

DETENTION UTILIZATION STUDY: STAGE 1
18 AND 36 MONTH ANALYSES
BROWARD COUNTY
OCTOBER 2011

Bureau of Research and Planning
Florida Department of Juvenile Justice



Rick Scott, Governor

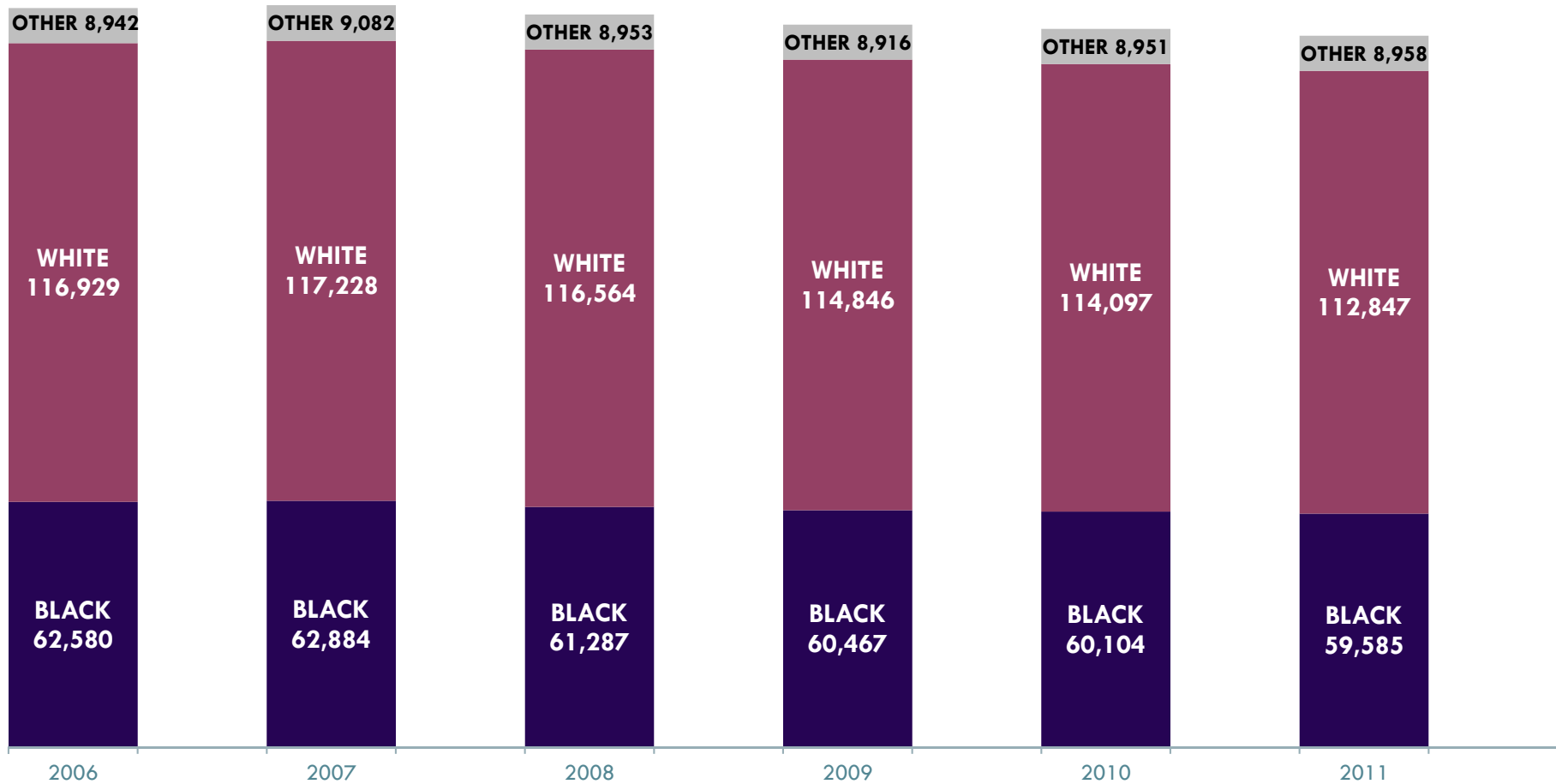
Wansley Walters, Secretary

INTRODUCTION

The following slides constitute Stage 1 of the Broward Detention Utilization Study. These slides include analyses on Demographics, Length of Stay, Average Daily Population, Charges, and the Detention Risk Assessment Instrument (DRAI) .

Some of the slides include “Digging Deeper” Questions, which are intended to trigger thoughts and questions. Some of these questions will be addressed later in the slides and in Stage 2 of the Detention Utilization Study, while others are meant to be looked in to more on the local level.

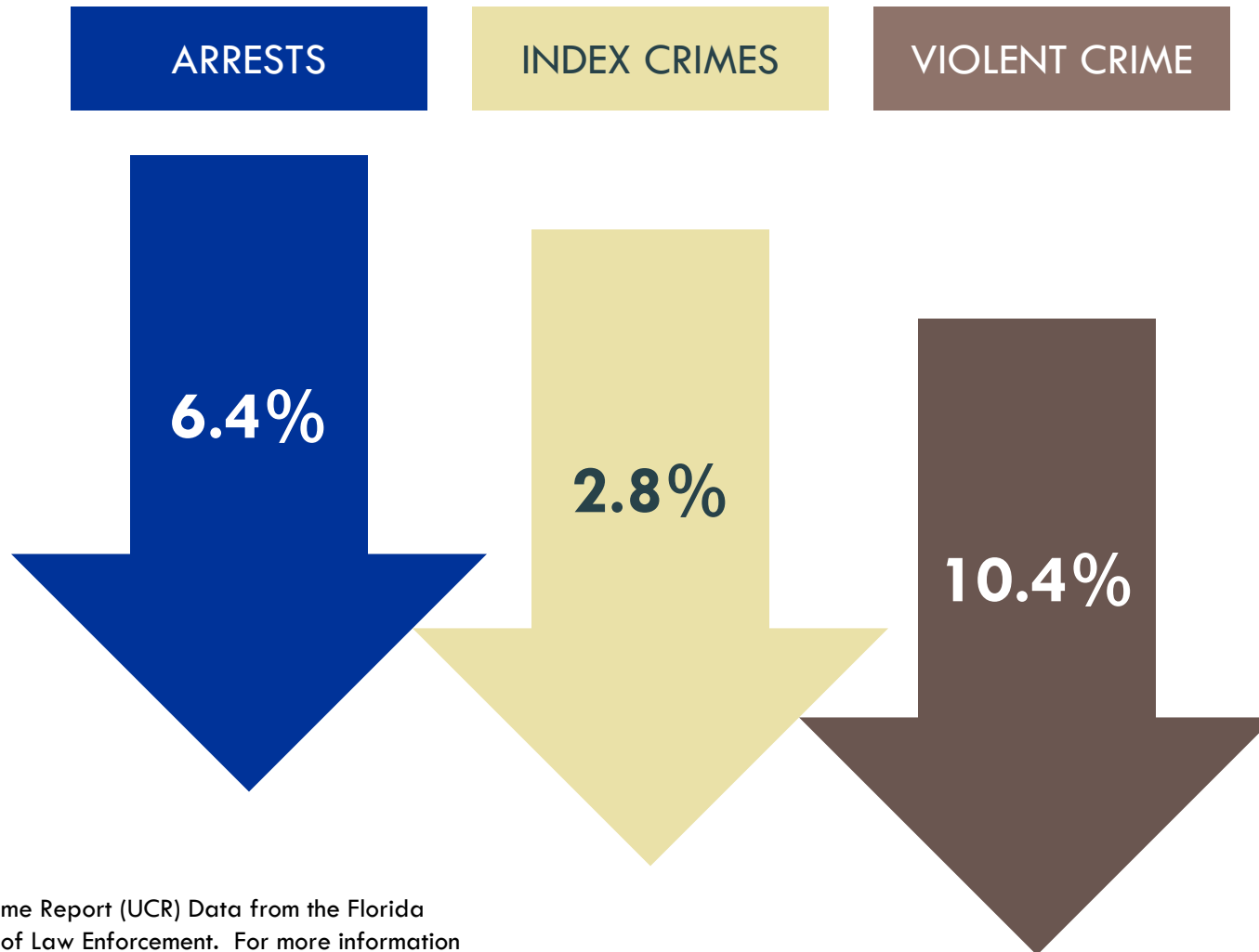
Broward County Juvenile Population Trend*: The youth population in Broward County has decreased 4% over a 6-year period, from 188,451 in 2006 to 181,390 in 2011.



*Data from the Office of Economic and Demographic Research, Florida Legislature, for juveniles ages 10-17

Broward County Crime Rate*: The crime rate in Broward County is down from 2009 to 2010. Overall arrests are down 6.4%, Index crimes are down 2.8%, and Rate of Violent Crimes is down 10.4%.

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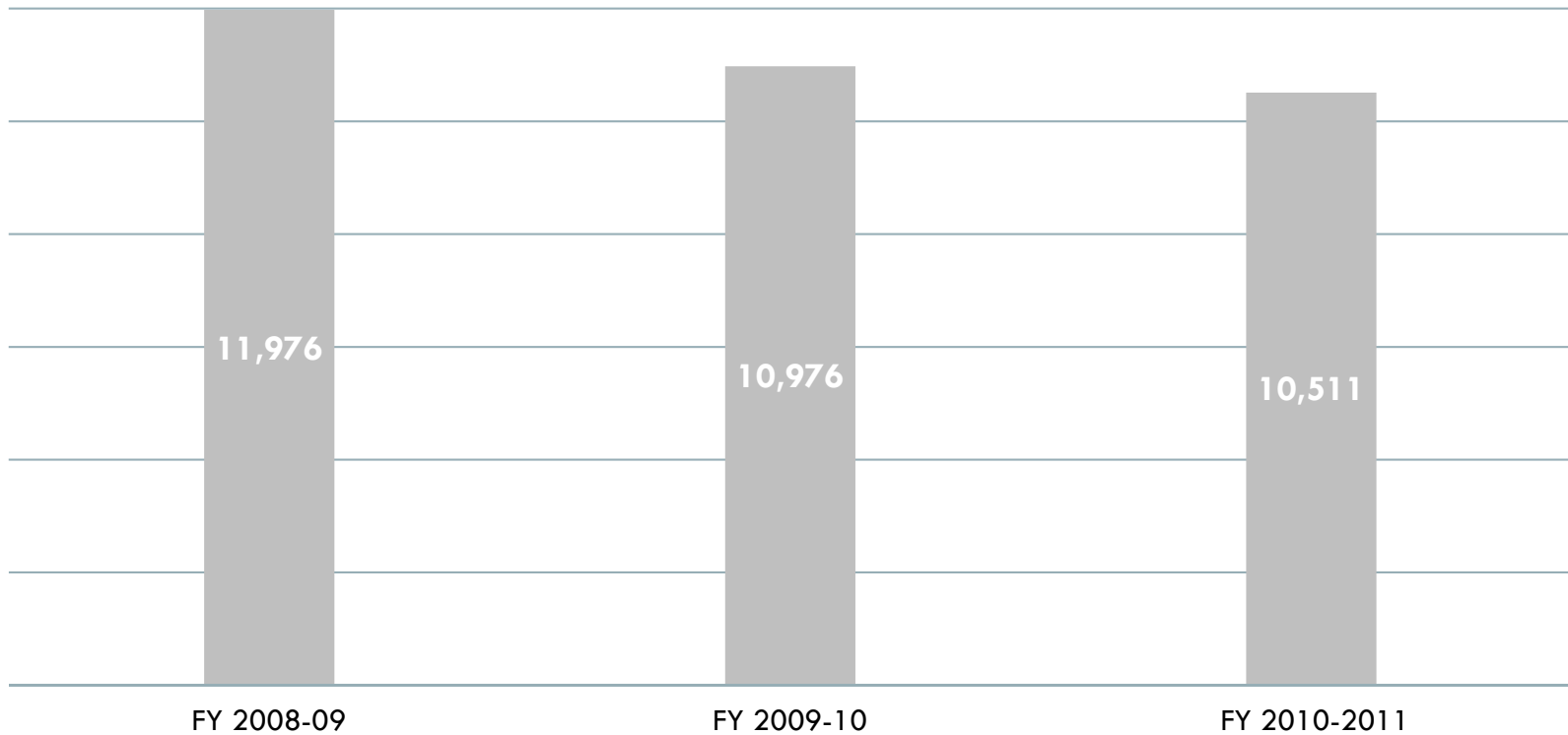


*Uniform Crime Report (UCR) Data from the Florida Department of Law Enforcement. For more information on UCR data and Index crimes:

<http://www.fbi.gov/about-us/cjis/ucr/ucr>

Broward County – Three Year DJJ Referrals Trend: Currently, referrals are trending downwards in Broward County, with a 4% reduction in referrals since last fiscal year.

