



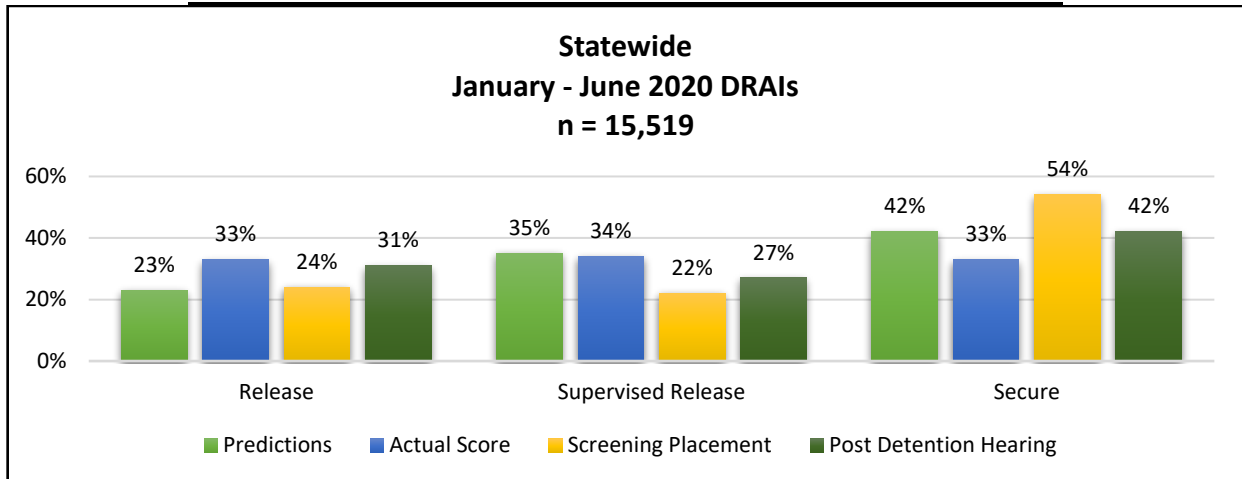
# FLORIDA DEPARTMENT OF JUVENILE JUSTICE

## Detention Risk Assessment Instrument (DRAI) Supervised Release (SR) Outcomes Report January – June 2020 Analysis Statewide Report

### Background

The purpose of the DRAI is to determine the most appropriate placement for youth upon arrest. Youth taken into custody (arrested) by law enforcement are screened by the Department’s detention screening staff using the DRAI to determine whether a youth should be detained in a secure detention facility prior to their detention hearing, placed on supervised release detention (community-based supervision) or released without any additional supervision. Youth appear before the court within 24 hours of being taken into custody, at which time the judge determines whether there is a need for continued detention. All detention statuses (secure detention and supervised release) have a statutorily-based length of stay of up to 21 days (30 days in some special circumstances).

### STATEWIDE DRAI & DETENTION HEARING OUTCOMES



\* Release Range = 6 points or less, Supervised Release Range = 7-12 points, Secure Range = 13 or more

### Data Highlights:

- The number of DRAIs completed during this 6-month period is down 18.8% compared to the previous 6 months (n=18,944)
- All percentages mirror the outcomes for the July – December 2019 period
- 21% more DRAIs are placed into secure detention than score for this placement
- Detention hearing adjustments appear to adjust secure detention placement back to the predicted rate, but still 9% higher than the percentage that score for secure.

