

# Pretrial Justice

## A Comprehensive Approach to Improving Juvenile Justice

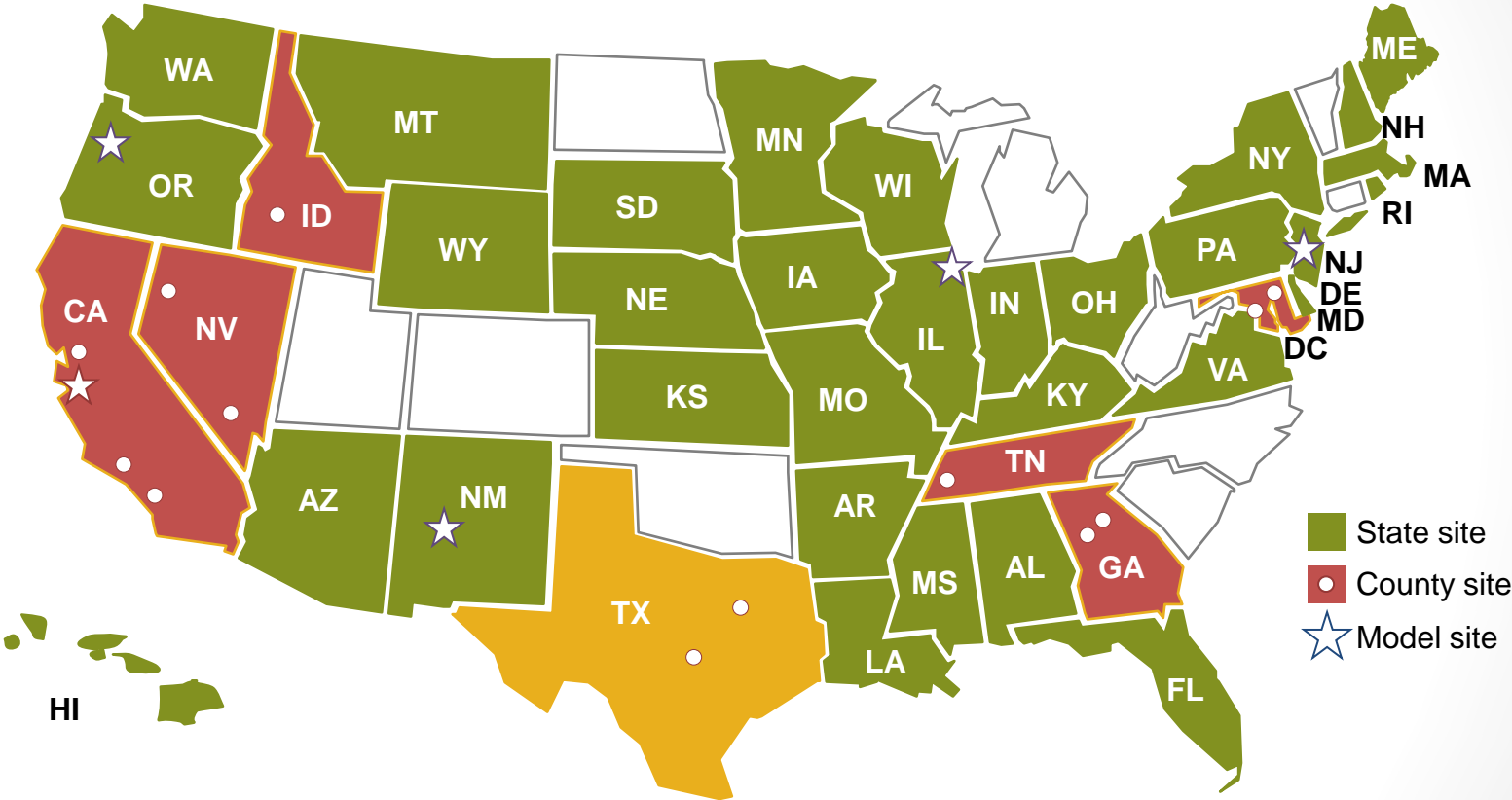
Stephanie Vetter, Senior Project Associate, PJI

July 19, 2013

NACO 2013 Annual Conference



By the end of 2013, JDAI will be active in more than 200 counties, spanning 39 states plus the District of Columbia



One in four young Americans lives in a community that participates in JDAI.

# **Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative**

## **JDAI VISION**

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

## **JDAI's PURPOSE**

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

## **JDAI 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.**



**IN 2010,  
ONLY 1 OF  
EVERY 4**

confined youth was locked up for a violent crime index offense (homicide, aggravated assault, robbery, or sexual assault).