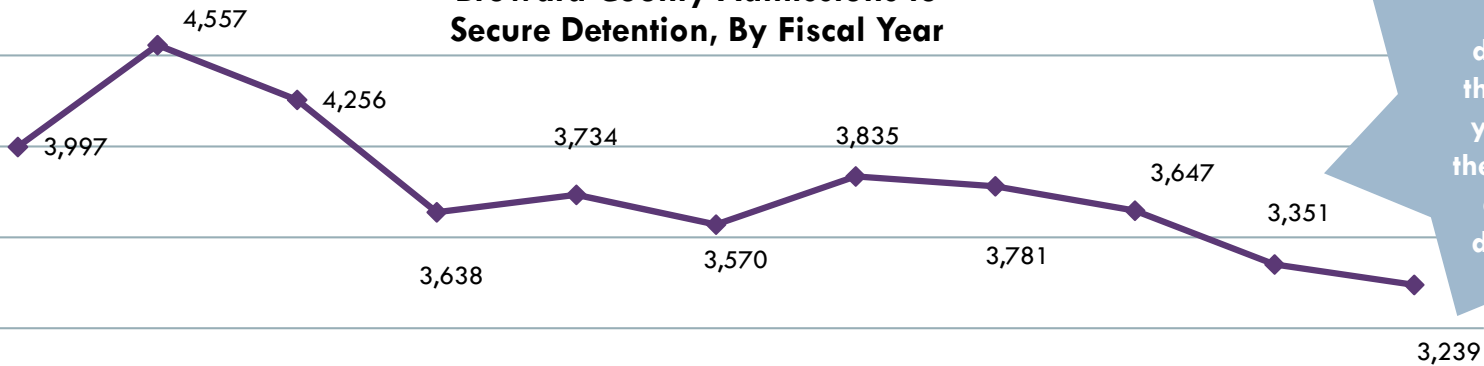
BROWARD COUNTY REFERRALS BY FISCAL YEAR



= - 12%

Broward County Admissions to Secure Detention over 11 fiscal years: Annual admissions to secure detention show an overall downward trend since 2001, with slight declines occurring since 2006.

Broward County Admissions to Secure Detention, By Fiscal Year

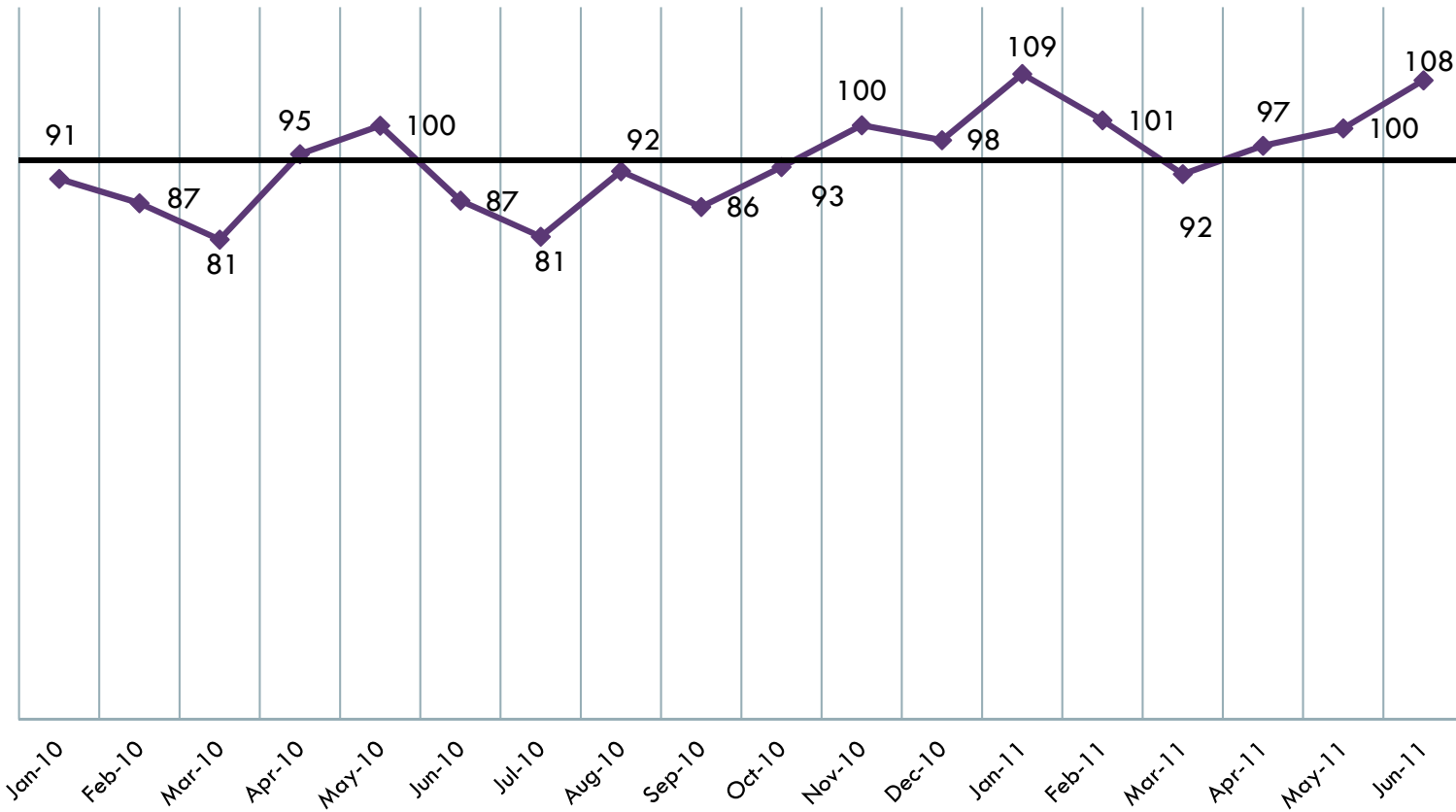


Detention is down 11% in the last 3 fiscal years. During the same period, delinquency declined 12%

FY 2000-01 FY 2001-02 FY 2002-03 FY 2003-04 FY 2004-05 FY 2005-06 FY 2006-07 FY 2007-08 FY 2008-09 FY 2009-10 FY 2010-11

The average daily population in Broward County secure detention remained relatively stable over the 18-month study period, but has trended up slightly over the past year, since July 2010.

AVERAGE DAILY DETENTION POPULATION, BY MONTH ,
JAN. 2010 TO JUNE 2011



**Average
Daily
Population:
94**

In other words...

- The youth population is down, crime is down, referrals are down, and admissions to secure detention are trending down. In spite of all this, the average daily population has been trending up slightly.
- What does this mean? That, on average youth are being held in detention longer despite moderate reductions in new secure detention admissions.

RACE: Seventy-three percent of youth in secure detention in Broward County are Black.

YOUTH RELEASED FROM SECURE DETENTION IN BROWARD COUNTY, BY RACE, JULY 2008-JUNE 2011 (N=10,875*)

7,979 youth
73%



BLACK

2,854 youth
26%



WHITE

42 Youth
1%



OTHER

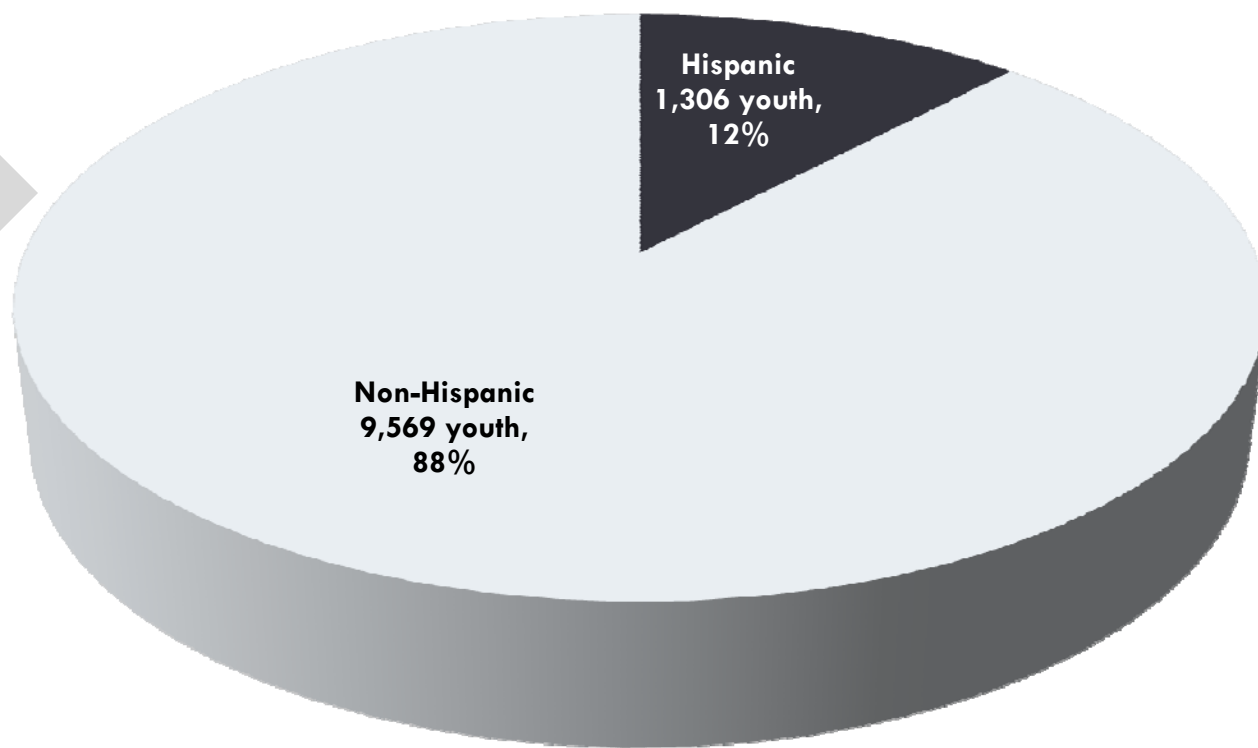
In Broward County only 33% of the juvenile population aged 10-17 is Black, yet 73% of the secure detention population is Black

*N = number of releases. Individual youth may have been admitted and released multiple times during the study period.

ETHNICITY: JJIS data indicates most youth detained in secure detention in Broward County are non-Hispanic.

YOUTH RELEASED FROM SECURE DETENTION IN BROWARD COUNTY, BY ETHNICITY, JULY 2008-JUNE 2011 (N=10,875*)

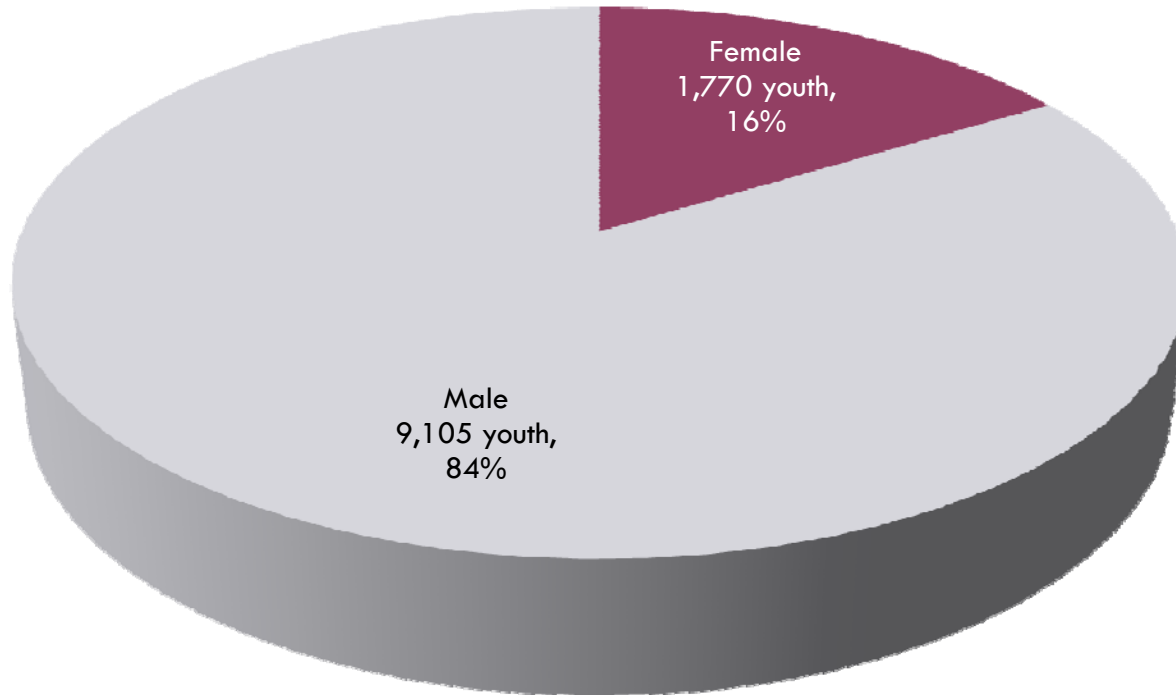
Screeners should routinely ask youth their Ethnicity, otherwise there is potential to undercount this important information. The Department is currently reviewing this policy to ensure that all Hispanic youth are being recorded.



