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JUVENILE DETENTION RISK ASSESSMENT

A PRACTICE GUIDE TO JUVENILE DETENTION REFORM

Juvenile Detention Alternatives Initiative
A PROJECT OF THE ANNIE E. CASEY FOUNDATION

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INTRODUCTION

INTRODUCTION

The Juvenile Detention Alternatives Initiative (JDAI) of the Annie E. Casey Foundation was launched in 1993. The initiative has been active now for more than a decade, providing grants to states, local governments, and others to support juvenile detention reforms. The prime objectives of JDAI are:

- To reduce unnecessary or inappropriate secure confinement of children
- To reduce crowding and to improve conditions for children in secure detention facilities
- To encourage the development of non-secure alternatives to secure juvenile confinement
- To discourage failures to appear in court and subsequent delinquent behavior

Detention risk screening is a fundamental strategy used to achieve these detention reform objectives. Risk screening is the process of evaluating each arrested minor to determine the need for secure, locked confinement. Ordinarily, risk screening occurs at a juvenile detention facility to which a youth is taken after an arrest. However, risk screening can also be conducted outside of the detention center—for example, by law enforcement officers in the field or even by telephone.

A basic tool used in the risk screening process is a detention *risk assessment instrument* or RAI.¹ The risk instrument is a written checklist of criteria that are applied to rate each minor for specific detention-related risks. The overall risk score is then used to guide the intake officer in making the critical decision whether to detain or release an arrested youth. RAIs are locally designed, and they vary in scope and format from site to site. But within JDAI, they are all point-scale instruments—assigning points for various risk factors and then producing a total risk score indicating whether the child is eligible for secure detention, for a non-secure detention alternative program, or for release home.

Based on site monitoring data, the risk instruments developed within JDAI have been effective in curbing subjective or inappropriate decisions to incarcerate children in locked facilities. They have also been effective in controlling total admissions to secure detention, while reducing associated government costs and liabilities.

While the benefits of screening are well established, the replication of risk-screening technology has proven to be a challenge. The sites participating in the Casey detention initiative—particularly the pioneer sites—worked long and hard to design, test, and fine-tune their detention risk instruments. Good risk instruments cannot be constructed in a day, or by intuitive guesswork.

Specific design protocols need to be observed. Improperly drafted instruments can produce unwanted results, such as higher rates of secure detention, overcrowded juvenile facilities, and higher government costs. In addition to the technical challenges, RAI development may be complicated by political or attitudinal factors, such as the resistance of juvenile justice personnel who would prefer to make decisions the old way, with “gut-level” judgments about who should be detained or released.

This monograph reviews contemporary juvenile detention risk-screening technology in the United States through the lens of experience provided by JDAI sites. It includes specific recommendations on how to design, test, and implement detention risk-screening instruments. It is written as a practical guide for judges, probation and law enforcement officers, service providers, community leaders, and other juvenile justice decision-makers who are concerned about the quality of care and protection provided to children in the justice system.

In the first part, we examine risk-screening basics—including how risk instrument technology has evolved and has been applied at JDAI sites throughout the nation. In the second part, we present a step-by-step guide to the development, testing, and implementation of juvenile detention risk assessment instruments. In the final part, we address some of the common problems experienced by JDAI sites using new RAIs, and we offer related troubleshooting tips.

PART ONE: DETENTION RISK-
SCREENING FUNDAMENTALS

DETENTION RISK-SCREENING FUNDAMENTALS

A. Juvenile Detention Risk Screening: Historical Overview

Most states have statutes authorizing secure juvenile detention and setting out basic detention criteria. In general, these laws permit secure detention for a wide variety of reasons, such as “to protect the person or the property of another” or “for the protection of the minor.” They reflect a national policy of “limited due process” for children in delinquency proceedings. A key due process right that applies to adults, but not to children, is the right to bail upon arrest; the United States Supreme Court has held that children have no constitutional right to bail and that pre-trial incarceration of children is consistent with the rehabilitative principles of the juvenile court law.²

While pre-trial juvenile incarceration is legitimized by federal and state law, it is not necessarily good for children. When juveniles are confined in pre-trial facilities, they incur specific risks of abuse, injury, and suicide. Conditions in these facilities range from satisfactory to abysmal; the worst such facilities have unsanitary and unsafe physical plants, poorly trained staff, and inadequate programs. When JDAI began in 1993, many of the detention facilities operated by state and local governments were filled beyond their design capacities.

Given these circumstances, juvenile justice reformers sought to control admissions to detention facilities by adopting local, written detention criteria that were more focused than state detention laws. These local criteria were designed to separate low-risk youth—who could safely be returned to their homes—from higher-risk youth who could be securely detained. Some key principles behind these early screening instruments were:

- **Objectivity.** Detention decisions should be based on neutral and objective factors rather than on the screener’s subjective opinion about an individual youth. Objective criteria anchor detention decisions in ascertainable facts such as the nature and severity of the offense, the number of prior referrals, or the minor’s history of flight from custody.
- **Uniformity.** Local criteria should be uniform in the sense that they are applied equally to all minors referred for a detention decision. To achieve the desired level of uniformity, the criteria must be in a written (or electronic) format and must be incorporated into a screening process that is standardized for all referrals.
- **Risk based.** The criteria should be risk-based, meaning that they should measure specific detention-related risks posed by the minor. These risks are: the risk of reoffending before adjudication and the risk of failing to appear at a court hearing.

In advance of the Casey Foundation initiative, a handful of pioneer jurisdictions adopted local detention screening instruments based on the principles listed above. These included three California counties (Los Angeles, Santa Clara, and San Francisco) that adopted risk instruments designed by the National Council on Crime and Delinquency between 1985 and 1988. In 1989, an objective detention risk instrument was also implemented in Broward County, Florida. Both the NCCD and the Broward County instruments were validated and were proven effective in follow-up studies of released youth. These instruments, and the studies supporting them, served as models for wider replication when the Casey Foundation initiative began in 1993.

As JDAI unfolded, some states responded to the success of the local criteria by changing detention laws to mandate risk screening at intake. For example, the Broward County risk assessment model was incorporated into Florida statutory reforms that required all juvenile detention centers in that state to apply risk-based criteria at intake. Later on, the states of New Mexico and Virginia amended their laws to restrict eligibility for juvenile detention and to mandate risk screening at intake, based on the JDAI models.

In the dozen years since the start of JDAI, local detention risk assessment instruments have been implemented at JDAI sites in more than 15 states. These RAIs are not clones of one another. Each one is tailored to fit state and local laws, policies, and procedures. They have different names and formats. But they are all grounded in the principles of objectivity, uniformity, and risk assessment described above, and they incorporate other common design elements. In the following section, we summarize the basic design features of juvenile detention risk assessment instruments and we describe the procedures necessary for successful application of the instruments.

B. Juvenile Detention Risk Assessment Instruments: Understanding the Basics

1. Types of RAIs—generally

In most juvenile justice systems, there is a statutory or policy presumption in favor of release. In other words, if a minor does not qualify for secure lockup based on the provisions of state law or local detention criteria, he or she must be released. Risk-screening instruments are used to classify arrested children and to determine their eligibility for secure detention or release.

Most often, the minor is risk-screened at a detention center by intake staff. The screening instrument may be a paper form completed by hand, or it may be automated. The screener goes through a checklist of risk factors on the RAI, selecting those that apply to the case at hand.

These risk factors are based on objective facts such as the nature of the offense, the minor's arrest history, and the minor's probation status.

All JDAI sites use point-scale risk instruments, assigning points for each risk factor to produce a total risk score. The total risk score is then compared to an outcome or decision scale indicating a detention result. If the minor's total risk score exceeds the cutoff value for detention, he or she is considered high risk and may be securely detained. Minors scoring below the cutoff value are to be released, unless their scores are overridden in favor of secure detention. In many sites, there is a middle range of scores, between the detain and release thresholds, for which minors may be assigned to a detention alternative program, such as home detention.

While point-scale instruments are preferred, they are not the only possible model. Local detention instruments can be devised without points and risk scores. Non-point tools determine detention eligibility by using a matrix or flow-list of yes-no questions such as: Is the minor charged with a felony? Has he or she been previously detained? Is the minor on active probation? Does the minor have a history of escape from custody? Yes answers to one or more of these questions may qualify the minor for secure detention. In JDAI, this all-or-nothing checklist approach to risk screening has been abandoned, and point-scale instruments have been accepted as more accurate, sophisticated, and flexible risk-screening tools. In validation studies (discussed later), these point-scale instruments have been shown to be effective in meeting JDAI reform goals, including the goal of public protection.

It is worth noting that the final decision to detain or release a minor in each case is a professional judgment call made by an intake worker or other juvenile justice practitioner. The RAI is essentially a triage device that brings structure, uniformity, and predictability to the detention decision-making process. Trained personnel retain discretion to override the score and to select a detention outcome that differs from the one indicated by the RAI. The need to control overrides and override control mechanisms are discussed at multiple points in the text below.

A risk instrument example from JDAI, developed and implemented in Santa Clara County (San Jose), California, is shown in Figure 1 on page 12.

2. Risks addressed by detention screening instruments

Juvenile detention risk instruments address specifically defined risks. An understanding of these risks—what they are and what they are not—is an essential pre-requisite for stakeholders

The RAI is essentially a triage device that brings structure, uniformity, and predictability to the detention decision-making process.

designing new instruments. Within JDAI, two specific risks are measured by detention screening instruments:

- **Public safety risk**—the risk of committing another public offense prior to adjudication and disposition of the case.
- **FTA risk**—the risk of failure to appear in court (FTA) after release. This risk is also sometimes referred to as flight risk.

These risks are compatible with the legitimate goals of juvenile pre-trial detention, which are to protect the public and to guarantee the appearance of the minor in court.

Notably, JDAI risk assessment instruments do not attempt to quantify another important juvenile justice risk, which is the risk of danger or harm to self. Minors with low risk scores, who are considered a danger to themselves, may be detained for their own protection as an override of the risk score, or as a special detention case. Whether such a minor needs to be detained is a value judgment to be made by the law enforcement officer on the street and by intake staff at the detention center. Danger to self ordinarily appears from direct personal observation of the minor. Is the minor intoxicated? Is the minor mentally disoriented or suicidal? Is the minor in need of medical treatment? These personal and often medical factors cannot be adequately quantified in a detention risk instrument.

Another reason for excluding danger to self as a risk factor on the RAI is that, historically protection of the minor has been widely abused as a justification for secure pre-trial detention. In too many instances, healthy children with attentive families have been locked up by punishment-minded personnel “for their own good.” When inappropriately confined, these children may be injured through contact with staff or other detainees, or due to some hazardous condition in the facility. In the worst-case scenario, children and teens suffering from depression become suicides in detention facilities where staff have failed to diagnose the problem and to intervene appropriately. Risk screening procedures must ensure that children with legitimate medical or mental health needs get adequate care. But if the minor does not qualify for secure detention based on the RAI score, these needs should be addressed in a less restrictive setting, outside the secure detention facility.

The focal risks of RAIs are time-linked. In other words, the RAI is designed to guide an administrative custody decision that will cover the time period between delivery to the detention center and appearance in court. For released minors, the period of risk is usually considered to be the time between release at intake and either the court adjudication or the disposition hearing. At adjudication and disposition (or at some earlier judicial hearing), the court assumes

SANTA CLARA COUNTY (CA) JUVENILE PROBATION DEPARTMENT
DETENTION RISK ASSESSMENT INSTRUMENT

Name: _____ File No. _____ DOB _____

Admit Date: _____ Admit time: _____ Ethnicity _____ Sex : M F

Primary referral offense: _____

A. OFFENSE (Score only the most serious instant offense) DESCRIBE & CITE CODE SEC. IF KNOWN

- WIC Section 707 (b) offenses 10
- Sale of narcotics/ drugs 10
- Possession of firearm 10
- Assaultive felonies against persons including sex felonies 7
- Domestic violence offenses (see guidelines) 7
- Possession of narcotics/drugs for sale 6
- Felony property crimes including auto 5
- Felony possession of narcotics/drugs 3
- Other felony not covered above 4
- Misdemeanors excluding no-time misdemeanors 3
- Infractions, no-time misdemeanors or non-criminal probation violations 0

A. _____ OFFENSE POINTS

B. PRIOR OFFENSE HISTORY (Score only one of the following)

- Felony petition or serious person misdemeanor petition pending 6
- Current felony wardship 5
- Prior felony adjudication within the last 36 months 3
- Documented escape from secure custody, last 18 months 5
- Documented court FTA within the last 12 months 1

B. _____ HISTORY POINTS

C. AGGRAVATING FACTORS (Add all that apply, up to 3 points)

- Multiple offenses are alleged for this referral 1
- Crime or behavior alleged was particularly severe or violent 1
- Confirmed runaway history or minor has no known community ties 1
- Minor is under the influence of drugs/alcohol at arrest 1

C. _____ AGGRAVATION POINTS

D. MITIGATING FACTORS (Subtract all that apply, up to 3 points)

- Involvement in offense was remote, indirect or otherwise mitigated 1
- Parent or relative is able to assume immediate responsibility for minor 1
- No arrests or citations within the last year 1
- Minor demonstrates stability in school or employment 1

D. _____ MITIGATION POINTS

TOTAL RISK SCORE (A + B + C - D) →

DECISION SCALE: 0-6 RELEASE, 7-9 RESTRICTED RELEASE, 10+ DETAIN

SPECIAL DETENTION CASES (Check as applicable)

- _____ WIC 625.3 mandatory detention (14 or older charged w/ 707 (b) or felony with use of firearm)
- _____ Bench or arrest warrant, minor not authorized for release by probation officer
- _____ Placement return or failure—non-secure option not available
- _____ Pre-disposition community release (CRP) or electronic monitoring (EM) failure
- _____ Inter-county transfer, minor not authorized for release by probation officer

DETENTION OVERRIDE

- _____ Parent, guardian or responsible relative cannot be located
- _____ Parent, guardian or responsible relative refuses to take custody of minor
- _____ Youth refuses to return home
- _____ Other. Minor is detained because _____

RELEASE OVERRIDE

_____ The minor is released because: _____

OVERRIDE APPROVAL (Supervisor signature required): Approved by: _____ Supervisor

RISK INSTRUMENT COMPLETED BY: _____, Probation Officer

control of the case and becomes directly responsible for the minor's future custody status; at that point, the time-at-risk addressed by the RAI comes to an end. This RAI period-of-risk is something that must be defined in specific terms by sites that choose to validate their risk instruments in follow-up studies; these validation issues are covered later in the text.

3. Formal prediction methodology versus consensus design

Detention risk assessment instruments can be developed using statistical prediction methodology (the statistical or empirical design method) or using a stakeholder consensus approach (the consensus design method).

Detention risk assessment instruments can be developed using statistical prediction methodology (the statistical or empirical design method) or using a stakeholder consensus approach (the consensus design method).

The statistical design method is exacting, time-consuming, and costly. The strictest empirical protocols require testing the predictive value of each risk factor in relation to specific target outcomes. An example of this approach, in the context of the juvenile justice system, would be a test of the predictive value of a single proposed risk factor such as “having a felony arrest within the last six months.” Using formal prediction methodology, this variable would be tested by generating two groups—an experimental group (those with a felony arrest within the last six months) and a control group (those without a felony arrest within the last six months). The makeup of each group would be governed by requirements related to bias and randomness in their selection. Each group would then be followed to determine individual and collective performance against one or more outcome measures—such as a subsequent arrest, a subsequent adjudication, or a failure to appear in court within a specific time frame.

Statisticians offer a menu of mathematical techniques to verify the relationships between risk factors and outcomes—with labels like “the Pearson product moment correlation” that may be mystifying to lay practitioners. Additional mathematical challenges apply to the process of weighting risk factors, combining risk factor points into composite scores, and verifying the relationship of composite scores to juvenile justice outcomes. A related methodological concern is the avoidance of racial bias in the selection of risk factors used on detention risk instruments. Some researchers, sensitive to this concern, have recommend testing risk instruments for racially biased variables, then using alternative variables in lieu of those having suspected racial effects.

Among JDAI sites, only New York City (no longer a JDAI participant) produced its juvenile detention risk instrument using what could be called a statistical design method. All other sites used the consensus approach to risk instrument design.

This consensus method is essentially a hybrid of prediction science and local policymaking. Under this approach, detention instrument risk factors are borrowed from a common menu of delinquency risk factors that have been tested in other contexts and jurisdictions. In essence, the design group is capitalizing upon prior research studies that have already established strong correlations between selected risk factors (such as the number of prior delinquency referrals) and delinquency outcomes (such as a subsequent arrest or adjudication). The local choice of risk factors for the RAI is based on the experience, knowledge, and informed guesswork of local juvenile justice stakeholders. Points are assigned to risk factors based on stakeholder discussion and on estimates of the effects on referrals and detention populations. Cutoff scores and decisions scales are selected in the same manner. Some of the choices made by design groups may be based wholly on local policy rather than on borrowed proof of validity as a recidivism predictor. For example, an RAI design group may decide that firearm possession (or some other targeted crime) is a mandatory detention offense, even if the nexus between this offense and recidivism has not been validated by research.

While less scientifically rigid than the empirical design method, the consensus method is (within JDAI) essentially a controlled and structured approach. Model instruments from other sites are carefully examined in the design phase. The local design process is often guided by outside experts supplied by the Casey Foundation. The RAI drafts produced by working groups are tested on past or present referral samples to measure outcomes and effects. Finally, upon implementation the risk instrument may be formally validated on a sample of released youth to determine rates of success or failure in relation to the critical outcome measures of public safety and appearance in court.

FIGURE 2

POSITIVE OUTCOMES AT JDAI SITES USING CONSENSUS DESIGNED DETENTION RISK ASSESSMENT INSTRUMENTS

- Successful performance by minors screened and released, based on validation studies of release populations
- More equitable, objective, and informed detention decision-making
- Lower detention rates and reduction of detention facility populations
- Improved development and utilization of alternative-to-detention programs
- Development of graduated responses for detention populations identified in RAI field tests, such as probation violators or minors referred on warrants
- Reduction of disproportionate minority confinement

In short, this consensus approach to risk instrument design has worked well for the states and local sites participating in the JDAI. The risk instruments generated in this manner correlate with the positive outcomes shown in Figure 2.

C. Juvenile Detention Risk Assessment Instruments: Approaches to Design and Development

1. Stakeholders' role in development

Normally, a stakeholder working group is assigned the task of developing the RAI over a period of months. Agencies represented usually include the juvenile court, the probation department (or other department responsible for detention intake), local law enforcement, the district attorney, the public defender, public agencies providing collateral services (such as schools, mental health), and community-based agencies operating alternative-to-custody or youth service programs. These individuals work as a team to identify local detention reform goals and to construct the risk instrument. Their choices may be guided by one or more consultants who are experts in detention risk assessment.

Why is a team design approach preferred over a more prescriptive method in which outsiders supply a ready-made risk instrument? There are several reasons. First, RAIs must be tailored to local laws, policies, and youth populations; local practitioners know best how to adapt their RAIs to reflect these local characteristics. Second, the group process has significant educational value. Designing the RAI is often the first major task addressed by detention reform sites, and in the process of building the RAI, stakeholders learn a lot about detention best practices. Third, the discussion builds consensus or buy in among stakeholders, including those who may need further convincing about the merits of risk assessment and detention reform.

2. RAI models

A startup task for stakeholders designing risk instruments is to review sample RAIs from other jurisdictions. If you examine the instruments used at different JDAI sites, you will find a variety of models and forms. Some are long, some are short. Some have higher cutoff scores than others. Some add or subtract points in aggravation or mitigation of the basic score, while others do not.

How are new sites to choose from what appears to be a dizzying array of models? The choice will be guided largely by the preferences of the working group. Some sites prefer brevity and simplicity and move quickly toward adoption of a single page form containing a short list of risk factors. Other sites prefer a more complex screening analysis and will include more risk

How are new sites to choose from what appears to be a dizzying array of models? The choice will be guided largely by the preferences of the working group.

factors and choices on the face of the RAI. Both approaches can be successful, as long as the instrument adheres to the principles of risk instrument design (discussed below) and as long as its effects are documented by testing on the referral population.

RAI examples from four JDAI sites are included in this guide: in the text (Figure 1, from Santa Clara County, California), and in the appendix (from Cook County, Illinois; Multnomah County, Oregon; and the state of Virginia).

FIGURE 3

**JUVENILE DETENTION RISK ASSESSMENT INSTRUMENTS:
DESIGN PRINCIPLES**

- Select proven risk factors
- Avoid redundant risk factors
- Use objective and balanced aggravation/mitigation criteria
- Strike a balance between points for risk factors and the detention cutoff score
- Provide for mid-range alternatives
- Control special and mandatory detention cases
- Include specific override criteria

3. RAI design principles

Below we present some basic RAI design principles. This is only a summary of the main design requirements. More detail on each item listed will be found in Part 2, the step-by-step guide to RAI development.

- *Select proven risk factors.* RAI designers should select risk factors from RAI models that have been proven to be effective, through field testing or validation, in other jurisdictions. The factors most commonly applied are the nature of the referral offense and the minor's referral history. Within these categories, there is considerable latitude for local expression (e.g., how offenses are described and what point values are assigned to each offense). The local efficacy of the risk factors selected, and of the instrument as a whole, will be determined later by field testing and validation.
- *Avoid redundant risk factors.* Care must be taken to avoid overlap and redundancy of risk factors and points on the RAI. The compounding of points for overlapping history factors can produce inappropriately high detention rates, particularly for technical probation violators. An example of redundancy would be inclusion of the following three subfactors in the delinquent history section of the RAI:
 - Adjudication for a felony within the last year: 5 points
 - Placed on probation for a felony within the last year: 6 points
 - Currently referred for a probation violation: 3 points

In this scheme, the minor earns 14 points for a probation violation based on a single prior delinquency event, producing an inflated risk score. Other examples of redundancy and overweighting are provided in the step-by-step guide, under Step 3 B (2).

