

RAI Validation and The Detention Decision System

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What the Validation Was To Accomplish:

- Test individual and groups of assessment items for their connection to recidivism and failing to appear for court.
- Find the strongest and fairest combination of assessment items across racial/ethnic and gender groups.
- Understand and plan for the impacts of the new assessment on detention and detention alternative populations.

Testing Individual Assessment Items

- **Legal Status:** Statistically significant for all but Hispanic youth, but predicts in the right direction for all groups – with every one-point increase in the score for this item, failure goes up 36%.
- **Instant Offense:** Statistically significant for all groups but *predicts in the wrong direction for all groups* – with every one-point increase in this score, failure goes down 10%.

Testing Groups of Assessment Items

- **Original RAI:** With every one-point increase in the score, failure increases 31%. **Twenty-one items.**
- **Recommended RAI:** Statistically significant and even across all groups – with every one-point increase in the score, failure increases 49%. **Six Items.**

Thinking About Risk



Thinking About Risk

WHAT might the youth do based on recent behavior and offenses?

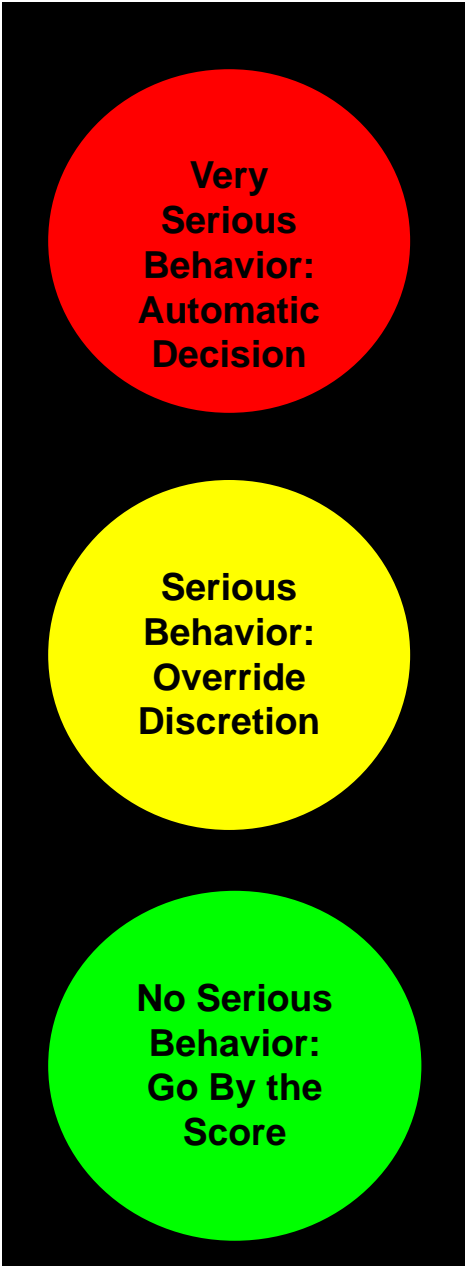
I wonder **IF** the youth will re-offend or fail to appear?

First Address the Serious Behavior with a Policy Test. Determine if Automatic or Override Decision Criteria require detention or added conditions.



Then Address the Chances of a Failure.

If the youth passes the Policy Test, use the validated assessment score to indicate the best placement option.