**40%**

**OF JUVENILE COMMITMENTS  
AND DETENTIONS ARE DUE TO**  
technical violations of probation,  
drug possession, low-level  
property offenses, public order  
offenses, and status offenses.

# JDAI Core Strategies and Best Practices

JDAI Core Strategy	JDAI Practices/Specific Reforms	Progress/ Evidence/Results	Key Cautions/Considerations
COLLABORATION	<ul style="list-style-type: none"> <li>• <u>JDAI Governance Structure</u> – includes a policy Steering committee and Work groups</li> <li>• <u>MOU or resolution</u> – formal authority given to the JDAI policy Steering Committee</li> <li>• <u>RED authority</u> – explicit authority to reduce racial/ethnic disparities</li> <li>• <u>System Assessment</u> – a documentation of JJS policies/practices related to the use of detention</li> <li>• <u>Purpose of Detention Statement</u> – a new detention policy developed by the JDAI policy Collaborative</li> <li>• <u>Juvenile Advisory Council and Probation Orientation</u> (Cook County)</li> <li>• <u>Parent Partners (Santa Cruz)</u></li> </ul>	<ul style="list-style-type: none"> <li>• After a clear understanding of system operations and baseline data, the JDAI governance structure develops policy, implements new practices and measures progress. Membership of the governance structure includes diverse representation from JJS agencies including advocacy, community and people of color. Members work collaboratively to make decisions on behalf of the entire system vs. individual agency.</li> </ul>	<ul style="list-style-type: none"> <li>• Collaboration w/o leadership</li> <li>• Who's accountable</li> <li>• Non-traditional partners</li> <li>• Staffing the collaborative</li> <li>• Local Education/Immersion</li> <li>• Communication between stakeholders</li> <li>• RED governance and leadership</li> </ul>
USE OF DATA	<ul style="list-style-type: none"> <li>• <u>Detention utilization study</u> – a baseline study of detention</li> <li>• <u>Daily population sheets</u> – daily accounting for the detention population</li> <li>• <u>1/4ly reports (QRS)</u> – routine reporting on detention, RAI and ATDs</li> <li>• <u>Annual results report</u> – annual reporting on detention, dispositional and public safety data</li> </ul>	<ul style="list-style-type: none"> <li>• Detention utilization, RAI, ATD and public safety data is disaggregated by race/ethnicity/gender (R/E/G)</li> <li>• Data is analyzed, supports the work plan and is the basis of local discussion</li> <li>• Routine, Accurate, Timely Administrative reporting</li> </ul>	<ul style="list-style-type: none"> <li>• Use of data linked to local discussion, decisions and progress</li> <li>• Distractors</li> <li>• Point-in-time vs. trends</li> </ul>

# JDAI Core Strategies and Best Practices

JDAI Core Strategy	JDAI Practices and Specific Reforms	Progress, Evidence, Results	Key Cautions/Considerations
OBJECTIVE ADMISSIONS DECISIONS	<ul style="list-style-type: none"> <li>• <u>Detention criteria</u> –written detention criteria distributed to police, probation, schools</li> <li>• <u>Risk assessment instrument</u> (RAI)-an objective tool that measures risk of flight and re-arrest</li> <li>• <u>24/7 universal screening</u> –consistent, objective screening is available at all times</li> <li>• <u>Call-in Center</u> (if applicable for information needed for RAI scoring across state).</li> <li>• <u>Law Enforcement Criteria – guides police decision-making</u></li> </ul>	<ul style="list-style-type: none"> <li>• RAI is implemented and monitored</li> <li>• Secure admissions for low/med risk youth decreases</li> <li>• RED decreases</li> <li>• FTA, Re-Arrest and Override rates are monitored and within nationally accepted standards</li> </ul>	<ul style="list-style-type: none"> <li>• Many “doors” to detention</li> <li>• Quality assurance</li> <li>• Test RAI</li> <li>• Disaggregate RAI Overrides for “reasons” by R/E/G</li> <li>• Support of law enforcement</li> <li>• Case processing connects use of RAI to decision-making</li> </ul>
ALTERNATIVES TO DETENTION (ATD) PROGRAMMING	<ul style="list-style-type: none"> <li>• <u>Home detention</u> – ATD requiring youth to remain in the community, supervised by parents, guardians, JJ staff</li> <li>• <u>Day/evening reporting centers</u> –ATD requiring youth to report to a center for supervision</li> <li>• <u>Shelter/foster care beds</u> –ATD used to supervise youth who do not have a home to return to</li> <li>• <u>Reception Center</u> –ATD used to screen and sort youth arrested by police</li> <li>• <u>Administered in partnership with or by community based organizations</u></li> </ul>	<ul style="list-style-type: none"> <li>• Continuum of ATDs linked to RAI</li> <li>• Case processing is aligned w/ATDs</li> <li>• ATDs are utilized (ADP)</li> <li>• ADP &amp; RED in secure detention decreases</li> <li>• FTA &amp; Re-arrest rates</li> </ul>	<ul style="list-style-type: none"> <li>• Guard against net-widening</li> <li>• Expedited case processing times</li> <li>• Due Process in ATD Violation practices</li> <li>• Racial Equity Lens informs ATDs</li> <li>• Community-based</li> <li>• Partner with parents</li> </ul>