- *Use objective and balanced aggravation/mitigation criteria.* Many RAIs include aggravating and mitigating factors and points. The criteria used to add or subtract points should be objective—e.g., mitigation for “the minor is under 12 years of age.” Examples of subjective or vague aggravating criteria to be avoided are: “the minor is a danger to others” or “the minor has gang associations.” Points and choices in aggravation should be balanced with those in mitigation, to avoid “stacking the deck” on one side or the other. These concerns are discussed further in the step-by-step guide.

- *Strike a balance between points and decision or outcome scales.* RAI designers must be careful to ensure that “the math works” on the risk instrument. A balance must be struck between the total number of points that can be accumulated by the minor and the detention cutoff score (i.e., the score above which a minor will be detained). For example, a cutoff score of 9 would be too low if all low-level felonies earn 9 points; this would be tantamount to a policy of mandatory detention for all low-level felony arrests. Other examples of balance (and imbalance) are included in the step-by-step guide.

- *Provide for mid-range alternatives.* Ideally, RAIs should be linked to a range of pre-trial options, besides secure detention or outright release. Common mid-range alternatives include electronic monitoring and home or community detention. In the design phase, RAI decision scales need to be tuned to these alternatives. This is discussed further in the step-by-step guide.

- *Control special and mandatory detention cases.* All RAIs have exceptions for special or mandatory detention cases—i.e., referrals for which detention is required. Examples of special or mandatory detention reasons are court-ordered detentions, referrals on bench warrants, or referrals for an offense for which detention is mandatory as a matter of state law. In the design phase, RAI working groups need to think carefully about the number and type of special or mandatory detention cases that will, in effect, bypass risk scoring and go straight into secure confinement.

RAI designers should select risk factors from RAI models that have been proven to be effective, through field testing or validation, in other jurisdictions.

- *Include specific override criteria.* All JDAI risk-screening systems allow for an override of the minor's risk score—i.e., for the detention of a low-scoring minor or for the release of a high-scoring minor under special circumstances. Overrides represent the ultimate judgment call that detention intake workers must make in each case. Problems arise when screeners routinely override lower scores, resulting in the detention of too many low-risk youth. Overrides must be controlled to assure the integrity of the risk-screening system as a whole. The RAI itself should contain a checklist of common override reasons—for example, “parent refuses custody of the minor” or “parents cannot be located.” A space should be provided to explain “other” overrides in detail. The RAI should also provide for written, supervisor approval of the override. Excessive overrides can be a major problem. Override issues are addressed at several points in the text below.

Each of these design principles must be observed by the stakeholder group in order to produce an RAI that is both compatible with local detention reform goals and effective in controlling the gateway to secure detention.

4. RAI testing

The only way to assess RAI impact on detention rates and outcomes, and on facility populations, is to test it in the field. The test can be done retrospectively or prospectively. In a retrospective test, the RAI is scored for each minor in a past sample of referrals, using the local data system to supply historical information for each case. In prospective testing, the RAI is tested on a live sample of new referrals to the detention center. The pros and cons of each method are described in the step-by-step guide (Part 2, Step 5).

A main objective of the test will be to assess the effect of the instrument on detention and release rates for specific referral groups (e.g., by offense, gender, or race). Test results will also document override rates and reasons. The analysis will indicate whether the RAI needs to be adjusted in some way to meet local detention reform goals. Depending on the amount of sample data, these tests can be structured to yield information that goes beyond a simple calculation of detention outcomes and rates. Field tests can incorporate length-of-stay information to produce estimates of the number of detention beds needed for specific types of referrals—by offense or other referral reason. Where the test shows that specific types of referrals impose unusually high demand on detention bedspace, stakeholders can take steps to control admissions and to reduce bed utilization in those cases. Ground rules for field tests are covered in the step-by-step guide.

5. RAI validation

Validation, as used here, refers to the process of confirming the predictive value of the RAI in relation to specific outcome measures. Some people use the term validation to characterize the field tests done in the course of RAI development. But for our purposes, validation describes the study method used to track the success or failure of non-detained minors in relation to two specific outcomes: the occurrence of a new offense (arrest or adjudication) pending court or a failure to appear in court. This form of validation is also sometimes referred to as public safety testing of the RAI.

Validation is the ultimate test of the efficacy of the risk instrument. If a child has a low score on the RAI and is released, and if he or she then commits a new offense or fails to appear in court, this must be counted as an incident of failure in a validation study. If failures rise to unacceptable levels, then the RAI may need to be adjusted to do a better job of identifying failure-prone youth. Historically, validations of juvenile pre-trial release groups have produced very good results, with juvenile success rates exceeding those attained by adults in tests of bail or pre-trial release programs.

There are specific protocols for conducting a validation test of the RAI. Outcome measures and the period of risk need to be strictly defined. Validation study protocols are discussed further in the step-by-step guide.

D. Integrating Risk Instruments into the Risk-Screening Process

A risk instrument, standing alone, will not improve detention outcomes unless it is linked to a viable set of risk-screening procedures. Screening procedures ensure effective application of the risk instrument, just as medical protocols support the appropriate use of devices like CT scans or arthroscopes. Some of the key process requirements for successful RAI implementation are described below.

1. Point or stage of screening: Who does it, and when?

Detention risk assessment instruments are primarily designed for application at the point of referral to a detention facility. They are decision-making tools for the intake staff who make the initial detain-release decision. An important objective of the screening process is to avoid any unnecessary secure detention—even short-term custody that is reviewed the next day by a judicial officer. Children who are initially detained have a high probability of having their detention continued at a first court appearance and then extended until adjudication or disposition of the case, which may be several weeks away.

This point-of-application presumes that state law authorizes the probation or intake staff at the detention facility to make a detain or release decision. If intake staff has no such discretion, the RAI cannot regulate intake decisions. Most states have laws that authorize detention staff to make an initial confinement or release decision. The risk instrument fits into this scheme as a classification device, rating detention risk and grounding the intake worker's decision in objective and risk-based criteria.

In some JDAI sites, risk screening is done by the court. In Delaware, for example, the RAI is administered by judicial officers at an initial court appearance—not by facility intake staff. Children referred in post-court hours in Delaware will be detained until a court hearing the next judicial day (which may require weekend custody). Though in some Delaware locations a Justice of the Peace may be located after-hours and asked to apply the screening instrument. In King County (Seattle), Washington, the RAI is completed at intake and provided to the court, but only the court is authorized to make detention and release decisions. In Seattle, the main barrier to delegating detention decisions to intake staff is judicial concern about litigation if a minor is released and then injures someone. Washington is in a minority of states that have severely restricted governmental immunity for administrative agencies making release-from-custody decisions. In these situations, the opportunity to avoid the initial secure detention of low-risk youth is essentially lost. Juvenile justice leaders in both of these sites are exploring ways to move RAI screening to the point of intake.

Several JDAI sites that started with point-of-intake screening have moved the screening process closer to the point of arrest. In these sites, the RAI may be applied at the law enforcement level in the field, reducing the time and costs incurred by transporting all arrested youth to the detention facility. This approach may be especially useful where the RAI is a statewide instrument applied at sites that may be far away from a detention center. Some alternative point-of-screening examples are:

- *New Mexico*. New Mexico uses a phone-in screening system. Law enforcement officers call the Department of Juvenile Justice in Albuquerque, where a DJJ screener applies the RAI to an arrested youth by phone. The phone-in system helps to conserve law enforcement resources, limiting time and transport to cases posing higher detention risks.
- *Cook County, IL*. Cook County (Chicago) also uses a phone-in screening system. Probation screeners are available 24 hours a day for call-in by police. These screeners have full access to probation and court records. They score arrested children by phone, then advise the officer in the street as to the custody recommendation—which may be to take

the minor to the detention center, a local shelter, or community agency or to cite and release the minor.

- *San Francisco, CA.* San Francisco has opened a Community Assessment and Referral Center (CARC)—a neighborhood center staffed by probation officers as well as by community-based service providers. The CARC is downtown, more centrally located than the detention facility in the city’s Twin Peaks district. If the offense is not severe, children are taken to the CARC instead of to the detention center. At the CARC, they are risk scored and are also assessed by community-based service providers for a variety of health, mental health, and family needs. With on-the-spot service providers, probation officers can feel more comfortable in close-call cases about releasing the minor to the custody of parents or to a community agency.

The goals of risk screening are to ensure objectivity, uniformity, and fairness in the detention decision-making process. These goals are not served unless all minors referred for a secure custody decision are handled alike, with adherence to all override and related intake procedures.

2. Who gets screened?

In general, the RAI should be completed for each minor referred to the intake unit at the detention center. This includes all minors arrested on new charges and all minors referred for other reasons such as a probation violation, apprehension or surrender on a warrant, transfer from another jurisdiction, or failure in a placement or in an alternative-to-detention program. It includes minors referred directly by sources other than law enforcement—e.g., by a school or probation officer. The goals of risk screening are to ensure objectivity, uniformity, and fairness in the detention decision-making process. These goals are not served unless all minors referred for a secure custody decision are handled alike, with adherence to all override and related intake procedures. Moreover, if the risk screen is applied sporadically or incompletely—in some cases but not in others—it becomes nearly impossible to monitor detention decisions and RAI outcomes in any meaningful way.

There are a few legitimate exceptions to the screen all referrals rule. Sites may elect to dispense with risk screening for court-ordered detention cases—i.e., for minors ordered into secure detention at a disposition or detention hearing or on other occasions by the juvenile court. The RAI is designed to guide the intake personnel having discretion to detain or release minors. Where judges order detention, intake workers cannot normally countermand the order, and under these circumstances the RAI can have no effect. Some sites apply the RAI anyway to children detained on court orders, as a means of gathering data on the entire referral population,

or because the court wants to track risk scores in these cases. In RAI field tests, sites are asked to screen and score court-ordered detention cases, and to record their time in secure custody, as a basis for estimating the number of detention beds needed for youth ordered directly into detention by the court. Other exceptions to the screen all referrals rule would include already-detained minors who move in and out of the detention facility for operational reasons such as outside medical or mental health appointments.

3. How screening is done: Automation vs. scoring by hand?

Automation of the RAI can speed and simplify the risk-screening process and may improve overall scoring accuracy. Many sites have integrated the risk assessment instrument into their juvenile justice data systems and computer networks. In Clark County, Nevada, for example, minors presented for detention go to a computer station at the intake desk, where the RAI is completed by an intake screener and is then reviewed by probation staff who make the final detain-release decision. In Virginia, which uses a statewide instrument, the RAI is integrated with software developed by the National Council on Crime and Delinquency (NCCD). At intake, the Virginia program calculates risk scores based on the presenting offense (entered by the screener) and on the minor's referral history as captured in the state juvenile justice information system. Also in Virginia, the information entered on individual risk instruments (including scores and override reasons) is cycled back into the information system and is linked to standard monitoring reports that can be accessed by detention staff at multiple statewide locations.

Converting to a computerized screening process can be a costly and daunting challenge. Some sites will be able to integrate the RAI into their information system or network using local MIS personnel. Development of the most sophisticated networks, like the Virginia system, requires time, resources, and highly qualified consultants. For statewide RAIs, some level of computerization, networking, and coordination is probably essential.

Where RAI data entry is automated, care must be taken to ensure that someone with appropriate training and experience is available for personal evaluation of the minor. Data entry personnel may lack the training or skill needed to assess the minor's mental or physical condition or other relevant case factors. Referred children should be observed and interviewed by qualified personnel, in conjunction with the scoring of the RAI. Ultimately, detention decisions are not automatic but are judgment calls made by professional staff. Thus, automation needs to be

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Many sites have yet to automate their risk instruments. In these locations, the RAI is completed by hand, generally during an interview between a probation officer and the minor. This method works well as long as screeners are well-versed in application of the RAI. In general, where the RAI is completed by hand, managers need to ensure that as staff rotate (new employees, new shifts) they are adequately trained in risk-screening procedures. Sites should also have an RAI monitoring plan that tracks on-going compliance with risk-screening procedures.

4. Overrides

An override is a decision to detain or release a child in contravention of the risk score and outcome recommended by the RAI. “Detain overrides” (detentions of low-scoring youth) may be chronic problems in some sites. When detain overrides mount to high levels, the RAI becomes essentially dysfunctional and the risk-screening process loses its integrity.

What is an appropriate override rate? The National Council on Crime and Delinquency has proposed that detain overrides be held to not more than 15 percent of youth who qualify for release (or for a non-detention alternative), based on their risk scores. Though no formal or rigid override limit has been imposed on JDAI sites by the Casey Foundation, a goal 15 to 20 percent (of children eligible for release) has been generally advanced by JDAI technical assistance advisors as a target maximum override rate for sites.

Overrides need to be measured by a common standard. In specific terms, the detain override rate is the percent of children who score below the detention threshold score and are nevertheless detained. The override rate should not be determined using all referrals (all scored youth) as the denominator in the calculation; doing so provides a false low override rate. The true override rate is calculated as the percent of release-eligible children who are detained.

In the early stages of implementing new RAIs, it is not unusual to find sites with initial override rates exceeding 50 percent of youth who qualify for release based on their scores. High override rates can indicate one or several underlying problems, ranging from staff defiance of the risk-screening process to delays or refusals by parents in picking up their children. Any override rate exceeding 25 percent should flash a warning signal that the screening system needs immediate repairs.

Within JDAI, several sites have successfully reduced override rates using a variety of strategies. A basic strategy is to require specific override reasons to be recorded by the decision-makers in each case, then to monitor who is making override decisions and why. Other controls include

mandatory supervisor approval for each override, strategies to improve the responsiveness of parents, and better use of alternative-to-detention programs. Overrides are discussed further in the step-by-step guide.

5. Handling special or mandatory detention cases

Special or mandatory detention cases are those in which the minor is detained, regardless of the score. These cases constitute exceptions to the policy of handling the minor based on his or her risk score; there is a presumption that the minor should or must be detained, based on some special circumstance that applies. As noted previously, sites need to guard against exempting too many children from the screening process by labeling them as special or mandatory detention cases.

The most common special or mandatory detention reasons shared by JDAI sites are:

- Minors charged with listed serious/violent offenses, or with offenses involving use of a firearm
- Minors whose detention is mandatory under state law (e.g., certain adult court crimes in California or domestic violence offenses in Nevada)
- Minors referred on warrants
- Minors returned for failure of a detention alternative, such as electronic monitoring
- Minors held for transfer to another jurisdiction or as “courtesy holds”
- Court-ordered detentions

One issue that arises with regard to these referrals is whether, once classified as a special or mandatory detention case, any discretion remains to release the minor at intake. This is a matter for local or statewide detention policymakers to resolve. For some children classified as mandatory detention cases, there may be concerns about the age or mental condition of the minor that outweigh the minor’s mandatory detention status. In these instances, shelter care or some other facility outside the juvenile justice system may be more appropriate than secure detention. The RAI and the screening process should be designed to ensure that vulnerable children are placed in settings that are appropriate for their circumstances.

6. Monitoring the RAI

Once the RAI is implemented, it must be monitored carefully to document its effects over time and to ensure that it remains compatible with changing legal and caseload trends. In the step-by-step guide, we describe basic monitoring procedures that should be adopted as well as the need for annual reviews of the risk instrument to keep it up-to-date.

PART TWO: RISK ASSESSMENT
INSTRUMENT DEVELOPMENT—
A STEP-BY-STEP GUIDE

RISK ASSESSMENT INSTRUMENT DEVELOPMENT: A STEP-BY-STEP GUIDE

This section is a step-by-step guide to the development, testing, and implementation of juvenile detention risk assessment instruments (RAIs). The steps described here comprise a best practice model of detention risk assessment based on the experience of JDAI sites in more than 15 states over a 12-year span. This model is suitable for replication in any jurisdiction that seeks to improve its delinquency system by installing risk assessment technology at the gateway to secure detention.

STEP 1: Convene Stakeholder Working Group

The JDAI model for risk instrument development is a stakeholder and consensus-building model. We have previously described why this approach is favored, despite any shortcomings it may have as a mathematical model of prediction science. In short, we find from experience that the consensus approach to RAI design is effective in meeting detention reform goals.

For all sites participating in JDAI, collaboration between agencies having juvenile justice responsibilities is a key requirement. A basic startup task for participating sites is the formation of a stakeholder group representing public and private agencies that set local juvenile justice policy, operate detention facilities, and provide related youth services in the community. These oversight groups are frequently subdivided into working groups to address discrete reform tasks.

One group is usually assigned the task of developing the RAI. It may be called the RAI Working Group or the Pre-adjudication Task Force or some other name, but its main job will be to construct a new RAI or to overhaul an existing one. (For present purposes, we will refer to the RAI design committee as the working group.) The working group is critical—not just because it is responsible for the all-important gateway controls on secure

FIGURE 4

JUVENILE DETENTION RISK ASSESSMENT INSTRUMENTS: NINE DEVELOPMENT STEPS

- STEP 1: Convene Stakeholder Working Group
- STEP 2: Identify Screening Goals & Workplan
- STEP 3: Construct the Draft Risk Instrument
- STEP 4: Approve Draft RAI for Testing
- STEP 5: Conduct RAI Field Test
- STEP 6: Analyze and Report Test Results
- STEP 7: Review, Adjust, and Adopt the RAI
- STEP 8: Adopt RAI Monitoring Plan
- STEP 9: Formal Validation of the RAI

detention—but also because RAI development is frequently the first major challenge faced by detention reform stakeholders. As such, the RAI team effort reverberates as an early demonstration of the site’s ability to resolve ideological or turf-based conflicts and to build systemwide consensus on detention reform.

The RAI working group should include key juvenile justice policymakers and practitioners from the public sector. At a minimum, this would require representation of the Juvenile Court, the probation or juvenile services department responsible for intake decisions, personnel operating the detention facility, and immediately affected justice system professionals like the district attorney and the public defender.

FIGURE 5

RAI WORKING GROUPS—RECOMMENDED PARTICIPANTS

- Juvenile court judges, commissioners, or other judicial decision-makers
- Probation or juvenile services department operating the detention facility
- Law enforcement agencies making referrals to detention
- Attorneys (prosecutor, public defender)
- Public agencies with overlapping youth service responsibilities (e.g., schools, mental health, child welfare)
- Community agencies providing youth services or operating alternative-to-detention programs
- Local detention reform coordinator (for JDAI sites)
- Consultant expert in detention screening methods and instruments

Law enforcement agencies also belong in the mix, and inevitably, much of the working group discussion will be focused on the roles and procedures of police, sheriffs, or other law enforcement officers who make arrests and referrals to the detention center. In large county jurisdictions, several law enforcement agencies may need to participate, directly or by co-representation, on the RAI working group.

Other agencies having a legitimate interest in how juvenile

offenders are processed should also be given the opportunity to participate. These might include mental health, education, social service, and other disciplines that serve youth who are detained or diverted to a pre-trial program. Private and community youth service agencies also have a stake in risk assessment and detention control—because they represent specific clients (e.g., minority or neighborhood groups) or because they are prime service providers to detained or released youth (e.g., as operators of alternative-to-detention programs).

Working groups that produce state-level and statewide risk instruments may be constituted differently from groups designing local RAIs. Statewide design teams may be dominated by personnel from a Department of Juvenile Justice or other state agency tasked with producing a

uniform instrument that will be applied at multiple sites. While statewide working groups can perhaps be somewhat more prescriptive in their RAI design choices, they still must produce an instrument that will gain local acceptance and be operationally consistent with local procedures. In this sense, it will be important for state-level RAI teams to allow input by the judges, law enforcement agencies, attorneys, and service providers who must ultimately implement the RAI at sites throughout the state.

The working group will be responsible for construction of the RAI, evaluation of field test results, any subsequent adjustments to the RAI, and a final recommendation to the detention reform oversight group (executive committee or other decision-making body) that the RAI be formally adopted. The time frame for this work will vary from site to site. If all of the steps below are followed (as they should be), a normal time frame for RAI development is about six months. If the group works smoothly and efficiently, this time can be reduced. Rushing through the process is not recommended. Skipping steps (like testing of the draft RAI) will usually lead to poor risk instruments that fail to meet detention reform objectives.

Getting help. The dynamics of each RAI working group will vary. If participants are argumentative and unable to agree, say, on how many points should be assigned for burglary or drug possession, the process is likely to drag on. It is always helpful to procure outside, expert help. The Casey Foundation has filled this need in the past by linking sites with qualified risk assessment and detention reform consultants. Experienced consultants can guide the working group as it reviews RAI models and design tasks. Experienced consultants can also bring reassurance to the process, lowering the heat of discussion if participants argue over details, debunking misinformation that may be asserted, and helping to maintain focus on completing the work at hand.

■ **STEP 2: Identify Detention Screening Goals and Adopt RAI Development Workplan**

Step 2 is to identify, in writing, local (or statewide) detention screening goals. This is more than a perfunctory chalkboard exercise. It is a step that orients the detention reform project, and the RAI itself, toward specific outcomes.

Local detention reform goals are usually linked to the problems and issues that generated local interest in detention reform in the first place. In many cases, site leaders embrace an agenda of detention reform because they want to adopt national best practices and to assure the protection and welfare of children who enter the juvenile justice system. Reform efforts may also be driven by specific concerns, such as the need to reduce juvenile facility overcrowding. In some cases, remedies for overcrowding and for other facility conditions may be linked to litigation or court orders that compel change. There may also be local pressure to address

disproportionate minority confinement in the detention center or other practices having negative effects on special populations like girls or children with mental health problems.

A fundamental goal that should be adopted by all RAI working groups is the goal of limiting the use of secure detention to cases in which it is necessary, based on the risks presented by the minor. As a reminder, these risks are: the risk of reoffending before adjudication by the court and the risk of failing to appear in court. The early meetings of the working group present a good opportunity to review and acknowledge the legitimate uses of secure detention. Individuals who still believe that punishment or locking kids up to “teach them a lesson” are acceptable detention goals should be permitted to air those views before the working group, and

to benefit from a wider discussion of the acceptable uses of secure detention.

Having acknowledged the limits of secure detention, the working group can proceed to identify specific detention reform objectives. Examples of specific objectives would be: “Reduce admissions to the detention facility by 50 percent within two years” or “Reduce facility occupancy to 95 percent of rated capacity.” However, it may be difficult at this point in time to settle on precise, quantified detention-control objectives.

