



# JUVENILE DETENTION ALTERNATIVE INITIATIVE

A MODEL SYSTEM IMPROVEMENT PROCESS



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# JUVENILE DETENTION ALTERNATIVE INITIATIVE

## **VISION**

Youth involved in the juvenile justice system will have opportunities to develop into healthy adults.


## **PURPOSE**

To demonstrate that jurisdictions can establish more effective and efficient systems to accomplish the purpose of juvenile detention.

## **OBJECTIVES**

- Eliminate inappropriate or unnecessary use of secure detention.
- Minimize failures to appear and incidence of delinquent behavior.
- Redirect public finances to successful reform strategies.
- Improve conditions in secure detention.
- Reduce racial, ethnic & gender disparities.

## STEPS FOR LANCASTER COUNTY IMPLEMENTATION

- Site Readiness Evaluation
  - Site Commitment by system leadership and stakeholders
  - Development of Collaborative Team and identification of initiative coordination
  - System Assessment
  - Detention Utilization Study
  - Priority Identification
  - Development of Committee's and work plans based on data
  - Quarterly data reports and Annual report to Annie E. Casey Foundation
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## TWO SYSTEM ASSESSMENTS COMPLETED THIS YEAR

Excerpt from RFK Report:

“Through the process of the review, the RFK Consultant Team discovered that the County Attorney’s Office had a robust, intentional and highly successful process for screening low risk youth out of the system and providing alternative responses such as an effective diversion program to those youth who needed only a light intervention. It is not common for prosecutor’s offices to employ a well-developed alternative response protocol let alone have it undergirded by the use of a risk screening tool (Nebraska Youth Screen). This front-end process that filters the right youth into the system for the right reasons, ensuring only those that truly need to be seen by a judge end up in court, is a critical component of the of an efficient juvenile justice system in Lancaster County. The commitment demonstrated by Bruce Prenda, County Attorney, and Sara Hoyle, Diversion Program Director, was extremely impressive. Not only were policies in place, but outcome goals were identified and data was currently being collected.”

# SYSTEM ASSESSMENT & ROBERT F. KENNEDY RECOMMENDATIONS

## RFK Executive Summary

It is recommended that the alternative response and diversion programs develop improved data sharing and communication processes with Probation.

## AECF JDAI System Assessment

Some of the pre- adjudication programming could possibly “raise the rates” regarding system responses to juvenile offending (e.g., the diversion program is a 90 day regimen; PACS supervises pre-adjudication cases, including using drug testing and EM).

The shelter appears to be utilized as a primary alternative to detention. It was reported the average length of stay in shelter is at least 30 days. Based off of this information, it appears shelter may be used less for short-term family reunification planning, but used more for holding purposes for youth waiting on long-term placements which is consistent with the observed culture of reliance on out of home placement.

## RFK Executive Summary

Routine monthly meetings be held with probation leadership, judges, prosecutors, and public defense. These on-going meetings will support the implementation and sustainability of the recommendations being presented in this report.

Short-term workgroup discuss the pros and cons of conditional release, consider alternatives, and at a minimum, define criteria and goals for who is best suited for this practice and to what end.

Training on probation's juvenile graduated responses policy and implementation for all juvenile court stakeholders (e.g., probation staff, judges, county attorney's, and public defender's).

Review whether probation's current rotating schedule of Pre-Disposition Investigation, Community Based Resources and Truancy Officers is most effective. Probation is encouraged to hold a series of meetings to discuss the efficacy of intake training, payment structure, quality assurance, mentorship and supervision.

## AECF JDAI System Assessment

JDAI Collaborative should create a system map that can be examined to determine whether there are unnecessary delays in handling of cases. Particular attention should be given to a) court continuances, b) Pre- adjudication timeframes and c) probation violations. It will be critical to have defense, prosecution, judiciary, and probation to assist in this process.

Lancaster County needs to define conditional release and minimize when it is utilized. (Pre- adjudicated, post-adjudicated, pending VOP). Concerns that data may be skewed because of how frequently these are utilized.