# JDAI Core Strategies and Best Practices

JDAI Core Strategy	JDAI Practices and Specific Reforms	Progress, Evidence, Results	Key Cautions/Considerations
EXPEDITED CASE PROCESSING	<ul style="list-style-type: none"> <li>• <u>“Speedy trial” laws &amp; rules</u> – local and/or state rules governing case processing</li> <li>• <u>Expediter</u>- a person assigned to expedite cases through the JJS</li> <li>• <u>Weekly detention reviews</u>- detention reviews for youth not released at the first detention hearing</li> <li>• <u>Immediate prosecutorial review for legal sufficiency &amp; Early assignment of quality defense</u>- when a youth is held in detention, immediate review of the case and assignment of counsel should occur</li> <li>• <u>Daily pre-detention hearing conferences (e.g., Placement Coordination meetings held to find least restrictive option for detained case)</u></li> <li>• <u>ATD-cases-processed-as-if-in-custody policy/court rule</u> –ATD cases are processed at the same speed as in-custody cases</li> <li>• <u>Administrative process for use of structured sanctioning</u> –case processing that supports “informal handling of violations”</li> <li>• <u>Disciplinary protocol</u> (e.g., Clayton County model)</li> <li>• <u>“Best interests” review hearings/process</u> (e.g., Marion County, IN)</li> </ul>	<ul style="list-style-type: none"> <li>• Average length of stay (LOS) in secure detention decreases</li> <li>• Distribution of LOS (offense and R/E/G)</li> <li>• FTA and Re-arrest rates</li> <li>• RED reductions</li> <li>• New Case Processing agreements/policies/rules</li> </ul>	<ul style="list-style-type: none"> <li>• Due process rights</li> <li>• Limits of ALOS as indicator</li> <li>• Resistance to change</li> <li>• System Mapping to identify targets</li> <li>• New case processing agreements at each decision point</li> </ul>

# JDAI Core Strategies and Best Practices

JDAI Core Strategy	JDAI Practices and Specific Reforms	Progress, Evidence, Results	Key Cautions/Considerations
“SPECIAL DETENTION” CASES	<ul style="list-style-type: none"> <li>• <u>“Response” grids</u>—a structured decision-making tool used to respond to violations of court orders</li> <li>• <u>Differentiated warrants</u>—policy that allows for the release of some warrant cases</li> <li>• <u>Dispositional planning and alternative placements</u>—expedited dispositional planning w/o detention</li> <li>• <u>Court (date/time/place) notification system</u>—reminder calls for court dates</li> </ul>	<ul style="list-style-type: none"> <li>• Policies and practices support tools</li> <li>• Admissions, ADP, LOS, RED reductions</li> <li>• FTA and Re-arrest rates</li> <li>• Commitments/placements are reduced</li> </ul>	<ul style="list-style-type: none"> <li>• Quality assurance</li> <li>• Support of Probation</li> <li>• Intergovernmental coordination</li> <li>• Resistance to change</li> </ul>
CONDITIONS OF CONFINEMENT	<ul style="list-style-type: none"> <li>• <u>JDAI facility standards</u>—detention facility standards</li> <li>• <u>Self-assessment process</u>—an assessment of the detention facility’s conditions by trained volunteers</li> <li>• <u>Corrective action plan</u>—the result of corrective findings from the self-assessment process</li> </ul>	<ul style="list-style-type: none"> <li>• Facility self-inspection leads to measurable improvements and is completed as recommended</li> </ul>	<ul style="list-style-type: none"> <li>• Resistance to transparency</li> <li>• “Point-in-time” vs. process</li> <li>• Financial worries</li> <li>• Confidentiality</li> </ul>
REDUCING RACIAL/ETHNIC DISPARITIES (RED)	<ul style="list-style-type: none"> <li>• <u>JDAI Governance Alignment</u>- RED reductions are operationalized by the entire JDAI governance structure, guided by clear goals and roles</li> <li>• <u>The “RED lens”</u> – using the lens of racial/ethnic equity for every strategy and decision</li> <li>• <u>Community engagement</u>—involvement of the communities most effected by the JJS</li> <li>• <u>RED “checklist and work plan”</u>- written plan, goals and strategies for the reduction of RED</li> </ul>	<ul style="list-style-type: none"> <li>• RED is measured at every JJS decision point and informs discussion and decisions</li> <li>• The JDAI governance and work plans reflect JDAI standards and clear goals to reduce RED</li> <li>• Deeper analyses is occurring in target areas</li> <li>• Policies and practices are implemented to “equalize the playing field” (TSSYS)</li> </ul>	<ul style="list-style-type: none"> <li>• Leadership and political will</li> <li>• Distractors</li> <li>• Silo the issue</li> <li>• Subjective tendencies</li> <li>• Structural racism</li> <li>• National and local research</li> <li>• Community engagement</li> <li>• Clear, measurable goals</li> <li>• Parental involvement</li> <li>• School referrals</li> </ul>