The upcoming field test of the

RAI (see Step 5) will yield useful data on detention rates for specific offender groups, providing an information base for identifying the number and types of referrals that may need tighter detention gateway controls. The field test may disclose, for example, high detention rates for technical probation violators or for minors referred on warrants. Such a finding may support the adoption of reform objectives targeted to these referral groups.

It is recommended that the group produce its own workplan, with objectives and timetables. A simplified workplan example is shown as Figure 6.

FIGURE 6

RAI WORKING GROUPS—SAMPLE WORKPLAN

- Identify detention screening goals
- Research RAI models by (date)
- Produce a draft RAI by (date)
- Conduct field test of the draft RAI on (dates)
- Analyze field test results, adjust RAI as necessary
- Adopt/implement the RAI by (date)
- Establish training guidelines for RAI implementation by screeners
- Adopt RAI monitoring plan and identify related data system needs
- Identify ongoing monitoring and RAI annual review responsibility
- (Optional) Validate RAI performance in follow-up study

■ **STEP 3: Construct the Draft Risk Assessment Instrument**

This is the “roll up your sleeves and dig in” phase of work. In this step, we describe design tasks and details for each section of the new RAI. The discussion includes: how to select individual risk factors; how to assign points to factors; how to provide for aggravation and mitigation of scores; how to state override criteria; how to define special and mandatory detention cases; and how to link total risk scores to values on a decision scale indicating the appropriate detention outcome in each case. This step is divided into seven sections (A. through G.) below.

A. Review Model Instruments from Other Sites

For openers, the working group should obtain a selection of RAIs currently used by other JDAI sites. As of 2005, there were about 25 RAI variants within JDAI—some applied as statewide instruments and others designed for application within a single unit of government. Samples can be procured by contacting individual sites or by requesting them then from the Annie E. Casey Foundation. The Santa Clara County, California, RAI is shown as Figure 1 in the text; three additional RAI examples (2005 versions) will be found in the Appendix to this guide (for Cook County, Illinois; Multnomah County, Oregon; and the state of Virginia).

The first choice to make is one of overall format or style—and this is foremost a choice between a long or short form RAI. Most sites limit their RAI to a single page or two pages at the most. Three of the examples included in this guide (Santa Clara County, Cook County, and the state of Virginia) are one-page screening instruments. The benefits of a short form are:

- Quick and easy to fill out—particularly helpful where the RAI is not automated
- Not overly complex and usually does not seek difficult-to-obtain information
- Generally works well as a risk assessment and screening device

Where the RAI is automated, the number of pages and even total length of the RAI may be less of a concern. The Multnomah County instrument exemplifies a longer RAI. It has 11 choices under the “most serious instant offense” risk factor, and it seeks detailed information related to the minor’s legal status and prior history. Because input is automated, the form can be completed rather quickly. The Multnomah RAI captures supplemental information as well, ranking each detained youth for possible early release if facility population caps are reached (capacity management system or CMS on the Multnomah RAI).

In general, we would recommend the adoption of a shorter form, unless the site wishes to use the screening process as an MIS data collection point for multiple applications within the juvenile justice system. The shorter form is adequate to assess the two major detention risks that

are relevant to intake decision-making. Shorter forms are also easier to design, easier to implement, and easier to monitor over time.

B. Devise Risk Factors and Points

Two core risk factors are used in JDAI risk assessment instruments to determine a minor’s eligibility for secure detention or release. These core risk factors are:

- *The nature of the referral offense, and*
- *Delinquency history factors*, including prior referral history, prior history of flight or failure to appear, and current legal status.³

In addition, collateral risk factors related to the minor’s non-justice system characteristics may be incorporated into the RAI. These are factors in aggravation or mitigation of the baseline score earned by the minor for the core risk factors. Aggravating and mitigating factors may

include family, behavioral, school, gang, and other characteristics that are incorporated into the RAI as supplemental indicators of the minor’s overall level of risk.

FIGURE 7

OFFENSE RISK FACTORS FROM THE VIRGINIA DETENTION RISK ASSESSMENT INSTRUMENT

Most Serious Alleged Offense

Category A: Felonies against persons	15
Category B: Felony weapons and felony narcotics distribution	12
Category C: Other felonies	7
Category D: Class 1 misdemeanors against persons	5
Category E: Other Class 1 misdemeanors	3
Category F: Violations of probation/parole	2
Total Offense Points	_____

1. Offense risk factors

For offenses, the settled approach within JDAI is to collapse crimes and violations into broad categories in descending order of severity, and then to assign points to each category based on severity.

The minor will be scored only

for the most serious presenting offense. On average, juvenile detention RAIs have five to ten different offense categories. A few sites have longer lists. These categories may be generic offense descriptions (e.g., serious/violent crimes against persons, felony property, felony drug, etc.) or may borrow labels from state criminal codes (e.g., Class A felony, Class B felony, Gross Misdemeanor, etc.). The offense risk factors from the Virginia statewide risk instrument are shown in Figure 7.

The highest number of points will be assigned to the most serious and violent offenses. The working group at this stage needs to anticipate what the cutoff score for secure detention will

be. Generally, serious/violent crimes (e.g., homicide, assault with great bodily injury, rape, etc.) will be assigned points equal to the detention cutoff score. In other words, if it takes 15 points to qualify for secure detention on the RAI, serious/violent crimes will be pegged at a 15-point value, establishing a presumption that the minor will be detained based on the severity of the referral offense. (See the Appendix for the cutoff scores and decision scales that apply to each of the instruments cited as examples in the text below.)

Sites vary in the ways they assign points to lesser crimes and offenses. In general, mid-level felonies (such as burglary, simple drug possession, vehicle theft) will earn points at the middle of the outcome scale or below. See, for example, the Multnomah County, Cook County, and Virginia RAIs in the Appendix (15-point scales, mid-level felonies earn 5–7 points). If scored using any of these sample RAIs, a minor with a mid-level felony as the most serious offense can not be detained unless he earns additional points for historical or aggravating factors, or unless his score is overridden in favor of secure custody.

At the lower end of the offense category list, decisions need to be made about the values that will be assigned to simple misdemeanors, technical probation violations, status offenses such as curfew violations, and other low-level behaviors. In general, simple misdemeanors should earn very low scores. Some specific concerns related to low-end offenses are:

- *Technical probation violations.* The handling of technical probation violators at intake is sometimes controversial and may require extended discussion in the working group to settle on appropriate screening procedures for these youth. Some sites do not award any points for technical probation violations—reflecting a policy of discouraging secure detention in these cases. Others will assess 1 or 2 points for a technical probation violation. Ideally, the site will have a range of sanctions available for technical probation violations, reducing reliance on secure detention as the only probation enforcement tool.
- *Status offenses.* Status offenders generally earn zero points. This is consistent with state and federal laws that prohibit or restrict the secure detention of status offenders. It is also consistent with best practice standards that encourage referral of these children to shelter care, family-crisis centers, or other non-secure programs. The working group should determine, through discussion, where to draw the line between misdemeanors and status offenses. For example, curfew and underage alcohol charges—while essentially age-based status offenses—may

At the lower end of the offense category list, decisions need to be made about the values that will be assigned to simple misdemeanors, technical probation violations, status offenses such as curfew violations, and other low-level behaviors.

also be classified as misdemeanors under state laws or local ordinances, and the group must decide how to award points to these cases if they are referred for a detention decision.

- *Infractions.* Some low-level offenses, such as traffic violations or possession of small quantities of marijuana, are infractions (not punishable by incarceration) under state law. The working group needs to sort these out in discussion as they design the RAI. Generally, infractions earn zero points. Serious traffic offenses, such as DUI or vehicular manslaughter, may earn points because they are crimes subject to the penalty of incarceration.

Offenses should be clearly described on the RAI, without offense gaps that leave screeners scratching their heads about how many points to apply in a given case. Does burglary of an empty residence get the same number of points as a burglary of an occupied dwelling? Questions like this should be anticipated and resolved in advance by the RAI working group. Where statutory classes are used to define offense categories on the RAI, or where it is difficult or impossible to include all relevant offenses on the face of the instrument the working group should draft a supplemental offense classification list to guide intake screeners in the proper choice of offense categories and points for each referred youth.

- *Multiple offenses or counts for the same referral.* The working group has several options for dealing with the minor who is arrested for multiple crimes or counts. As an example, the Multnomah County RAI has a separate offense factor for “Additional Current Offenses,” assigning 3 points for two or more *unrelated* additional current felonies, and 2 points for one such additional felony. The word “unrelated” is critical here. Where the RAI provides additional points for multiple offenses, the minor should not be penalized (by driving up the score) for related and lesser included offenses—e.g., for burglary, attempted burglary, and conspiracy to commit burglary, all arising out of one incident. Another acceptable approach is treat multiple counts or offenses as aggravations of the underlying score—see, for example, the Santa Clara County instrument allowing the scorer to add one point to the total for multiple offenses for this referral. Here too, RAI designers should guard against aggravating scores for multiple offenses that are really lesser included elements of the primary charge.
- *Point value controversies.* In a stakeholder, consensus-building process, there are bound to be disagreements. These may emerge early in the process of constructing the RAI as controversies about the points that should be assigned to particular crimes. Disputes may also arise over which cases should be mandatory detention cases. In these situations, it is helpful to recognize that the RAI is a flexible and evolving product. Where give and take cannot

resolve matters quickly, the group should settle on a point value or other choice as a temporary resolution, subject to review based on field test results. The field test of the RAI, and subsequent validation testing, will disclose whether the point values are too high (resulting in the over-detention of children at lower risk levels) or too low (encouraging the release of minors who fail RAI performance outcomes).

2. Delinquency history factors

The other core risk factor, besides the severity of the offense, is the minor's prior delinquency system history. JDAI detention risk instruments weigh the minor's juvenile justice system history in various ways. The history subfactors commonly found on JDAI instruments are the following:

- *Prior arrests or adjudications.* Referred children will earn points for prior juvenile justice system contacts. The weakest prior contact standard is the arrest or referral standard—i.e., assigning points for having been previously arrested or referred to the juvenile justice system, regardless of whether the arrest or referral resulted in the filing of a petition and subsequent adjudication on the charge. Prior adjudications—i.e., sustained petitions—are a better measure of detention risk. In recent years, risk instruments developed within the JDAI have moved toward reliance on an adjudication rather than an arrest-only or referral-only standard. Usually, points for prior adjudications are assigned based

FIGURE 8

GEORGIA DEPARTMENT OF JUVENILE JUSTICE DETENTION ASSESSMENT INSTRUMENT

Section 5: Prior Adjudicated Charges

2+ prior adjudications for violent felony offenses	6
3+ prior adjudications for felony charges	5
2 prior adjudications for felony charges	4
1 prior adjudication for a felony charge	3
2+ prior adjudications for misdemeanor charges	2
1 prior adjudication for misdemeanor	1
Prior adjudication, status offenses only	1
No prior adjudications	0
Subtotal, prior adjudicated charges	_____

on the severity of the adjudicated offense and how recently the adjudication occurred. Moreover, prior referral factors are usually time limited, so that points are not earned for prior referrals considered too old to predict present risk. One prior-referral array is shown

in Figure 8 from the Georgia Department of Juvenile Justice Detention Assessment Instrument. The Georgia instrument uses an adjudication standard for prior referrals, but it sidesteps the recommendation that priors should fit recent time windows in order to earn points toward detention.

A further reason to avoid using prior arrest or referral, in lieu of adjudication, as a core risk factor is the possible introduction of bias, including disproportionate minority confinement (DMC) bias, into the risk instrument. This is a potential problem in jurisdictions where arrests and referrals of minority youth are high in relation to their share of the local youth population or to their share of the total number of minors whose cases are actually petitioned and adjudicated.

- *Prior escapes or failures to appear.* A prime risk assessed by the RAI is the risk of failing to appear (FTA) at a court hearing. Thus, prior escapes, unauthorized departures from placement, and FTAs are often used as historical factors earning points on detention risk assessment instruments. The Virginia state RAI provides a mainstream example of how prior flight history is captured, and how the points are assigned, within the JDAI (Figure 9). (The full Virginia RAI, 2005 version, can be found in the Appendix.)

Note that the Virginia subfactors for FTA and escape are quite explicit—tying the points awarded to a specific number of FTAs or escapes within designated time frames. RAI designers should avoid overly broad or vague language in this area of the RAI—for example, “minor has previously left home without permission” or “minor has a runaway history.” The points, and the

FIGURE 9

VIRGINIA DEPARTMENT OF JUVENILE JUSTICE DETENTION ASSESSMENT INSTRUMENT

Section 6: History of Failure to Appear (within past 12 months)

Two or more petitions/warrants/detention orders for FTA, past 12 months	3	
One petition/warrant/detention order for FTA, past 12 months	2	
No petition/warrant/detention order for FTA, past 12 months	0	_____

Section 7: History of Escape/Runaways (within past 12 months)

One or more escapes from secure confinement or custody	4	
One or more instances of absconding from non-secure court placements	3	
One or more runaways from home	1	
No escapes or runaways w/in past 12 months	0	_____

risk score earned, should be gauged to the nature and the timing of the FTA or unauthorized departure from custody.

- *Pending cases or petitions.*

A minor who is arrested and referred to the detention facility with another case pending is usually considered to be at relatively high risk for reoffending if released from custody. Most sites award points for having a pending petition. Points for pending petitions may be scaled to the severity of the offense on which

the pending petition is based, or on the number of pending petitions, or both. The Santa Clara County risk instrument captures this risk in a relatively simple manner, with a one-line subfactor for “felony petition or serious person misdemeanor petition pending” earning 6 points (on a 10 point scale). The Cook County instrument (Figure 10) has three choices for their RAI, which has a 15-point cutoff for detention on the decision scale.

- *Legal or supervision status.* An additional history subfactor usually found on JDAI-developed RAIs is the minor’s current legal or probation status. A minor already on probation for a prior offense will almost always earn additional risk points. This subfactor is distinguished from the petition pending subfactor because it applies to the post-disposition status of the minor—i.e., to a minor who is on parole from a state juvenile facility or under post-disposition probation supervision. An example from the Baltimore, Maryland, risk instrument is shown in Figure 11.

- *Combinations of delinquent history factors: The need to avoid redundancy.* A common error in risk instrument design is the inclusion of multiple and redundant risk factors, particularly those seeking to capture the minor’s criminal or probation history. The following, if all contained in a single risk instrument, would be an example of risk-factor redundancy:

Prior arrest for a felony offense within the last year 5 points

FIGURE 10

COOK COUNTY JUVENILE RISK ASSESSMENT INSTRUMENT

Section 5: Petitions Pending Adjudication

2+ Petitions Pending	3
1 Petition Pending	2
No Petitions Pending	0

FIGURE 11

BALTIMORE CITY INTAKE DETENTION RAI

Section 6: Current Supervision Status

_____ Active DJS supervision	2
_____ Informal supervision (at intake)	1
_____ No active supervision	0

- Placed on probation for a felony within the last year. 5 points
- Currently on active probation for a felony offense. 8 points
- Currently referred for a probation violation. 3 points

A minor scored using this array of historical factors could get all 21 points available in this matrix, even if the behavior in question was no more than a technical probation violation after a single prior adjudication for felony drug possession. This minor may (or may not) be suitable for detention based on all the circumstances of the case. Nevertheless, the compounding of points for overlapping history factors will essentially guarantee a detention outcome in the case. In the construction phase, RAI designers need to guard against redundant constructs that produce “false positive” scores and inappropriate detention outcomes for individual minors.

To avoid redundancy of offense history factors, we often recommend that historical sub-factors be collapsed or combined to reduce the total number of points that can be earned for prior justice system involvement, while still fairly rating the minor’s historical risk. A good example is the Clark County RAI, which combines prior adjudications and pending referrals within 12 months as shown in Figure 12. The New Mexico state RAI uses two short lists to rate prior offense and FTA risk factors, as shown in Figure 13; note the 3-point cap on the “C” list in this example.

An even simpler rendering of prior performance sub-factors can be found in the Santa Clara County and Pierce County (WA) RAIs, where all historical risk subfactors are collapsed into a short, single list, thus avoiding the overlap problem entirely (Figure 14).

Designing the history section of the RAI is often a challenging task. In the end, all the historical factors and points selected must be well coordinated to assure fair and balanced handling

FIGURE 12

CLARK COUNTY DEPARTMENT OF JUVENILE SERVICES DETAINMENT CRITERIA REPORT

Section 3: Number of Prior Adjudicated Referrals and/or Pending Referrals in the Last 12 Months (select highest that applies):

3 or more felonies.	7
1 or 2 felonies.	5
5 or more Gross Misdemeanor/ Misdemeanors	4
3 or 4 Gross Misdemeanor/ Misdemeanors	3
1 or 2 Gross Misdemeanor/ Misdemeanors	2

of children referred under a variety of circumstances. Before settling on a final array of historical factors, the working group should consider how the proposed array would work under various referral scenarios. For example, how would a child with a new mid-level felony (such as car theft) with one felony

prior within the past year and no pending petitions be scored? How would that score change if the prior was only a misdemeanor? What would the detention outcome be for a repeat technical probation violator with no new criminal charge? Simulations like these will allow the working group to fine-tune its design of the prior offense section of the RAI.

3. Collateral risk factors: Aggravation and mitigation of the basic score

Many detention risk instruments contain checklists of criteria that can be selected to aggravate (raise) or mitigate (lower) the basic risk score. These aggravation/mitigation checklists apply collateral risk factors, supplementing the core offense and case history factors described above.

Aggravation or mitigation of the underlying score is not to be confused with an override of the score. Overrides, if applied, are applied to the final score, which includes net points in aggravation or mitigation. Nevertheless, aggravating and mitigating factors (like overrides) supplement the intake evaluation with information that goes beyond the core factors of offense and offense history.

Is it necessary to include collateral risk factors on the RAI? The main arguments against using these supplemental criteria to raise or lower the minors score are a) that their predictive

FIGURE 13

NEW MEXICO STATEWIDE DETENTION SCREENING INSTRUMENT

Section B: Prior Offense History (score only one of the following):

Felony petition filed and pending	6
Prior felony adjudication within last 6 months, or two or more adjudications including one felony within last 12 months	5
Prior felony adjudication within the last three years	3

Section C: Risk of FTA and Reoffense (add all that apply up to 3 points):

Previous escape-abscond from secure facility or court placement	1/ea
Previous failure to appear for court	1/ea
Pending citations or referrals	1/ea

FIGURE 14

SANTA CLARA COUNTY (CA) JUVENILE PROBATION DEPARTMENT DETENTION RISK ASSESSMENT INSTRUMENT

Section B: Prior Offense History (score only one of the following):

Felony petition or serious person misdemeanor petition pending . . .	6
Current felony wardship	5
Prior felony adjudication within the last 36 months	3
Documented escape from secure custody, last 18 months	5
Documented court FTA within the last 12 months	1
TOTAL HISTORY POINTS	_____

value may not have been verified and b) that some may be “soft” criteria that call for personal judgments by the screener, potentially introducing bias into the risk screening process. Examples of soft aggravation criteria are: “Minor lacks stable home environment” or “Minor is performing poorly in school.” Their reverse (stable home, doing well in school) would exemplify potentially “soft” mitigation criteria.

There is a strong case for including aggravating and mitigating factors. Aggravating factors tend to reduce overrides, because they provide intake screeners with the opportunity to recognize and quantify relevant circumstances that may not be captured by the core risk factors. Likewise, mitigation factors provide screeners with the option to reduce scores and perhaps to avoid detention based on special considerations, such as the minor’s lack of direct involvement in the offense or the safety and stability of the home as an alternative to secure detention. Overall, well-designed aggravating and mitigating factors lend flexibility to the risk-screening process and can help to produce better detention decisions.

The Multnomah County and Santa Clara County instruments included in this guide are good examples of RAIs that use aggravating and mitigating factors. The Santa Clara instrument lists specific aggravating or mitigating factors and caps the number of points that can be added or subtracted from the basic score at plus or minus 3 points. The Multnomah instrument has a more aggressive aggravation/mitigation scheme, allowing up to 9 points in mitigation or 10 points in aggravation of the score.

In general, aggravating and mitigating criteria should be objective—i.e., measurable using available data at intake. Some examples of objective criteria commonly found on RAIs within JDAI are:

Aggravations:

- Multiple offenses are alleged for this referral
- Minor has a documented history of two or more runaways from home or placement within the past six months
- Minor was intoxicated upon referral

Mitigations:

- Minor is less than 13 years of age
- Minor has not been arrested or referred for detention within the last 12 months
- Minor has no FTA history

Soft criteria have their place in the aggravation/mitigation scheme and need not be avoided entirely. Some examples of useful softer criteria are:

Aggravations:

- Minor's alleged behavior was especially severe or violent
- Minor has a documented history of criminal gang involvement
- Minor has no known local community ties

Mitigations:

- Minor's involvement in the offense was remote
- Parent or relative is able to assume immediate responsibility for the minor
- Minor has record of regular school attendance

Where soft aggravating or mitigating criteria are included, intake screeners should have guidelines on how to apply them, and their application should be monitored to avoid unintended or undesired effects. For example, aggravations for "poor peer relations" may be linked in practice to higher scores and detention rates for certain minority groups (see Section F on reviewing the RAI for race effects).

We recommend that RAI designers observe the following principles when crafting criteria in aggravation or mitigation of the basic score:

- To the extent possible, use objective criteria that can be supported by available data.
- Avoid loose or vague language—e.g., "minor is a gang member," "minor has poor peer relationships," or "minor is a danger to person or property."
- Where factors calling for opinion or judgment are used (e.g., "no known community ties"), train screeners and adopt guidelines to avoid the inappropriate application of these factors.
- Limit the total number of points that can be added or subtracted from the basic score (no "sky is the limit" aggravation lists).
- Balance the number of factors and points that can be selected in aggravation with the number of factors and points that can be subtracted in mitigation.