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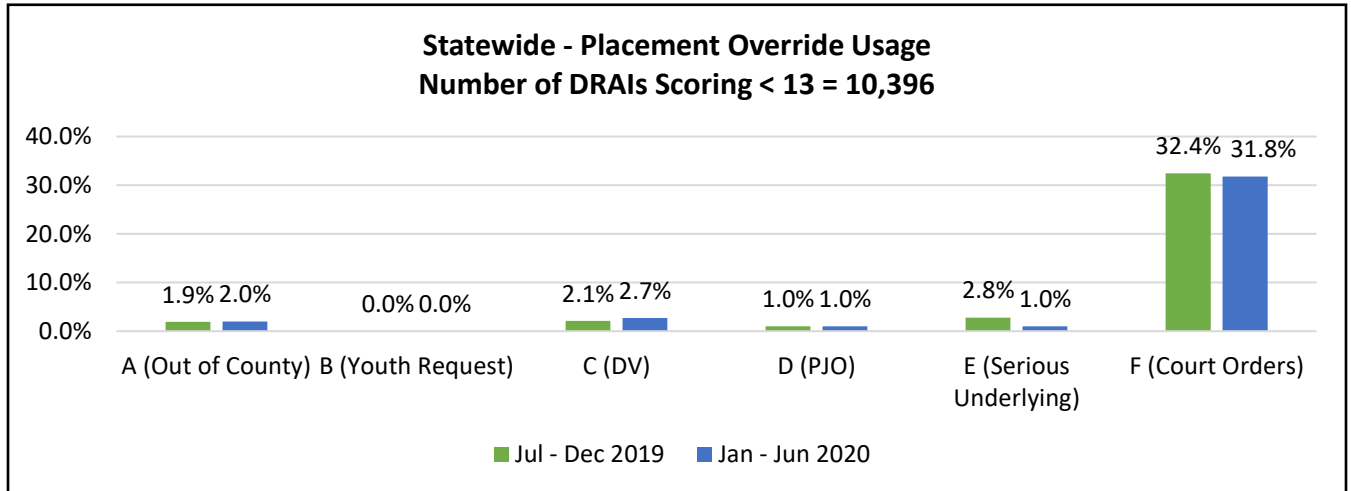
Ron DeSantis, Governor

Simone Marsteller, Secretary

*The mission of the Department of Juvenile Justice is to increase public safety by reducing juvenile delinquency through effective prevention, intervention, and treatment services that strengthen families and turn around the lives of troubled youth.*

Upon completion of the scoring, the screener determines if the youth meets the criteria for any of the placement overrides. For overrides A – E, admission into secure detention is mandated, regardless of score, until a decision on appropriate continued supervision is made by the court during a detention hearing. For override F, the screener must read the direction provided by the court on a court order to determine the youth’s placement.

The chart below provides an overview of the impact of these overrides on screening placement for youth who do NOT score for secure detention.

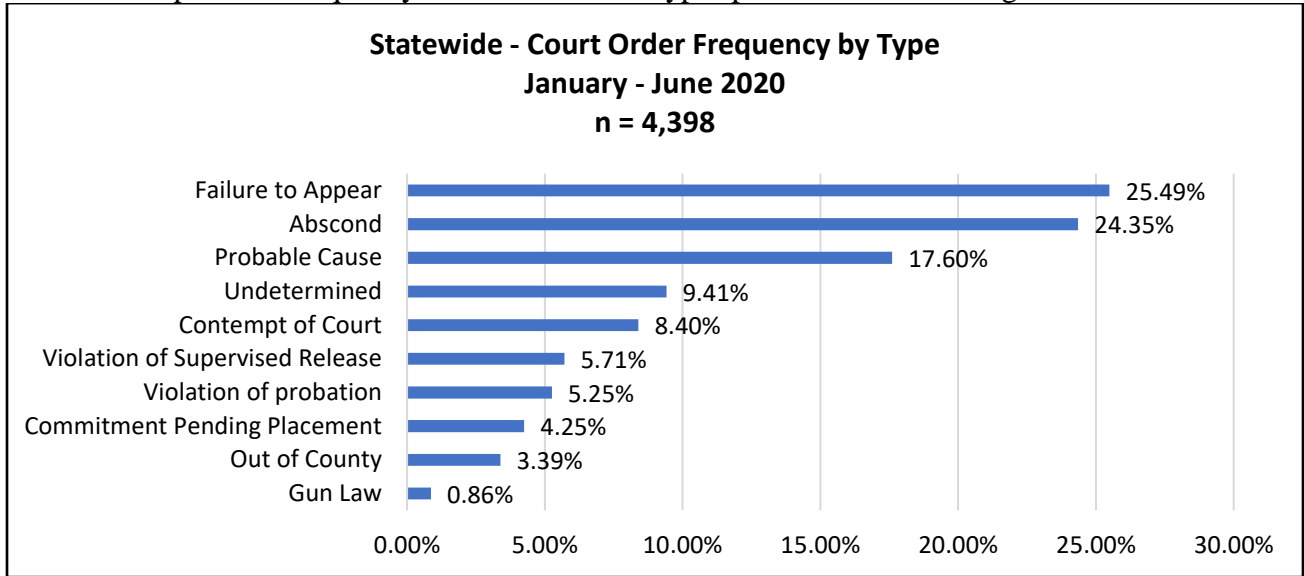


\*Secure = 13 or more points, DV = Domestic Violence, PJO = Prolific Juvenile Offender