JDAI Collaborative partner with probation to develop strategies to reduce the use of detention for technical and warrant cases; and, strategies to expedite pending placement cases.

Training is needed for all stakeholders on probation's Risk Assessment Instrument (RAI) and objective admission process. Use the data collected on reasons for overrides of the RAI to determine what policy or practices could be modified to achieve better outcomes for young people in Lancaster County.

## RFK Executive Summary

To support the necessary enhancement of data collection, management and reporting of enhanced accountability measures related to youth and system outcomes, it is recommended that Probation continue to develop a set of priority outcomes and measures that may be produced in routine reports accessible to primary stakeholders (e.g., probation, judges, county attorney and public defender counsel) and impacted parties (e.g., behavioral health, education, families). It is recommended that Probation introduce the use of the Data Working Grid to further inform this critical performance measurement improvement.

This Grid details eight categories of data (see below) and a set of specific questions that support this recommendation:

1. Prevalence
2. Case characteristics and history
3. Case processing
4. Case management, processing and supervision
5. Protocol adherence and training
6. Placement and services
7. System outcomes and performance indicators
8. Youth and family outcomes

## AECF JDAI System Assessment

It is recommended that Lancaster County commit to developing strategic reports so stakeholders can monitor trends related to the initiative. In order to do this, it is recommended that Lancaster County designate an individual that focuses on data collection, analysis and presentation.

There must be a clear agreement on what data is shared and how it is used. Transparency is critical in system enhancements. Lancaster County should consider a standard agreement, such as an MOU around a collaborative data sharing process.

# DETENTION UTILIZATION STUDY

- Admission to Detention
  - Race & Ethnicity
  - Youth Admitted
  - Gender
  - Age
- Length of Stay
  - Average Length of Stay by Race & Ethnicity
  - Placement
- Case Processing
  - Reasons for Admission
  - Violation of Probation
  - Violation of Conditional Release
  - Warrants
- Court Process
- Underlying Offenses of Law Violations
- Prior Detention Stays

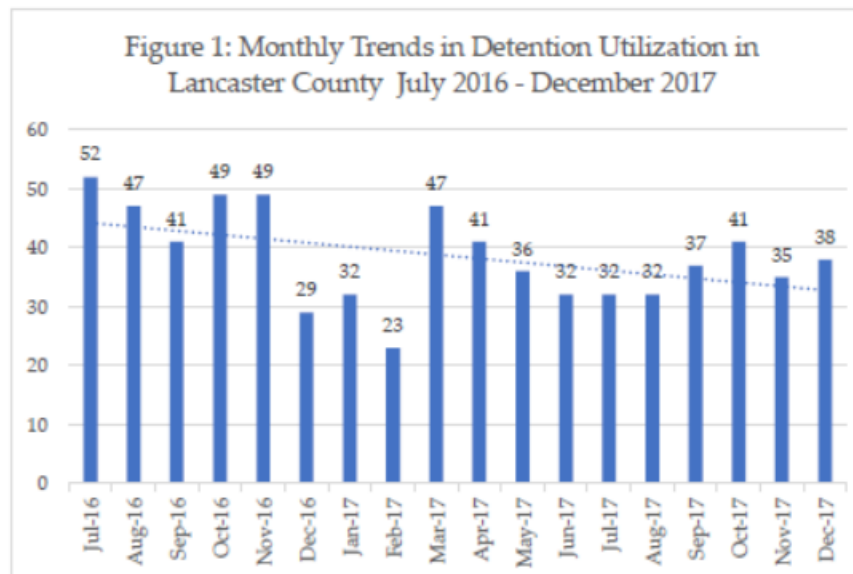


## IMPLEMENTATION SUPPORT

- Annie E. Casey Foundation technical assistance
- Fundamentals and ongoing training
- Model Site Visit
- National Conference Attendance
- Local Nebraska support and technical assistance
- Access to national network of sites and experts

# ADMISSIONS TO DETENTION (DRAFT)

From July 1, 2016 to December 31, 2017 there were a total of 693 Juvenile Court admissions to the Lancaster County Youth Services Center (hereinafter detention or juvenile detention). As the table below illustrates, there has been a slight downward trend in the use of secure detention in Lancaster County since July 2016.