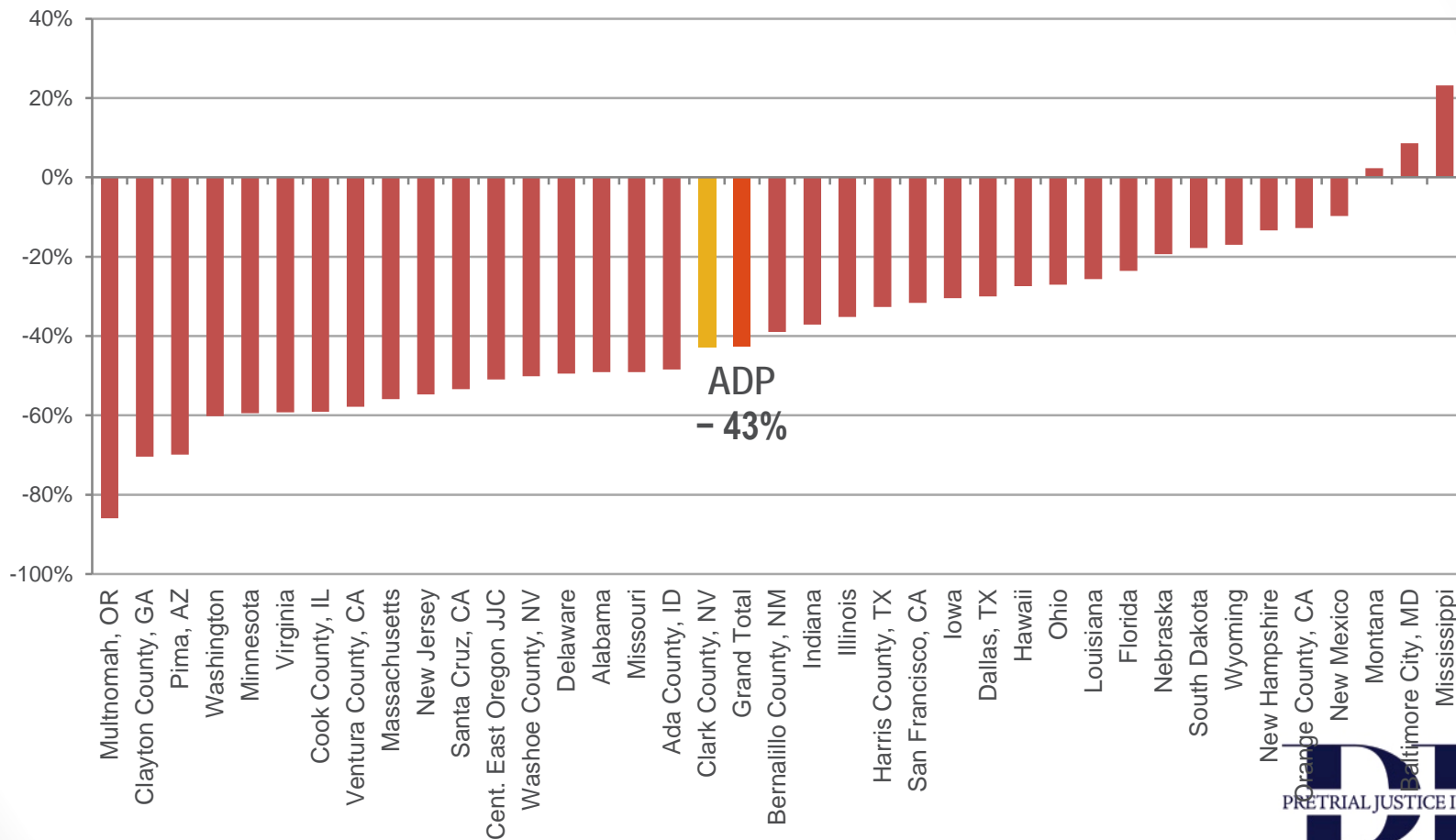


# Change in Average Daily Population (ADP) by AECF Grantee/JDAI Sites

Baseline vs. 2012

N=38 grantees, comprising 112 sites

(Grantees shown in ascending order by percentage change in ADP)

