juvenile Accountability Court Program, City of Houston Mayor's Anti-Gang P.O. Box 1562, Houston, TX 77251; 713–437–6511 (phone); 713–247– 1340 (fax); rmelrose@myr.ci.houston.tx.us (e-mail).

For information about Missouri's information-sharing project, contact: Gary Waint, Director, Division of Juvenile and Adult Court Programs, Office of State Courts Administrator, P.O. Box 104480, Jefferson City, MO, 65110; 573–751–4377 (phone); gary\_waint@osca.state.mo.us (e-mail).

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