*N = number of releases. Individual youth may have been admitted and released multiple times during the study period.

GENDER: Eighty-four percent of youth securely detained in Broward county are boys.

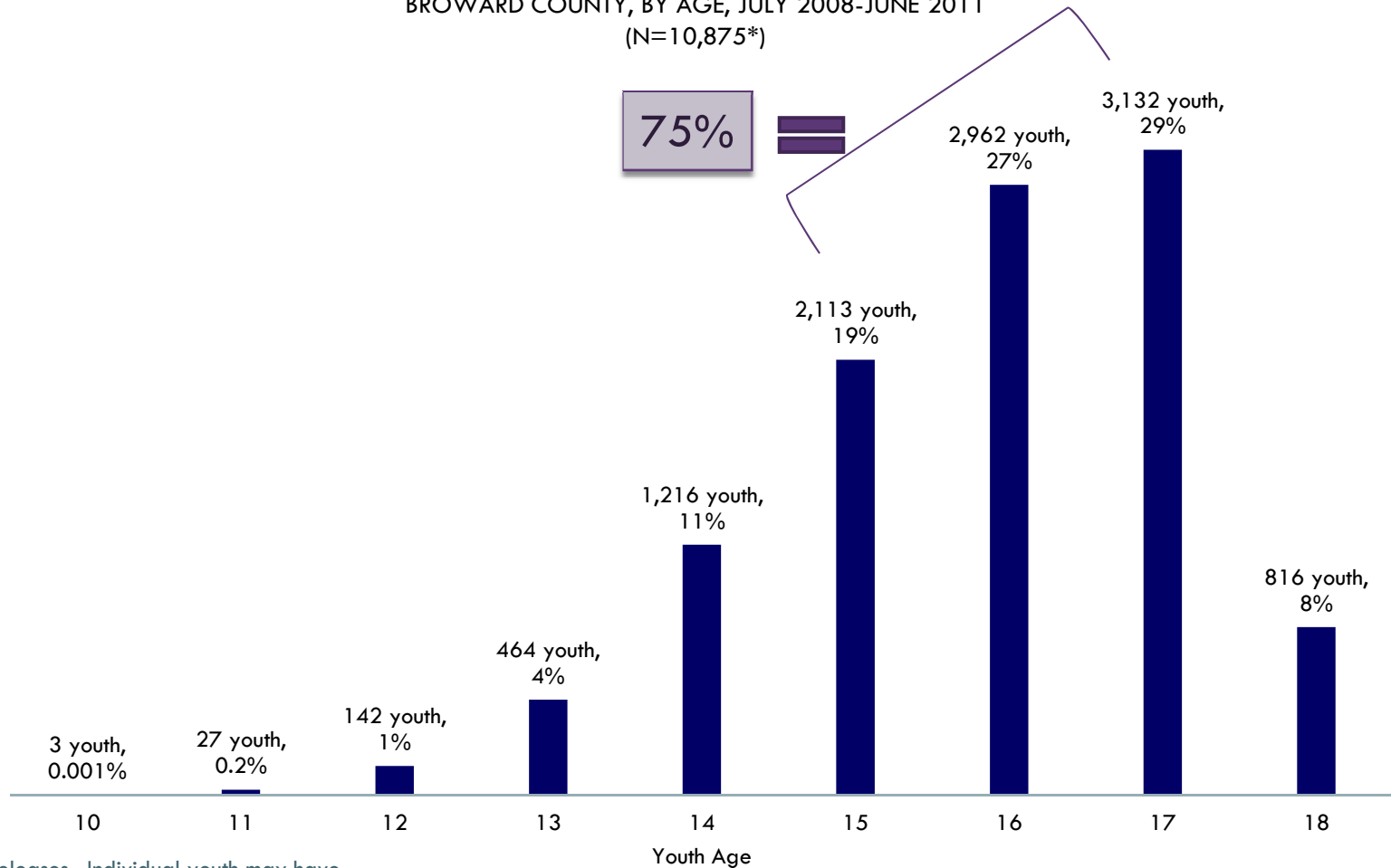
YOUTH RELEASED FROM SECURE DETENTION IN BROWARD COUNTY, BY GENDER, JULY 2008-JUNE 2011 (N=10,875*)



*N = number of releases. Individual youth may have been admitted and released multiple times during the study period.

AGE: Three quarters (75%) of detained youth in Broward County are between the ages of 15 and 17.

YOUTH RELEASED FROM SECURE DETENTION IN BROWARD COUNTY, BY AGE, JULY 2008-JUNE 2011 (N=10,875*)



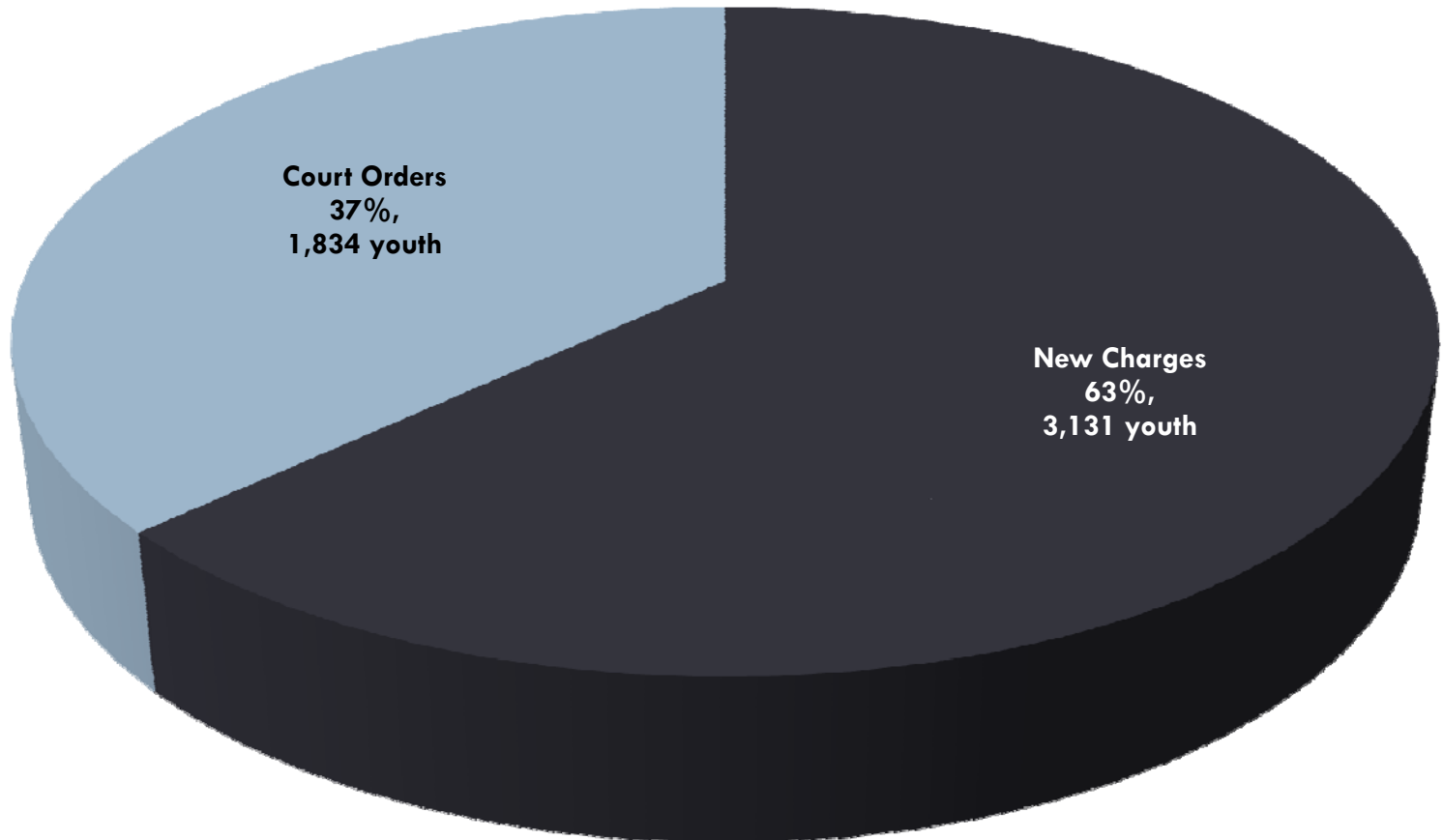
75%



*N = number of releases. Individual youth may have been admitted and released multiple times during the study period.

CHARGE TYPE: Of youth admitted to secure detention in Broward County, 63% were related to new charges. Over one third of admissions to secure detention were related to court orders.

YOUTH ADMITTED TO SECURE DETENTION - BY REASON FOR DETENTION,
JAN. 2010-JUNE 2011 (N=4,965)



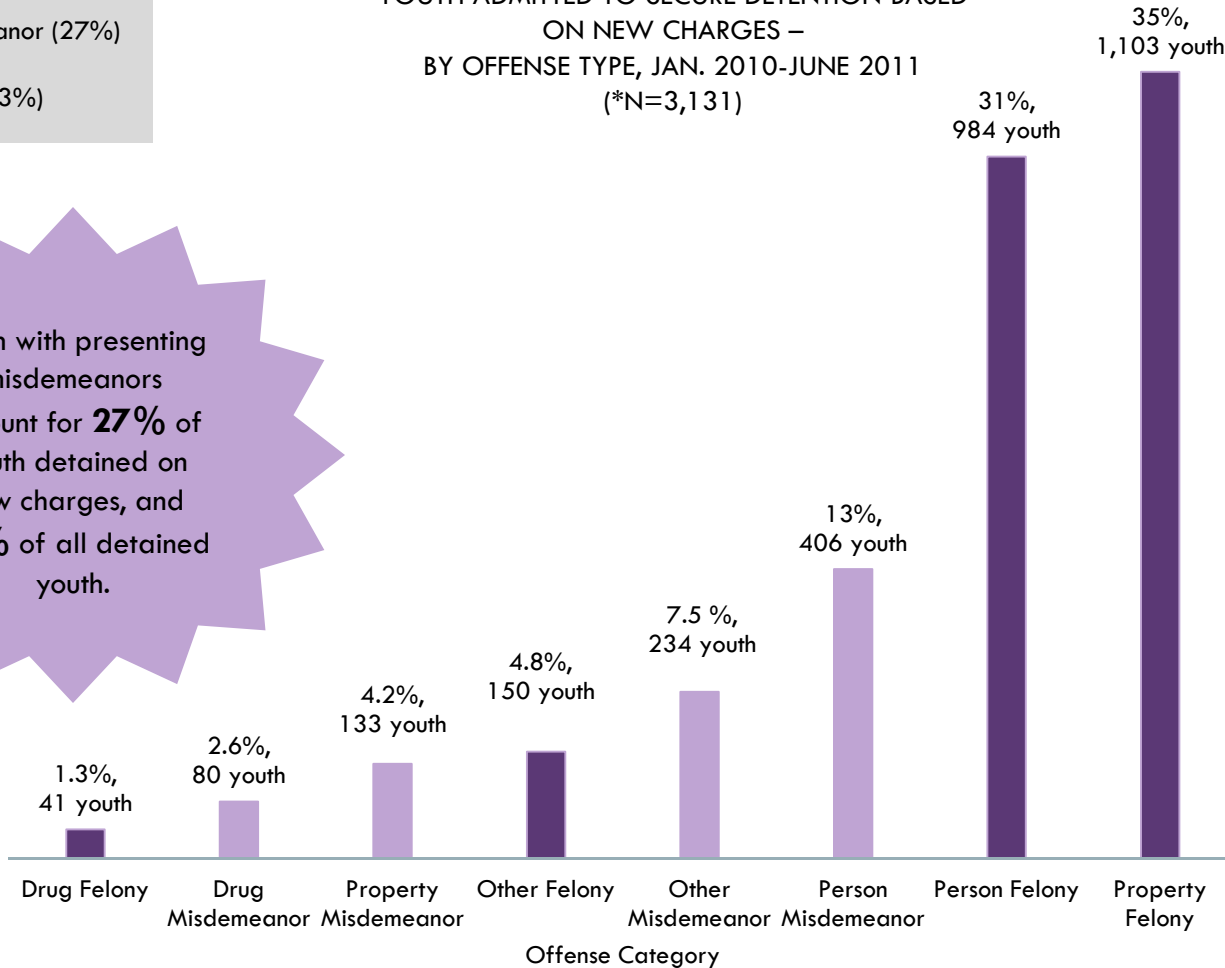
*N = number of admissions. Individual youth may have been admitted and released multiple times during the study period.

New Charges: Of youth admitted to secure detention for new charges in Broward County, most (67%) were related to a person or property felony, while over a quarter (27%) had a misdemeanor offense as the most serious presenting offense.

YOUTH ADMITTED TO SECURE DETENTION BASED ON NEW CHARGES – BY OFFENSE TYPE, JAN. 2010-JUNE 2011 (*N=3,131)

= Misdemeanor (27%)
 = Felony (73%)

Youth with presenting misdemeanors account for **27%** of youth detained on new charges, and **17%** of all detained youth.