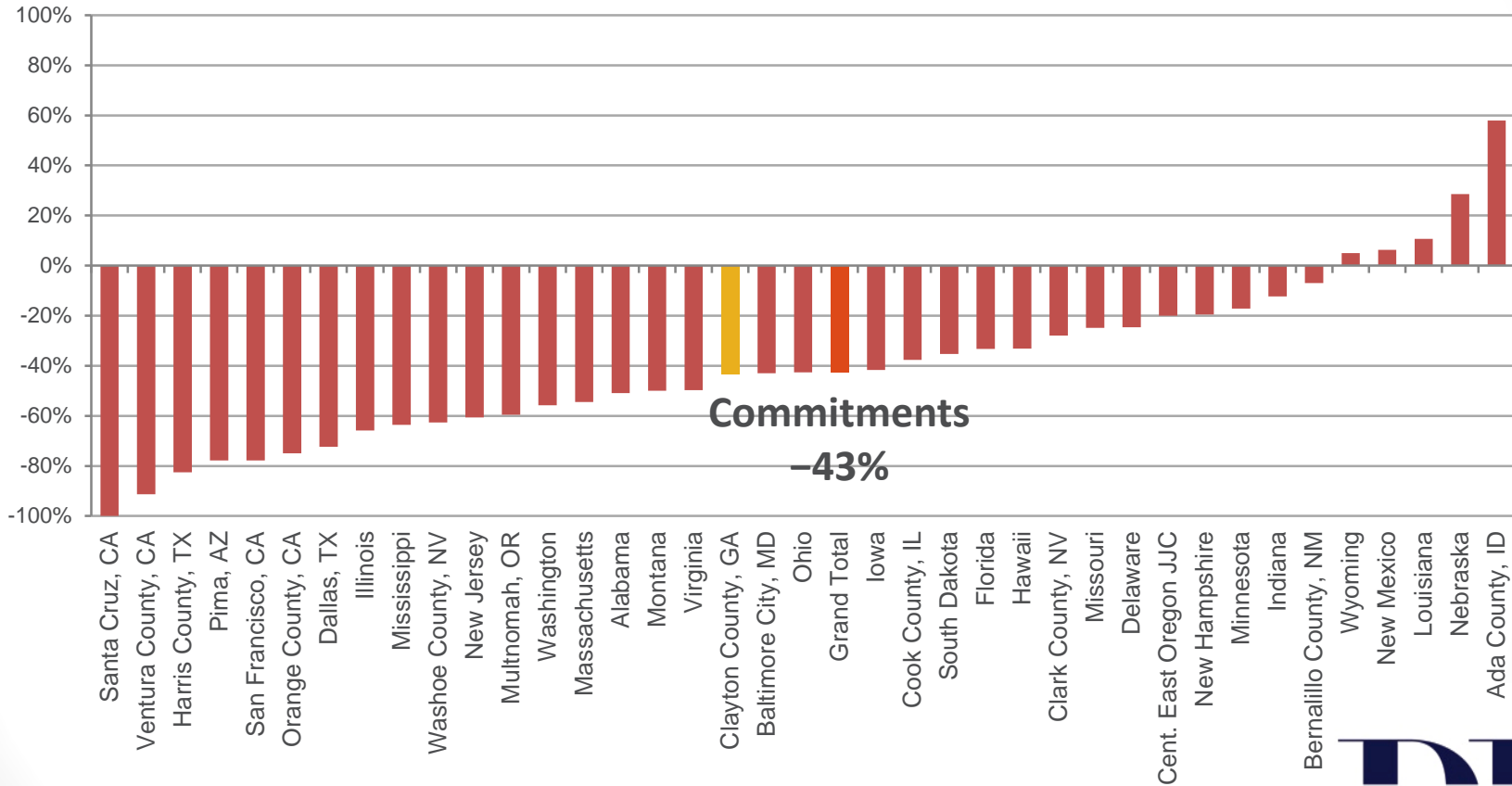


# Change in Commitments to State Custody by Grantee

## Baseline vs. 2012

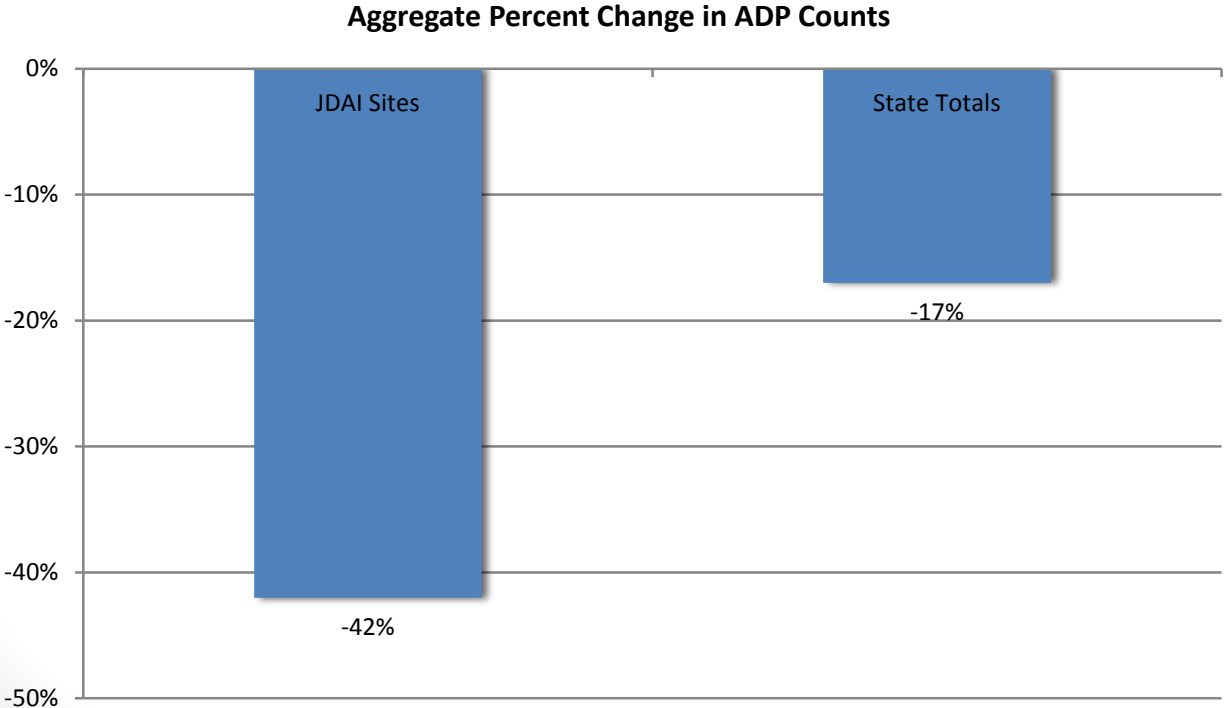
N=38 grantees, comprising 112 sites

(Grantees shown in ascending order by percentage change in Commitments)