**Data Highlights:**

- In both 6-month periods, placement overrides A-E have a statistically insignificant rate of impact on screening outcomes as predicted
- Override F (Court Orders) mandating secure detention, regardless of score, significantly increase secure detention placements.
- 10.9% of processed court order (3.9% increase) included language that allowed for a placement other than secure detention or according to DRAI score. 39% of these differential orders were for failure to appear (FTA) cases.

This chart depicts the frequency of the court order types presented to screening.



\*Undetermined = Information available in the Juvenile Justice Information System (JJIS) did not provide enough detail to determine the appropriate category for these orders

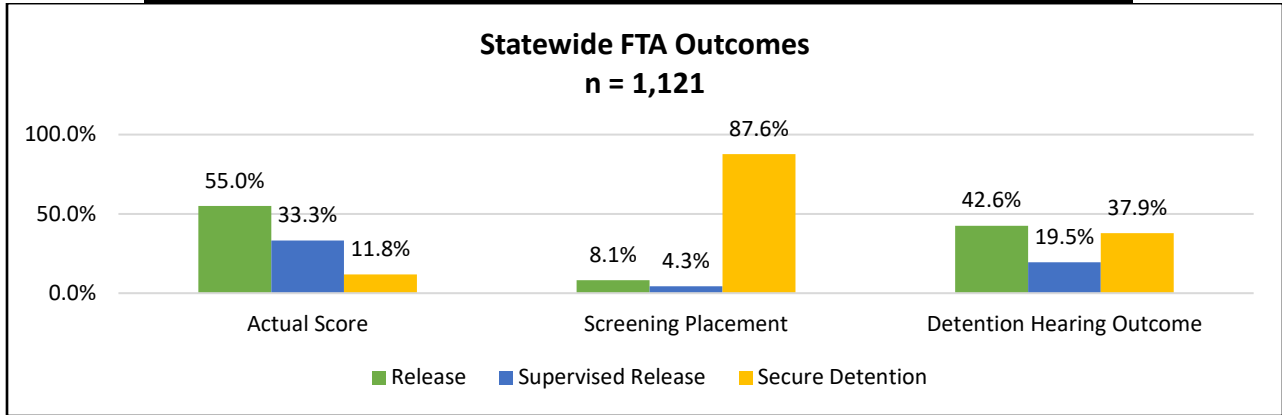
\*\*Some youth were processed for multiple types of orders in one screening and are therefore counted in multiple categories

\*\*\*Each of the following types yielded less than half a percent in frequency: EM Violations, Drug Court, Detention pending disposition, Marchman Act, Plea Agreement Detention Placement, Administrative Transfers, Order to Transport, and Imminent Self Harm Placement

- Top Three Determinable Types: Failure to Appear (FTA), Abscond, and Probable Cause

	July – Dec 2019	Jan- June 2020	% Change
Failure to Appear (FTA)	1659	1121	Down 32.4%
Abscond	1129	1071	Down 5.1%
Probable Cause	748	774	Up 3.5%

**STATEWIDE FAILURE TO APPEAR (FTA) CASE TYPE ANALYSIS**



\* Release Range = 6 points or less, Supervised Release Range = 7-12 points, Secure Range = 13 or more

**Important Notes:**

- 12.4% of FTA orders allowed for youth to be released or placed on supervised release with a new court date.
- 796 (71%) of these cases were not associated with any other instrument placement override, court order types, or new charges. This means secure detention placement would only result from language mandating that placement on the court order. None of these cases scored (13 or more points) for secure detention.
- The charts below provide a case type analysis for these 796 cases.