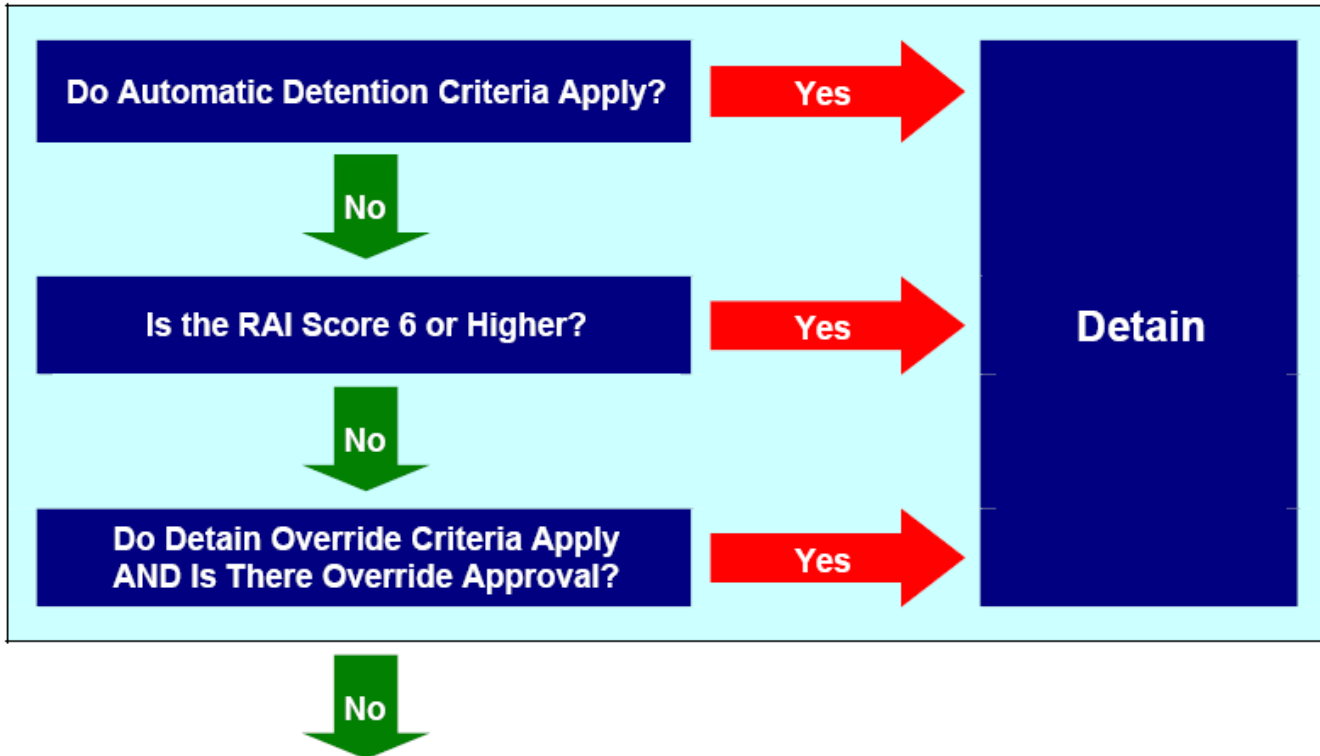


**Very
Serious
Behavior:
Automatic
Decision**

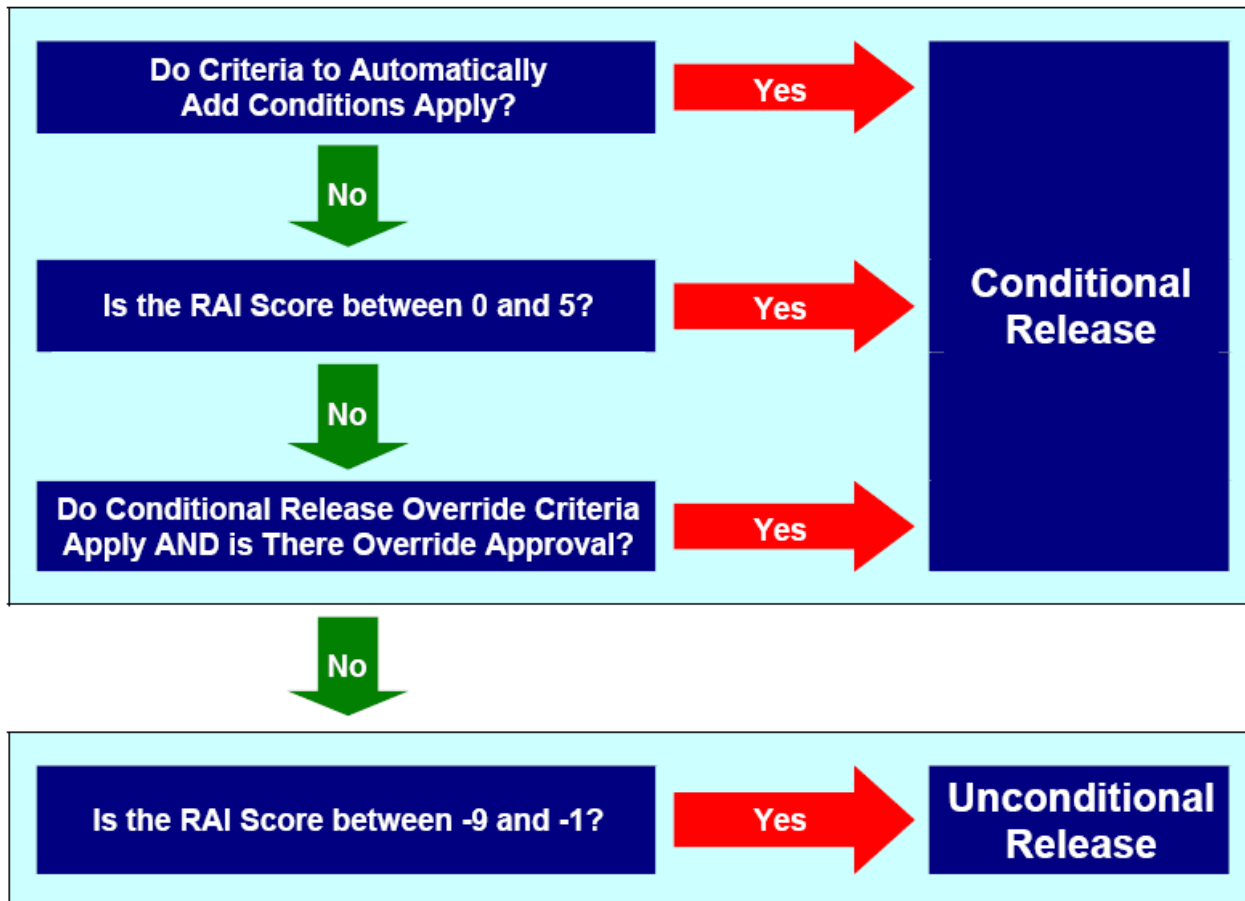
**Serious
Behavior:
Override
Discretion**

**No Serious
Behavior:
Go By the
Score**

The RAI in a Detention Decision System



The RAI in a Detention Decision System





Do Criteria to Automatically Recommend Detention Apply?

Determine if Automatic Detention Criteria Apply: The JCC automatically recommends detention regardless of the youth's RAI score if the youth meets Grounds for Preadjudicated Detention and the youth presents as follows:

- 1. Adult Detainer:** A youth on adult supervision and the adult probation officer requests that the youth be held pending further action. The youth will be held on the detainer.
- 2. Firearm/Destructive Device:** At the first preliminary hearing, DCJ will recommend holding a youth with an alleged possession or use of an operable firearm or possession or manufacturing of a destructive device (not hoax). DCJ will also recommend a gun assessment for consideration at a future preliminary hearing to occur within 72 hours. At the subsequent hearing, conditional release may be recommended if assessments indicate that the youth meets appropriate release criteria and a safety plan can be made. See D 4 below. Otherwise, detention will be recommended. See JSD Youth Referred to Custody on Firearm Charge Policy.
- 3. I.C.E. Detainer:** An Immigration and Homeland Security youth with a Federal Detainer. The printed detainer must be presented in court.

- 4. Material Witness Warrant:** A youth with a Material Witness warrant.
- 5. Other County Warrant:** A youth who has a warrant from another county and for whom the other county requests detention until the next weekday for transportation back to the home county. See Oregon Juvenile Departments Mutual Aid Compact.
- 6. Other County Law Violator:** A youth whose legal residence is in another county who commits a crime in Multnomah County, and for whom the other county requests detention until the next weekday for transportation back to the home county. See Oregon Juvenile Departments Mutual Aid Compact.
- 7. Out-of-State Runaway or Warrant:** A youth brought to detention on an out-of-state runaway or out-of-state warrant.
- 8. Very Serious Instant Offense:** A youth brought in on any of the following types of charges:
 - Intentional homicide (aggravated murder, murder)
 - Attempted Murder or Class A Felonies involving violence or use or threatened use of a weapon



Is the RAI Score 6 or Higher?