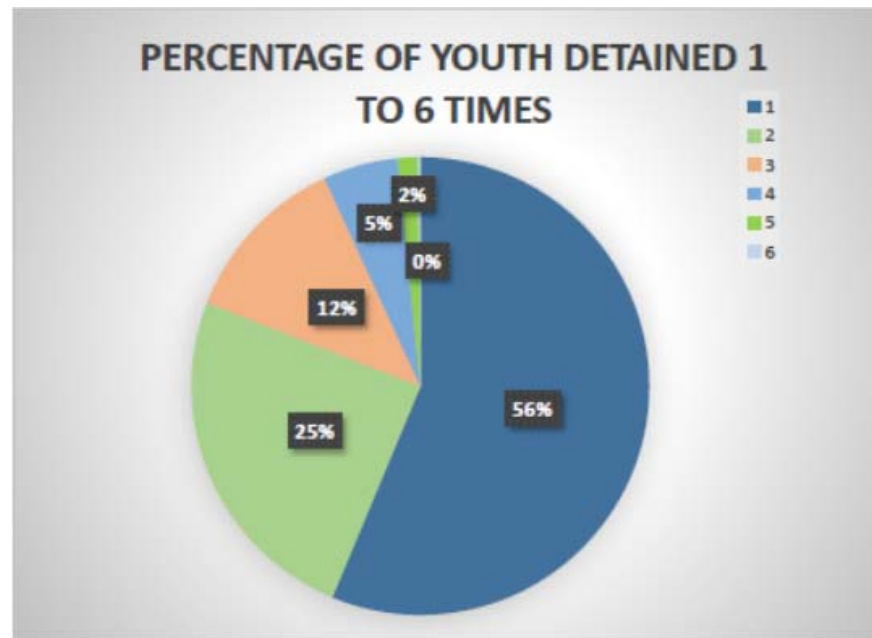
## INTAKE REASON (DRAFT)

LAW VIOLATION/CITATION	24	3.3%
COURT REMAND	42	5.8%
DRUG COURT	4	0.6%
HOLD	69	9.6%
JUVENILE COURT EVALUATION	2	0.3%
LOCAL WARRANT	102	14.2%
OUTSIDE WARRANT	4	0.6%
SAFEKEEPER	2	0.3%
VIOLATION COND RELEASE/MON	47	6.5%
VIOLATION OF COND RELEASE	145	20.1%
VIOLATION OF COURT ORDER	2	0.3%
VIOLATION OF PROBATION	277	38.5%
TOTAL	720	100.0%

# UNDERLYING REASONS FOR VIOLATIONS OF PROBATION (DRAFT)

BEHAVIOR CITED	NUMBER OF CASES	PERCENT
ABSCONDED	118	42.6%
AGGRESSIVE BEHAVIOR	8	2.9%
ALCOHOL	4	1.4%
DRUGS/UA	21	7.6%
HOME RULES	13	4.7%
NEW LAW VIOLATION	27	9.7%
MISS COUNSELING	1	0.4%
OTHER	12	4.3%
PLACEMENT RULE VIOLATIONS	36	13.0%
SCHOOL ISSUES	2	0.7%
UNACCOUNTABLE TIME	35	12.6%
TOTAL	277	100.0%