Avoiding delays related to selection of aggravating or mitigating factors. One problem with aggravating and mitigating factors is possible delay in the screening process, if relevant information is not available. For example, if school records cannot be accessed at intake, screeners

cannot check aggravating or mitigating factors related to school performance. A cardinal rule is that screening should not be delayed, and the minor should not be held in secure confinement, simply because information to support an aggravation or mitigation choice is not immediately available. Aggravating or mitigating factors that cannot be supported by the information system should be removed from the RAI—at least until the information system is able to support their use. Alternatively, unsupported factors can be kept on the RAI for future development, though for present purposes screeners should be instructed to score the RAI without regard to these factors and without delay.

C. Construct the Decision or Outcome Scale

The decision scale establishes the relationship between the minor’s total risk score and the recommended detention outcome. In the simplest format, the scale indicates only two choices—detain or release. Using such a scale, if the detention cutoff score is 10, a minor scoring 10 or more points will be eligible for secure detention, and a minor scoring 9 or fewer points will be eligible for release. Most JDAI sites have more complex decision scales with mid-range scores indicating eligibility for an alternative-to-detention program, such as home confinement or day reporting. A sample decision scale using a 15-point detention cutoff score is shown in Figure 15 from the Virginia Detention Assessment Instrument.⁴

Decision scale values cannot be plucked out of the air. A critical balance must be struck between the detention cutoff score on the decision scale and the point values assigned by the working group for individual risk factors. Normally, the cutoff score will be pegged to the highest offense value—i.e., will be equal to the number of points assigned to serious/ violent crimes for which secure detention is nearly automatic. Thus if the detention cutoff score is 15 points, the most serious and violent crime score will also be 15 points. Moreover, with this RAI, the points assigned for mid-level felony offenses will ordinarily cluster in a zone of 5–8 points, about

one-third to one-half of the way up to the cutoff score of 15.

One RAI working group, in its first draft of the RAI, violated the principle of balancing the decision scale with offense points. This site selected 8 points as the cutoff score for secure detention. It

FIGURE 15

VIRGINIA DEPARTMENT OF JUVENILE JUSTICE DETENTION ASSESSMENT INSTRUMENT	
Decision/Outcome Scale	
SCORE	INDICATED DECISION
0–9	Release
10–14	Detention Alternative
15 +	Secure Detention

then assigned 10 points for all serious/violent crimes and 8 points for all types of felonies. In short, this working group composed a policy of presumptive secure detention for any minor referred for any offense more serious than a misdemeanor. This policy, had it been enshrined in the RAI that was ultimately adopted, would essentially mandate secure detention for a broad range of drug and property offenders who could safely be managed without secure detention. It would also needlessly overpopulate the local detention facility.

The decision cutoff score must also be balanced with points assigned to referral history and collateral risk factors. Working group members, as they address the need for internal balance on the RAI, should add up the numbers for various hypothetical cases to see how children in various circumstances would be classified by the decision scale. For example, what would the total risk score (and detention outcome) be for a minor referred for felony drug possession, having one prior misdemeanor adjudication in the last 12 months? Should that be a presumptive detention case? Are there likely to be many such referrals? By asking questions like this, and testing various referral scenarios, the working group can get a good sense of how to balance points assigned to individual risk factors with point ranges on the decision scale.

A critical balance must be struck between the detention cutoff score on the decision scale and the point values assigned by the working group for individual risk factors.

It is important to remember that the final scores earned by children on the RAI are quantifications of detention risk. Eventually, the efficacy of the working group's choice of a cutoff score will be demonstrated by field tests (showing detention rates and population effects when the RAI is implemented) and by validation studies (confirming the relationship between risk scores and performance upon release).

Often, sites adopt decision scales with middle scores for alternative-to-detention programs, before those alternative programs have been established. This creates the awkward situation in which the minor's recommended detention outcome, based on the score, does not exist. Intake staff may be reluctant to release a minor whose score qualifies him for release on home confinement when there is no house arrest or home confinement program in place. Often, minors caught in these circumstances are simply defaulted into secure detention, and the site begins to accumulate high override rates for these cases. The effort to implement detention alternatives, and to activate the options indicated by the decision scale on the RAI, should begin as early as possible. If the alternatives are absent, local stakeholders need to adopt interim guidelines on how minors with mid-range scores will be handled pending the establishment of the detention alternative programs.

D. Identify Special or Mandatory Detention Cases

All sites provide for the mandatory detention of certain types of referrals. Mandatory detention means just that—that regardless of the score, the minor must be detained as a matter of state law or local policy. Mandatory detention cases are usually gathered into a checklist near the end of the RAI. The minor will be scored (for monitoring purposes or to satisfy other local process requirements), but the mandatory detention status checked at the bottom of the form will control the outcome.

Common mandatory detention reasons found on RAIs include the following:

- *Court-ordered detention.* In these cases, the intake screener has no discretion to overrule the court which has, for one reason or another, ordered the detention of the minor.
- *Warrant cases.* Minors apprehended on a bench or arrest warrant are, in most JDAI sites, subject to mandatory detention. However, some sites have amended this policy to provide intake staff with discretion to release minors with certain types of warrants—for example, misdemeanor warrants or bench warrants that have been pre-identified by the court as releaseable at the discretion of intake staff. The Cook County RAI divides warrants into two groups—those earning 15 points at intake (and thus qualifying for detention) and those earning 8 points on the RAI (non-mandatory detention warrants).
- *Placement failures, detention alternative program failures.* Mandatory detention policies often apply to minors returned from placement or returned as failures of detention alternatives like house arrest or electronic monitoring. To avoid long periods of secure custody for minors returned from non-secure programs, some sites have adopted special procedures for quick evaluation of the failure and for the swift return of the minor, as appropriate, to a non-secure program or placement.
- *Holds for other jurisdictions, courtesy holds.* A minor who is a resident of another county or state, and who is a court ward or runaway from the other jurisdiction, may be held as a courtesy hold until custody can be transferred to an officer from the other jurisdiction or until transport of the minor can be arranged. A similar mandatory detention policy may apply in some sites for immigration holds for undocumented minors.
- *Specific crimes.* Many sites make detention mandatory for minors charged with certain offenses. This classification may be driven by local policy or by state law. Several JDAI sites require minors to be detained if they have used (or possessed) a firearm in the commission of the alleged offense. State law in Nevada requires 12-hour detention for minors

charged with domestic violence offenses. In California, state law mandates secure detention at intake for any minor charged with a serious crime on a statutory list of crimes that qualify for transfer to adult criminal court.

- *Probation violations.* Rarely, probation violations are included in an RAI list of special or mandatory detention reasons. This is not recommended. On most RAIs, probation violators earn risk points under the prior delinquent history section of the RAI or earn a low number of points on the offense factor list. It is against best practice standards to treat all technical probation violations as mandatory detention cases. The local system should provide graduated sanctions, focused on non-detention alternatives, for technical probation violations.

For additional information on alternative-to-detention options for minors referred on probation violations, warrants or as placement failures, the reader is referred to the Casey Foundation series entitled *Pathways to Juvenile Detention Reform*, Volume 9, (*Special Detention Cases*).

RAI designers need to consider whether special or mandatory detention cases can be released under any circumstances prior to a court detention hearing. If state law does not mandate detention at intake, local policies can be adjusted to allow intake staff to assess the case and release the minor under defined circumstances (e.g., on a misdemeanor warrant). The Clark County RAI is interesting in that it has two presumptive detention lists—one for special detention cases (that can be overridden in favor of release) and one for mandatory detention cases (that cannot be released prior to a court appearance).

RAI designers should avoid long lists of mandatory detention reasons that result in too many children being detained, regardless of their underlying risk score. Mandatory detention should be reserved for a small number of cases where there are exceptional policy or practice justifications for an inflexible outcome, or where state law mandates secure custody.

Finally, the working group that designs the RAI should consider *mandatory release* as a classification for minors who are presumed unsuitable for secure detention. Mandatory release policies may apply, for example, to children who are young (e.g., age 10 or below) and perhaps difficult to manage safely in the detention center. They may also apply to cases at the lowest offense levels, such as status offenses, where referral to shelter care or a service center is more appropriate.

RAI designers need to consider whether special or mandatory detention cases can be released under any circumstances prior to a court detention hearing.

E. Incorporate Override Reasons and Procedures

1. Detain overrides

A detain override occurs when a minor is detained despite a score that qualifies him or her for release or for an alternative-to-detention program. Detain overrides can mushroom quickly to levels that will undermine the success of the entire risk screening process. The RAI should be designed to control overrides by incorporating specific override procedures. When an intake officer decides to override a low score, this action should be documented in writing on the RAI. To facilitate this documentation, the RAI should include a checklist of the most common override reasons. An additional requirement for override control is that a supervisor must approve the override. The RAI should include a space for the supervisor's approving signature based on the override reason indicated on the form.

Override reasons should be stated as specifically as possible, and broad or vague override reasons should be avoided. Examples of the latter would be:

- *Minor is a danger to others.* While this can be a legitimate override concern, it should be stated more specifically on the RAI—for example, “minor threatens to harm others if released.” An override like this should be grounded in specific information that the minor constitutes a present danger to others if released.
- *Minor is a danger to self.* This is another legitimate override concern. Overrides for this reason should be exceptional and should be anchored in specific and recorded observations, such as “minor has attempted/threatens suicide” or “minor is being held for mental health evaluation.” These subreasons should be inscribed on a space in the override section of the RAI. Overall, sites need to guard against using secure detention as the primary response for children having low risk scores but high self-protection needs. In general, minors with medical, mental health, or other self-protection needs should be handled in clinic, hospital, or non-secure crisis resolution settings rather than in delinquency detention centers. Interagency agreements and other policy adjustments may be needed to ensure that the detention center does not become the default holding facility for children with health and mental health disorders.
- *Gang affiliation.* This is a sensitive override subject because of the potential impact on disproportionate minority confinement. Detentions based solely on gang affiliation may turn out to be biased against children of color. An override related to gang behavior should be rooted in specific information that a low scoring minor is at present risk of committing gang-related offenses if he or she is released.

Frequently, detain overrides occur because intake personnel cannot locate parents, or because parents are slow (or even refuse) to retrieve children who qualify for release. A high number of overrides in this area may indicate a need to increase the level of effort made to locate parents and to persuade them to pick up their children. The RAI should identify overrides that are due to parent-related problems. It may be helpful to separate parent-related override reasons on the checklist—one box for “unable to locate parents,” another for “parent not immediately available to pick up child,” and another for “parent refuses custody of child.” This array of choices makes it possible to track parent-related override reasons over time and to adjust intake procedures and priorities accordingly.

It is important to recognize that the risk assessment instrument is a triage device, designed to orient the entire screening process toward detention goals. The RAI cannot list all the human factors and circumstances that may apply in every case. Ultimately, intake workers and their supervisors must use their own judgment and experience when it comes to exercising an override. The override checklist will anticipate the most common reasons for override of the minor’s score—but not every possible reason. Thus, the RAI should include a line for other override reasons not listed on the instrument, where the screening decision-maker can describe why detention was necessary in this particular case. The utilization of other override reasons must be monitored over time to guard against abuses of discretion—i.e., against frequent overrides for insufficient cause.

It is important to recognize that the risk assessment instrument is a triage device, designed to orient the entire screening process toward detention goals. The RAI cannot list all the human factors and circumstances that may apply in every case.

2. Release overrides

The RAI should allow, on its face, for discretion to release minors whose scores are above the detention cutoff score. Release overrides are rather rare events, based on the collective experience within the JDAI. Nevertheless, there may be compelling reasons to avoid secure detention even where the minor’s risk score is at or above the score qualifying for lockup. For example, it may be clear to the intake screener that a warrant for which the minor was referred is mistaken or invalid, or the minor may have self-surrendered on a warrant for a technical violation with parents standing by to take the minor home. Very young children, or children whose involvement in the alleged offense is clearly accessorial and remote, may be candidates for release overrides. Local detention planners should discuss release override policies in the process of drafting the RAI, and the RAI should include a specific check-off and explanation line for this outcome.

For a simple override checklist, providing for both detain and release overrides, the reader is referred to the Santa Clara County RAI displayed earlier in the text (Figure 1).

3. Monitoring overrides: The upfront need to define the moment of secure detention

Override procedures and controls must be grounded in an accurate, local definition of secure detention. In fact, without an advance definition of what constitutes a detention, it will not be possible in all cases to distinguish a detention outcome from a release. Nor will it be possible to monitor detention rates and overrides in an adequate manner.

There is no universal standard that defines the moment at which secure detention begins. In some jurisdictions, a minor who remains in the receiving or screening area of a detention center, even for an extended period, is not considered to be detained. Even if the minor is booked and confined in a cell, some jurisdictions will not count the event as a detention if the minor is then released within a short period. The question here is, at what point is a minor considered to be securely detained? Is it after four hours of custody in the detention facility, eight hours, or some longer period? Is the moment of detention defined by the physical movement of the minor from an open interview area into a locked unit? The RAI working group should address this matter in the design phase and should settle on a local definition of detention. The results of field tests of the RAI, and accurate monitoring of detention rates and overrides, will hinge on an accurate definition of what constitutes secure detention. Some sites have adopted a custody grace period (e.g., four or six hours), so that if the minor is still in custody after this time, he or she is then counted as detained. In the recent history of JDAI, long grace periods—i.e. periods of lockup that are not counted officially as detention time—have been discouraged. From an override management perspective, long holding periods (e.g., overnight lockup) for low-scoring minors should not be counted as de-facto releases. Continued secure custody under these circumstances must be justified by documenting the case as a detain override of the RAI score, with an appropriate override reason.

F. Review RAI Draft for Race and Gender Neutrality

A key objective of detention reform is to ensure that confinement decisions are made without bias as to the race, gender, or other personal characteristics of children who enter the justice system. Concern about disproportionate minority confinement (DMC) arises from widespread evidence that children of color, particularly African American youth, have historically suffered higher rates of justice system confinement than their peers in other racial groups. Under federal law, states receiving funds through the Juvenile Justice and Delinquency Prevention Act

(JJDP) must take steps to identify and reduce DMC in secure juvenile facilities. Within JDAI, there has been a strong emphasis on monitoring DMC and eliminating it where it is found.

DMC at the detention stage is usually documented by monitoring reports on detention admissions and detention facility populations. Where these reports confirm arrest or detention rates by race that exceed that racial group's representation in the local youth population, disparity is shown to exist.⁵ In order to reduce and eliminate DMC, the site will need to explore the multiple and contributing causes of DMC for each affected racial or ethnic group. These causes may include differences in the underlying behavior of minors referred to the detention center (i.e., higher arrest rates for certain minority groups); discriminatory law enforcement practices affecting arrest rates; bias in confinement decision-making by probation or court personnel; and social and economic factors, including poverty, unemployment, school dropout rates, and other factors that correlate with high arrest and confinement rates.

In theory, RAIs are inherently race-neutral because they apply objective criteria to measure specific detention-related risks. In fact, this may not always be the case. Care must be taken by RAI designers to avoid subtle or unintended race effects. These effects may not become apparent until the proposed RAI has been field tested and the test results are reviewed by the RAI working group.

In the literature and science of risk assessment, some researchers have described painstaking statistical methods for purging risk instruments of possible race bias. Gottfredson and Snyder (2005), for example, suggest applying alternate mathematical models to risk instruments in the development stage to isolate individual factors (invidious variables) having strong race effects, then discarding those race-sensitive variables in favor of others that are less race sensitive. Statistical pre-testing of individual RAI factors at this level of sophistication is beyond the capacity of most sites undertaking detention reforms. But there are some measures that RAI designers can take to guard against possible racial bias, both in the RAI and in the detention screening process as a whole, including:

- *Review aggravation and mitigation criteria for potential bias.* Aggravating or mitigating factors may be linked to disproportionate detention results for specific minority groups. An example is provided by the RAI for Multnomah County (Portland), Oregon. The Multnomah RAI originally had “no known community ties” as an aggravation factor earning 7 points on a 12-point scale. County juvenile justice personnel realized in the

In theory, RAIs are inherently race-neutral because they apply objective criteria to measure specific detention-related risks. In fact, this may not always be the case. Care must be taken by RAI designers to avoid subtle or unintended race effects.

monitoring process that this aggravation was having a disproportionately large effect on Latino youth who were reluctant to disclose the homes and addresses of their undocumented parents. Multnomah retained this aggravation factor, but lowered it to 3 points and continued to monitor its DMC effects. Another DMC issue arises when gang membership appears on the RAI as an aggravation. Loosely drawn aggravating criteria adding points for gang association or poor peer relations may encourage disproportionately high detention rates for African-American or Latino youth; these aggravating factors, if used at all, should be anchored in specific documentation of the gang-related risk in each case.

- *Review override criteria.* Override reasons should be race-neutral. Many sites experience higher override rates for parental non-cooperation than for other reasons. Usually, this happens when a parent cannot be located (e.g., no telephone), cannot leave work to pick up a minor scheduled for release, or refuses to come to the detention center. The utilization of these reasons must be monitored for unintended DMC effects. RAI designers will want to ensure that their override criteria are not skewed toward secure detention of children with parents from poor or single-parent families in minority neighborhoods.
- *Use the field test to identify race (DMC) effects that may be related to the RAI.* In general, disparities in referral and detention rates, using the new RAI, cannot be accurately documented until RAI is field tested and the results are analyzed. However, in the design phase, stakeholders should anticipate possible DMC effects and should ensure that the field test is structured to take these effects into account.

Suggestions for noting DMC effects in RAI field test reports are offered below under Step 6 A (Basic Field Test Reports). Recommendations related to DMC findings are discussed under Step 6 C (Recommendations Based on Field Test Findings).

Gender issues. Gender-specific detention reforms are often focused on post-intake conditions of confinement for girls, and on the programs and services that are needed to meet their specialized needs. At the detention gateway, the risk instrument may inadvertently encourage inappropriate or unnecessary decisions to detain young females. These effects usually arise for specific offense groups. For example, the field test may disclose disproportionately high rates of detention for girls referred on domestic violence charges. Where state laws permit secure detention of status offenders, girls may be disproportionately represented in the class of juveniles who are confined for these offenses. At some sites, arrests of girls for prostitution may pose special problems. For example, individual girls may be recycled in and out of detention on prostitution charges without counseling or outreach services to deter this conduct or to rescue them

FIGURE 16

RAI CONSTRUCTION CHECKLIST: SUMMARY OF TASKS INVOLVED IN THE CONSTRUCTION OF A NEW JUVENILE DETENTION RISK ASSESSMENT INSTRUMENT

- REVIEW MODEL RISK INSTRUMENTS from other sites
- DEVISE OFFENSE RISK FACTORS
 - Select offenses or offense categories to be listed
 - Assign points based on severity of the referral offense
 - Evaluate options for scoring multiple offenses for the same referral
 - Resolve point-value controversies that may arise in the working group
 - Balance offense factor points with the cutoff score on the decision scale
- DEVISE DELINQUENT HISTORY FACTORS
 - Select prior arrest/adjudication factors and points
 - Select factors and points for prior escapes or failures to appear
 - Account for pending petitions and legal or supervision status
 - Avoid redundant scoring for combinations of delinquent history factors
- DEVISE FACTORS IN AGGRAVATION OR MITIGATION OF SCORE
 - Observe principles of balance and objectivity in designing these factors
- CONSTRUCT THE DECISION OR OUTCOME SCALE
 - Address need to balance the detention cutoff score with risk factor points
 - Include mid-range scores that qualify youth for detention alternative programs
 - Run case simulations to confirm the initial choice of a detention cutoff score
- DESIGNATE SPECIAL OR MANDATORY DETENTION CASES
 - Address need to control the number and type of special or mandatory detention cases
- INCORPORATE OVERRIDE PROCEDURES
 - Include listed, specific override reasons on the RAI
 - Provide for supervisor approval of overrides
 - Provide for both “detain” and “release” overrides on the RAI
- REVIEW DRAFT INSTRUMENT FOR RACE AND GENDER NEUTRALITY
 - Review aggravation/mitigation, override, and other sections for possible bias
 - Use upcoming field test to check for DMC effects
- FORMAT THE RISK INSTRUMENT
 - Format to be compatible with screening process in automated or non-automated systems

from predatory control by pimps. Field and monitoring tests should disclose disproportionality in detention rates for girls by specific offense and referral groups. Most often, the remedies will lie in changes in policy and procedure affecting how girls are processed upon referral.

G. Formatting the RAI

At the end of the RAI construction process, the working group should settle on a design format for the RAI. The instrument should be graphically laid out to facilitate consistent and accurate completion by intake screeners. Different formatting considerations will apply between sites that complete the RAI by hand and those that have automated intake screening systems. For screen-by-hand sites, the RAI should avoid typefaces that are too small, text that is too cramped and boxes, lines or checklists that are difficult to interpret or use. Keeping the RAI to one or two pages, while also keeping it clean and user-friendly, may be a formatting challenge—but it is a challenge that should not be overlooked by the working group.

■ STEP 4: Approve the Draft RAI for Testing

At this point, the working group is ready to field test the draft RAI. Since the working group is most often a subcommittee of a larger detention reform stakeholder or oversight group, it may be appropriate at this stage to circulate the draft RAI and to obtain formal approval of the draft for testing. Local juvenile justice planners will need to make their own decisions about how to respond to suggestions or criticisms that may emerge from this vetting process. Working group members may be less than enthusiastic about changes sought by stakeholders who did not participate in the RAI design discussions. Nevertheless, there are benefits to disseminating the RAI draft. For one thing, mistakes or errors may be identified in the process. In addition, allowing some level of outside review tends to build wider public support for gateway controls on detention admissions.

■ STEP 5: Conduct RAI Field Test

Field testing of the draft RAI is an indispensable step on the development pathway. By field testing, we mean applying the draft RAI to a sample of past or present referrals to assess multiple effects. As discussed below, field tests may be run with a single RAI or with two RAIs at once (an old or “existing” version and a new draft) on the same referral sample.

A. Field Test Objectives

Some of the specific questions addressed by the field test are:

- Were detention levels and rates using the test RAI higher or lower than before?