DIGGING DEEPER: Of youth detained on presenting misdemeanors --

- How many had domestic violence charges?
- How many were scored based on an underlying offense?
- What were the racial/ethnic demographics, and how do those demographic compare with admissions generally?

*N = number of admissions. Individual youth may have been admitted and released multiple times during the study period.

UNDERLYING CHARGES

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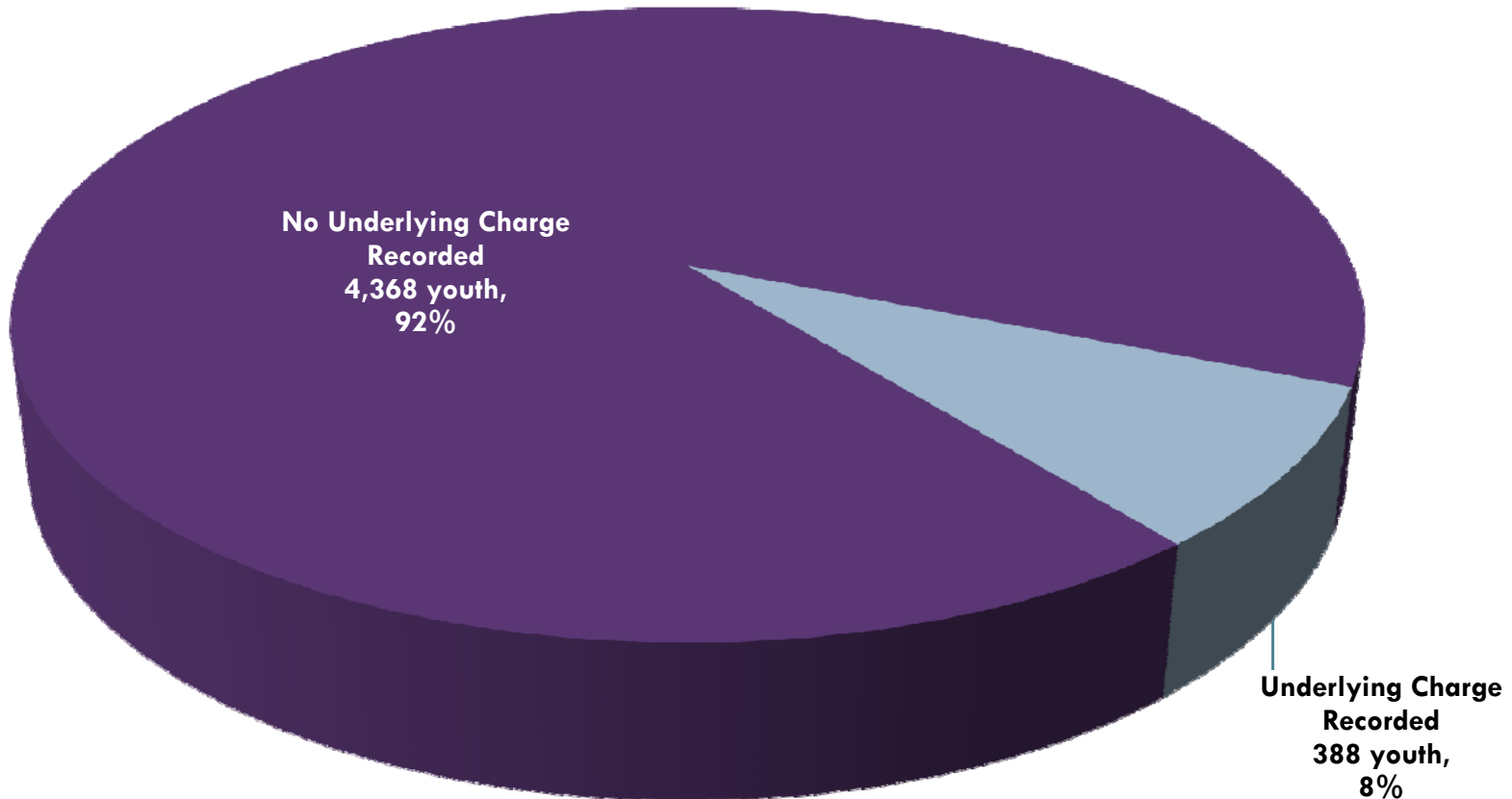
- In Florida, youth who do not reach screening criteria on a current charge/charges may be scored on an underlying charge if they are under the supervision of the Department of Juvenile Justice at the time of the referral.

- Pursuant to Florida Statute §985.245
“For a child who is under the supervision of the department through probation, home detention, nonsecure detention, conditional release, postcommitment probation, or commitment and who is charged with committing a new offense, the risk assessment instrument may be completed and scored based on the underlying charge for which the child was placed under the supervision of the department and the new offense.”

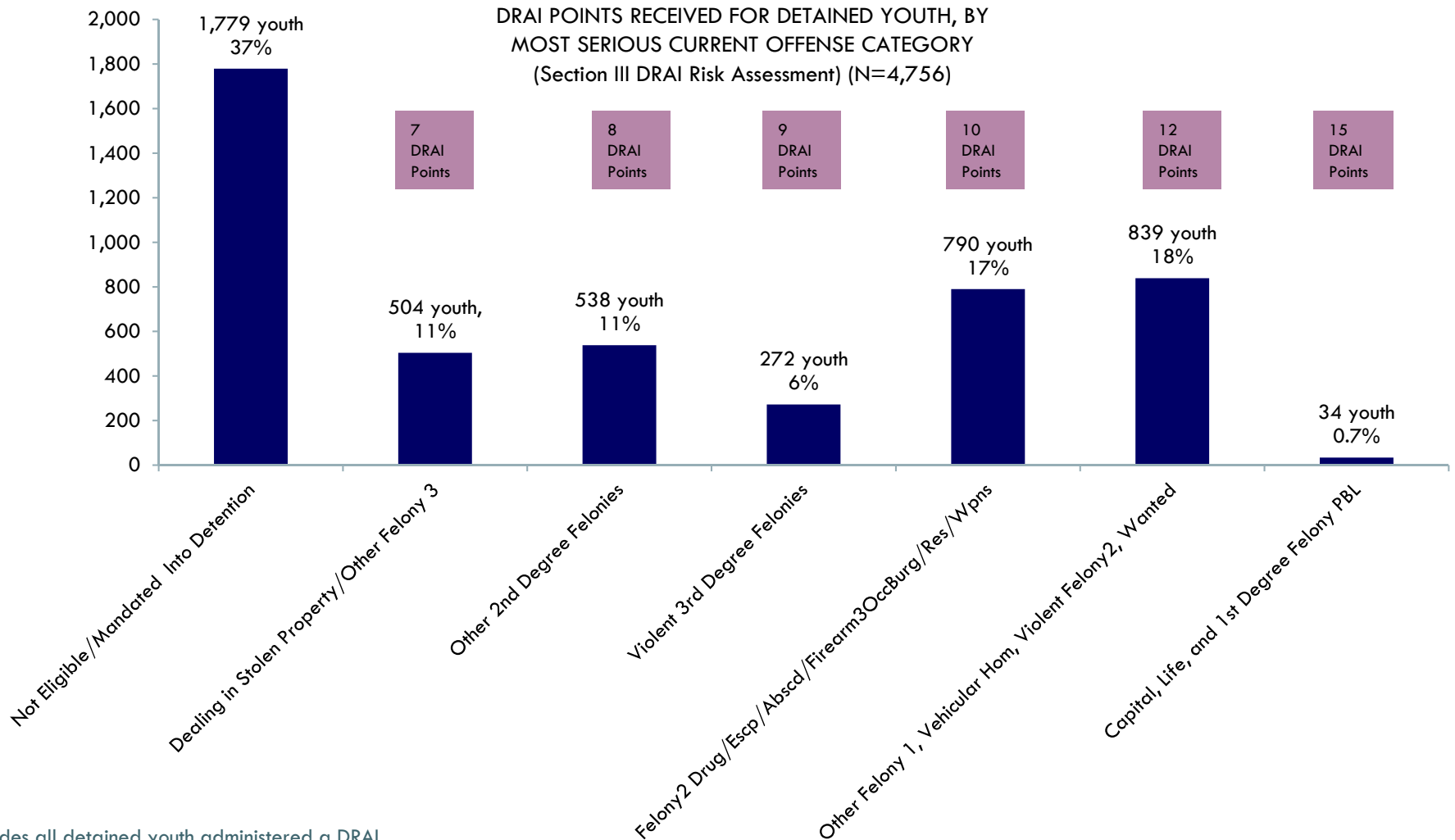
- Under current DJJ policy, youth who do not score for detention based on the presenting offense must be scored on the most serious underlying offense. Underlying charges used for DRAI scoring may even include offenses from several years prior, as long as the youth is still under supervision.

DRAI Underlying Charges: Of youth screened and remanded to secure detention in Broward county, only 8% of youth were scored on the basis of an underlying charge.

YOUTH SCREENED BY DRAI AND ADMITTED TO SECURE DETENTION – PRESENTING CHARGE V. UNDERLYING OFFENSE AS BASIS FOR DRAI SCORE, JAN. 2010-JUNE 2011 (N=4,756)



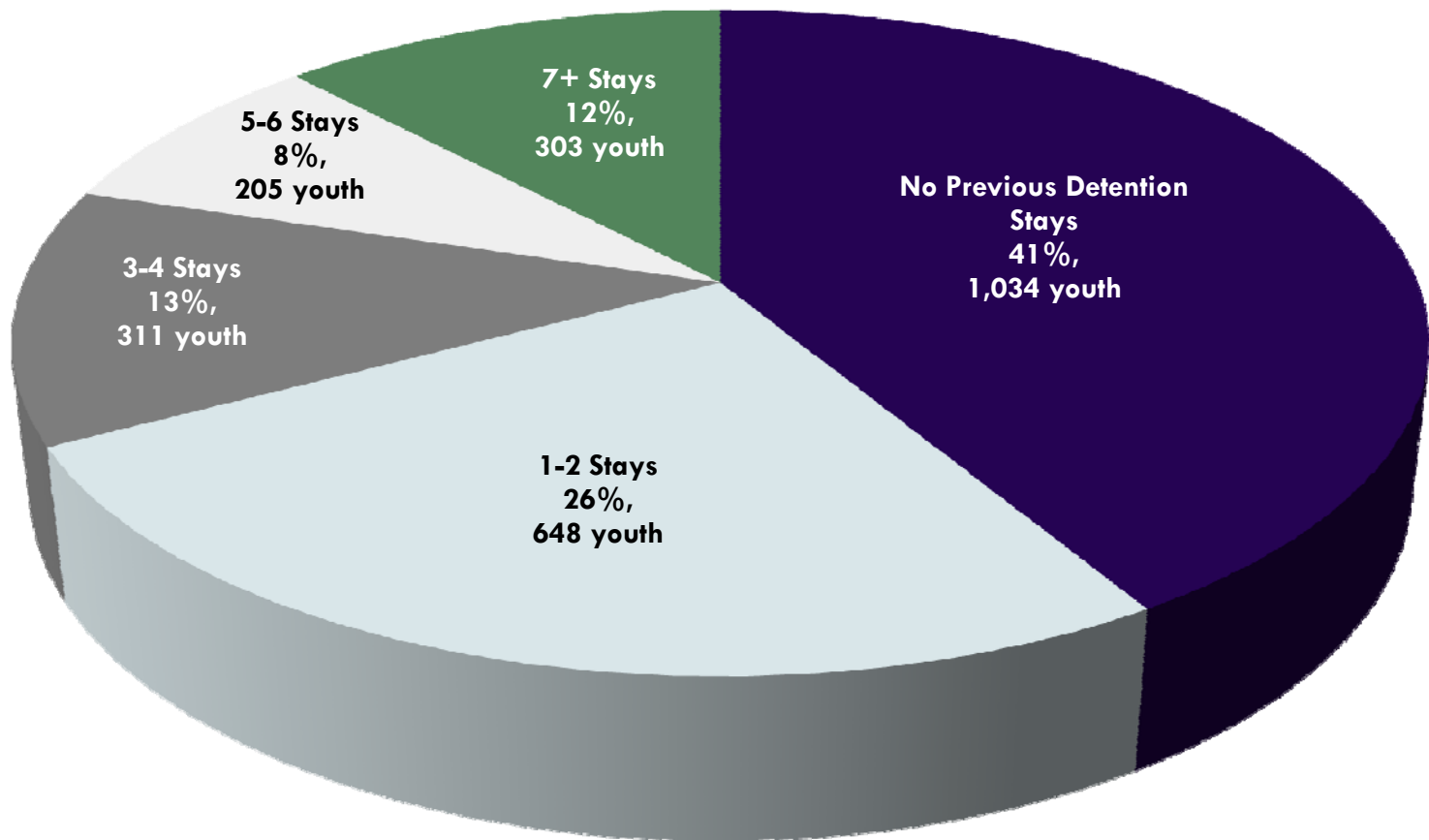
How are DRAI points distributed for detained youth? Only 19% of youth score 12 or 15 points for their most serious current offense.