If Automatic Hold Criteria Do Not Apply, Detain if RAI Score is 6 or Higher. Applies only for youth who meet Grounds for Preadjudicated Detention.



Do Detain Override Criteria Apply AND Is There Override Approval?

The following criteria is to be used when determining whether or not to recommend detention for a youth with a RAI score of less than 6 who meets Grounds for Preadjudicated Detention:

- 1. Domestic Violence – No Safety Plan:** A youth with an alleged domestic violence charge and for whom a Safety Plan to adequately provide for public safety can not be made.
- 2. Arson Charge – No Safety Plan:** A youth with an alleged new arson charge and for whom a Safety Plan to adequately provide for public safety can not be made.
- 3. No Shelter Available:** A youth whose release to home or a parent/guardian-approved placement is not an option and there is no placement available in shelter, with DHS, or another program.
- 4. Placement Interruption – No Appropriate Release:** Detention will not be used as a respite for youth with behavioral problems in residential programs. With special approval detention may be used for a probation youth whose current placement is no longer an option for whom there is no safe alternative placement that meets appropriate release criteria, and on whom the JCC has filed a probation violation petition. Special approval includes the Placement Coordinator's approval and the Juvenile Court Counselor's Community Justice Manager's approval.
- 5. Strong Indications of Failure To Appear** A youth presents a pattern of recent (within 1 year) behavior that provides a compelling reason to believe the youth will not appear for court even with the support of detention alternative programs. Lack of community ties in itself is not sufficient basis to conclude the youth will fail to appear. The youth's behavior must be considered. Examples (others may exist):
 - multiple recent warrants/runaways;
 - very recently on run or warrant status for one or more long period/s of time;
 - youth's current assertion is an intention not to appear;
 - youth recently cut off an Electronic Monitoring device;
 - it is clear that a very recent Failure to Appear was due to noncompliance rather than a lack of information about the scheduled appearance; or
 - there is historical documentation that indicates that the Juvenile Court Counselor has made many efforts to get the youth to court and the youth has not complied

- 6. Sex Offender – No Safety Plan:** A youth with an alleged sex offense and for whom a Safety Plan to adequately provide for public safety can not be made.
- 7. Strong Indications of Imminent Violence – No Appropriate Release:** The youth's circumstances provide clear and convincing evidence that the youth poses a danger of serious physical injury to or sexual victimization of the victim or another person while the youth is on release, and for whom no safety plan to adequately provide for public safety can be made. This includes but is not limited to the presence of a qualifying current offense AND override criteria below:
 - A. Qualifying Current Offenses:**
 - Rape I, Sodomy I, Sexual Penetration I not involving forcible compulsion
 - Class C Felony involving violence or use or threatened use of a weapon
 - All other Class A and B Felonies
 - Misdemeanor involving violence or possession or threatened use of a weapon (reminder: youth must meet grounds for preadjudicated detention or 38-hour hold).
 - Probation Violation
 - B. Override Criteria:**
 - The youth makes a threat of, the youth's behavioral patterns indicate the likelihood of, or the victim states a credible, serious concern about:
 - o Serious physical injury of another person
 - o Sexual victimization of another person
 - The youth's behavior is volatile, impulsive, unstable
 - The youth's behavior can't be controlled by an adult/ placement
 - No Safety Plan is possible
- 8. Youth In Imminent Danger – No Appropriate Release:** A youth presents circumstances that provide a compelling reason to believe that the youth is in imminent danger and it is very likely that the youth will not be protected from this danger if released.



Recommend Detention

No

Do Criteria to Automatically Add Conditions Apply?

Youth who meet Grounds for Preadjudicated Detention (see Definitions) not detained under sections above will automatically have conditions recommended for their release, including a safety plan if applicable and, if applicable, placement in a shelter or with Community Detention, if any of the criteria below apply:

- 1. Arson Charges With Safety Plan:** A youth with an alleged new arson charge and for whom a Safety Plan to adequately provide for public safety can be made.
- 2. Domestic Violence With Safety Plan:** A youth with an alleged domestic violence charge and for whom a Safety Plan to adequately provide for public safety can be made.
- 3. Firearm/Destructive Device Charge With Safety Plan:** A youth with an alleged firearm/destructive device charge for whom a Safety Plan to adequately provide for public safety can be made. The safety plan is presented at a subsequent preliminary hearing or detention review hearing, after a Gun Assessment has been completed or, if refused by the youth, after other assessments and investigation are completed. See JSD Youth Referred to Custody on Firearm Charge Policy.

4. Sex Offense With Safety Plan: A youth with an alleged sex offense and for whom a Safety Plan to adequately provide for public safety can be made.

5. Violent Charge With Safety Plan: The youth's circumstances raise a concern about serious physical injury or sexual victimization of another person, but a safety plan to adequately provide for public safety can be made to adequately provide for public safety. This includes but is not limited to the presence of a qualifying current offense that raises a concern about serious physical injury or sexual victimization of another person:

Qualifying Current Offenses:

1. Rape I, Sodomy I, Sexual Penetration I not involving forcible compulsion
2. Class C Felony involving violence or use or threatened use of a weapon
3. All other Class A and B Felonies
4. Misdemeanor involving violence or possession or threatened use of a weapon (reminder: youth must meet grounds for preadjudicated detention or 36-hour hold).
5. Probation Violation

Yes

Complete a safety plan for dangerous behavior

No

Is the RAI Score between 0 and 5?

For Youth Where Recommendation will be release and Score is Between 0 and 5, Recommend Added Conditions.

Applies only for youth who meet Grounds for Preadjudicated Detention. Conditional release includes, a safety plan to adequately provide for public safety if applicable and, if applicable, placement in a shelter, or with Community Detention.

Yes

Complete a safety plan for dangerous behavior

No

Do Conditional Release Override Criteria Apply AND is There Override Approval?

If Score is Less than 0, Determine if Conditional Release Override Criteria Apply: The following criteria are to be used when determining whether or not to recommend override to Conditional Release for a youth with a RAI score of less than 0 who meets Grounds for Preadjudicated Detention (see Definitions). Conditional release includes, a safety plan to adequately provide for public safety if applicable and, if applicable, placement in a shelter, or with Community Detention.