- How do children with different offenses and offense histories score on the RAI?
- How do aggravations and mitigations affect detention outcomes?
- What is the detain override rate, and what override reasons are most frequently used?
- What does the RAI test indicate with regard to the local utilization of, or need for, detention alternative programs?
- Does racial or gender disparity seem to result from using this RAI?
- Are there particular offense groups that pose special problems, or place high demand on facility bedspace, based on test results?
- How does this draft RAI compare with a risk instrument already in use?
- Is the RAI user friendly? Is it accurately and consistently applied? What problems, if any, do intake screeners have in filling it out?

Keeping the RAI to one or two pages, while also keeping it clean and user-friendly, may be a formatting challenge—but it is a challenge that should not be overlooked by the working group.

B. Retrospective vs. Prospective Sampling

RAI testing can be done in one of two basic ways: on a sample of past referrals (retrospective testing) or on a sample of new referrals (prospective testing). Applying the RAI to a sample of past referrals is convenient in the sense that it can, possibly, be done quickly by staff or by hired researchers, but there are some drawbacks to this method. The main concern about retrospective sampling is whether the local data system can support the test. For each referral, in a retrospective sample, the data system must be able to supply essential information including: date of referral, most serious referral offense, accurate referral history, detention outcome, and release data related to this referral. Some data systems cannot establish accurate links between a referral and the outcomes related to that specific referral event. Override reasons may be impossible to identify in a retrospective sample. Similarly, aggravations and mitigations are difficult to test retrospectively. Finally, retrospective tests offer no opportunity for intake staff to comment on the experience of using the RAI or to identify RAI flaws or omissions that may become apparent as they apply the RAI “live” to new referrals.

While these concerns are significant, retrospective sampling cannot be ruled out as an option. Some sites may have advanced data systems that will support the information needed to score individuals in a retrospective sample. In these sites, a retrospective test can yield a great deal of information about the RAI outcomes and effects on future caseloads.

Still, the prospective sampling method is preferable. A prospective test can be structured to ensure that all necessary information is captured, including fresh input on overrides, aggravations, and mitigations that may be missed in a retrospective sample. The prospective method also gives intake staff the opportunity for comment on the experience of using the form. Finally, the prospective approach is likely to produce more reliable results, simply because it is applied to a more contemporary referral population.

C. Basic Test Protocols

Based on the cumulative experience of JDAI sites, standard protocols for RAI field tests have been developed. These protocols are summarized below.

- *Sample size.* A minimum of 300 total cases is suggested as the baseline for RAI field testing. This sample size will generally provide enough cases to support cross-tabulations of discrete referral and detention subgroups. If too few cases are collected, the number of cases in analytical subgroups for offense, race, and other areas will fall below levels that will support meaningful analysis. Larger samples support more reliable and informative findings.
- *Test duration.* The test period should be long enough to collect the minimum necessary 300 cases. High-volume jurisdictions will quickly assemble 300 cases; for example, a site with 3,600 annual detention referrals should be able to apply the RAI to 300 cases in about a month's time. Lower volume sites may need three or more months to accumulate the desired number of test cases.
- *Sample group.* Whether the test is retrospective or prospective, the RAI should be applied to all minors referred for a detention decision during the period covered by the test. In short, any case for which the intake screener can make a detain or release decision should be included in the RAI test sample. Court-ordered detentions (where the intake staff has no discretion to release the minor) may be omitted, but we recommend including them anyway so that a total picture of referral volume and detention outcomes can be reconstructed in the analysis of the RAI field test. Operational movements of already detained youth—e.g., for outside medical appointments or court appearances—are not tested because they are not new detention decision-making events.
- *Collateral information to be collected.* The draft RAI may need to be modified into a special test form, so that collateral information needed for the analysis can be collected. Importantly, the test form must identify the actual detention result in each case—i.e., was

the minor detained, released, or referred to an alternative-to-detention program? This outcome information is essential for measuring detention rates, counting overrides and other RAI effects. Also, RAI test forms usually include a line for the intake screener to describe the primary referral offense (in addition to checking an offense category), so that the analyst can track offense levels in a precise manner and identify gaps or problems with the offense checklist. In addition, we want to know the date and time of admission to detention as well as the date and time of release; this information is used for several purposes—including the calculation of detain rates and overrides (in relation to local grace periods) and the calculation of detention bed utilization by offense categories.

- *Supplemental documentation.* Supplemental case documents may be appended to the RAI to support the analysis and final report. Police reports are extremely useful—even if the information supplied is simply an affidavit or short probable cause statement completed by the arresting officer, describing the nature of the offense. This helps the analyst determine whether the offense was accurately classified on the RAI. Also, if a minor is detained on a warrant, a copy of the warrant can help the analyst identify the type of warrant and warrant processing issues that may affect the screening process.
- *Testing two RAIs at once.* The field test may be a test of two instruments at once—an existing or old RAI and a draft or new RAI. In these situations, screeners will complete both instruments for each child in the test sample, and both the old and new forms will be provided to the analyst. The old instrument usually governs the detention outcome in the case, and the new or draft instrument is most often completed on a provisional basis. The analyst can then compare results obtained using either RAI.

D. Conducting the Field Test

Retrospective tests are usually performed by research or MIS staff examining past case records. *Prospective tests* require the cooperation of intake screeners and supervisors in a live simulation of the RAI on an active referral population. Screeners will need to be trained in how to apply and complete the test instrument (or two instruments at once, if an old and new RAI are being applied simultaneously). Someone must be responsible for collecting test RAIs and tying them to the supplemental case documents (police affidavits, warrants) described above. Usually, all these forms are gathered into one case packet for each member of the sample. In prospective field tests, the practice within JDAI has been to provide the analyst with hard copies of the old

RAI, the new RAI, and associated police reports and warrants, stapled into a single packet for each minor (for each separate referral) in the test sample.

Data can be entered on the test RAI form by hand or by computer. Theoretically, the data entered on the RAI test form could also be linked to a software application that could produce cross-tabulations and related results, once the requisite number of cases has been screened. However, there is at present no generic software package available to support this level of automation for the RAI field test, and rigging the local data system to accept and analyze the test data may be a costly and time-consuming task. To date, almost all RAI field tests at JDAI sites have generated hard copies (hand written or computer printed) of the RAI and related case documents for tabulation and analysis by an outside consultant. (See Step 6 D for discussion of who should do the analysis.)

At the start of the survey, a “test of the test” is recommended—i.e., a short period of several days in which the test instruments are filled out for new referrals.

The release date and times are recorded to determine how long each sampled minor stayed in secure detention. Generally, the release date and time is back-filled onto the RAI by an intake staff worker after the release occurs. Accurate release information allows the analyst to confirm whether an override has occurred by comparing the actual length of stay in detention with any hour-based definition of what constitutes a detention. It also provides the data needed to determine the average length of stay for each offense or referral group, which facilitates an analysis of how many beds are needed in the deten-

tion center for various types of referrals. Tying the release date to each admission may involve some delay in completing the RAI test. Inevitably, on the day when the sample is completed (e.g., minimum 300 cases reached), some of the sample youth will still be in secure detention. If there are too many of these lingering detention cases, the length of stay and bedspace analysis cannot be done accurately. However, the analysis need not be postponed indefinitely to capture release information on a small number of youth with long detention stays; the analyst can adjust the report to account for a few still-detained cases without discrediting overall test results.

At the start of the survey, a “test of the test” is recommended—i.e., a short period of several days in which the test instruments are filled out for new referrals. A dozen or so test packets should be referred to the analyst to make sure that all necessary data are being collected. This can avert a situation in which a field test runs for several months, but then it is discovered that some vital piece of information has been routinely omitted, triggering a scramble to retrieve the missing data.

■ STEP 6: Analyze and Report Test Results

A. Basic Field Test Reports

Recently within JDAI, field test results have been assembled into reports using a common format. This format includes presentation of the test results (data tables and discussion), followed by recommendations for modifying the RAI and for handling specific problem populations that may have been identified in the field test.

The analysis will differ between sites that are testing only one instrument (a new RAI) and sites that are testing two instruments at once—i.e., comparing an existing instrument to a proposed new one. Where only one RAI is being tested, the analysis is limited by its nature to the effects of a single instrument. Where a new draft instrument is being compared to an existing one, the analysis is complicated by the fact that the old instrument usually governs the detention decision while the new one is applied only provisionally. Suggestions on how the analysis should proceed when two RAIs are tested at once are offered later in the text under the heading “Old vs. New RAIs.”

Here, we describe the information normally produced in RAI field test reports, with examples drawn from actual site test reports for Pierce County (Tacoma), Clark County (Las Vegas), and Santa Clara County (San Jose). First, we describe the basic data displays we would expect to see included in the field test report. Additionally, we describe supplemental data sites can develop to assess the impact of the RAI on specific types of referrals. All of the examples were derived from prospective field tests. To fully appreciate the examples, the reader may wish to refer occasionally to the appendix where detention cutoff scores and decision scales are shown for each RAI included as an example below.

- *Detain/release number and percent.* The analysis should report total sample size (i.e., the number of valid cases screened and analyzed), and the overall detention rate for the sample. Figure 17 shows the overall detention and release results and rates for Santa Clara County for that site’s 2003 RAI field test.

A 75 percent detention rate, as shown for Santa Clara County’s RAI test in Figure 17, is high by JDAI standards. Though there is no national guideline or benchmark for what is an acceptable total detention rate, this result suggests a need to identify the factors (such as high override rates) that may be contributing to this rather high overall detention rate.

- *Detention outcome by offense or other referral reason.* The analysis should include a cross-tabulation of referral reasons (offense categories) and detention outcomes. An example is shown in Figure 18.

FIGURE 17

**SANTA CLARA COUNTY (CA) JUVENILE PROBATION DEPARTMENT DETENTION RAI TEST RESULTS REPORT
(APRIL 2003)**
Sample Size and Detention Outcomes

Total Referred	No. Detained	Detention Rate	No. Released	Release Rate
293	221	75%	72	25%

This table provides detail on specific types of admissions to secure detention. We learn, from looking at the Santa Clara County data in Figure 18, that warrant cases account for 20 percent of all referrals, that placement and detention alternative failures together account for another 21 percent of referrals, and that children referred for all these reasons are detained at rates hovering around 100 percent. Already, these findings suggest

FIGURE 18

**SANTA CLARA COUNTY (CA) JUVENILE PROBATION DEPARTMENT DETENTION RAI TEST RESULTS REPORT
(APRIL 2003)**
Referral Offense by Detention Outcome

OFFENSE CATEGORY	NUMBER REFERRED	PERCENT OF ALL REFERRALS (REFERRAL RATE)	NUMBER DETAINED	PERCENT OF CATEGORY (DETENTION RATE)	NUMBER RELEASED	PERCENT OF CATEGORY (RELEASE RATE)
WIC Sec. 707 (b) offenses (Adult court crimes)	40	14	38	95	2	5
Assaultive felonies v. persons	12	4	10	83	2	17
Domestic violence	1	0	1	100	0	0
Possession of firearm	1	0	1	100	0	0
Drug Sale/Possession for Sale	3	1	1	33	2	67
Felony drug possession	0	0	0	0	0	0
Felony Property	33	11	15	45	18	55
Felony Other	0	0	0	0	0	0
Misdemeanor/Infraction	49	17	10	20	39	80
Probation Violation	26	9	22	85	4	15
Warrant	60	20	60	100	0	0
Placement/Ranch Failure	31	11	30	97	1	3
Detention Alternative Failure	28	10	27	96	1	4
Other	9	3	6	67	3	33
TOTAL	293	100	221	75	72	25

a need to focus reform efforts on process changes for warrant cases and program failures in Santa Clara County. The analyst can incorporate information like this into the discussion and recommendations made in the field test report.

- *Detention outcome by score.* Detention outcomes by score should be displayed as well. The example below (Figure 19) is from the Clark County field test report, showing scores and detention outcomes for the proposed new RAI that was tested there in 2005.

This table provides valuable information on the relationship between scores and actual detention decisions. In the Clark County test, about two-thirds of all minors in the sample qualified for secure detention based on earning more than 15 points or on qualifying as a special or mandatory detention case. This contributed to the high overall detain rate of 85 percent for the entire test sample.⁶ In the Clark County test report, the analyst noted high detention rates for special and mandatory detention cases, particularly children referred on warrants and domestic violence charges (see also Figure 22).

FIGURE 19

CLARK COUNTY (NV) JUVENILE JUSTICE SERVICES DEPARTMENT RAI FIELD TEST REPORT (JUNE 2005)

Screening Scores by Detain/Release Outcomes

(Shaded cells represent overrides of screening scores)

Score	No. Screened	No. Detained	Pct. Detained	No. Released	Pct. Released
0 – 9 points	92	56	61%	36	39%
10 – 14 points	23	17	74%	6	26%
15 or more points, or Special or Mandatory Detention Case	192	189	98%	3	2%
TOTALS	307	262	85%	45	15%

- *Overrides and override rate.* The number of overrides and the override rates for each RAI being tested should be identified in the field test report. A sample table containing this information (from the 2005 Clark County report) is shown in Figure 20. In the Clark County field test, the new RAI was applied as the controlling instrument. In this test, the outcome was classified as a detain override if the minor scored below 15 points, was not a special detention case, and was nevertheless detained. The total override rate in the Clark County field test, as shown in Figure 20, was 64 percent—i.e., nearly two-thirds of all minors scoring zero to 14 points (and thus qualifying for release or for a detention alternative) were securely detained. As a general rule it not appropriate to detain a minor who

FIGURE 20

CLARK COUNTY (NV) JUVENILE JUSTICE SERVICES DEPARTMENT RAI FIELD TEST REPORT (JUNE 2005)
 Override Rate (using the new RAI) by RAI Scoring Group

RAI Score Group	Number Referred	Number Detained	Override Rate
0–9 points (Release)	92	56	61%
10–14 points (Detention Alternative)	23	17	74%
Total Scoring 10–14	115	73	64%
15 or more points (Detain) or special or mandatory detention	192	189	2%
TOTAL SAMPLE	307	262	—

has a low risk score and no mandatory detention reason; any such detention must be carefully justified, using specific override criteria and procedures. Detain override rates exceeding 15 percent undermine the function of the risk instrument and the integrity of the entire screening process. When the field test produces a high override rate, as in the Clark County example, the analyst should provide the site with some guidance on how to bring this rate down. Some questions for the analyst to address in this respect are: Were overrides handled according to the prescribed override procedure, with a reason checked and supervisor approval in each case? Were certain override reasons utilized more frequently than others? Is there a need to add to or remove override reasons from the override checklist on the form, or to change the way override reasons are described?

Override rates tend to be high in field tests of instruments containing new override criteria, perhaps because screeners are slow to adapt to the new criteria. The field test report should highlight, in addition to any proposed changes in the override criteria on the RAI, any observed failures to follow override procedure as well as the need for continued local monitoring of override decisions and rates.

See the discussion under “Old vs. New RAIs” for comments on tabulating overrides in tests involving new RAIs that do not govern present detention outcomes. Note that Figure 20 includes three release overrides of children who scored above 15 points and were released.

- *Aggravation/mitigation analysis.* Where aggravating and mitigating circumstances are included on the test RAI, the report should include an analysis of how these collateral risk factors were applied during the test. Perhaps the most important piece of information in this regard is the number of cases in which aggravations boosted scores above the mark qualifying for secure detention or mitigations reduced the score below the cutoff mark. A simple summary of these effects is shown in Figure 21.

FIGURE 21

**SANTA CLARA COUNTY (CA) JUVENILE PROBATION DEPARTMENT DETENTION RAI TEST RESULTS REPORT
(APRIL 2003)**
Aggravation/Mitigation Summary

A. Number of pilot RAI forms on which aggravating or mitigating points were scored	132 of 293 total forms (45%)
B. Number of pilot RAI forms on which net aggravating or mitigating points raised the score to 10 or above (resulting in a recommendation of detention)	3
C. Number of pilot RAI forms on which net aggravating or mitigating points lowered the score to 9 or less (dropping total score to recommendation of release)	8

This part of the analysis should disclose whether aggravations of scores are moving large numbers of children over the scoring threshold for secure detention. It should also identify the aggravating or mitigating circumstances that were most frequently checked by screeners, with some comment on whether those criteria need to be revised in some respect to meet the aggravation-mitigation design objectives discussed in Step 3. In the Santa Clara County example above, net aggravating points raised total scores above the detention cutoff point in only three cases—so aggravations in this test did not have a significant effect on the overall detention rate.

- *Special or mandatory detention results.* The report should indicate how many children were detained for mandatory or special detention reasons. This information can easily be displayed in a single table. An example is reconstructed from the Clark County field test report (Figure 22).
- *Old vs. new RAIs.* As noted previously, the analysis becomes more complex for tests involving the comparison of two RAIs—an existing one and a new or draft instrument. Ordinarily in these tests, the old or existing instrument controls the detention outcome while the new RAI is applied only provisionally. In two-instrument tests, some method must be devised to determine detention and override rates for the test instrument that does not govern the detention decision or outcome. The simplest approach is to require screeners to complete the new RAI as if it were a live instrument, scoring it fully and recording the prospective detention outcome, including all requisite override information. The results for the new RAI can then be tabulated using the information provided on the face of the RAI form. A downside of this method is that it has some potential to be confusing for risk screeners who must, in effect, speculate on whether they would override a release recommended by the new instrument, based on the scoring parameters and

FIGURE 22

CLARK COUNTY (NV) JUVENILE JUSTICE SERVICES DEPARTMENT RAI FIELD TEST REPORT (JUNE 2005)
 Special and Mandatory Detention Cases: Referrals and Detention Outcomes (number and rate)

Special or Mandatory Detention Category	Number referred	Percent of All referrals	Number Detained	Detention rate (per category)
Arrest or Bench Warrant	51	17%	49	96%
Domestic violence—12-hour hold	26	9%	26	100%
Use of firearm	23	8%	23	100%
Material witness order	5	2%	5	100%
Fugitive hold or escapee	5	2%	5	100%
Held for other jurisdiction	16	5%	16	100%
Other special/mandatory detain	4	1%	4	100%
TOTAL	130	42%	128	99%

override reasons listed on that instrument. Good pre-test training of risk screeners can help to avoid this sort of confusion and to improve the reliability of test results.

For tests involving two RAIs, the findings related to each RAI can be compared and displayed in various ways. An example from the Pierce County 2004 test report is shown in Figure 23. This table shows the detention number and rate for separate offense classes using both the old and the new RAI. The table demonstrates a potentially significant drop in the detention rate using the new RAI—i.e., a nearly 50 percent decline in the total number of minors eligible for secure detention using the new form (versus the old), with the strongest detention-reduction effects shown for crimes below the “A” offense (serious/violent) level.

- *Referrals and detention outcomes by race (DMC analysis).* The field test provides a direct opportunity to examine DMC (disproportionate minority confinement) issues related to the screening process. As an example, Figure 24, reformatted from the Clark County test report, shows county youth population, test referrals, and detention rates for four racial groups. In this example, detention rates ranged from 83 percent to 90 percent for white, black, and Hispanic referrals. The lower detention rate (75 percent) for “Asian/Other” referrals is an artifact of the small number of cases in that group. Wider disparities appeared when referral rates (rather than detention rates) were compared to rates of representation in the county youth population (age 10-17). Black youth, for example, are heavily overrepresented in this referral sample (33 percent of referrals vs. 12 percent of the youth population).

FIGURE 23

PIERCE COUNTY (WA) RAI TEST (2004)

Detention Outcomes by Class of Referral Offense (new arrests only)

Old Vs. New RAI (N=200 new arrests)

Offense Class	Number referred	Number detained based on old RAI	Percent detained by offense class—old RAI	Number detained based on new RAI	Percent detained by offense class—new RAI
A+, A or A-	7	7	100%	7	100%
B+ or B	46	39	85%	16	35%
C or C+	42	14	33%	5	12%
D+*	39	24	61%	21	54%
D or E	66	15	23%	6	9%
TOTAL	200	99	50%	55	28%

* D+ offense group consists largely of domestic violence cases that are mandatory detentions under Washington State law.

FIGURE 24

CLARK COUNTY (NV) JUVENILE DETENTION RISK ASSESSMENT (JUNE 2005)

County Youth Population, Detention Referrals, and Detention Rates by Racial Group

RACE	County youth population (age 10–17)	Percent of county youth population	Number referred in field test	Percent of all referrals	Number detained	Detention rate
White	89,080	48%	109	36%	90	83%
Black	22,665	12%	102	33%	88	86%
Hispanic	60,630	33%	80	26%	72	90%
Asian/Other	13,355	7%	16	5%	12	75%
TOTAL	185,730	100%	307	100%	262	85%

Outcomes related to site-specific issues and objectives.

To assess DMC results, the analyst will need to obtain accurate demographic data on the racial profile of the county (or other local) youth population. This will enable the analyst to compare minority representation in the test sample with minority representation in the broader population that serves as the source of referrals. Most state and county governments maintain census data by age and race, including demographic projections for future years. Often, the probation department, juvenile services department, or court administration can provide the analyst with data on the youth-at-risk population, broken out by race. Alternatively, the analyst can reconstruct a race profile of the local youth population by extrapolating data available on the U.S. Census website.

To assess disparities in detention decision-making, it will be important to include a more detailed table that compares detention outcomes (and rates) by offense and race. This neutralizes the analysis for higher rates of arrests for minorities in some offense groups—e.g., for serious/violent crimes. It allows the analyst to compare detention outcomes (and to detect DMC) among juveniles who are referred for the same offense. See Appendix III for the complete table (referral and detention rates by offense and race) included in the 2005 Clark County field test report.

If racial disparities are confirmed by the analysis, discernable causes and remedies should be discussed by the analyst in the recommendations section of the field test report. See Section C (Recommendations Based on Field Test Findings) for more information.

Sites often begin the detention reform process knowing that certain referral groups are likely to be problematic. This may necessitate a special analysis of field test results for one or more detention subgroups. For example, in both Pierce County and Clark County there was apprehension about the handling of children referred on domestic violence charges—so separate calculations and tables were produced to show RAI effects for these referrals. In San Francisco stakeholders were concerned about girls arrested for prostitution and how they should be processed upon referral. Often sites have ongoing concerns about the handling of technical probation violators. The test and the analysis should be structured to yield specific information on how these special groups are affected by the proposed RAI.