*Includes all detained youth administered a DRAI screening. Individual youth may have been scored multiple times during the study period.

NUMBER OF PRIOR DETENTION STAYS: Of youth admitted to secure detention in Broward County, 41% have never been in secure detention before. Another 26% of youth have been in detention only 1 or 2 times before.

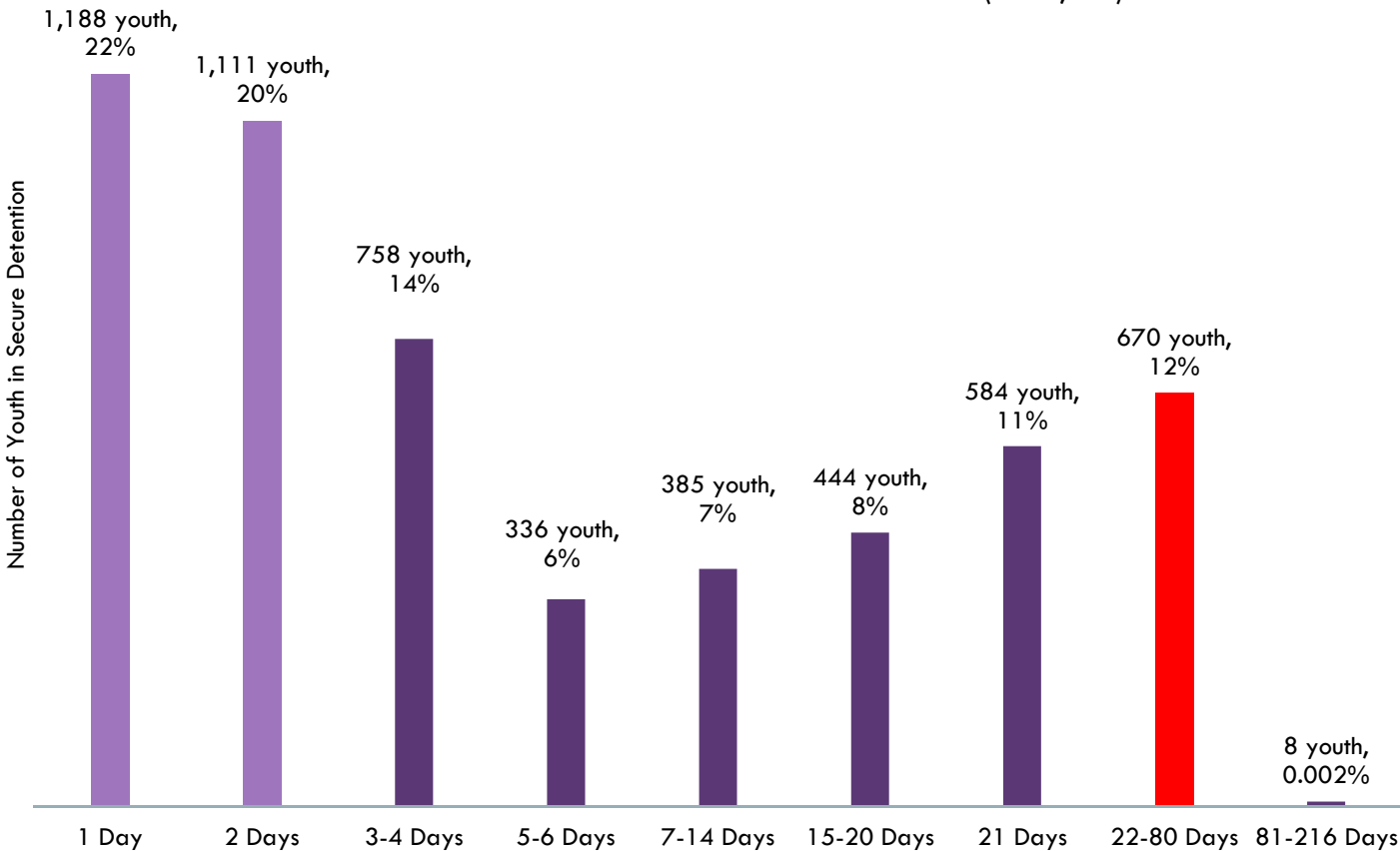
YOUTH ADMITTED TO SECURE DETENTION – BY
NUMBER OF PRIOR STAYS IN DETENTION,
JAN. 2010-JUNE 2011 (*N=2,501)



*N = Most recent admission to secure detention per youth

LENGTH OF STAY: Almost half (42%) of youth in secure detention stay for only 1 or 2 days in Broward County, with 22% staying less than 24 hours.

NUMBER OF YOUTH RELEASED FROM DETENTION - BY LENGTH OF STAY, JAN. 2010-JUNE 2011 (*N=5,484)



KEY FINDINGS:

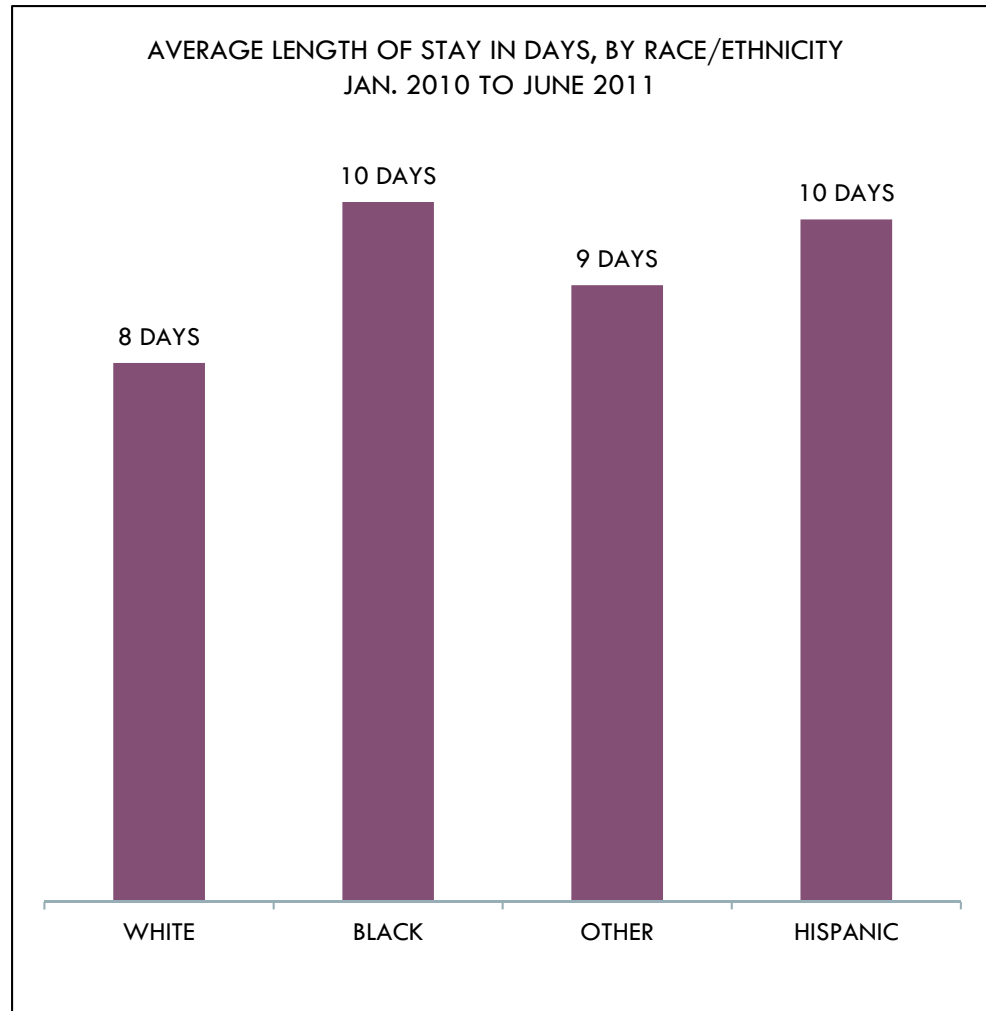
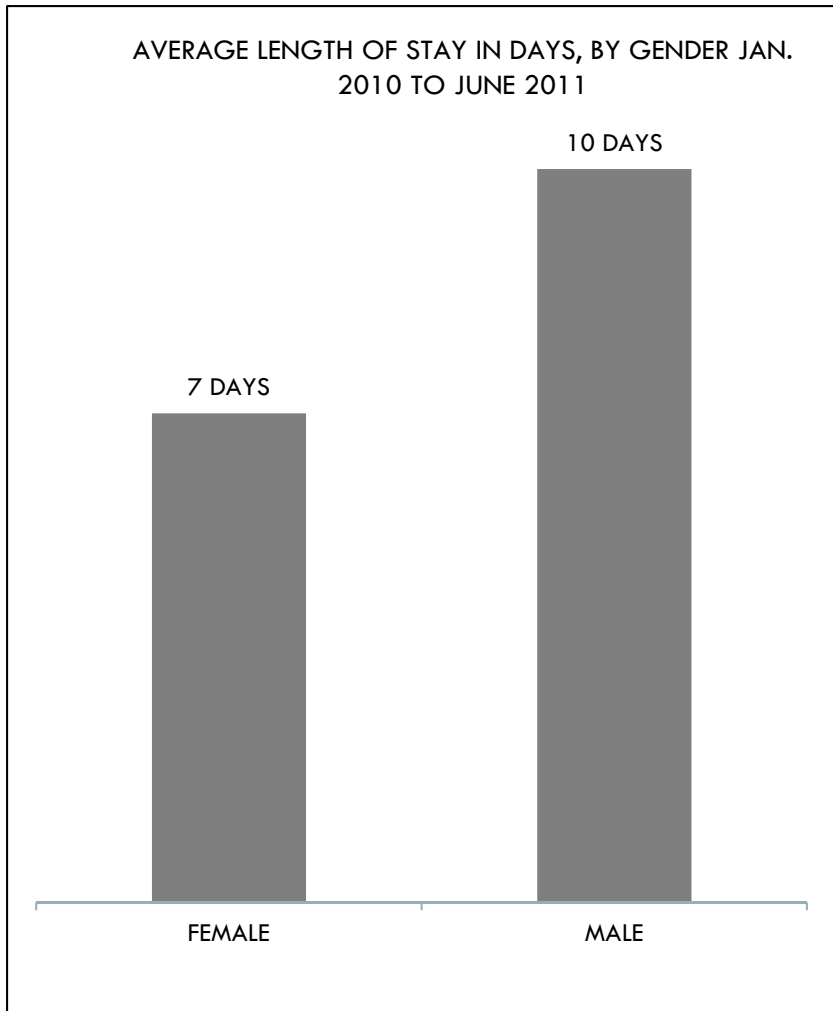
- 42% of detained youth are held for less than 2 days, with 22% staying less than 24 hours.
- Over a tenth of youth (11%) are being kept for the maximum 21 days.
- A number of youth (12%) are being kept in detention beyond 21 days.

NEXT STEPS:

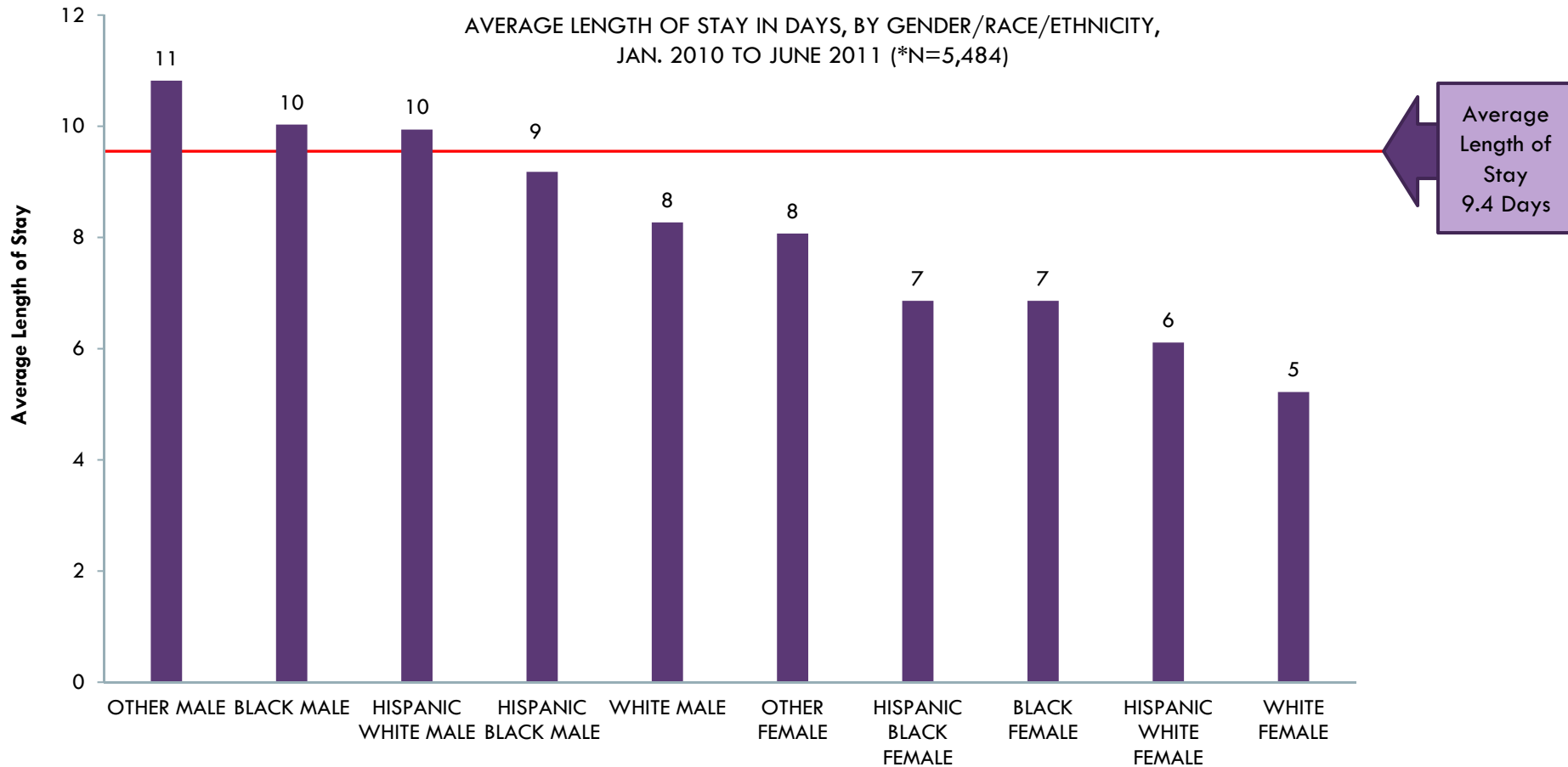
- Dig deeper into “short-timers” – what would it take to avoid these admissions altogether?