# PERCENTAGE OF YOUTH DETAINED ONE TO SIX TIMES (DRAFT)



## LENGTH OF STAY IN WEEKS AND YOUTH DETAINED (DRAFT)

	Number of Admissions	Percent
0-2 days	99	14.3
1 week	106	15.3
2 weeks	107	15.4
3 weeks	113	16.3
4 weeks	83	12
5 weeks	54	7.8
6 weeks	39	5.6
7 weeks	22	3.2
8 weeks	17	2.5
9 weeks	14	2
10 weeks	8	1.2
11 weeks	8	1.2
12 weeks	11	1.6
13 weeks	2	0.3
14 weeks	2	0.3
15 weeks	3	0.4
16 weeks	1	0.1
17 weeks	2	0.3
21 weeks	1	0.1
28 weeks	1	0.1
Total	693	100

## LENGTH OF STAY IN DAYS BY GENDER (DRAFT)

GENDER	AVG LOS	NUMBER	STD. DEVIATION
FEMALE	18.3	215	17.3
MALE	23.8	478	23.9
TOTAL	22.07	693	22.3

## LENGTH OF STAY BY WHERE YOUTH WAS RELEASED TO (DRAFT)

RELEASED TO	MEAN	N	STD. DEVIATION
LOCATION MISSING/CONDITIONAL RELEASE	8.68	26	8.1
ADULT FACILITY	8.75	4	12.2
AGED OUT	19.33	3	24.4
BOYSTOWN	46.40	10	19.5
CHARGES DROPPED	16.25	4	8.8
EVALUATION	196.00	1	0
FAMILY	12.31	32	13.4
FAMILY FRIEND	8.50	2	12
FOSTER HOME	19.00	23	24
GROUP HOME	27.30	86	21.1
HOME	13.23	162	18.4
OTHER DETENTION	10.36	11	11.7
OUT OF STATE	51.29	34	30.2
PSYCHIATRIC RESIDENTIAL TREATMENT FACILITY	25.86	42	20.3
SHELTER	18.00	111	14.6
DRUG TREATMENT	31.97	68	20.9
YRTC	24.39	74	18.1
TOTAL	22.07	693	22.2



## COURT ACTION TAKE AT THE HEARING (DRAFT)

ACTION	FREQUENCY	PERCENT
ADJUDICATED	31	4.7
ALL PARTIES NOT PRESENT	21	3.2
ASSESSMENT EVALUATION	1	0.2
AWAITING ASSESSMENT	1	0.2
AWAITING NOVA	2	0.3
AWAITING PLACEMENT	22	3.4
AWAITING ST. MONICAS	1	0.2
CANCELLED	15	2.3
CASE TRANSFERRED TO ANOTHER COUNTY	1	0.2
COMMITTED TO GENEVA	1	0.2
COMMITTED TO KEARNEY	4	0.6
COMPETENCY EVALUATION	1	0.2
CONTINUED	22	3.4
DISMISSED	5	0.8
DISPOSITION CONTINUED	11	1.7
DRUG TREATMENT	10	1.5
DRUG/ALCOHOL EVALUATION	6	0.9
ENTERED A DENIAL	5	0.8
EVALUATION ORDERED	71	10.9
GROUP HOME PLACEMENT	26	4.0
HHS LOOKING FOR PLACEMENT	1	0.2
HOME DET. ELECTRONIC MONT.	20	3.1
HOME DETENTION	3	0.5
MOTION WITHDRAWN	2	0.3
NO CONTEST	2	0.3
NO LESS RESTRICTIVE PLACEMENT	195	29.9
PARENTS CAN'T CONTROL	1	0.2
PDI ORDERED	2	0.3
PLACEMENT ON CONDITIONS	21	3.2
PO LOOKING FOR PLACEMENT	130	19.9
PROBATION AT HOME	2	0.3
PROBATION OUT OF HOME	7	1.1
PROBATION SUPERVISION	1	0.2
RELATIVE HOME	2	0.3
SHELTER	2	0.3
UTA HALLEE	2	0.3
WAIT BOYSTOWN	1	0.2
WAIT FOR HASTINGS DRUG TX	1	0.2
INDEPENDENCE CNT	1	0.2
TOTAL	653	100.0

- There were a total of 1,362 court hearings for youth detained at the Lancaster Detention Facility, from July 1, 2016 to December 31, 2017. There could be multiple court actions taken at each hearing, but we coded the primary court action.