B. Determining Facility Effects: Supplemental Data on Length of Stay and Detention Bedspace Utilization

Given enough data, the analyst can provide estimates of how the new RAI is likely to influence detention facility populations in the future. Specifically, the test report can document the bedspace demand created by specific types of cases or referral groups. Frequently, this part of the analysis will help to focus reform strategies on one or more offender groups found to occupy unexpectedly large shares of available detention space.

Detention facility populations are affected by two major variables: admissions and length of stay. To get a decent estimate of the RAI's impact on facility populations, the field survey must include length of stay data for each detained minor in the sample—from date/time of detention to date/time of release. Armed with this information, the analyst can produce the following reports:

- Average length of stay in detention by offense or other referral reason
- Total detention bed-days used by the sample, by offense, during the field test
- Annual estimated number of detention beds utilized by each offense and referral group

The average length of stay calculation is a simple one. RAI test forms should already have the date/time of admission and the date/time of release for each detained youth. The analyst simply adds up the total number of hours and/or days spent in detention by the members of each detention subgroup (e.g., for all minors detained for serious/violent crimes or all detained for misdemeanors). This total is then divided by the total number of minors in the subgroup, to yield an average length of stay (ALOS) for the sub-group as a whole.

It is a more demanding task to estimate how many detention beds are utilized on an annual basis by each offense subgroup. There is an extensive body of research on the technology of population forecasting for correctional facilities. At the highest methodological levels, corrections forecasts take many factors into account, including arrest and demographic trends, seasonal variations in facility admissions, peak and non-peak bed utilization, and other population variables. Some of these forecasts are produced using sophisticated software to run complex simulations of population movement over time. The bedspace estimates made using JDAI field test data are much more limited. Nevertheless, they remain useful for the purpose of comparing relative detention bed demand for each offender class in the RAI test sample.

The information on bed utilization is perhaps best developed by a consultant who is familiar with the basics of facility population forecasting. In simplified applications, the approach relies on the standard formula:

$$B \text{ (beds utilized)} = A \text{ (annual admissions)} \times LOS \text{ (length of stay in days/365)}$$

The units plugged into this formula are annualized bed, admissions, and LOS figures. For RAI tests, admissions during the test period for specific referral groups are grossly annualized. For example, a 30-day sample that produced 50 misdemeanor admissions would annualize to 609 estimated annual misdemeanor admissions (12.16 months x 50 admissions/month = 609 annual admissions). If each misdemeanor admission in the test period stayed in custody an average of 10 days, then the total number of beds utilized for misdemeanor referrals on an annual basis would be 16.7 beds (609 admissions x 10/365 days). Such estimates are crude in the sense that they fail to account for the variables discussed earlier (such as seasonality), and they tend to be based on short-term samples that may not accurately represent longer-term trends. Further, the estimates lose reliability if the test sample fails to include all detained youth or lacks accurate length of stay information for each child booked into detention. But within these limits, these rough estimates are useful as a quick check on bed demand imposed by various offense groups. A summary table from the Pierce County field test report is shown in Figure 25. One of the notable outcomes confirmed by the bedspace analysis in Pierce County was an unusually high number of beds required for the minors referred on warrants (see the

warrants row in Figure 25). In Pierce County, this test result helped juvenile justice planners recognize the need to adjust warrant referral and length of stay policies.

Another approach used by JDAI sites to assess RAI effects on facility populations is simply to conduct population counts once the RAI has been implemented. Most often, this cannot be done concurrently with the RAI field test, because the new RAI does not usually govern detention decisions during the test. Real-time population changes cannot be assessed until the RAI is fully implemented as the governing instrument.

Recommendations in JDAI field test reports should address the salient findings that were generated by the field test data. Recommendations will generally cover two major areas: those related to the instrument itself, and those related to the screening process as a whole.

C. Recommendations Based on Field Test Findings

Recommendations in JDAI field test reports should address the salient findings that were generated by the field test data. Recommendations will generally cover two major areas: those related to the instrument itself, and those related to the screening process as a whole.

The field test may show that detention rates or facility loads would rise, or would fail to meet local detention reduction targets, using the new RAI. This finding could support recommendations that relate both to the construction of the RAI and to the surrounding screening process. Under these circumstances, stakeholders may need to modify the number points assigned to core or collateral risk factors on the face of the RAI, or may need to raise the detention cutoff score on the RAI to achieve detention reform targets. In fact, two of the original JDAI sites (Chicago and Multnomah) raised detention threshold scores on their RAIs after initial testing failed to confirm desired declines in detention rates. Depending on the data, sites may need to fine-tune the RAI in other respects—e.g., by amending aggravating or mitigating criteria, by adjusting override checklists, or by altering definitions of special and mandatory detention cases.

A frequent finding in RAI tests is a high override rate. High override rates (e.g., exceeding 50 percent of juveniles whose scores qualify for release) are sometimes caused by a general failure of screeners or probation staff to follow override procedures (checking a reason and getting supervisor approval in each case). In addition, overrides may escalate because alternative-to-detention programs lack sufficient local capacity to accept referrals of minors with mid-range scores, indicating a need to work on program development. Strategies to reduce override rates are described at multiple points in this guide.

FIGURE 25

PIERCE COUNTY (WA) RISK ASSESSMENT INSTRUMENT TEST (2004)

Estimated Annual Detentions, Length of Stay, and Detention Facility Beds Utilized for Specific Offense and Referral Categories

(Annualized Estimates Based on January-February 2004 RAI Survey Results)

Offense Category	Annualized Estimated Referrals	Percent of Annualized Referrals	Average Length of Stay (Days)	Total Bed Days by Offense Category	Total No. of Beds Utilized by Offense Category
Class A+, A or A- violent felony	84	2%	9.9	848	3
Other assaultive or sex felonies	168	5%	6.7	1,128	3
Felony drug	72	2%	13.1	948	3
Felony property	372	10%	8.6	3,180	9
Gross misdemeanors/misdemeanors	432	12%	6.0	2,568	7
Other	96	3%	11.2	1,074	3
Special detention cases:					
Firearm possession	84	2%	8.3	696	2
Domestic violence	456	12%	4.5	2,060	6
Warrants	1,248	34%	12.0	15,012	41
Probation violation/ pre-trial release failure	84	2%	5.2	224	1
SUBTOTAL	3,096	84%	9.0	27,738	78
Court-ordered detentions	600	16%	10.8	6,480	18
TOTAL	3,696	100%	9.3	34,218	96 *

*Bed totals rounded to nearest whole bed

NOTE ON LIMITATIONS OF BEDSPACE ESTIMATES: The figures in this table are estimates of annual detentions and beds needed, based on 12.16 times the actual activity during the 30-day RAI test in January-February 2004. These estimates do not take into account seasonal variations, peak detention needs, population and arrest trends or other normal variations in detention flow. The "beds needed" estimates in the right-hand column are useful for purposes of showing relative bed demand for different offense categories and booking reasons. The grand total estimate shown (96 beds) understates actual bed demand because some detention time (for survey-member minors who were still in custody as of the cutoff date for this analysis, March 1, 2004) is excluded from this calculation. Moreover, the bed projections do not incorporate admissions to detention that, for any reason, were not included in the survey sample.

Other test findings may need to be highlighted with recommendations in the report. High rates of detention for probation violators may indicate a need to develop non-secure and graduated sanctions for these juveniles. High detention or bed utilization rates for minors with warrants will suggest a range of relevant remedies, described elsewhere in this guide and covered in detail in the issue-specific volumes of the Annie E. Casey Foundation series, *Pathways to Juvenile Detention Reform*.

Where field test results show evidence of disproportionate minority confinement, the recommendations should include a discussion of best practice remedies for DMC. Disproportionalities that appear in *referral rates by race* may indicate a need to focus first on arrest patterns, on law enforcement practices and on neighborhood and community factors that contribute to higher arrest rates for certain minority youth groups. The multiple strategies applied to reduce and eliminate community-level causes of DMC are beyond the scope of the present report. For a thorough review of best practice strategies to reduce DMC in juvenile detention systems, the reader is referred to the Annie E. Casey Foundation's series entitled *Pathways to Juvenile Detention Reform*, Volume 8, *Reducing Racial Disparities in Juvenile Detention*.

Where field test data disclose disproportionalities in *detention rates by race* for children in the same offense group (e.g., for probation violators or for children with drug possession charges), there are grounds to suspect discriminatory practices and effects at the post-arrest stage of the juvenile justice system. The trail in this case leads to an examination of the detention decision-making process, including the attitudes and diversity of intake and court staff, the equity and uniformity with which the screening process is administered, and the construction of the RAI itself. Based on the test results, stakeholders may find it beneficial to review the RAI for possible race effects related to the way aggravating criteria, overrides, or other risk factors are framed. In addition, stakeholders may need to review how children in different racial or ethnic groups are assigned to alternative-to-detention programs. Again, for a more thorough discussion of DMC remedies, the reader is referred the above-referenced *Pathways* volume on reducing racial disparities.

Figure 26 lists key issues or questions that should be addressed by analysts framing recommendations in RAI test reports. Of course, field test results will vary significantly from site to site, and the recommendations will need to be tailored to each site's specific problems and characteristics.

D. Who Should Do the Analysis and Make the Recommendations?

Can the site do its own field test analysis and report? Local MIS staff can probably do basic counts and cross-tabs of field test results, and they can produce tables showing detention rates by offense or risk score. But when it comes to interpreting the data and making specific recommendations, the MIS staff will probably lack sufficient experience on detention reform strategies, models and best practices.

To date, almost all field test reports at JDAI sites have been done by technical assistance experts made available by the Annie Casey Foundation. The use of a qualified risk assessment specialist to analyze and report field test findings is still recommended. One objective of the

FIGURE 26

KEY ISSUES TO BE ADDRESSED BY RECOMMENDATIONS MADE IN DETENTION RAI TEST REPORTS

- Was the new or test RAI effective in controlling admissions to detention?
- Should the RAI be adjusted in any way to improve control over admissions to detention? Do points for core or collateral risk factors need to be lowered? Does the decision scale need to be changed? Do aggravating or mitigating criteria or override checklists need to be amended? Should lists of special or mandatory detention cases be revised?
- Did the field test indicate a need to adjust local practice to reduce admissions for specific referral groups (such as probation violators, minors referred on warrants, or minors with domestic violence charges)? What changes in local practice (such as police arrest and referral policies, probation violation sanctions, or warrant enforcement) are suggested to control admissions in these cases?
- Was the override rate measured in the field test acceptable? If not, what steps should be taken to reduce overrides to acceptable limits and to ensure that secure detention is used, with rare exception, only for those children whose scores exceed the risk threshold for secure confinement?
- Did race or gender disparities appear in detention rates (or arrest and referral rates) measured in the field test? If so, what should the site do to address these disparities?
- Were there unwarranted disparities in length of stay for particular types of offenders? Would reduction of confinement time (or faster processing) for specific offenses help to control facility populations or promote justice system responses that are better gauged to underlying behavior?
- Did it appear that alternative-to-detention programs (incorporated into the RAI as outcomes for minors with mid-range scores) were actually being used as alternatives to pre-trial confinement for minors with mid-range scores? Is there a need to develop additional slots in these programs, or to change procedures governing referrals of minors to these programs?
- Were the RAI forms in the test adequately completed? Did screeners have questions or difficulties using the form? Are any format or automation changes needed to make the RAI more user friendly? Is there a need to improve the level of training for screeners who fill out the RAI?
- What sort of ongoing monitoring plan and process (Step 8) will assure the continuing effectiveness of the new RAI? Who should be responsible for detention data collection and RAI monitoring reports in the future?
- Is a formal validation study (Step 9) recommended?

Casey Foundation, in producing this publication, is to equip local juvenile justice personnel with a basic understanding of detention risk assessment technology. The Casey Foundation is also considering other technical assistance strategies, such as a central national website offering additional guidance for RAI development, so that sites interested in juvenile detention reform can begin to replicate national best practices without formal participation in JDAI.

To date, there is no specialized software that can be applied by juvenile justice planners from different jurisdictions to the task of analyzing RAI field tests. Multipurpose business software, available at retail stores, cannot readily be adapted to this task. Local juvenile justice data

management systems can be engineered to process local RAI test results, but this entails a large development effort and cost. The state of Virginia has a centrally maintained juvenile justice data and monitoring system that can manage local data and produce standardized detention reports for sites throughout that state. In the future, it may be possible to expand this model to a centrally operated national website that could process local detention data and produce standardized monitoring reports. For the present time, differences in state laws, procedures, facilities, and caseloads are barriers to the creation of such a multistate data and monitoring network.

■ STEP 7: Review, Adjust, and Adopt the RAI

Upon review of the RAI field test report, the working group will have a menu of possible decisions to make, including:

- Adopt the RAI without changes
- Modify the RAI
- Modify risk-screening procedures related to the RAI

Any need to modify the RAI on its face (with point adjustments, decision scale changes, adjustments in risk factors, and the like) should be articulated clearly in the analyst's report. The working group can then discuss the analyst's recommendations and decide whether and how to change the RAI. Usually it is helpful to arrange a follow-up meeting with the analyst or consultant who prepared the field test report, to explore the pros and cons of recommended changes in the instrument. If extensive modifications are made, it may be advisable to conduct a second, follow-up field test on an interim draft before the instrument is finally adopted.

Screening procedure reforms tend to be the most difficult to implement. Process changes that can be accomplished within the intake unit, such as higher rates of compliance with override procedure, may be within sole purview of the RAI working group. But changes that relate to case processing or alternative-to-detention programs may need to be addressed in concert with other committees or agencies that are responsible for those aspects of detention reform. Often at this stage of development, detention reform committees hold combined meetings, or work in subgroups representing two or more committees, to deal with overlapping concerns. Thus, a field test report that recommends reducing warrant detentions and hold times may lead to discussions between different groups or committees about how to accomplish this objective—for example, by authorizing intake staff to release minors on

One objective of the Casey Foundation, in producing this publication, is to equip local juvenile justice personnel with a basic understanding of detention risk assessment technology.

misdemeanor warrants, or by changing judicial policies on issuing warrants in the first place. Similarly, strategies to honor mid-range scores by developing sufficient alternative-to-detention program slots may need to be explored by multiple stakeholder groups.

Implementation should not be placed on hold simply because screening process reforms recommended in the RAI test report cannot swiftly be achieved. Process changes that require longer-term development (e.g., alternative-to-detention programs) can be adopted as local reform objectives. Meanwhile, the RAI, when appropriately adjusted to the satisfaction of the working group, should be formally adopted and implemented. It may be necessary to draft interim rules on the handling of specific cases as process reforms evolve—e.g., guidelines on whether minors with mid-range scores should be released or detained while alternatives are under development.

Formal adoption may require that RAI test results and modifications be presented in detail to the detention reform oversight committee, to an executive committee, or to some other decision-making entity within the jurisdiction for final approval.

■ **STEP 8: Adopt RAI Monitoring Plan**

Post-adoption monitoring of the RAI is essential. Without adequate monitoring, RAIs are likely to lose effectiveness over time, and there may be associated increases in detention rates or other erosions of system performance.

RAI monitoring should center on three basic tasks:

- Assignment of monitoring responsibilities;
- Routine collection of sufficient data to support routine (monthly or quarterly) reports on the detention screening process; and
- Annual reviews of the RAI to confirm that it is up-to-date with changes in law, policy, caseloads, or other trends.

RAI monitoring responsibility. Perhaps the most critical requirement for monitoring is the assignment of monitoring responsibility. Whether the system is purely local or statewide, some individual or agency must be designated to collect, assemble, and disseminate the necessary detention data for periodic and annual reviews. Most often, this job falls to an information specialist within the local juvenile justice agency. However, it may be also advisable to form a detention monitoring committee, with representation from court and probation or juvenile

services staff, to oversee the RAI monitoring process and to ensure that the information is being adequately collected and reviewed.

Ongoing data collection and review. JDAI sites have devoted a great deal of time and energy to upgrading their data systems in order to evaluate detention practices. Most sites—even if they have not yet implemented a detention RAI—routinely collect data on facility populations (such as admissions and releases, basic detainee characteristics, average daily population). Juvenile justice agencies need this information in order to budget and manage their caseloads and facilities.

For RAI monitoring purposes, the existing juvenile justice data system may need to be adjusted. Most of the data developed for analysis in the field test report (Step 6) should also be collected routinely for effective monitoring of the RAI. The data should be assembled into standardized monitoring reports, for review on a monthly (or quarterly) basis by the relevant oversight groups. For any given follow-up period, these monitoring reports should be able to show at least the following

- Referrals (by offense or other reason) and detention outcomes (detain, release, alternative)
- Detention and release rates by offense
- RAI scores (by category on the decisions scale) by detention outcome
- Overrides (by scoring group and by reasons for overrides) and override rates
- Measures of procedural compliance—e.g., the number of cases referred and screened, and the level of compliance with override procedures
- Specialized detention data for specific types of cases or for detainee groups may be the subject of specialized reform efforts—e.g., to address DMC concerns (racial disparities) or to reduce admissions of probation violators or minors with warrants

These detention monitoring reports, combined with facility population reports, will provide stakeholders with a comprehensive view of screening system performance and will equip them to handle emerging problems. For example, if there are upsurges in detention rates for particular types of offenses (e.g., probation violators), the monitoring reports will capture this surge and court and intake personnel can respond with appropriate adjustments.

The monitoring group should be especially vigilant with regard to detain overrides. Detain overrides have a way of creeping upward over time, especially where monitoring is weak. Good override monitoring in this regard is essential. In tracking overrides, care must be taken as to

how override rates are calculated. Detain overrides are properly calculated as the percent of minors who are detained after scoring below the detention cutoff score. Some sites routinely understate true override rates by (wrongly) calculating overrides as a percent of all referrals. Override monitoring must also be grounded in a specific local definition of what constitutes a secure detention; in some sites, classification of an individual outcome as a detain override or as a release may depend on the number of hours the minor has spent in the detention facility. Finally, the site should adopt an override target as a performance goal—such as “overrides should not exceed 15 percent of minors qualifying for release.”

In addition to the basic monitoring data described above, each site will have specialized monitoring needs related to local issues and concerns. Most sites collect data on admissions and detention decisions by race or ethnicity, in order to address local DMC issues. Sites may have a special interest in tracking specific types of referrals—e.g., domestic violence cases, prostitution arrests, status offenders, or probation violators. The data system can be geared to collect the appropriate data for the time necessary to observe these special populations. Many sites also collect routine data on failures to appear in court—data which may be linked to RAI scores and detention decisions. This information serves to demonstrate the efficacy of the RAI in relation to a primary detention risk and can support validation studies (Step 9).

Another focus of the monitoring plan should be police arrest and referral activity. The volume of referrals by law enforcement may change over time for various reasons. More arrests may well produce more admissions to secure detention. Increases in arrests and detention referrals may be due to changes in local youth behavior patterns (e.g., more car thefts, drug offenses, or gang-related activity), to demographic changes, or to altered law enforcement policies on citation and release in the field. The monitoring plan should make some provision to incorporate information from law enforcement agencies on local arrest trends and citation procedures, as a means of helping to explain fluctuations in the volume of minors being screened for detention.

Statewide RAIs present special monitoring challenges. Usually, statewide instruments are centrally developed and monitored by a state juvenile justice agency. In New Mexico and Virginia, state agencies have designed the data systems and local networks that track juvenile detention activity at local sites. The Virginia system is the most advanced. In 2002, the Virginia Department of Juvenile Justice retained the National Council on Crime and Delinquency to

The monitoring group should be especially vigilant with regard to detain overrides. Detain overrides have a way of creeping upward over time, especially where monitoring is weak.

design a statewide detention data and monitoring system, tailored to Virginia law and procedure. As installed, the statewide network is a user-friendly system that inputs data from individual RAIs, compiles monitoring data into standard report formats, and allows on-site staff immediate, decentralized access to the data and standard monitoring reports.

Annual RAI checkups. In general, every risk instrument should undergo an annual review to confirm that it is up-to-date and that it is working as expected. New developments may call for changes in the RAI or in related screening procedures. For example, RAIs in California had to be changed in the year 2000 to conform to a ballot initiative that required minors with certain adult court offenses to be detained without exception. An annual checkup for the RAI will help keep it current and will help stakeholders detect drift toward inappropriate detention outcomes or other undesired effects. The RAI monitoring plan should provide for annual reviews and should identify the entity or group responsible for conducting these reviews.

■ STEP 9: Formal Validation

Validation refers to the process of measuring the success of the RAI in relation to the specific risks it is designed to address. The term validation is sometimes used by sites to describe pre-implementation field tests of the RAI. But in the present context, RAI validation refers to the discrete, post-implementation task of measuring success/failure rates for screened and released children. Because validation studies include measures of pre-trial reoffense rates, they are sometimes also referred to as public safety tests of the RAI.

The RAI is used to predict two specific detention risks: the risk of committing a new offense pending appearance in court and the risk of failing to appear (FTA) in court. Validation studies track the performance of released children for both of these outcomes over a specific period of time at risk.

Early validation studies were conducted on pioneer juvenile detention risk instruments in San Francisco, California, and Broward County, Florida, in 1989–90. These studies produced extremely positive results, with success rates exceeding 94 percent for both outcome measures (no arrests pending court, no FTAs). Researchers at the National Council on Crime and Delinquency (NCCD) compared these results with then-known studies of juveniles and adults on various forms of bail and pre-trial release. The children in both the San Francisco and Broward County test groups had the highest overall success rates of any of the comparison groups.⁷

There is no universally accepted standard for acceptable detention risk. In the 1990 San Francisco validation report, NCCD cited adult bail studies showing failure rates that ranged from 9–12 percent for rearrests pending court, and from 14–24 percent for failures to appear

in court. As noted above, juveniles in the Broward County and San Francisco studies did better than this, with failure rates below 6 percent. There is no recent and relevant comparative study of performance by juveniles and adults in release programs to guide us in the selection of a modern standard for acceptable detention risk.

For present purposes, where a juvenile detention validation study yields a failure rate for either reoffense or FTA that is less than 10 percent of the release cohort, the RAI should be given a passing grade for meeting public safety and court appearance objectives. Reoffense and FTA rates under 5 percent can be considered good performance. These performance windows are consistent with the results obtained in the validation studies in Broward and San Francisco counties.