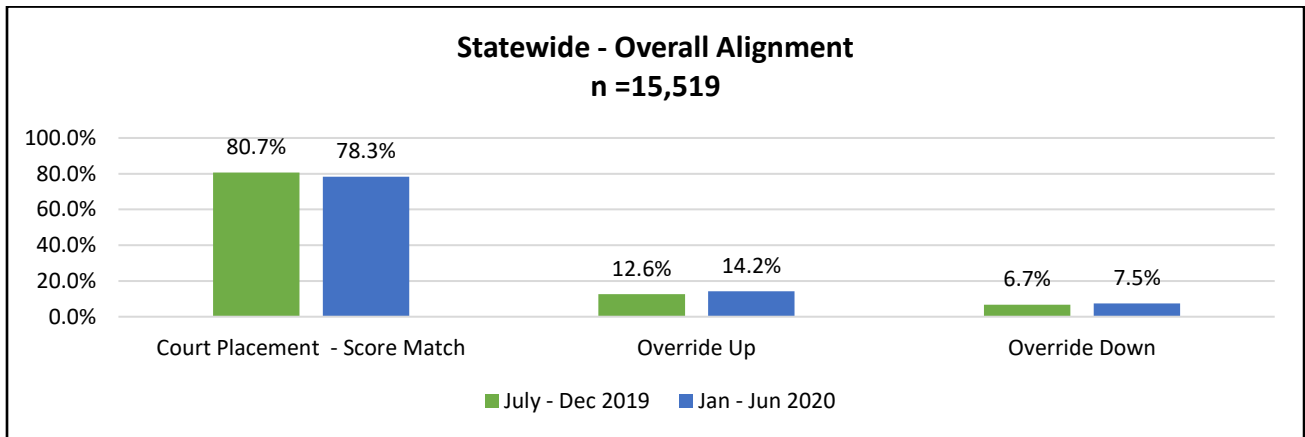
	Misdemeanor		Felony	
<b>Underlying Charge (FTA Order)</b>	47.4%		52.6%	
	No Active Supervision		Active Supervision	
<b>Supervision Status</b>	78%		22%	
	No Previous FTA	One Previous FTA	2 or More	
<b>Number of Previous FTAs</b>	57.8%	23%	19.2%	
	No FTA w/in 45 Days		FTA w/in 45 Days	
<b>FTA within 45 Days of Release</b>	92.8%		7.2%	
	Straight Released		Supervised Release	
<b>Detention Hearing Outcomes –</b> <i>62.5% of securely detained youth were released from secure detention at the detention hearing</i>	42.8%		19.7%	

**FTA Statutory Guidelines:**

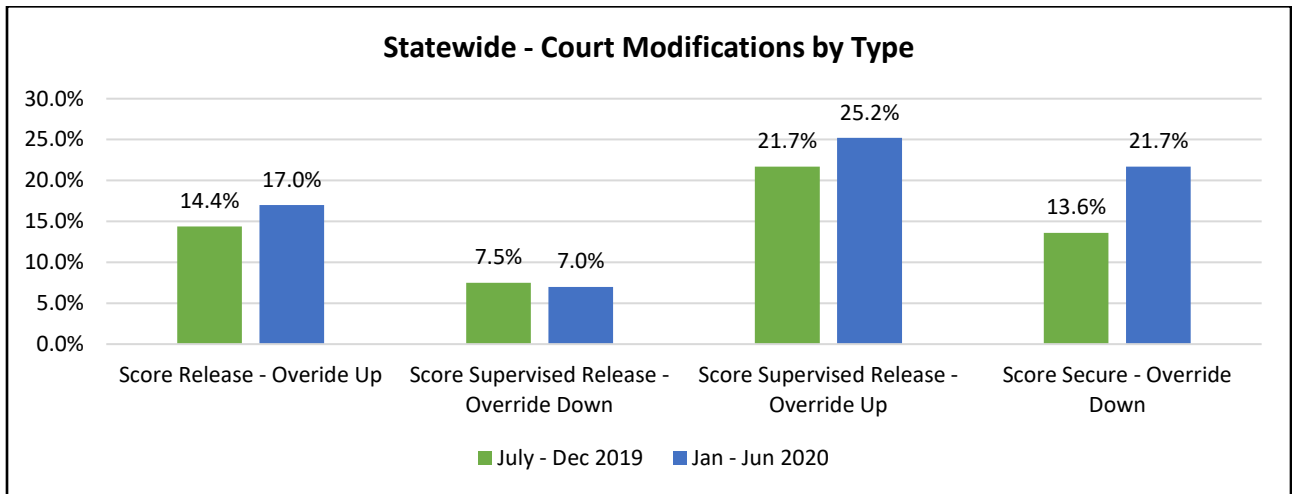
- F. S. 985.24 (1) All determinations and court orders regarding the use of detention care shall be based primarily upon finding that the child:
  - o (a) Presents a substantial risk of not appearing at a subsequent hearing;
- F. S. 985.255 (1) Subject to s. 985.25(1), a child taken into custody and placed into detention care shall be given a hearing within 24 hours after being taken into custody. At the hearing, the court may order a continued detention if:
  - o (e) The child is detained on a judicial order for failure to appear and has previously willfully failed to appear, after proper notice:
    1. For an adjudicatory hearing on the same case regardless of the results of the risk assessment instrument; or
    2. At two or more court hearings of any nature on the same case regardless of the results of the risk assessment instrument;