- 1. Family Placement Not Workable:** A youth whose release to parent/guardian or a parent/guardian-approved placement is not an option.
- 2. Frequent Law Violations:** A youth with a recent pattern of repeat delinquent behavior.

3. No Verifiable Community Ties: A youth who is not able to provide information that can be verified regarding his/her school enrollment, and/or employment and residence, i.e. living with family, friends, relatives or independently.

4. Serious Noncompliance at Home: A youth with a recent pattern of disregarding parent/guardian's rules that puts the youth in situations where criminal behavior or harm to the youth is likely.

5. Victim Protection: A youth with a recent pattern of contact with a person who is now identified as a victim of the youth.

6. Warrant/Runaway History: A youth whose recent history of warrants or runaways causes a moderate concern about appearing for court.

Yes

Complete a safety plan for dangerous behavior

No

Is the RAI Score between -9 and -1?

If score is less than 0 and no automatic or override decision criteria apply, recommend release without added conditions. This includes youth who do not meet Grounds for Pre-adjudicated Detention.

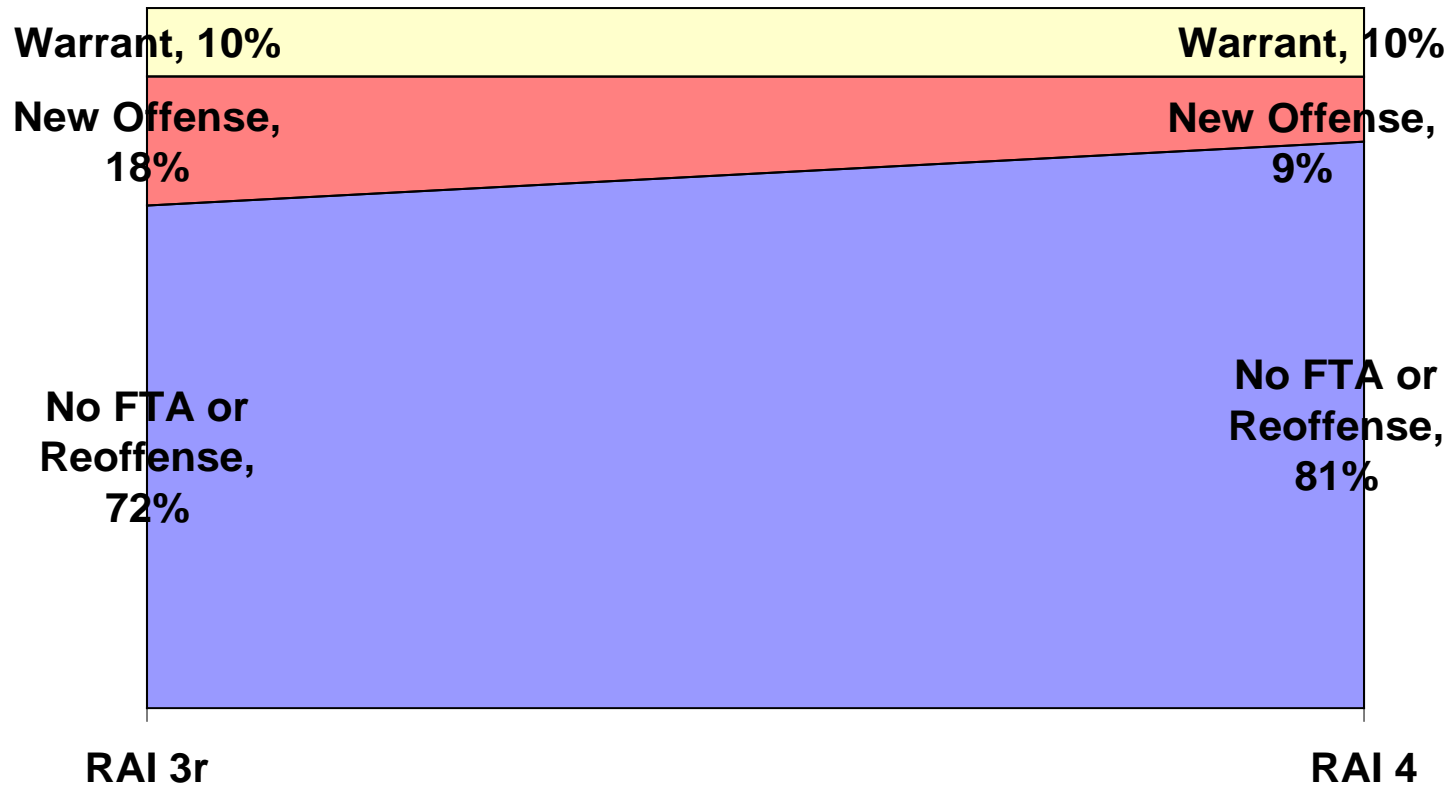
Yes

Rec. Uncond. Release

Recommend Conditional Release

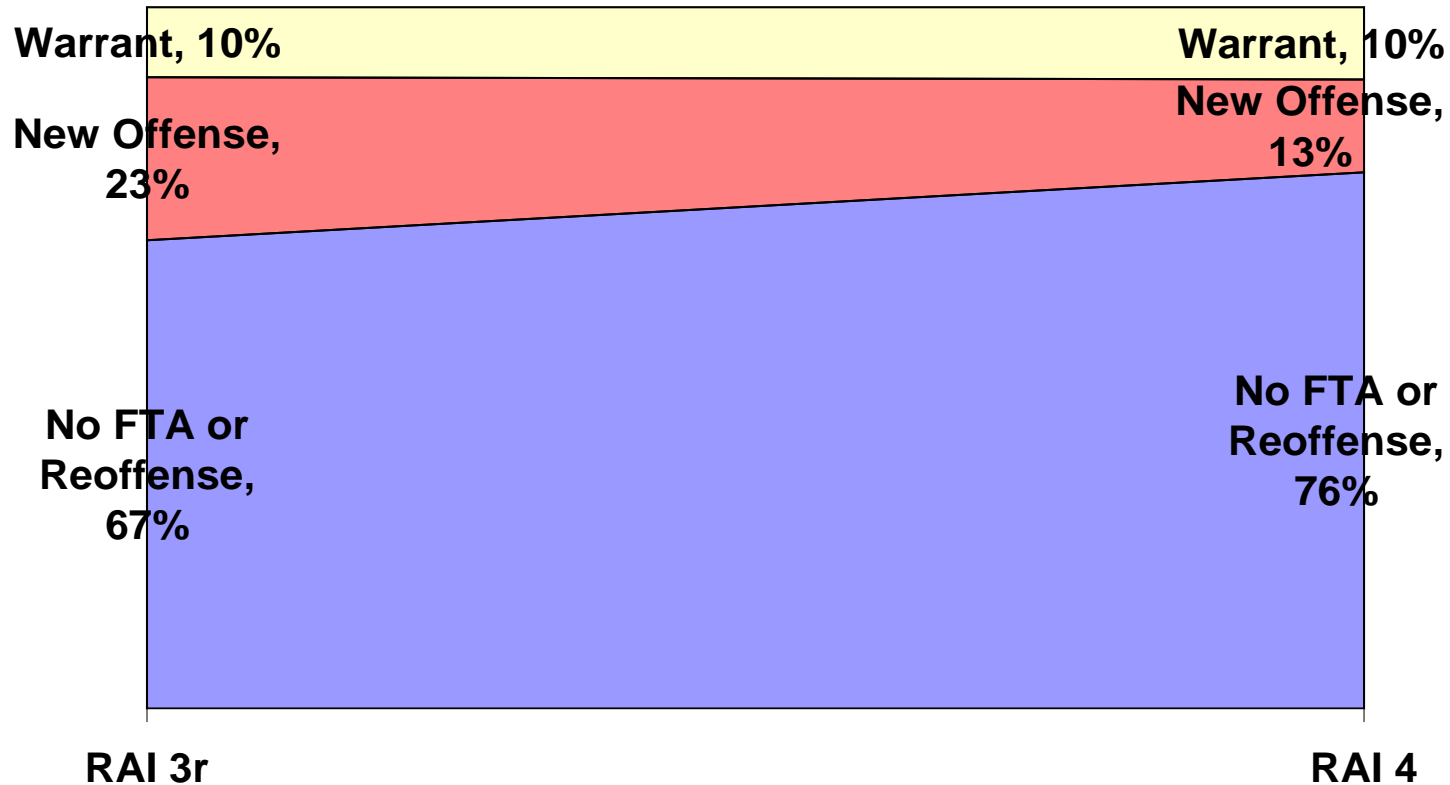
Results: Released Youth Outcomes

All Youth



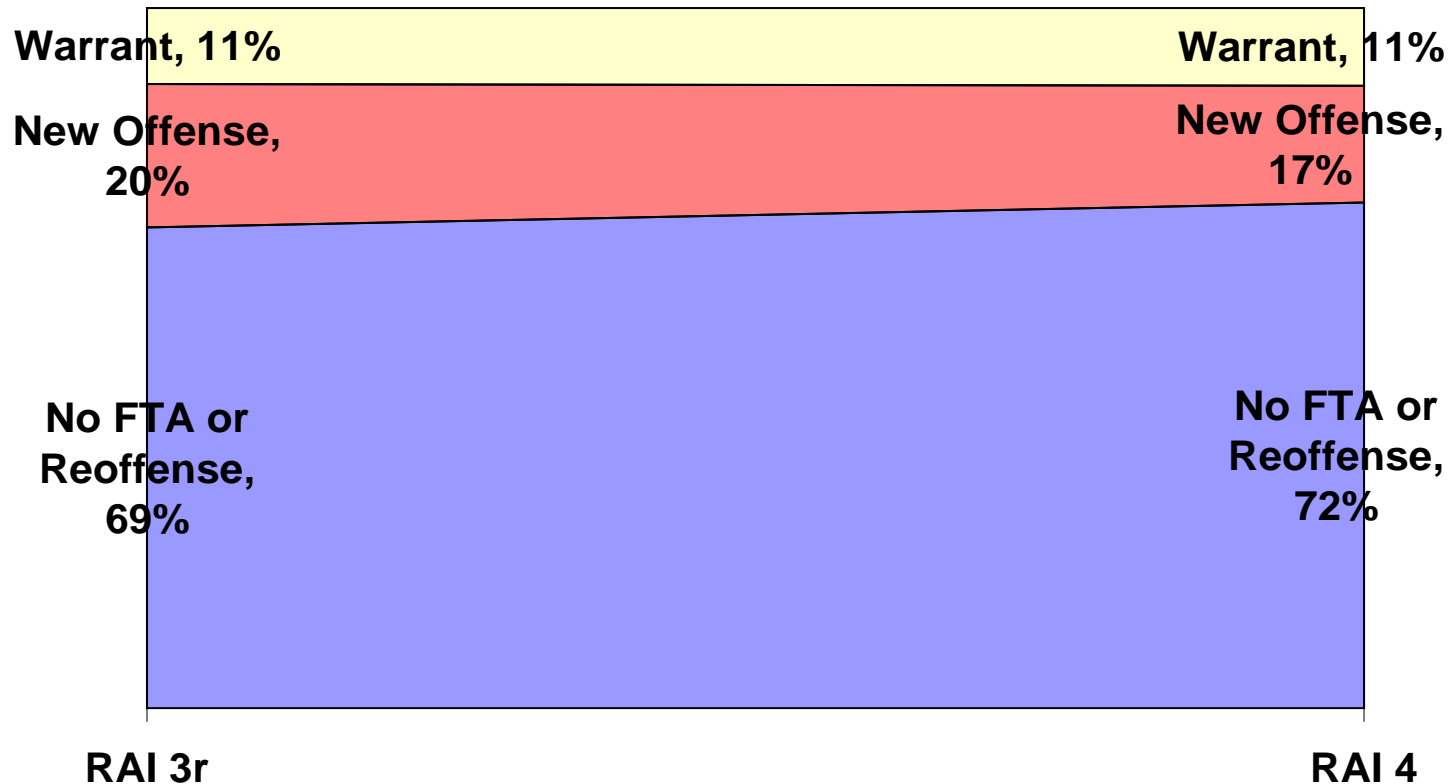
Results: Released Youth Outcomes

Black Youth



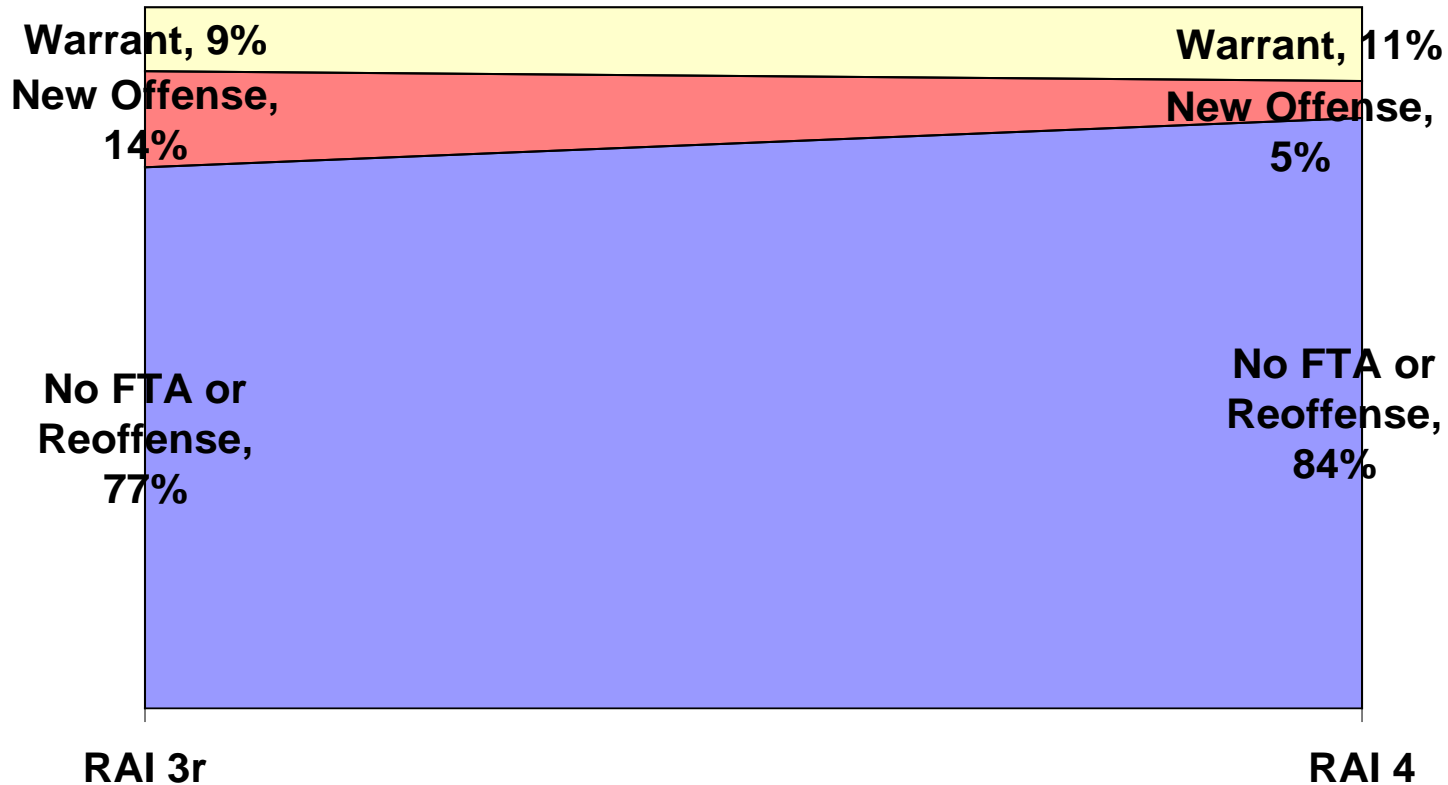
Results: Released Youth Outcomes

Hispanic Youth



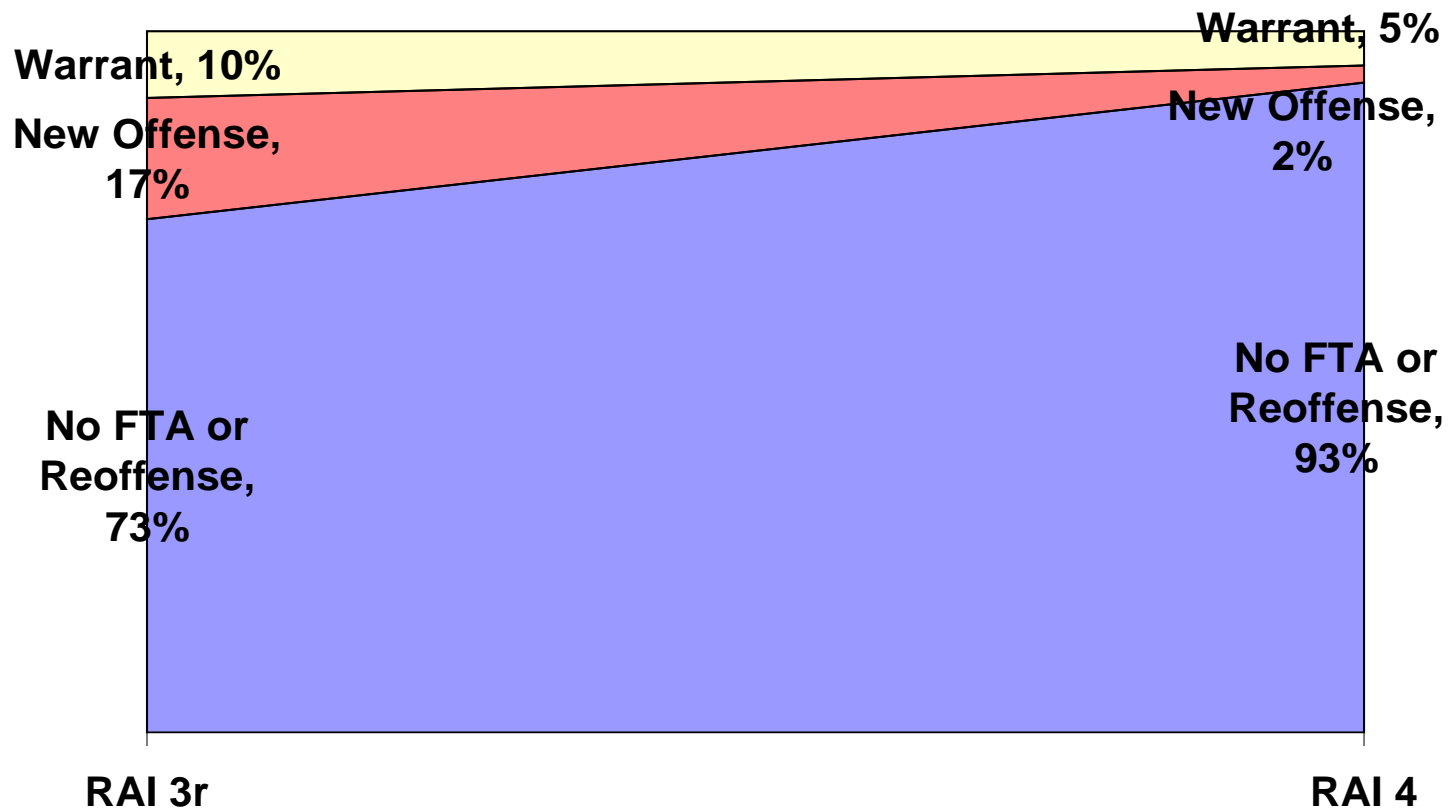
Results: Released Youth Outcomes

White Youth



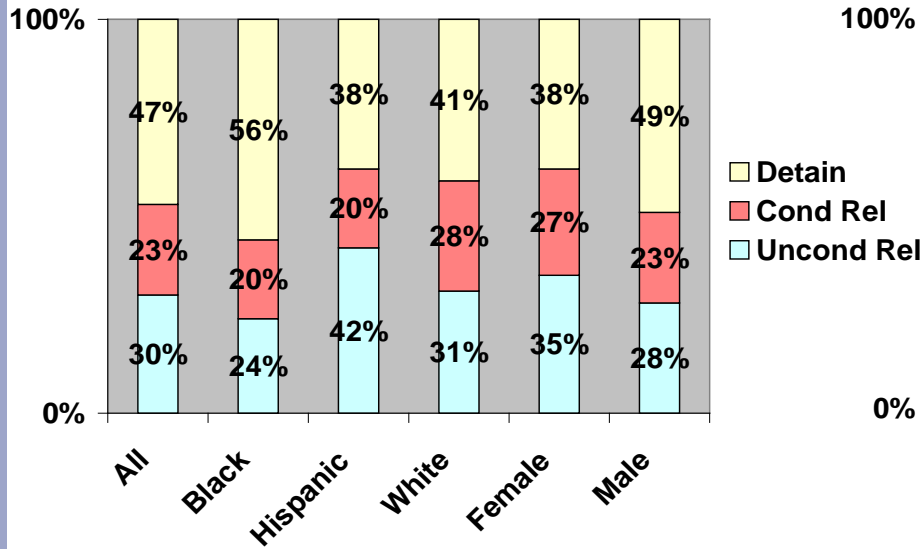
Results: Released Youth Outcomes

Female Youth

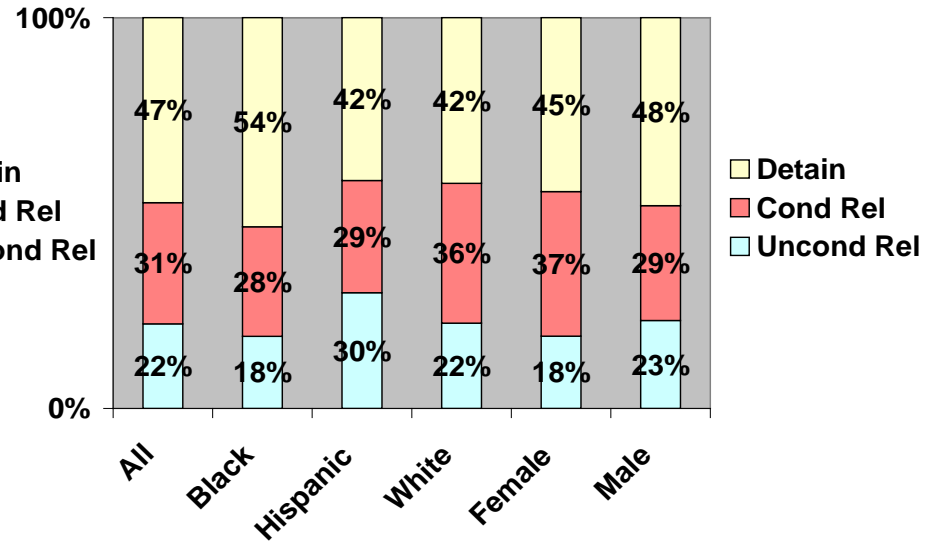


Results: Detention Decisions