While low failure rates may generally be regarded as good news, very low failure rates may also indicate that the RAI is too restrictive. As noted below, under these circumstances the RAI may need to be reviewed to ensure that it is not producing false-positive scores resulting in the secure detention of numerous children who could safely be released.

While low failure rates may generally be regarded as good news, very low failure rates may also indicate that the RAI is too restrictive.

The validation procedures described in this section offer sites a moderately rigorous empirical method to test the predictive power of the consensus risk instruments developed in accordance with the design principles and steps described in this guide. Recommended protocols are described in sections A. through D. below.

A. Defining the Validation Class

The validation class or sample consists of each minor placed on release or detention alternative status, in accordance with his or her risk score, over a defined test period. Release overrides (i.e., children with scores over the detention threshold who are released) are either excluded from the sample or tracked separately. All minors who are scored and released or referred to an alternative at intake during the test period must be included in the validation sample. The test period should be long enough to accumulate an adequate number of cases for analysis (preferably a minimum of 100 cases). In this validation process, detained minors do not serve as a control or comparison group, simply because they are in secure custody and have no pre-trial performance options.

B. Defining the Performance Outcomes

The performance outcomes measured are the following:

- Did the minor reoffend while on release status during the period of risk?

- Did the minor fail to appear in court while on release status during the period of risk?

Local juvenile justice planners will need to give some thought to the selection of a specific reoffense standard for the validation study. Will an arrest that did not result in a petition being filed or eventual adjudication be counted as a failure? Should the standard for failure be raised to count only those arrest incidents that result in an adjudication on the charge? In the Broward County validation study, an arrest did not count as a failure unless the minor was also returned to secure detention. Juvenile justice planners designing validation tests will need to make their

own choices about the arrest only standard of success or failure. They may wish to adopt the stricter failure standard of arrest followed by adjudication on the charge. They may choose to exclude subsequent technical probation violations or status offenses from the failure count. Reoffense severity (whether attributed to an arrest or an adjudication) should be tracked to provide additional and useful detail for the validation report.

Failures to appear in court should be relatively easy to track. A failure to appear at a scheduled court hearing, while on release status, should be counted as an incident of failure.

Arrests and FTAs are usually logged on a per-child/per-release basis; thus, two failures to appear by one released child during the period at risk would count as a single incident of failure.

Reoffense severity (whether attributed to an arrest or an adjudication) should be tracked to provide additional and useful detail for the validation report.

C. Defining the Time at Risk

The time at risk is limited to the period governed by the risk instrument and by the release decision made by the intake staff. Generally this is the period from the date of release to the date of the adjudication of the case. Upon adjudication, the court takes over as the detention-decision-maker, and the RAI (and intake staff) no longer control the detention status in the case. In effect, at this point the RAI has exhausted its utility as an intake risk-screening tool.⁸ Some validation studies use an arbitrary and uniform follow up period, such as 30 days, based on the average time to adjudication. Others use the time at risk that applies to each individual case. For minors who fail during the time at risk and are redetained, the time at risk is shortened to the time actually spent on release.

D. Validation Test Process and Report

Where the RAI decision scale has but two options (detain or release), the validation study will track a sample consisting of minors who are released in accordance their scores. Where the

decision scale includes mid-range alternatives, there will be two validation samples—one for the release group and one for the alternative program group. The validation study must account in some reasonable manner for children whose scores qualify them for an alternative, but who are released without assignment to the alternative program (perhaps because the alternative does not exist). Successes and failures, based on the outcome criteria, are counted for all minors in the sample during the test period. The study result is a fairly simple set of numbers that can be readily incorporated into a validation report. The report should describe the test purpose and procedure, and should display the results. The key results will be the rates of success or failure for each of two prime outcome measures—reoffenses pending court and failures to appear in court. Sites may wish to include additional information, such as data on the characteristics (gender, ethnicity, neighborhood) of children in either risk category. Figure 27 contains a sample validation report summary.

As mentioned, there is no uniform standard for success on release. Nevertheless, where reoffense or FTA rates exceed 10 percent of the sample, stakeholders may wish to review the points, weights, and decision scales on the risk instrument and consider changes to narrow eligibility for release or assignment to an alternative program. If children on outright release do better than children in alternative programs, stakeholders should look at the quality and content of the alternative programs before changing the risk instrument. Likewise, where FTA rates are higher than expected, and before adjusting RAI points or scales, stakeholders should scrutinize local procedures to ensure that the FTAs are not induced by system failures such as improper notice of the court date or by other excusable factors.

FIGURE 27

SAMPLE VALIDATION STUDY SUMMARY

Failure Counts for Minors Released or Referred to a Detention Alternative in Accordance with Screening Scores (for the validation period from ____ to ____)

Score Group	Number of cases	Rearrested and petition filed within 30 days of release	Failure rate (Rearrests)	FTA within 30 days of release	Failure rate (FTA)
0 – 9 points (Released)	52	3	6%	2	4%
10 – 14 points (Released or referred to detention alternative)	18	2	11%	1	6%
TOTAL	70	5	7%	3	4%

Validation studies producing very low failure may indicate that the RAI and related screening procedures are, in fact, overly restrictive. Badly designed RAIs, and related high override and detention rates, will keep arrested children off the streets, but at the same time the site will fail to meet detention reform objectives, including the avoidance of unnecessary secure detention and the protection of children from harm that may come from inappropriate confinement. Where validation failure rates are very low, stakeholders should consider whether the risk instrument is producing too many false-positive risk scores and whether the RAI can safely be adjusted to broaden the number of children are eligible for release or referral to a non-secure alternative program.

E. When Should a Validation Study Be Performed?

In practice, formal validation studies have rarely been conducted at JDAI sites. This is because, in most instances, stakeholders are satisfied with the results achieved once a new RAI is implemented. Often, monitoring reports show that the new risk instrument is consistent with declining admissions to secure detention and with other positive outcomes, such as fewer failures to appear in court. Under these circumstances, stakeholders may feel there is no pressing need to conduct a formal validation study.

Nevertheless, formal validation of the RAI is recommended as a good-practice option for all sites. In addition, some jurisdictions may have special and compelling reasons to validate their RAIs. For example, new judges, prosecutors or probation chiefs coming on board may be unfamiliar with screening technology or may simply wish to assert a tough on crime agenda of locking up children without regard to their detention risk scores. A validation study may be persuasive with replacement policymakers who are not yet familiar with the goals and merits of detention reform. A single high-profile release failure—for example, a sex-crime or homicide by a released juvenile—may jeopardize policymaker and community support for detention reforms. In these circumstances, a validation study can demonstrate that the RAI is meeting its stated objectives.⁹ Finally, a validation study may open the door to detention practices that are less restrictive by demonstrating that there is no present public safety barrier to increasing the number of young people who can be released or referred to a non-secure detention alternative program.

FIGURE 28

RAI VALIDATION CHECKLIST**■ DEFINE THE VALIDATION SAMPLE OR CLASS**

- Sample consists of all minors released or referred to a detention alternative program after scoring below the detention cutoff score within a defined follow-up period
- Sample to be large enough for adequate analysis (preferably minimum 100 cases)

■ DEFINE THE PERFORMANCE OUTCOMES

- Outcomes are based on two detention risks addressed by the RAI—i.e., risk of reoffending pending court and risk of failure to appear in court
- For risk of reoffending: define the standard of success or failure (e.g., subsequent arrest, adjudication, or referral to secure detention)
- For risk of FTA: define the standard of success or failure (e.g., FTA in court only? FTA for a probation officer appointment?)
- Select protocols for counting multiple failures by one released minor

■ DEFINE THE INDIVIDUAL TIME AT RISK

- Time-at-risk (follow-up period) is generally the release-status time between risk screening/release and court adjudication
- Decide whether to apply a standardized post-release follow up period (e.g., 30 days) or to track each released minor individually for time until court

■ COLLECT PERFORMANCE OUTCOME DATA

- Count failures and successes by released youth for each performance outcome measure
- Collect backup data on severity of offenses (rearrests, adjudications) and types of FTAs

■ INCORPORATE VALIDATION FINDINGS AND RECOMMENDATIONS INTO FINAL REPORT

- Tabulate results, including overall success/failure on release for each performance outcome, and assemble results into report
- Consider changes in the RAI (points for risk factors, cutoff scores) or in screening procedures that may be appropriate, based on validation success/failure rates
- If failure rates are very low, consider whether the RAI and related screening practices should be adjusted to broaden the number of children who can safely be released or referred to a detention alternative program

PART THREE:
TROUBLESHOOTING THE RAI

TROUBLESHOOTING THE RAI

This section addresses some of the more common problems that arise when juvenile detention risk assessment instruments are implemented. These problems, and related solutions, are drawn from the collective experience of JDAI reform sites throughout the United States. The information is presented as a set of checklists, focused on RAI problems related to detention rates, facility populations, overrides of scores, probation violators, warrant cases, DMC (disproportionate minority confinement), and the sustainability of reforms.

Adjustments of the risk instrument can fix some—but certainly not all—of the problems listed below. Stakeholders must also consider strategies and solutions related to the screening process as a whole and to the broader juvenile justice policies embraced by local decision-makers. The checklists below divide causes and solutions into two major areas—those related to the RAI and those related to the screening process. For convenience, the last column in each checklist cites the location in the text where the issue is discussed, referenced by Part (1 or 2) and then by Heading within that Part. To find the subject by page number, go to the Table of Contents where the Parts and Headings are cross-referenced to page numbers in the text.

PROBLEM:

THE RAI, WHEN TESTED (OR IMPLEMENTED) PRODUCED HIGHER-THAN-EXPECTED DETENTION RATES

Look for:	Consider these strategies and solutions:	See text at page:
Causes and Solutions Related to the RAI:	Detention cutoff score may need to be raised	40
	Points for offenses may need to be reduced. Review field test results (or re-test) to see which offenses (and points) may be producing the higher admission rates.	30, 55
	Establish better balance between points and the values on the decision scale.	40
	Redundant delinquent history and prior referral risk factors or and points may need to be adjusted.	33
	Aggravations may be pushing scores over the detention threshold —check aggravation selections and points.	37
	There may be too many special or mandatory detention cases or choices listed on the RAI.	23, 42
	Override criteria on the RAI may need to be tightened.	22, 44, 55
Causes and Solutions Related to the Screening Process:	Ensure that all referred minors are being screened using the RAI.	20
	Monitor police arrest/citation procedures and patterns to detect increases in arrests and referrals for screening.	69
	Monitor and address overrides of scores resulting in secure detention (see override problems, below).	22, 44, 55
	Ensure that minors qualifying for an alternative-to-detention program (based on their risk scores) are being referred to those programs; work on development of alternatives if they do not exist or if they lack sufficient capacity.	40

PROBLEM:

HIGH OVERRIDE RATES ARE LEADING TO THE SECURE DETENTION OF TOO MANY MINORS WITH LOW RISK SCORES

Look for:	Consider these strategies and solutions:	See text at page:
Causes and Solutions Related to the RAI:	Make sure there is a checklist of override reasons on the . face of the RAI.	22, 44
	If there is an override checklist, make sure that the reasons listed are not stated in broad and vague terms, inviting overuse. Also, there may be too many override choices listed on the RAI.	44
	Ensure that field tests track overrides of RAI scores to detect and fix override problems early in the reform process.	55
	Monitor overrides and reasons selected to identify ongoing override problems and related adjustments.	22, 44, 69
	Specific offenses or referral reasons may be omitted from the lists of offense and delinquent history factors, so screeners use overrides to achieve detention in these cases; adjust descriptions or points for risk factors as appropriate.	30
Causes and Solutions Related to the Screening Process:	Override procedures are not being followed by screeners; ensure that override reasons are checked in each case.	22, 44
	Ensure that supervisor approval is obtained for every override.	18, 44
	Examine release override policy and use; strive to balance detain overrides with release overrides in appropriate cases.	44, 55
	Train screeners in override procedure and address problems or attitudes of screeners related to compliance with RAI scoring and decision-making procedures.	44
	Set system override target limits. Review acceptable override rates (based on national best-practices).	22, 44
	Ensure that alternative-to-detention programs are available and are utilized for minors with mid-range scores who may otherwise be overridden into secure detention.	40

PROBLEM:

AFTER IMPLEMENTING THE RAI, TOO MANY PROBATION VIOLATORS WERE ADMITTED TO SECURE DETENTION (... OR, TOO MANY FACILITY BEDS WERE OCCUPIED BY PROBATION VIOLATORS)

Look for:	Consider these strategies and solutions:	See text at page:
Causes and Solutions Related to the RAI:	If probation violations are treated as special or mandatory detention cases on the RAI, end this policy of mandatory detention and instead address probation violations by assigning points for core or collateral risk factors.	30, 42
	Review delinquency history factors to detect redundancy (over-scoring) of minors based on their probation status and violation history.	33
	Monitor overrides to see if technical probation violators who score below the detention threshold are routinely being overridden into secure detention. If so, re-examine how the RAI treats probation violations and re-evaluate system-wide policies on sanctions for technical probation violations.	69 See also Pathways Volume 9: "Special Detention Cases"
Causes and Solutions Related to the Screening Process:	Evaluate use (or non-use) of graduated sanctions for technical probation violators. Work with the court, probation and community agencies to develop alternative-to-detention responses for technical probation violations.	See Pathways Volume 9: "Special Detention Cases"
	Check length of stay for probation violators in custody to determine population loads attributable to admissions of these youth; adjust admission and LOS policies accordingly.	62
	Examine release override policy and use; strive to balance detain overrides with release overrides in appropriate probation violator cases.	44, 55

PROBLEM:

AFTER IMPLEMENTING THE RAI, TOO MANY MINORS WERE ADMITTED TO SECURE DETENTION ON WARRANTS (... OR, TOO MANY FACILITY BEDS WERE OCCUPIED BY MINORS DETAINED ON WARRANTS)

Look for:	Consider these strategies and solutions:	See text at page:
Causes and Solutions Related to the RAI:	If warrant referrals are treated as special or mandatory detention cases on the RAI, consider changes in the RAI that will allow screeners to score and release minors referred on misdemeanor warrants per the model in some JDAI sites.	30, 42
	Review delinquency history factors to detect redundancy (over-scoring) of minors based on their prior FTA or warrant status.	30
	Verify RAI effects on detention of minors with warrants, through monitoring reports. As necessary, collect monitoring data to identify these cases by the types of warrants and behaviors for which these youth are being detained.	69
Causes and Solutions Related to the Screening Process:	Review warrant detention policies and practices and implement best-practice changes drawn from JDAI site experience including: provide intake screeners with discretion to release minors on certain types of warrants (e.g., misdemeanors), or set policy of having court indicate, when issuing a warrant, whether the minor can be released when apprehended at the discretion of intake staff. See other warrant related strategies covered in Pathways Volume 9.	See Pathways Volume 9: "Special Detention Cases" 62
	Check length of stay for warrant cases in custody to determine population loads attributable to admissions of these youth; adjust admission and LOS policies accordingly.	62
	Examine release override policy and use; strive to balance detain overrides with release overrides in appropriate warrant cases.	44, 55

PROBLEM:

EVIDENCE OF DISPROPORTIONATE MINORITY CONFINEMENT (DMC) APPEARED WHEN THE RAI WAS TESTED (... OR, WHEN IT WAS MONITORED AFTER IMPLEMENTATION)

Look for:	Consider these strategies and solutions:	See text at page:
Causes and Solutions Related to the RAI:	Review aggravating/mitigating criteria for possible race bias or effects, and eliminate (or redraft) criteria that operate selectively to encourage detention of minority youth.	46, 55, 64
	Track overrides carefully to detect disparities in decisions affecting children in minority groups. Perform special tracking studies of overrides based on parental responses to guard against bias related to low-income, single-parent-families in minority neighborhoods.	46, 55, 64
	Ensure that RAI monitoring procedures track detention outcomes by offense and race/ethnicity on a continuing basis.	69
Causes and Solutions Related to the Screening Process:	Evaluate police arrest and referral procedures to detect disparities in arrest/referral rates for minority youth. Where disparities are detected, work with law enforcement agencies to address possible discriminatory practices in surveillance, arrest and cite-and-release procedures.	46, 64
	Ensure that all referred youth are being screened using the RAI without exceptions that apply selectively to minority youth.	20, 64
	Evaluate utilization of alternative-to-detention programs by minority youth. Ensure that minority youth with mid-range scores qualifying for a detention alternative have equal access to those alternatives.	64
	Address community-wide factors, including social and economic factors, that may promote justice system referrals and incarceration for children of color.	See Pathways Volume 8, "Reducing Racial Disparities"

PROBLEM:

THE RAI HELPED TO REDUCE DETENTION ADMISSIONS FOR A WHILE, BUT THEN DETENTION ADMISSIONS AND FACILITY POPULATIONS BEGAN TO RISE

Look for:	Consider these strategies and solutions:	See text at page:
Causes and Solutions Related to the RAI:	Provide for annual review of the RAI to ensure that it is still effective. The RAI may need a “tuneup”—i.e., adjustments of the decision scale, risk factor points, aggravation-mitigation criteria or override reasons—to reflect current policies, law changes and referral procedures.	69
	Ensure that regular RAI monitoring reports are being compiled and furnished to stakeholders. The monitoring system needs to be adequately maintained to detect admission effects on specific offender populations and to ensure effective RAI performance over time.	69
Causes and Solutions Related to the Screening Process:	Are overrides creeping up? Check override rates and overall compliance of screeners with override procedures. (Review other strategies listed on the override checklist above).	22, 44, 69
	Have one or more alternative-to-detention programs closed or failed, recycling these children into the secure facility? Take steps to restore alternative program capacity.	22, 37
	Monitor length of stay in detention to detect facility population increases due to this factor	62
	Have questions been raised regarding the public safety validity of the RAI? Perform a validation study, tracking children on release to verify their performance in relation to the fundamental risks addressed by the RAI: the risk of re-offending and the risk of failing to appear in court.	72
	Has leadership support for detention reform weakened, due to changes in personnel or for other reasons? It may be advisable to re-convene the RAI working group, or other detention reform stakeholder groups, to reconfirm detention reform objectives including the need for admission controls based on use of effective risk screening techniques.	14, 25, 27

REFERENCES/ENDNOTES

¹Risk assessment instruments are given different names by the various states and sites that use them. In some cases they are called “detention assessment instruments” (DAIs), or detention risk assessment instruments (DRAIs), or they may have other names. In this guide, we use the abbreviation “RAI” generically. The principles and recommendations in the text apply to all juvenile detention risk instruments, regardless of what they are called.

²Nevertheless, some states have code provisions allowing children to post bail (cash or bonds) to obtain release from pre-trial detention facilities (among them, Colorado, Georgia, Louisiana, Massachusetts, Oklahoma, South Dakota, Washington, and West Virginia).

³There is a substantial body of research validating the relationship between individual history factors and subsequent delinquent behavior (arrests or adjudications for delinquency). The individual history factors validated in these studies include (among others) age at first offense, prior offense history, child abuse history, delinquent peer associations and psychological traits such as impulsiveness. Interestingly, offense severity as an individual risk factor does not find much support in the research literature as a predictor of recidivism. Nevertheless, offense severity has been universally applied as a core risk factor in juvenile detention risk instruments, within and outside of JDAI. In combination, these core risk factors (offense and delinquent history) do a decent job of predicting detention risk, based on validation studies of juvenile detention risk instruments at pioneer and JDAI sites. See, for example, the Broward County (FL) and San Francisco (CA) RAI validation studies summarized in Schwartz and Barton (eds.), *Reforming Juvenile Detention, No More Hidden Closets* (1994), Columbus, OH: Ohio State University Press. A good, comprehensive review of juvenile justice risk instrument validation methods and studies can be found in C.S. Schwalbe, M.W. Fraser, S.H. Day & E.M. Arnold (2004), “North Carolina Assessment of Risk (NCAR): Reliability and Predictive Validity with Juvenile Offenders.” *Journal of Offender Rehabilitation*, 40(1/2), 1-22.

⁴Copies of the decision scales for all RAIs shown as examples in Step 3 (RAI Construction) are included in the Appendix.

⁵See Step 6 for suggestions on how to document the minority confinement effects of detention risk instrument in field tests of the RAI.

⁶The Clark County, NV, field test in 2005 was conducted using only one RAI—the proposed new instrument.

⁷The San Francisco and Broward County validation studies and results are described in detail in separate chapters of Schwartz and Barton (eds.) (1994) *Reforming Juvenile Detention, No More Hidden Closets*, Ohio State University Press: Columbus, OH.

⁸The RAI may have continuing utility for other purposes. For example, some systems will include the RAI in a social study or report prepared for the court’s use in a disposition hearing, and the court may examine the RAI in the course of its disposition review.

⁹Juvenile detention risk instruments are designed to assess the risk of failing to appear in court and the risk of re-offending prior to adjudication of the case. These instruments are not designed to predict an individual’s risk of committing an act of violence. Violence prediction is a separate technological challenge that is beyond the scope of the detention risk technology described in this guide.