*N = number of releases. Individual youth may have been admitted and released multiple times during the study period.

LENGTH OF STAY BY GENDER AND RACE/ETHNICITY: Males tend to have longer stays in detention than females. In addition, on average Black and Hispanic youth stay longer in detention.



LENGTH OF STAY BY RACE/GENDER: Non-white males tend to have slightly longer stays in detention.

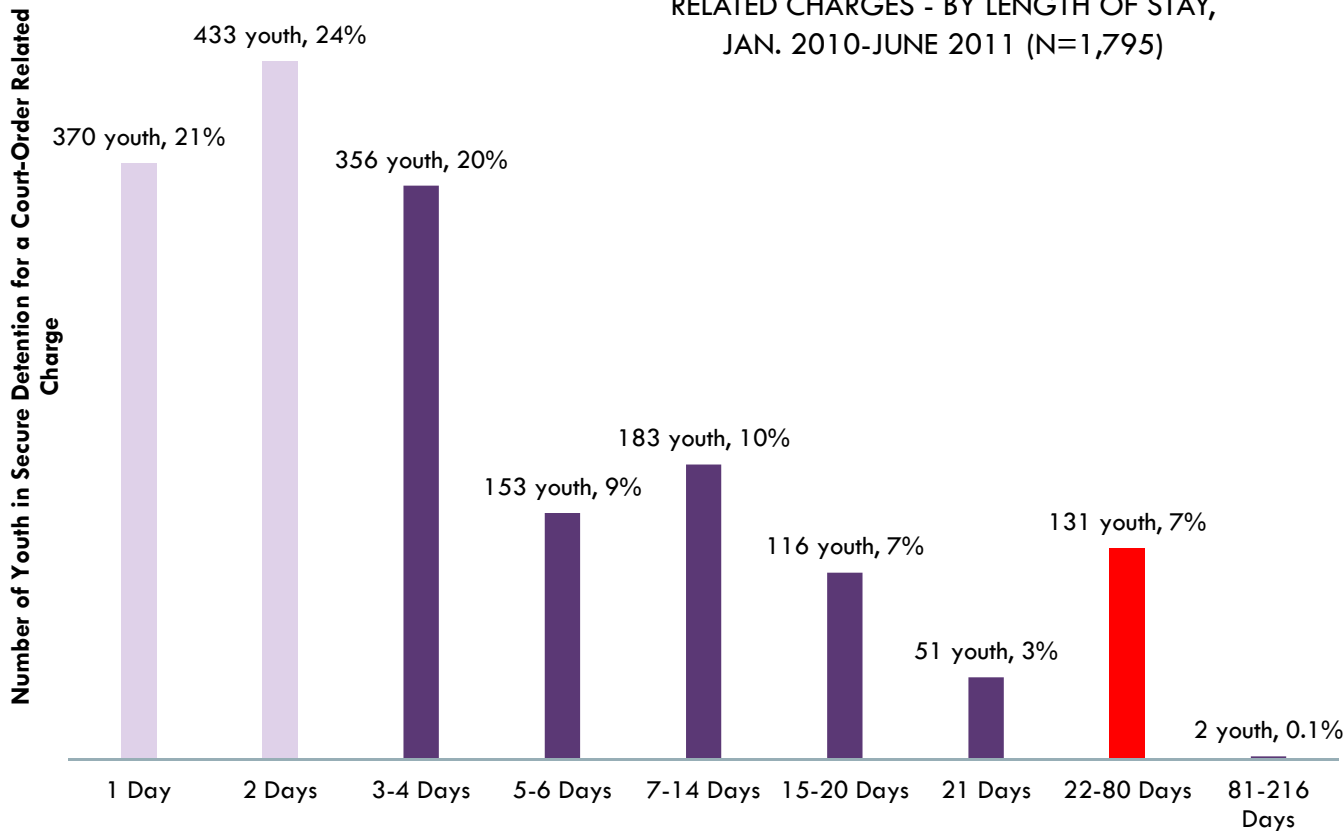


Average Length of Stay 9.4 Days

*N = number of releases. Individual youth may have been admitted and released multiple times during the study period.

LENGTH OF STAY FOR COURT ORDER RELATED CHARGES: Almost half (45%) of youth in secure detention based on court orders stay for only 1 or 2 days in Broward County, while 3% are being kept for the maximum 21 days. In addition, a number of youth (7%) are being kept in detention beyond the 21-day period.

NUMBER OF YOUTH RELEASED FROM DETENTION FOR COURT ORDER RELATED CHARGES - BY LENGTH OF STAY, JAN. 2010-JUNE 2011 (N=1,795)



Court-ordered youth are only slightly more likely to be in detention less than 48 hours, as compared to all youth (45% to 42%).

However, of all youth in detention, 59% of youth stay 2 weeks or less, whereas 84% of court-ordered youth stay 2 weeks or less.

*N = number of releases. Individual youth may have been admitted and released multiple times during the study period.

DRAI INTRODUCTION

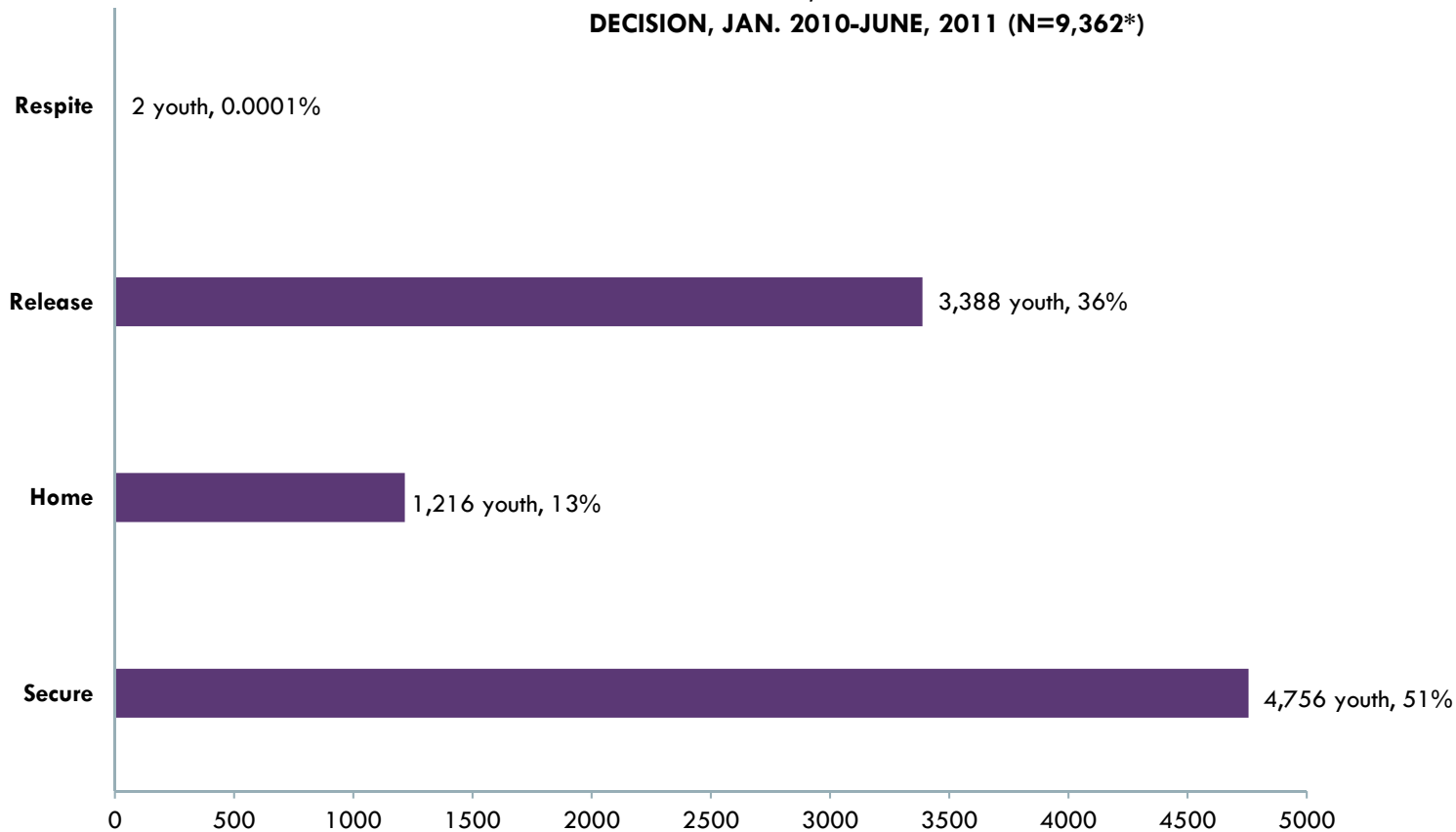
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- A Detention Risk Assessment Instrument (DRAI) is administered to all youth presented at a detention center or juvenile assessment center, including youth presented on a court-order
- The DRAI collects demographic information, determines whether youth meet statutory eligibility criteria, and assigns a numerical score based on the severity of the offense and the presence of certain risk factors
- A DRAI record is created each time a screen is completed, even if the DRAI score is zero
- Youth who do not meet eligibility criteria & some youth with court-orders will have a zero score
- Of 9,362 youth administered the DRAI in the 18-month period, 4,913 (53%) had a zero score.

N =	CATEGORY
9,362	ALL YOUTH WITH A DRAI SCREEN
4,913	ZERO SCORE (includes detained youth & youth not held based on failure to meet eligibility criteria)
4,756	DETAINED
4,449	NON-ZERO SCORE
3,324	DETAINED NON-ZERO SCORE
1,432	DETAINED ZERO SCORE
508	DETAINED DRAI SCORE = 12
427	DETAINED NON-ZERO SCORE DRAI SCORE < 12
139	DETAINED BECAUSE OF AGGRAVATING FACTORS

DRAI Decision - Actual Outcome: Of all youth screened in Broward County, over half (51%) were placed in secure detention.