### Statewide Degree of Court Agreement with Score

This section examines the frequency at which the court decision during the detention hearing aligns with the DRAI score.



- Court placement alignment with DRAI score has been reduced slightly
- About a 2% increase in the percentage of cases placed higher than DRAI score category



\*Release n = 5,104; Supervised Release n = 5,292; Secure n = 5,123

#### Data Highlights:

- 2.6% increase in the percentage of cases that score for release and/or supervised release being placed into a more restrictive supervision category.
- 8.1% increase in the percentage of cases that score for secure detention being placed in a lower supervision category.

## STATEWIDE SUPERVISED RELEASE OVERVIEW

The data below reflects outcomes for the youth placed into a supervised release program between January 1<sup>st</sup> and June 30, 2020.

Successful completion of supervised release means the youth remained crime free and appeared for court while participating in the program.

Number of Youths on Supervised Release	4,784
% of Successful Completions	89.5% (4,283)
% of Unsuccessful Completions	10.5% (501)
Of the unsuccessful completion:	
- New charge while supervised – 80.3% (407)	
- FTA while supervised – 20.6% (103)	
*youth may be counted in both categories	

## STATEWIDE DATA SUMMARY

### DRAI Performance & Outcomes

1. The DRAI has consistently scored less kids for secure detention (SD) than initially predicted.
2. 21% more DRAIs are placed into secure detention pending a detention hearing than score for secure detention placement. This variance has decreased by 3% compared to the July-December 2019 period. Half of these cases are released according to score at the detention hearing.
3. The discrepancy between the score and placements are a result of the placement overrides impact. Although the impact of overrides A-E on secure detention admissions is statistically insignificant, override F (court ordered mandates for SD placement) accounts for a significant amount of the overrides up to secure detention. While there has been an increase in the number of order that allow for differential outcomes, most orders still exercise a one size fits all mandate (secure detention). The highest percentage (25.5%) of these orders were issued for failure to appear.

### Failure to Appear (FTA) Analysis

1. 87.6% of FTA order screenings resulted in a secure detention placement. 71% of these screenings were not associated with any additional charges, override types, or court order types. This means a secure detention placement would only be the result of the language included in the order.
2. An analysis of these cases shows majority of these youth were not on active supervision and had one or fewer previous FTAs prior to the screening.
3. The analysis also shows over 60% of the youth that were initially placed into secure detention were released at the detention hearing. Over 90% of these youths did not have a subsequent failure to appear within 45 days of release.

### Detention Hearing Outcomes

1. Outcomes of detention hearings continue to align with the DRAI score at about 80%. While there has been a slight increase in the number of overrides up to a more restrictive status at hearing, the biggest increase is linked to the number of overrides down from secure detention.

### Supervised Release Outcomes

1. The statewide success rate for supervised release has increased slightly to 89.5%

## **STATEWIDE RECOMMENDATIONS**

1. Circuits should explore the implementation of differential orders for all appropriate court order types that include a list of written option for responding to the issues at hand as opposed to standard language requiring secure detention placement for all.
2. Circuits should explore the effectiveness of their notice processes to ensure youth are being duly served.
3. Circuits should review practices around court order mandates for secure detention on FTAs to ensure the criteria listed in statutes are met.
4. Circuits should implement notice/release and/or placement according to DRAI score. policies for youth who don't meet the statutory criteria for secure detention.
5. Circuits may consider the use of supervised release programs as an alternative to secure detention for missed court appearances and potentially contempt of court responses.