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APPENDICES

JUVENILE DETENTION RISK ASSESSMENT INSTRUMENTS (VERSIONS IN USE IN 2005)

EXAMPLES FROM THE ANNIE E. CASEY FOUNDATION

JUVENILE DETENTION ALTERNATIVES INITIATIVE (JDAI)

A. COOK COUNTY (Chicago), IL

B. MULTNOMAH COUNTY (Portland), OR

C. STATE OF VIRGINIA

COOK COUNTY JUVENILE COURT—JUVENILE JUSTICE DIVISION
JUVENILE PROBATION DEPARTMENT – DETENTION RISK ASSESSMENT INSTRUMENT

SCREEN DATE: _____ SCREEN TIME: _____ SCREENER: _____
 YOUTH OFFICER: _____ DISTRICT: _____
 MINOR RESPONDENT: _____ DOB: _____ AGE: _____
 SEX: M / F RACE: WHITE / BLACK / HISPANIC / ASIAN / OTHER P.O.: _____
 RD#: _____ IR#: _____ FAMILY FOLDER NUMBER: _____
 (REQUIRED) (REQUIRED)

FACTOR

1. MOST SERIOUS INSTANT OFFENSE: (Choose only one item indicating the most serious charge)	SCORE	
Automatic Transfer Cases	15	
Violent Felonies		
Agg Batt – Bodily Harm, Agg Battery with/Firearm, AggCrimSexAsslt, Agg Discharge of a Firearm, Agg Vehicular Invasion, Armed Robbery w/ Handgun, Armed Violence W/Firearm, Home Invasion, Murder, UJW-Gun)	15	
Agg Batt against Police Officer, Agg Domestic Battery, Domestic Battery W/Bodily Harm, Agg Robbery, Agg Stalking, Child Pornography, Hate Crime W/ Bodily Injury, Hate Crime @Place of Worship, Heinous Batt, Residential Arson	12	
Other Forcible Felonies (Agg Batt, CrimSexAbuse, Hate Crime, Intimidation, Kidnapping, Robbery, Vehicle Invasion)	10/12*	
Other Offenses		
Felony Sale of Cannabis (Class 1 or 2 felony amount), Arson, DCS	10/12*	*ALL SUBSEQUENT POLICE REFERRALS FOR THESE OFFENSES
PCS w/int deliver, Residential Burglary, UJW (not a gun), Possession Explosives	7/10*	
Felony Possession of Narcotics/Drugs for Sale or Other Felonies	5/7*	
Misdemeanor Possession of Narcotics/Drugs or Other Weapons Possession	3	
Other Misdemeanors	2	
Not Picked up on New Offense (WARRANT)	0	
2. PRIOR AUTHORIZED SECURE DETENTIONS (Choose only one item)		
Prior detention within the last 24 hour period	8	
Prior detention within the last seven days	7	
Six or more total detentions within the last 12 months (# _____)	10	
One to five detentions within the last 12 months (# _____)	6	
No detentions within the last 12 months	0	
3. PAST FINDINGS OF DELINQUENCY – CLOSED PROCEEDINGS (Choose only one item)		
IDOC Discharged	8	
Past Finding of Delinquency on a violent felony	7	
Past Finding of Delinquency on a felony	5	
Past Finding of Delinquency on a misdemeanor (# of findings x 1 up to a total of 3 points)	1 / 2 / 3	
No Past Finding of Delinquency	0	
4. CURRENT CASE STATUS (Choose only one item)		
Criminal Court Case Pending	8	
IPS	7	
Probation (# _____)	4	
Supervision (# _____)	2	
Not an active case	0	
5. PETITIONS PENDING ADJUDICATION (Choose only one item)		
2 + Petitions Pending (# _____)	3	
1 Petition Pending	1	
No Petitions Pending	0	
6. UNDER DETENTION ALTERNATIVE RESTRICTIONS		
Electronic Monitoring	10	
Shelter Care Facility	9	
Evening Reporting Center	7	
Home Confinement	5	
7. WARRANT CASES (Choose only one item)		
Category 1: Mandatory Detention	15	
Category 2: Non-Mandatory Detention	8	

TOTAL SCORE

DECISION SCALE

Score 0-9 **AUTHORIZE RELEASE** (with notice of prioritized date for 5-12 Conference)
 Score 10-14 **COMPLETE NON-SECURE DETENTION OPTIONS FORM**
 Score 15 + **AUTHORIZE DETENTION** (for minors 13 years of age and older)

(Complete non-secure custody options for minors under 13 years of age before placement into secure detention unless Minor is charged with UJW-Firearm in or on school grounds)

ADMINISTRATIVE OVERRIDE: YES NO REASON: _____
FINAL DECISION: DETAIN RELEASE RELEASE WITH CONDITIONS

MR lives at: _____ Apt. _____ City: CHGO/ _____ IL/ _____ Zip: _____

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

This paper form is to be used only when electronic RAI is unavailable. It <u>must</u> be entered into the electronic RAI as soon as it is available.																
Date/time youth brought to DELH/Admissions:	Date/Time of Intake Screening:															
YOUTH'S NAME	Case #	Ref.#														
DOB:																
SPECIAL DETENTION CASES (CIRCLE "DETAIN" FOR ALL APPLICABLE CATEGORIES)																
Escape from secure custody	Detain															
Arrest warrant (Detain with limited exception, see definitions)	Detain															
Type of Warrant: <table style="width: 100%; border: none;"> <tr> <td style="padding-right: 10px;">Fail to appear</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="padding-right: 10px;">Judicial Officer opposes release</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>(Check all that apply)</td> <td style="padding-right: 10px;">Unable to locate</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="padding-right: 10px;">Judicial Officer opposes release</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td></td> <td style="padding-right: 10px;">Other (specify: _____)</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="padding-right: 10px;">Judicial Officer opposes release</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	Fail to appear	<input type="checkbox"/>	Judicial Officer opposes release	<input type="checkbox"/>	(Check all that apply)	Unable to locate	<input type="checkbox"/>	Judicial Officer opposes release	<input type="checkbox"/>		Other (specify: _____)	<input type="checkbox"/>	Judicial Officer opposes release	<input type="checkbox"/>	If Judicial Officer doesn't oppose, do <u>not</u> treat as a special detention case. Screen according to policy.	
Fail to appear	<input type="checkbox"/>	Judicial Officer opposes release	<input type="checkbox"/>													
(Check all that apply)	Unable to locate	<input type="checkbox"/>	Judicial Officer opposes release	<input type="checkbox"/>												
	Other (specify: _____)	<input type="checkbox"/>	Judicial Officer opposes release	<input type="checkbox"/>												
In custody youth summoned for hearing	Detain															
Court ordered (Check all that apply)	<table style="border: none;"> <tr><td>Community Detention Violation</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Day Reporting Violation</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Electronic Monitoring Violation</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Law Violation</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Probation Violation</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Other (specify: _____)</td><td style="text-align: center;"><input type="checkbox"/></td></tr> </table>	Community Detention Violation	<input type="checkbox"/>	Day Reporting Violation	<input type="checkbox"/>	Electronic Monitoring Violation	<input type="checkbox"/>	Law Violation	<input type="checkbox"/>	Probation Violation	<input type="checkbox"/>	Other (specify: _____)	<input type="checkbox"/>	Detain		
Community Detention Violation	<input type="checkbox"/>															
Day Reporting Violation	<input type="checkbox"/>															
Electronic Monitoring Violation	<input type="checkbox"/>															
Law Violation	<input type="checkbox"/>															
Probation Violation	<input type="checkbox"/>															
Other (specify: _____)	<input type="checkbox"/>															
MOST SERIOUS INSTANT OFFENSE (CIRCLE HIGHEST APPLICABLE SCORE)																
Intentional homicide (aggravated murder, murder)	17															
Attempted Murder or Class A Felonies involving violence or use or threatened use of a weapon (including Rape I, Sodomy I, and Unlawful Sexual Penetration I involving forcible compulsion)	12															
Class B Felonies involving violence or use or threatened use of a weapon	8															
Rape I, Sodomy I, Sexual Penetration I not involving forcible compulsion	7															
Class C Felony involving violence or use or threatened use of a weapon	6															
All other Class A and B Felonies	5															
All other Class C Felonies	3															
Misdemeanor involving violence, or possession, use or threatened use of a weapon	3															
All other Misdemeanors	1															
Probation/Parole Violation	1															
Other, e.g., status offense (MIP, runaway, curfew, etc.)	0															
SCORE RANGE 0 – 17		SCORE														
ADDITIONAL CURRENT OFFENSES (IF APPLICABLE, CIRCLE HIGHEST SCORE)																
Two or more unrelated additional current Felonies	3															
One unrelated additional current Felony	2															
SCORE RANGE 0 – 3		SCORE														

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

MITIGATING FACTORS		(CIRCLE ALL THAT APPLY)
Regular school attendance or employed	-1	
Responsible adult to assure supervision and return to Court	-1	
No Law Violation referrals within past year (<i>applies only to youth with a prior history of law violations</i>)	-1	
First Law Violation referral at age 16 or older	-1	
First Law Violation referral (instant offense)	-1	
Not on probation, first UTL warrant and unaware of warrant.	-2	
No FTA warrant history (<i>youth <u>must</u> have had a delinquency Court appearance history</i>)	-2	
SCORE RANGE -9 to 0		SCORE TOTAL
AGGRAVATING FACTORS		(CIRCLE ALL THAT APPLY)
No verifiable local community ties	3	
Possession of a firearm during instant offense without use or threatened use	2	
Reported history of runaways from home within past six (6) months (2 or more) OR 1 run away from home and 1 run from placement	1	
Reported history of runaways from out-of-home placement within past six (6) months (2 or more)	2	
Multiple victims in instant offense	1	
Documented threats to victim/witness (instant offense)	1	
SCORE RANGE 0 to 10		SCORE TOTAL
TOTAL RISK SCORE		

DECISION SCALE/DECISION	OVERRIDE
Special Detention Cases <input type="checkbox"/> 12 - Over Detain <input type="checkbox"/> 7 - 11 Conditional Release <input type="checkbox"/> 0 - 6 Unconditional Release <input type="checkbox"/>	Detain <input type="checkbox"/> Conditional Release <input type="checkbox"/> Unconditional Release <input type="checkbox"/> Approved by: _____
SUMMONS	Reason: _____
Preliminary Hearing Summons <input type="checkbox"/> Y <input type="checkbox"/> N (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.)	_____
Shelter Placement <input type="checkbox"/> Y <input type="checkbox"/> N	_____
Does youth meet statutory criteria for detention <input type="checkbox"/> Y <input type="checkbox"/> N (If no, youth MUST be released.)	

REASON FOR ADMISSION OF YOUTH HELD PENDING A PRELIMINARY HEARING	
Probable cause that <u>one or more</u> of the following exists:	
<input type="checkbox"/> Committed any felony crime <input type="checkbox"/> Committed a crime involving infliction of physical injury to another person <input type="checkbox"/> Possession of a firearm (ORS. 166.250) <input type="checkbox"/> Escape from a juvenile detention facility <input type="checkbox"/> Out-of-State runaway	<input type="checkbox"/> Probation/parole violator <input type="checkbox"/> Fugitive from another jurisdiction <input type="checkbox"/> APB from state training school <input type="checkbox"/> Violation of conditional release <input type="checkbox"/> FTA after summons, citation or subpoena
AND	
<input type="checkbox"/> No means less restrictive of the youth's liberty gives reasonable assurance that the youth will attend hearing; OR	<input type="checkbox"/> The youth's behavior endangers the physical welfare of the youth or another person, or endangers the community.
THIRTY-SIX (36)-HOUR HOLD (OVERRIDE/SUPERVISORY APPROVAL REQUIRED)	
Youth can be held 36 hours from the time first taken into police custody <u>to develop a release plan</u> if: they are brought in on a law violation; a parent or guardian cannot be found or will not take responsibility for the youth, shelter is not available; and <u>the youth cannot be released safely on recognizance or conditionally</u> . What is the date and time of the police custody? Release must be no later than:(date/time)	
REASON: _____	

Fill out the table below only when the electronic RAI is unavailable and only if youth is detained. The following table is the method used by the electronic RAI to automatically compute the CMS score.

COMPUTATION OF THE CMS SCORE	
Client's Risk Assessment Instrument (RAI) Score	
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	
<u>Capacity Management System (CMS) Score TOTAL</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.

**VIRGINIA DEPARTMENT OF JUVENILE JUSTICE
DETENTION ASSESSMENT INSTRUMENT (Rev. 8/15/05)**

Juvenile Name: _____ DOB: ____/____/____ Juvenile #: _____ ICN# _____

Intake Date: ____/____/____ Time: ____:____ AM PM Worker Name: _____ CSU #: _____

Completed as Part of Detention Decision: Completed as Follow-Up (On-Call Intake):

	Score
1. Most Serious Alleged Offense (see reverse for examples of offenses in each category)	
Category A: Felonies against persons.....	15
Category B: Felony weapons and felony narcotics distribution.....	12
Category C: Other felonies.....	7
Category D: Class 1 misdemeanors against persons.....	5
Category E: Other Class 1 misdemeanors.....	3
Category F: Violations of probation/parole.....	2
2. Additional Charges in this Referral	
Two or more additional current felony offenses.....	3
One additional current felony offense.....	2
One or more additional misdemeanor OR violation of probation/parole offenses.....	1
One or more status offenses OR No additional current offenses.....	0
3. Prior Adjudications of Guilt (includes continued adjudications with "evidence sufficient to finding of guilt")	
Two or more prior adjudications of guilt for felony offenses.....	6
One prior adjudication of guilt for a felony offense.....	4
Two or more prior adjudications of guilt for misdemeanor offenses.....	3
Two or more prior adjudications of guilt for probation/parole violations.....	2
One prior adjudication of guilt for any misdemeanor or status offense.....	1
No prior adjudications of guilt.....	0
4. Petitions Pending Adjudication or Disposition (exclude deferred adjudications)	
One or more pending petitions/dispositions for a felony offense.....	8
Two or more pending petitions/dispositions for other offenses.....	5
One pending petition/disposition for an other offense.....	2
No pending petitions/dispositions.....	0
5. Supervision Status	
Parole.....	4
Probation based on a Felony or Class 1 misdemeanor.....	3
Probation based on other offenses OR CHINSup OR Deferred disposition with conditions.....	2
Informal Supervision OR Intake Diversion.....	1
None.....	0
6. History of Failure to Appear (within past 12 months)	
Two or more petitions/warrants/detention orders for FTA in past 12 months.....	3
One petition/warrant/detention order for FTA in past 12 months.....	1
No petition/warrant/detention order for FTA in past 12 months.....	0
7. History of Escape/ Runaways (within past 12 months)	
One or more escapes from secure confinement or custody.....	4
One or more instances of absconding from non-secure, court-ordered placements.....	3
One or more runaways from home.....	1
No escapes or runaways w/in past 12 months.....	0
8. TOTAL SCORE	_____

Indicated Decision: ____ 0 - 9 Release ____ 10 - 14 Detention Alternative ____ 15+ Secure Detention

Mandatory Overrides: 1. Use of firearm in current offense
 (must be detained) 2. Escapee from a secure placement
 3. Local court policy (indicate applicable policy) _____

Discretionary Override: 1. Aggravating factors (override to more restrictive placement than indicated by guidelines)
 2. Mitigating factors (override to less restrictive placement than indicated by guidelines)
 3. Approved local graduated sanction for probation/parole violation

Actual Decision / Recommendation: ____ Release ____ Alternative ____ Secure Detention

**VIRGINIA DEPARTMENT OF JUVENILE JUSTICE — DETENTION RISK ASSESSMENT INSTRUMENT:
OFFENSE CATEGORIES AND INCLUDED OFFENSES**

CATEGORY A: FELONIES AGAINST PERSONS

Abduction
Aggravated assault
Aggravated sexual battery
Arson of an occupied dwelling
Assault, law enforcement officer
Burglary of an occupied dwelling
Carjacking
Forcible sodomy
Larceny > \$5 from a person
Malicious wounding
Murder
Manslaughter
Inanimate object sexual penetration
Rape
Reckless driving/disregard police with bodily injury
Robbery
Take indecent liberties with a child
Category B: Felony Weapons & Felony Narcotics
Distribute Schedule I or II
Distribute Schedule I, II, IV or marijuana on school property
Possess Schedule I or II with intent to sell
Possess Schedule I or II
Sell Schedule I or II or > 1 oz. Marijuana to a minor 3 years junior
Brandish/point a firearm on school property/1000 ft.
Discharge firearm from motor vehicle
Discharge firearm in/at an occupied building
Possess a sawed-off shotgun
Receive a stolen firearm

CATEGORY C: OTHER FELONIES

Arson of an unoccupied dwelling
Auto theft
Burglary/Breaking and entering/Possess burglary tools
Escape from a correctional facility (not detention)
Escape from secure juvenile detention by force/violence
Extortion
Failure to appear in court for a felony
Fraud/bad checks/credit card > \$200
Grand larceny/Larceny > \$200
Larceny of a firearm
Receive stolen goods > \$200
Shoplift > \$200
Unauthorized use of an automobile
Vandalism > \$1000 damage

CATEGORY D: MISDEMEANORS AGAINST PERSONS

Assault, simple
Sexual battery

CATEGORY E: OTHER MISDEMEANORS

Brandish/point a firearm
Carry concealed weapon
Disorderly conduct
Escape from secure juvenile detention without force/violence
Fraud/bad checks/credit card < \$200
Failure to appear for a misdemeanor
Larceny < \$200
Receive stolen goods < \$200

COMMON AGGRAVATING/MITIGATING FACTORS

(Known at the time of Intake)

Aggravating

History of 2+ violent/assaultive offenses
Parent unwilling to provide appropriate supervision
Parent unable to provide appropriate supervision
Juvenile has significant mental health problem/mental retardation
Juvenile has significant substance abuse problem
Juvenile does not regularly attend school/work
Juvenile has violated conditions of a detention alternative
Juvenile is charged with a new (detainable) offense while in a detention alternative
Juvenile is an explicit threat to flee if released
Juvenile is currently an absconder from a non-secure placement
Other Aggravating factor
Detention alternative not available

Mitigating

Juvenile marginally involved in the offense
Parent able/willing to provide appropriate supervision
Juvenile has significant mental health problem/mental retardation
Juvenile has significant substance abuse problem
Juvenile regularly attends school/work
Offense less serious than indicated by charge
Juvenile has no/minor prior record

DECISION SCALES (AND DETENTION CUTOFF SCORES) FROM JUVENILE DETENTION RISK INSTRUMENTS USED AS EXAMPLES IN PART 2, STEP 3 OF THE TEXT (RAI CONSTRUCTION)

APPENDIX II—DECISION SCALES AND CUTOFF SCORES FOR SAMPLE RAIS

(Dates in parentheses indicate year of most recent RAI revision through 2005)

CITY OF BALTIMORE (MD) RAI (2005)

14 points or lower	=	Release
15 – 22 points	=	Detention Alternative
23+ points	=	Secure Detention

CLARK COUNTY (NV) RAI (2005)

0 – 9 points	=	Release
10 – 14 points	=	Detention Alternative
15+ points	=	Secure Detention

COOK COUNTY (IL) RAI (2003)

0 – 9 points	=	Authorize Release
10 – 14 points	=	Complete Non-Secure Detention Options Form
15+ points	=	Authorize Detention (for Minors 13 and Older)

MULTNOMAH COUNTY (OR) RAI (1998)

0 – 6 points	=	Unconditional Release
7 – 11 points	=	Conditional Release
12 + points	=	Detain

PIERCE COUNTY (WA)_RAI (2004)

0 – 6 points	=	Release
7 – 9 points	=	PRR (Personal Recognizance Release)
10 + points	=	Detain

SANTA CLARA COUNTY (CA) RAI (2003)

0 – 6 points	=	Release
7 – 9 points	=	Restricted Released
10 + points	=	Detain

STATE OF GEORGIA RAI (2004)

0 – 7 points	=	Release to Parent, Guardian, or Other Responsible Adult
8 – 11 points	=	Release to Alternative Program
12 + points	=	Detain

STATE OF NEW MEXICO RAI (2005)

0 – 7 points	=	Do Not Detain
8 – 11 points	=	Non-Secure Alternative (Home/Community Supervision)
12+ points	=	Secure Detention

STATE OF VIRGINIA RAI (2005)

0 – 9 points	=	Release
10 – 14 points	=	Detention Alternative
15+ points	=	Secure Detention

DETAIL OF RAI FIELD TEST REPORT DISPLAY FOR REFERRALS, DETENTIONS, DETENTION RATES AND COUNTY POPULATION BY RACE OR ETHNICITY

FROM: Clark County (NV) Risk Assessment Instrument Test Final Report (2005)

TABLE 7

CLARK COUNTY (NV) RISK ASSESSMENT INSTRUMENT TEST RESULTS REFERRALS AND DETENTION RATES BY OFFENSE AND ETHNICITY (FEBRUARY 2005)
(N= 307 REFERRALS)

OFFENSE CATEGORY	TOTAL REFERRED	PERCENT OF REFERRALS FOR THIS OFFENSE		OFFENSE DETAIN RATE—		PERCENT OF REFERRALS FOR THIS OFFENSE		OFFENSE DETAIN RATE—		PERCENT OF REFERRALS FOR THIS OFFENSE		OFFENSE DETAIN RATE—			
		WHITE	BLACK	WHITE	BLACK	WHITE	BLACK	WHITE	BLACK	WHITE	BLACK	WHITE	BLACK	ASIAN/ OTHER	
A—Felonies Against Persons	38	8	22	21%	100%	100%	58%	6	100%	16%	2	100%	2	5%	100%
B—Possession/Use Firearm	24	7	9	29%	100%	100%	38%	7	100%	29%	1	100%	1	4%	100%
C—Felony Sex Offense	2	1	1	50%	100%	100%	50%	0	—	—	0	—	0	—	—
D—Use Dangerous/Deadly Weapon	9	6	0	67%	83%	—	—	2	100%	22%	1	100%	1	11%	100%
E—Felony Narcotics Trafficking	3	3	0	100%	100%	—	—	0	—	—	0	—	0	—	—
F—All Other Felonies	64	20	22	31%	90%	82%	34%	20	90%	31%	2	50%	2	3%	50%
G—GM/Misdemeanor Against Persons	45	20	10	44%	75%	70%	22%	13	92%	29%	2	50%	2	4%	50%
H—Non-Felony Sex Offenses	2	1	0	50%	0%	—	—	0	—	—	1	100%	1	50%	100%
I—Other GM/Misdemeanor or Viol. Parole/SMYC-AC	66	25	16	38%	60%	69%	24%	19	74%	29%	6	83%	6	9%	83%
J—Violation of Probation	2	0	1	—	—	100%	50%	1	100%	50%	0	—	0	—	—
Arrest or Bench Warrant	51	18	20	35%	100%	95%	39%	12	100%	24%	1	0%	1	2%	0%
Courtesy Hold	1	0	1	—	—	100%	100%	0	—	—	0	—	0	—	—
TOTAL	307	109	102	36%	83%	86%	33%	80	90%	26%	16	75%	16	5%	75%



The Annie E. Casey Foundation

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