



Detention Risk Assessment Instrument (DRAI) Workgroup Meeting Minutes

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January 5, 2018

1:00 pm

Committee Members Participation (6):

- Judge David Gooding – Circuit 4
- Chief Greg Graham – Circuit 5
- Sheriff Robert Gualtieri – Circuit 6
- ASA Rebecca Shinholser – Circuit 8
- APD Jeannie Moore – Circuit 14
- Sheriff Arnold Lanier – Circuit 10

Consultants (3)

- Dr. Kristen Early, Justice Research Center
- Dr. Kelly Dedel, One in 37 Research, Inc.
- Lisa Macaluso, Center for Children's Law and Policy

Florida Department of Juvenile Justice Staff Participation (8):

- Minnie Bishop, Statewide DRAI Coordinator
- Mark Greenwald, Director of Research & Data
- Tim Niermann, Deputy Secretary
- Brian Berkowitz, Legal Counsel
- Heather DiGiacomo, Director of Communications
- Ed Wilton, Legal Counsel
- Thomas Jenkins, Research & Data Integrity
- Jeff Clarcq, Research & Data Integrity

Opening

- Attendance taken

Meeting Review

- Welcome and Meeting Overview
 - The purpose of this meeting is to review concerns identified during the December 2017 DRAI Committee meeting and identify resolutions
 - Topics to be discussed today are the (1) Violent Offense List, (2) Processing of 1st Time Offenders Presented with Multiple Burglary Referrals, and (3) Processing of Misdemeanor Firearm Offenses
 - During the January 16th meeting, we will discuss the use of underlying charges
 - Minutes from both meeting will be submitted to all committee members at the culmination of the meeting and posted publicly. Members unable to participate may submit any concerns regarding the topics discussed during the meeting to me for analysts review and discussion during the next meeting.



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- Although not every committee member could be available for this or the 16th's meeting, it is imperative that all committee members participate in the 2nd DRAI Committee Assembly on January 30th.
- The January 30th meeting will be held in Tallahassee and made accessible via webinar. During that meeting, we will allot time for public comment, take a final vote on the issue discussed in the workgroup, and vote on the implementation of Phase II. The Department will also provide an overview of the IT package initial last month to provide the committee with insight on how the new instrument would work in JJIS, ongoing follow-up monitoring for DRAI outcome, and DRAI reports to be implemented as a part of this process.
- Committee members are asked to state their name before making comments to help me accurately record the minutes since I can only hear them, not see them.
- Legislation
 - Reminder of Sunshine Law – Don't discuss information that is before the committee outside of this meeting
 - Legislative Proposals for 2018 Session – Focus on 985 and 984; Primary modification are for the change from the term non-secure to supervised release; modified definition to include all of the proposed options
 - Provide an overview of changes from each statute
 - Rebecca Shinholser – We need to ensure the language in 985.255 is clear that the youth will be screened on violations and assigned a detention hearing accordingly. Will most of these kids score for supervised release? Yes. Most offenses fall into supervised released, but about 25% will fall into secure detention as well.
 - Feedback regarding the legislative changes must be submitted by COB Tuesday, January 9, 2018; Minnie Bishop will send draft documents to the committee for review upon receipt. She will ask Legislative Affairs how quickly final versions can be released to send out to the committee.
- Committee Review Items
 - Violent Offense List
 - Cross-reference done with FDLE and DOC to define the term violent
 - Violent = against person crimes
 - Several offenses removed because they don't meet this definition
 - Weapon Offense – These are firearm and will score for secure detention anyway
 - Obstruction of Justice (Harm to Animal) – Not an against person crime
 - Railroad Interference – Not an against person crime
 - Burglary of Dwelling (PBL) – This is not considered violent, but will score for detention anyway
 - Rebecca: As it relates to Burglary of a Dwelling (F2) F.S. 810.02 (3b) - I understand that this offense should not be labeled violent, but thinks it should result in a supervised release outcome. Will there be some consideration to increasing point value to ensure they score at least in the supervised release category
 - Chief Graham: Agrees that the outcome should at least be a supervised release status
 - Sheriff Gualtieri: I do share some concern regarding Burglary of a Dwelling offenses being release. Is there any consideration for them scoring higher?
 - Minnie Bishop: This is only a concern for first time offenders. Dr. Early did some data analysis on this group
 - Dr. Early: Provided data on what the outcomes for first time offenders



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- Rebecca: Victims won't care that the youth is a 1st time offender
- Chief Graham: Doesn't have a problem with singling this charge out to be held at a higher level of accountability
- Sheriff Gualtieri: Feel like kids should score at least in the supervised release category because a home is a serious offense
- Rebecca Shinholser: This also sends a message that breaking into a home is ok if there is no accountability
- Jeannie Moore: We should come to some middle ground around this statute. They shouldn't be placed in secure detention. Sending them to secure as a first-time offender is not ideal.
- Sheriff Gualtieri: Can we at least include it as an override marker?
- Mark Greenwald: We can add to the override category list on the 3rd page.
- Minnie Bishop: Would everyone be ok with having this be set as an override as Sheriff Gualtieri just suggested?
- Chief Graham, Rebecca Shinholser, and Sheriff Lanier all stated that would work.
- 1st Time Offenders - Multiple Burglary Referral Screening
 - Dr. Early: Provided an overview of data for multiple Burglary cases
 - Rebecca: Kids presented with multiple burglaries are a risk to public safety
 - Sheriff Gualtieri: Multiple Burglaries is a big issue. It is different than a kid that hits one car. Not to have crime sprees into account is an issue. Might suggest that that we add some content that addresses multiple similar offenses presented within a 24-hour period.
 - Mark Greenwald: Relying on date/time stamps will be an issue in JJIS
 - Minnie Bishop: The wording of the suggested overrides would not be clear to screeners. One of the goals here was simplicity. This issue only matters for 1st time offenders and is most prevalent for Burglary offenses. We would suggest that the override read "Youth presented as a first time for offender with 5 or more Burglary referrals will be placed on supervised release".
 - Rebecca, Sheriff Lanier, Chief Graham: This would work for us.
- Misdemeanor Firearm Offenses
 - Dr. Kristen Early: Presented data on this topic
 - We will leave the firearms offense scores as is.
- Closing Remarks
 - Use of Underlying Charges – January 16th; January 16th meeting will be held via webinar
 - Confirmed that all participating members can attend the January 30th meeting
 - Will we look at out of state cases? Yes. The IT package review during the January 30th meeting will show the committee how these cases will be processed.

Next Meeting Dates

- January 16th at 1pm – GoToMeeting