Detention Screening - RAI 3r

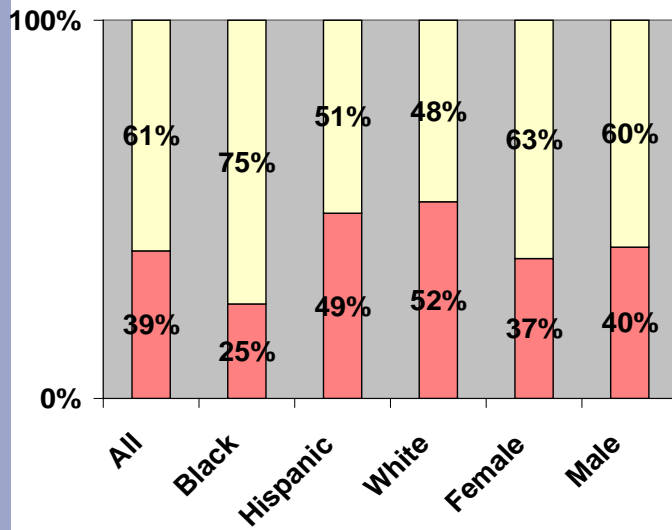


Detention Screening - RAI 4

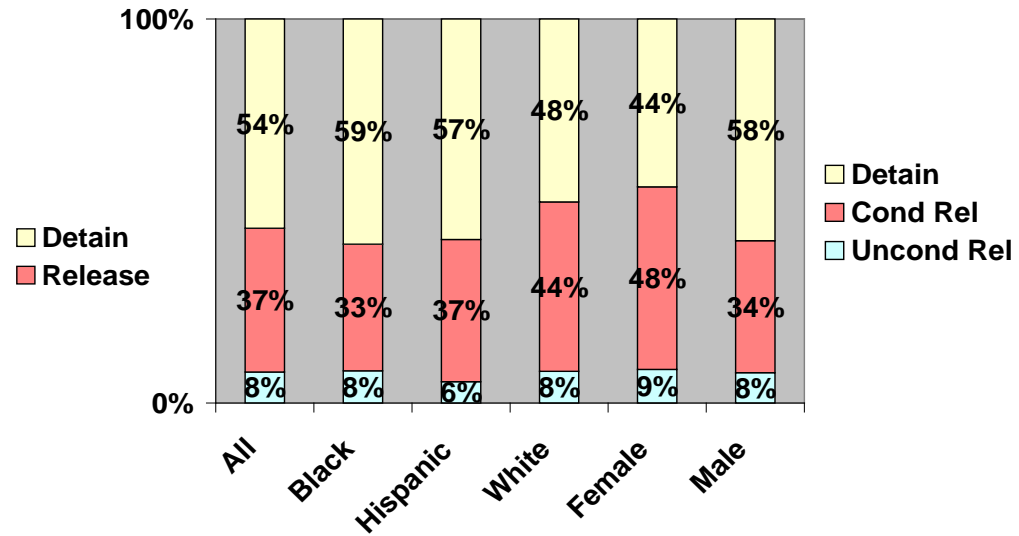


Results: Detention Decisions

Preliminary Hearing Recommendation - RAI 3r

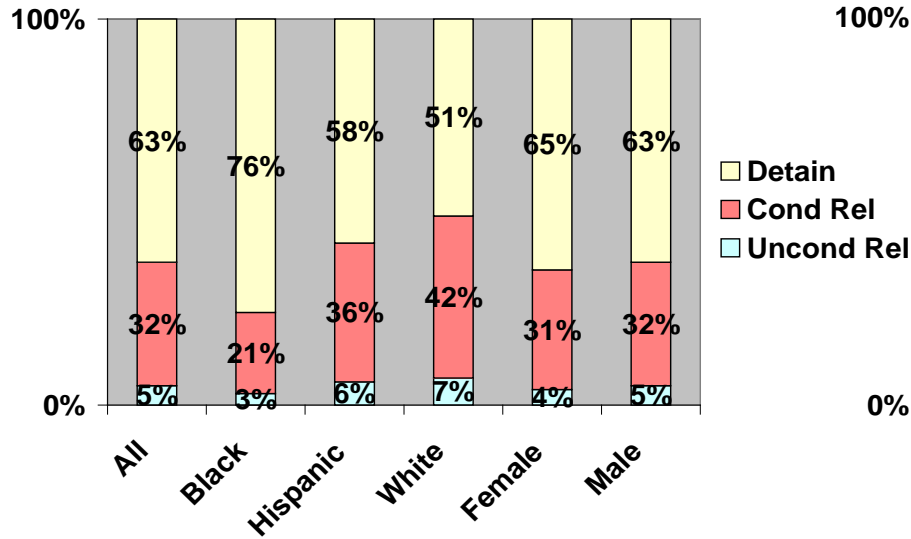


Preliminary Hearing Recommendation - RAI 4

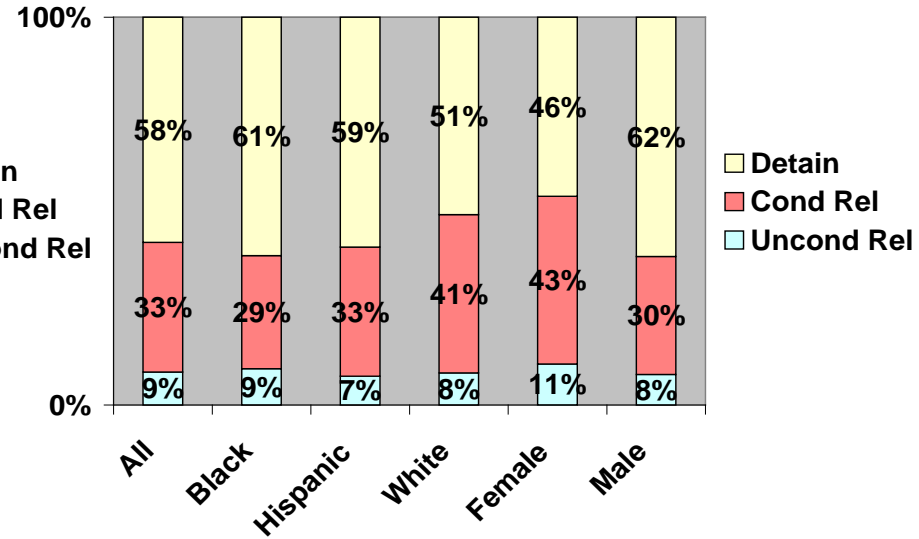


Results: Detention Decisions

Preliminary Hearing Decision - RAI 3r



Preliminary Hearing Decision - RAI 4



What We're Getting Out of It

- Evened out detention decisions across racial/ethnic groups—including knocking 15 points off the detain rate for African-American youth—while getting better community safety outcomes across all groups.
- Established stakeholder agreement on a new detention decision system that deals with the current offense with policy instead of a score.
- Greatly improved the clarity of the detention decision policy.
- Set up complete data collection for analysis of automatic and override decision reasons.

To Get Additional Information:

- Contact Info:

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- The full report on Multnomah County's RAI validation is at:
http://www.jdaihelpdesk.org/Docs/Documents/jsd_rai_validation100907.pdf