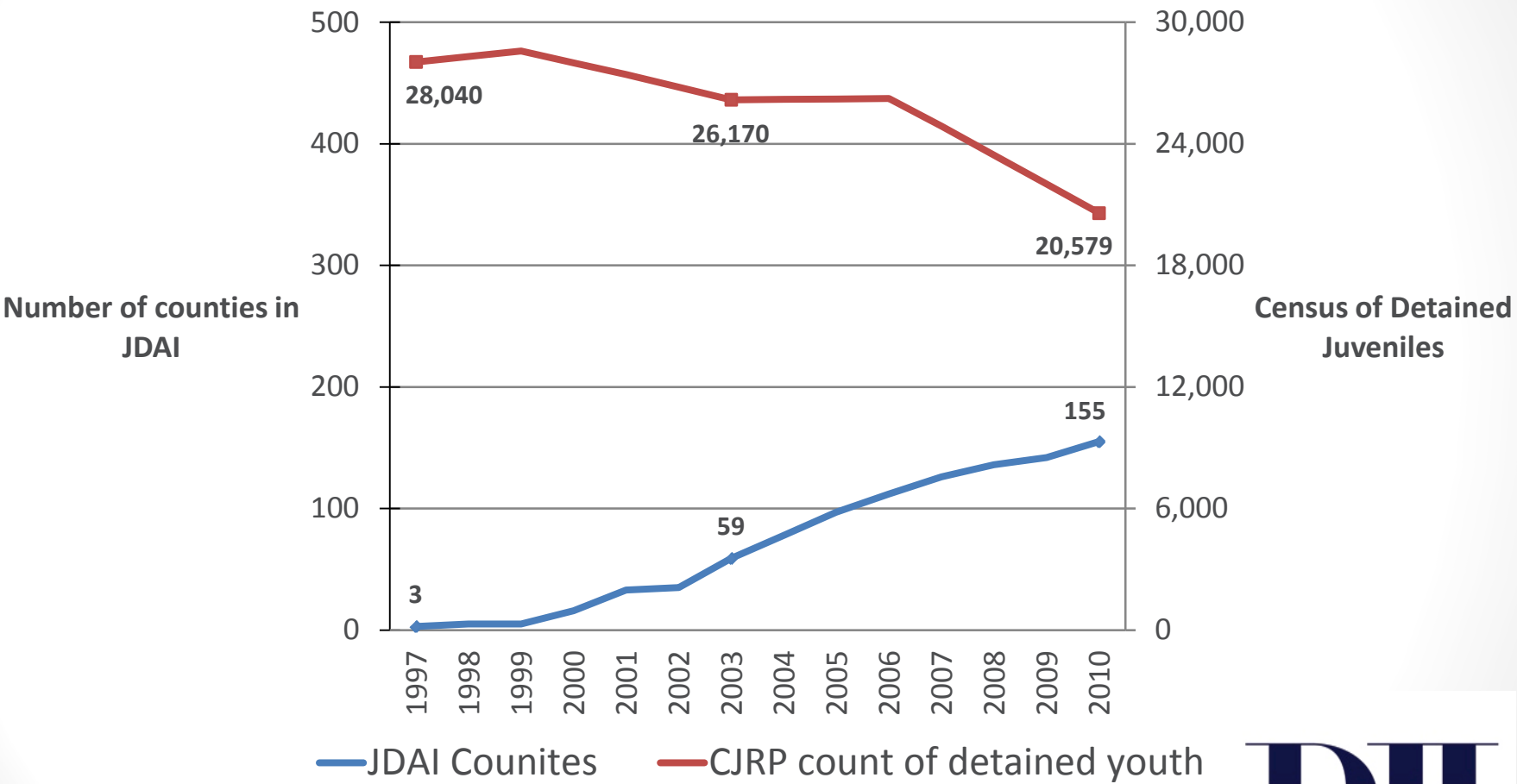


# Juvenile Detention Alternatives Initiative Sites and States: JDAI Sites Compared to Home State Totals

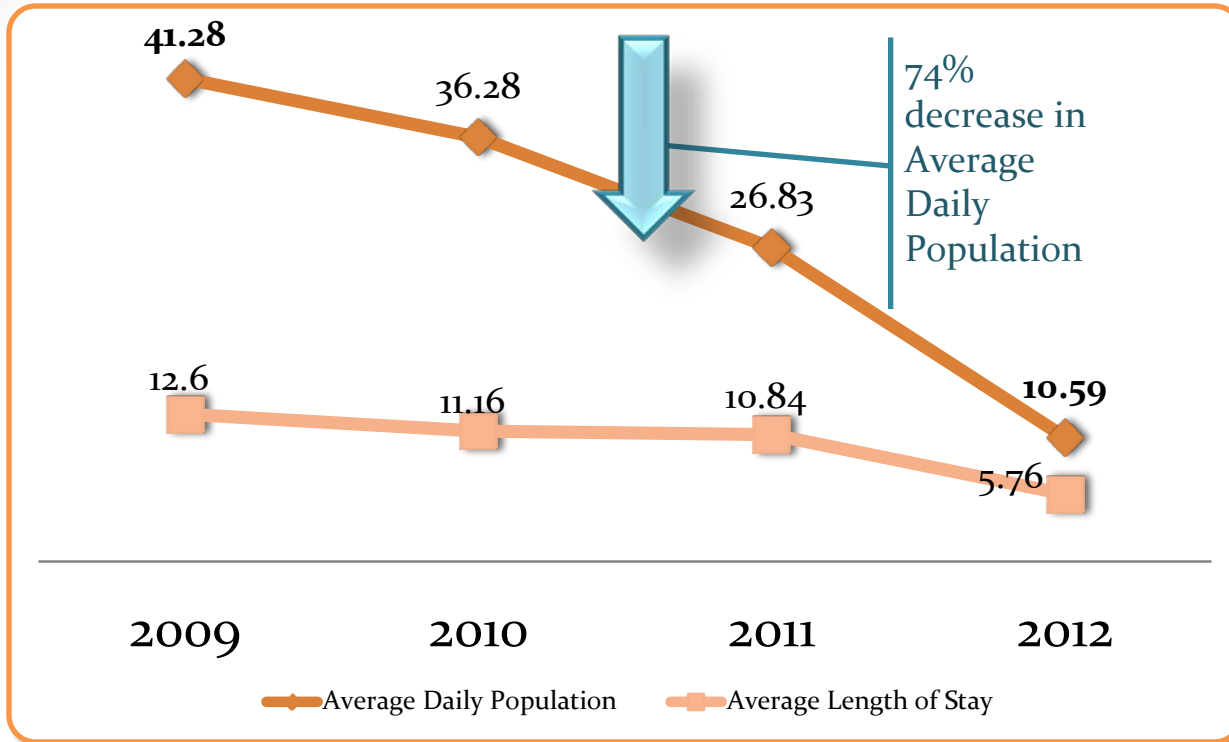
The **decline** in the **Average Daily Population (ADP)** in detention centers – was almost **2.5 times greater** in JDAI sites than the state totals (-42% versus -17%).