## CONCLUSION (DRAFT)

- As the data above indicate, youth admitted to a detention facility often come back – about 50% of the time. Multiple stays in detention then lead to longer stays in detention. All the data that was received indicate that less than 12% of the youth are responsible for serious offenses that pose a threat to the community. Even some of the more serious offenses involved damage to property rather than a threat to persons in the community.
- The JDAI Collaborative can have an impact on this cycle.

# DEMOGRAPHIC PATTERNS (RECOMMENDATIONS- RESEARCHER) (DRAFT)

- Black and Native American youth are significantly overrepresented in each group of youth admitted, whether this is youth admitted only once, or up to six times. While this likely illustrates cumulative disadvantage, and there are many variables that might provide explanation, it is a consistent pattern that should be noted and explored.
- Although relatively few younger children were admitted to juvenile detention, young women are overrepresented in this population: two of the three 12-year olds were female (66.7%) and six of the eleven 13-year-old admissions were female (54.5%). This is a trend that should be examined annually, to determine if there is a gender effect occurring with younger admissions.
- Black and Native American youth have a slightly higher mean length of stay than other youth. On average, minority youth spend 6.9 days longer in detention compared to White youth. The underlying patterns that lead to cumulative disadvantage should be examined.
- Younger males that have prior detention admissions (within the 18 months of this study) spend significantly longer in detention. The JDAI Collaborative should examine placements available for young men ages 13-15, in order to reduce length of stay for this demographic.

## Length of Stay

- Youth who were placed out of state (either group home or with family) remained in detention an average of 51.29 days. Local options, or expediting interstate paperwork may be effective for reducing the average length of stay.
- Youth released to family members (but not home) were placed in that home more quickly (m=12.3 days) compared to youth who returned home (m=13.2 days). While it is understandable that non-guardian family members may take some time to agree to placement, it is unclear why youth who return home remain in detention for 13 days on average.
- Younger males that have prior detention admissions (within the 18 months of this study) spent significantly longer in detention. Examining placements available for young men ages 13-15 may impact the length of stay for this demographic.
- Many jurisdictions track the time the youth spends in detention awaiting placements. Our data indicates that youth are waiting, but it is not completely clear the date that the youth would have been released except for the lack of placement. The JDAI Collaborative should track specific dates and the type of placement sought, so that the need for specific placements can be accurately estimated.

## PROBATION VIOLATIONS & CONDITIONAL RELEASE (RECOMMENDATIONS- RESEARCHER) (DRAFT)

- The primary reason that youth were detained for violations during this time included absconding and unaccounted-for time. Although there is no simple solution to runaway youth, the JDAI Collaborative may want to explore creative solutions like a runaway shelter or drop-in facility.

# WARRANTS (RECOMMENDATIONS – RESEARCHER) (DRAFT)

- Most youth that came in on warrants had low-level offenses associated with the admission: only 5% involved a felony-level offense, while 49.6% of warrants were associated with misdemeanor offenses. Slightly more than 10% came in with probation violations, and 9.2% included offenses. The JDAI Collaborative should examine the event that is bringing the youth in on the warrant (i.e. missing court appearance) to determine a solution for reducing stays in detention.

## PLACEMENTS (RECOMMENDATIONS – RESEARCHER) (DRAFT)

- The most common problem at the detention hearing appears to be the lack of placements for youth: 29.9% of the time, the court ruled that there was no less restrictive placement; in roughly 20% of the cases, Probation was looking for Placement. In 7% of cases, the youth appeared to be on a waiting list for a specific placement to open (Nova, Hastings, Boys Town, St. Monica's). Overall, in 56% of cases, the court and the professionals were waiting for an appropriate placement for the youth. Lancaster County should explore community-based options that can be developed or utilized so young people do not linger in detention while awaiting placement.