DRAI RECORDS, BY ACTUAL DETENTION DECISION, JAN. 2010-JUNE, 2011 (N=9,362*)



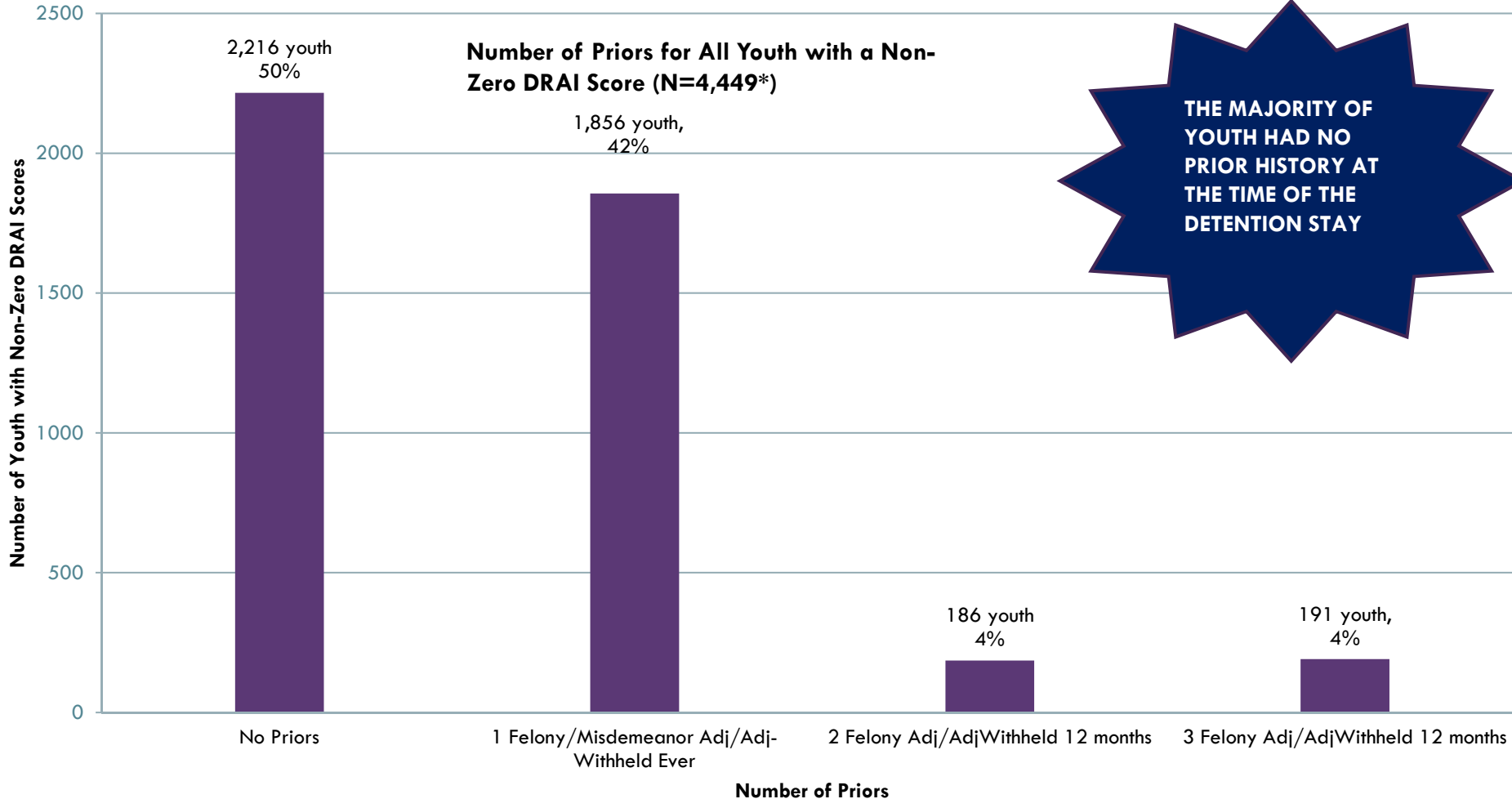
Of all youth with DRAI records (including youth with 0 scores):

- 51% were detained
- 13% were placed on home detention
- 36% were released
- Only 2 youth were sent to Respite care, suggesting underutilization or a problem with accessibility

*Includes all youth administered a DRAI screening. Individual youth may have been scored multiple times during the study period.

Number of Youth

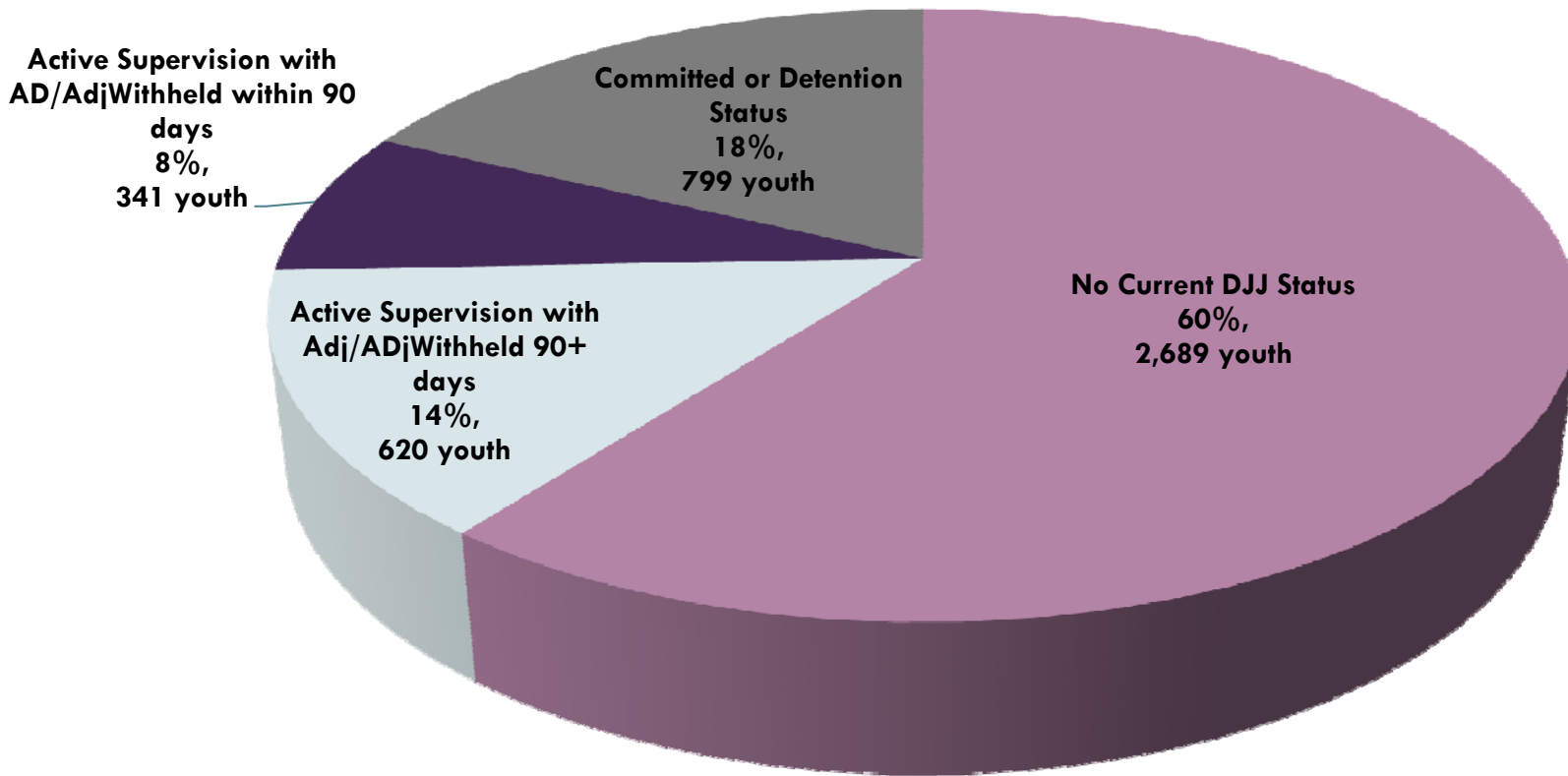
DRAI SECTION III RISK ASSESSMENT: PRIOR HISTORY – The majority (50%) of youth with non-zero DRAI scores in Broward county did not have any prior misdemeanor or felony adjudication/adjudication withheld in their history.



*Includes all youth administered a DRAI screening with a non-zero score. Individual youth may have been scored multiple times during the study period.

DRAI RISK ASSESSMENT LEGAL STATUS: Of youth in Broward County with non-zero DRAI scores, the majority (60%) do not have any active legal status.

Current DJJ Legal Status for All Non-Zero Youth Administered a DRAI Screen (N=4,449*)

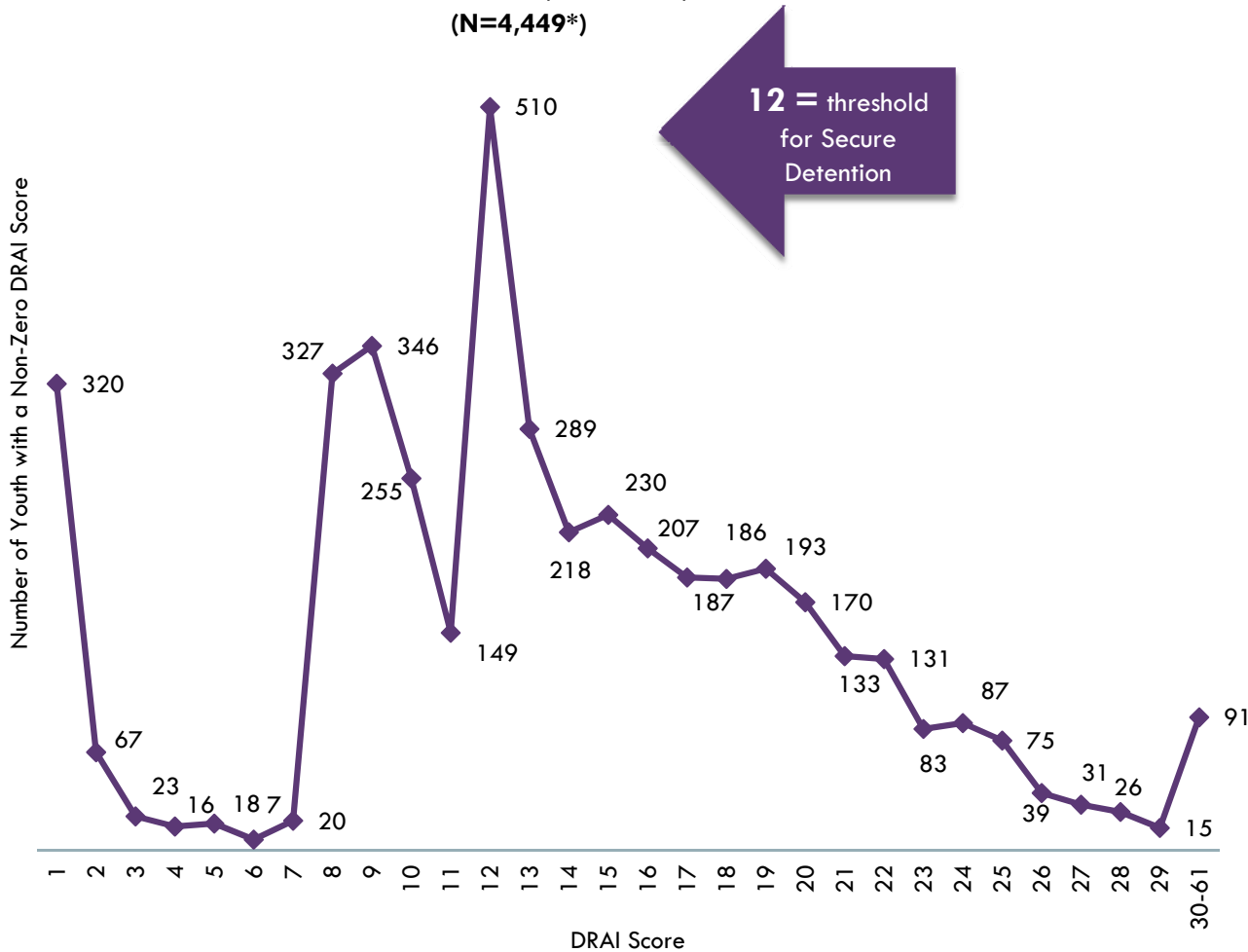


*Includes all youth administered a DRAI screening with a non-zero score. Individual youth may have been scored multiple times during the study period.

DRAI SCORE: Of youth with a non-zero DRAI score in Broward County, 12% scored the minimum DRAI score to qualify for detention. 65% of youth scored at or above 12 points. Youth were more than 3 times as likely to score a 12 than they were to score an 11.

Note: Not included are 4,913 youth DRAI records with a Zero score

YOUTH WITH NON-ZERO DRAI SCORES, BY SCORE, JAN. 2010-JUNE 2011
(N=4,449*)



- The distribution of DRAI scores spikes dramatically at 12 – the threshold for Secure Detention.
- A youth is more than three times as likely to score a 12 than an 11.