## Expansion of JDAI vs. National Decrease in Detention 1997 - 2010



# Minnehaha County, Sioux Falls, SD



**In 2009, Minnehaha County was locking away an average of 41 kids per day; with JDAI programs in place, that number has dropped to around 11 youth.**

**Minnehaha County Department of Corrections Youth Commitments**  
**\*\*83 youth in 2010\*\***  
**\*\*54 Youth in 2012\*\***

## 2009

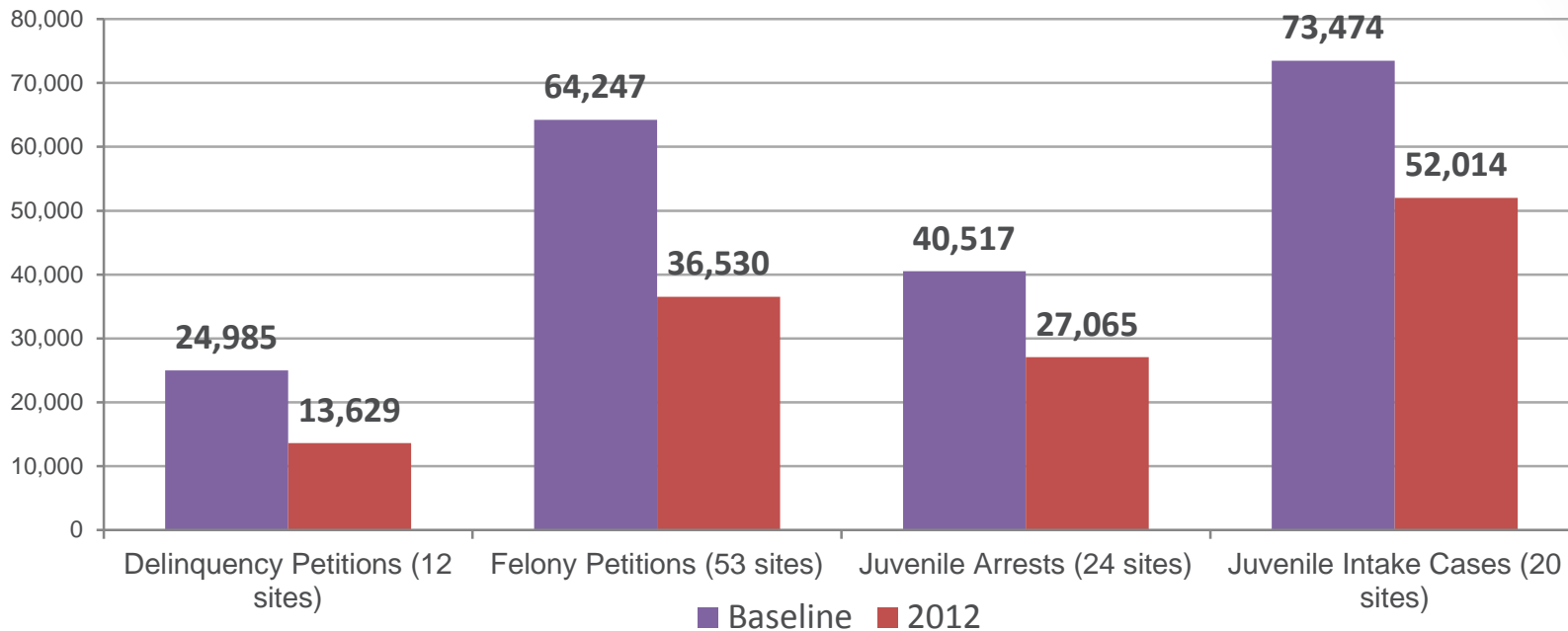
- Bed Days: 15070
- Admissions: 1196

## 2012

- Bed Days: 3879
- Admissions: 485

# Aggregate Reductions in Juvenile Crime Indicators

Baseline vs. 2012  
N=109 sites



Reductions in detention and commitments have not hurt public safety:  
JDAI sites report reductions in all four juvenile crime indicators

- 45% fewer Delinquency Petitions
- 43% fewer Felony Petitions Filed
- 29% fewer Juvenile Intake Cases
- 33% fewer Juvenile Arrests



[www.pretrial.org](http://www.pretrial.org)  
[JDAI Help Desk](#)



[facebook.com/pretrial](https://facebook.com/pretrial)



[@pretrial](https://twitter.com/pretrial)



[pji@pretrial.org](mailto:pji@pretrial.org)