DIGGING DEEPER:

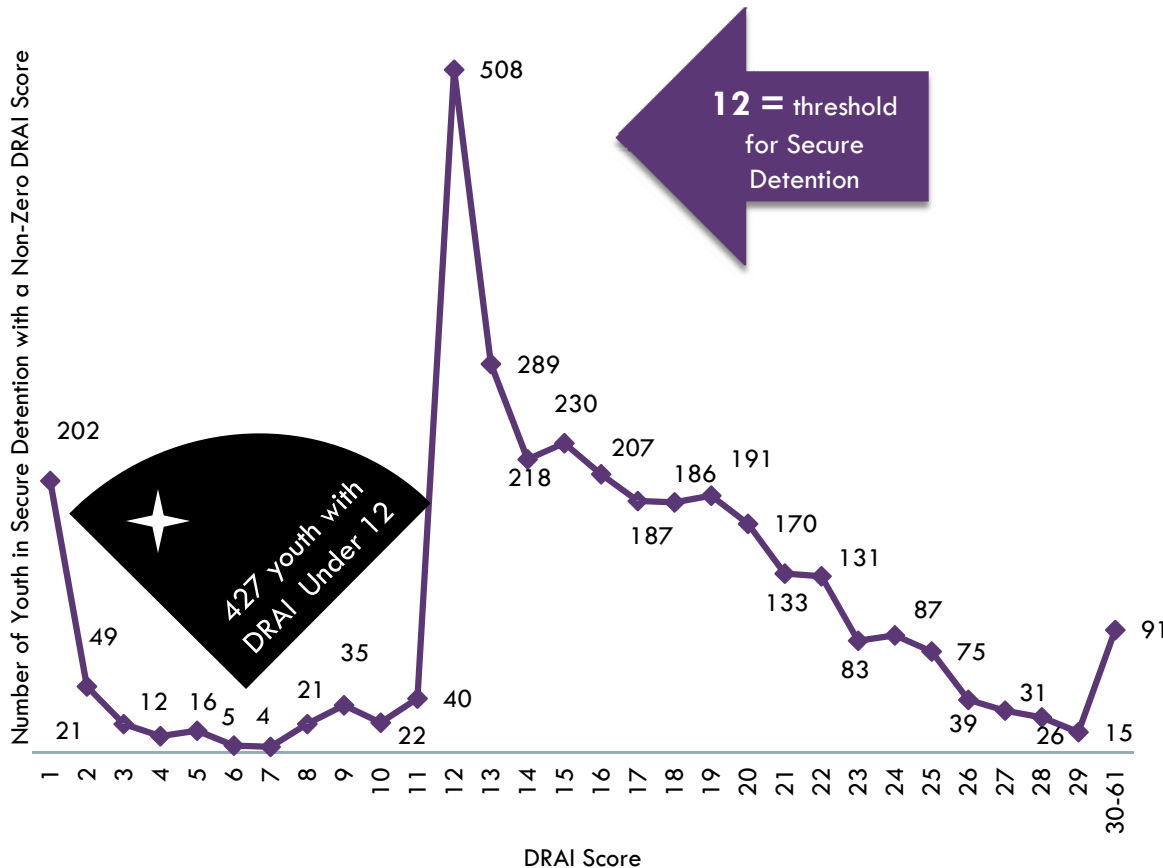
- Why do so many more youth score 12 than 11?
- The DRAI allows screeners to use aggravating factors to increase scores by 1 to 3 points.
- Are aggravating points being used to increase scores that would otherwise fall just below the detention threshold?

*Includes all youth administered a DRAI screening, excluding those with zero scores. Individual youth may have been scored multiple times during the study period.

DRAI SCORES FOR YOUTH ADMITTED TO SECURE DETENTION: Of detained youth with a non-zero DRAI score in Broward County, 15% scored the minimum DRAI score to qualify for detention, and 13% of youth scored below 12 points on the DRAI.

Note: Not included are 1,432 youth that went to secure detention with DRAI records with a Zero score

YOUTH WITH NON-ZERO DRAI SCORES ADMITTED TO SECURE DETENTION, BY DRAI SCORE, JAN. 2010-JUNE 2011 (N=3,324*)

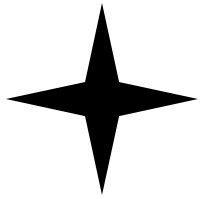


- The distribution of DRAI scores among **detained** youth also spikes at 12 – the threshold for Secure Detention.
- A detained youth with a non-zero DRAI score is more than 10 times as likely to score a 12 than an 11.

DIGGING DEEPER:

- Why were so many youth detained with DRAI scores below 12?
- Of detained youth who did not score for detention, how long were they held?
- How do those youth compare to other detained youth – by race, ethnicity, gender, offense, age, zip code, etc.?

*Includes all youth administered a DRAI screening who were remanded to secure detention, excluding those with zero scores. Individual youth may have been scored multiple times during the study period.



Youth in detention with DRAI scores under 12 (see previous slide): Detention Reasons

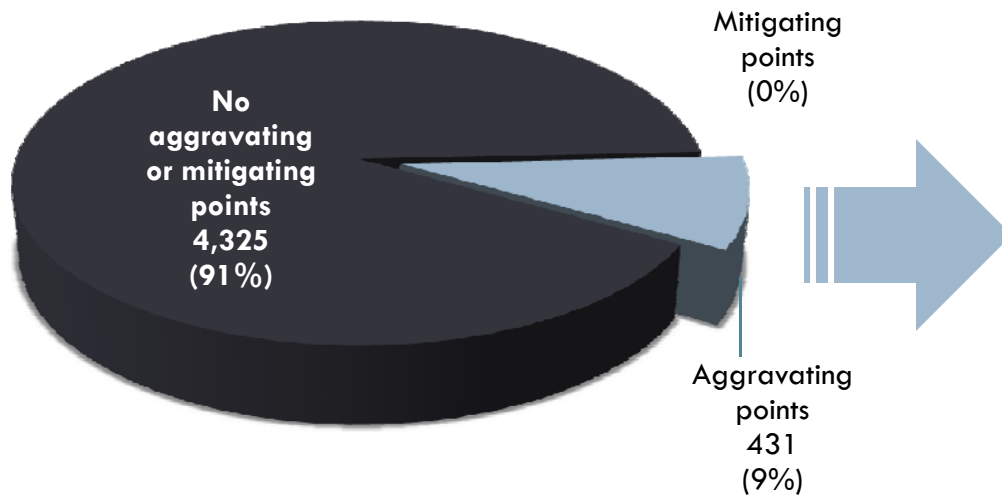
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- Of the 427 youth who were detained AND scored under 12 (note: categories do not add up because they are not mutually exclusive, i.e. youth could qualify for secure detention for multiple reasons):
 - 43 youth were court-ordered
 - 364 youth were domestic violence related
 - 31 overrides
 - 3 additional were scored on criteria F for firearm possession

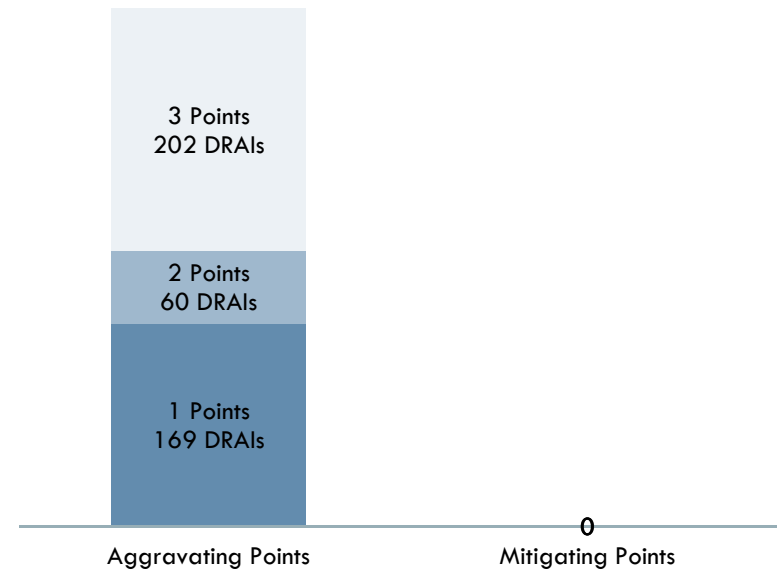
DRAI AGGRAVATING FACTORS: Of detained youth with non-zero DRAI scores, discretionary aggravating factors were used in 9% of cases, while mitigating factors were not used at all.

*Does not include mandatory aggravator for firearm possession (scoring Criteria F)

PREVALENCE OF AGGRAVATION/MITIGATION AMONG DETAINED YOUTH W/NON-ZERO DRAI SCORES, JAN. 2010-JUNE 2011 (N=4,756*)



AGGRAVATING AND MITIGATING POINTS AMONG DETAINED YOUTH WITH NON-ZERO DRAI SCORES, JAN. 2010-JUNE 2011 (N=431)

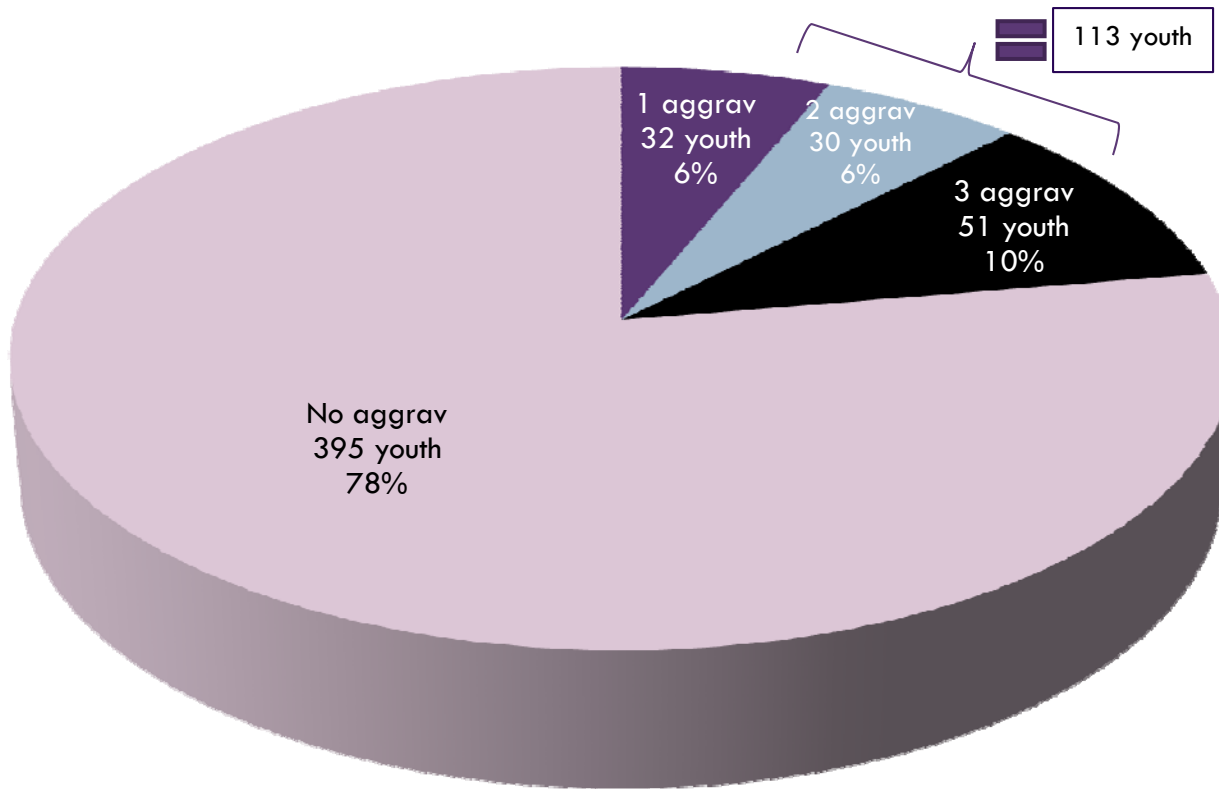


DIGGING DEEPER:

- Of detained youth who scored at or just above 12 on the DRAI, what percent had aggravating points added to their scores?
- How do youth with aggravating points compare to other youth? (consider race, ethnicity, gender, age, offense, geography, ALOS)

22% of youth who reached the minimum score (12) for detention **ONLY** did so because of the use of aggravating factors

% OF YOUTH WITH DRAI SCORE=12 REMANDED TO SECURE DETENTION DUE TO AGGRAVATING FACTORS (N=508)



Youth are being sent to secure detention because of the use of aggravating factors, despite the fact that mitigating factors are never used.

Most youth who had their score “bumped” to 12 by aggravating factors are black male youth.

*86% Male, 14% Female
*74% Black, 26% White

A total of 139 youth were sent to secure detention because of the use of aggravating factors. 113 youth scored exactly 12 because of aggravating factors, and an additional 26 youth were sent to secure detention by aggravating factors that put the score over 12.

- 139 youth had one of the following scenarios:
 - A score of 12, with 1, 2, or 3 aggravating points
 - A score of 13, with 2 or 3 aggravating points
 - A score of 14, with 3 aggravating points

- The majority were Third Degree Felonies
- Almost half of these youth were charged with burglary of an unoccupied dwelling (unarmed). These youth also had theft, drug, and battery/assault charges
- 74% of these youth were black, 84% were male

These youth did not pose an overwhelming flight risk, nor did they have violent crimes.

Broward County Detention Overview: Strengths, Concerns, and Serious Concerns

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STRENGTHS

- ALL youth are screened to determine statutory eligibility for detention
- Only 8% of youth are scored on underlying charges

CONCERNS

- The majority of youth have Zero DRAI risk scores
- Many youth in secure detention score the minimum score for detention (15%)
- While aggravating factors are used, mitigating factors are never used

SERIOUS CONCERNS

A significant number of youth who enter detention:

- spend less than 2 days (often less than 24 hours) in secure detention (42%),
- have never been in detention before (41%),
- are sent to detention because of a court order (37%)
- The majority of youth screened go to secure detention, as opposed to release, home, or respite (51%)
- Lack of alternatives