

New Jersey Juvenile Detention Alternatives Initiative (NJ•JDAI)

Report to The Administrative Office of the Courts Regarding the Pilot of NJ's Detention Risk Screening Tool

SECTION I: BACKGROUND, DEVELOPMENT, AND PLANNING

INTRODUCTION

In 2004 the Annie E. Casey Foundation selected New Jersey as a replication site for the nationally recognized Juvenile Detention Alternatives Initiative (JDAI). JDAI was developed in response to national trends reflecting a drastic increase in the use of secure detention for juveniles despite decreases in juvenile arrests, and the resulting overcrowding of youth detention centers nationwide. The goal of this systems-change initiative is to create more effective and efficient processes surrounding the use of detention. To that end, JDAI works to reduce the number of youth unnecessarily or inappropriately held in secure detention, while maintaining public safety and ensuring youth appear for scheduled court dates. JDAI also works to redirect resources toward successful reform strategies and to improve conditions of confinement in detention facilities for those youth who require this most secure level of supervision.

JDAI Core Strategies

To help jurisdictions accomplish these reform goals, JDAI provides a framework for conducting a thorough, data-driven examination of the use of secure detention, and for using that information to develop and implement strategies for system improvement. This proven approach to systems-change has demonstrated across multiple jurisdictions that reliance on secure detention can be safely reduced, and outcomes for youth improved, via implementation of JDAI's eight core strategies. These eight core strategies include:

- (1) Recognizing the importance of *collaboration and leadership* in effective detention systems,
- (2) Reliance on *data* to inform policy and program development,
- (3) Implementing effective, objective *admissions policies* and practices,
- (4) Enhancing available *alternatives* to secure detention,
- (5) Reducing unnecessary *delays in case processing* and corresponding length of stay in detention,
- (6) Focusing on challenges presented by "*special populations*," including youth admitted for violations of probation and warrants, and youth awaiting dispositional placement,
- (7) Establishing a process for detention facility self-inspection to address *conditions of confinement*, and
- (8) Identifying strategies to reduce *racial disparities* in the use of secure detention.¹

Focus of Present Report

The third core strategy above – implementing effective, objective admissions policies – is the focus of this report. In August 2006 the Screening Subcommittee of New Jersey's JDAI State Steering

Committee submitted its *Report to the Administrative Office of the Courts Regarding the Development of a Detention Screening Tool and its Potential Impact on Current Practice*. That report documented the subcommittee's development of a Risk Screening Tool (RST) to guide detention decisions made by Family Court Intake Services, and concluded with a recommendation to pilot the RST in the five original NJ-JDAI sites. The present report:

- Provides a brief overview of the purpose and objectives of detention risk screening tools;
- Summarizes the development of NJ's Risk Screening Tool and the results of initial testing;
- Outlines the purpose of piloting the RST, as well as steps taken in planning/preparing for the pilot;
- Describes, as required by the AOC and the NJ Supreme Court in its approval of the RST pilot, progress made and results achieved during the pilot's first six months; and
- Concludes with further recommendations regarding next steps.

PURPOSE OF DETENTION RISK SCREENING TOOLS

The purpose of secure detention is to ensure alleged delinquents appear at scheduled court hearings and to minimize the risk of serious reoffending while youth await the disposition of their cases. This purpose is reflected in New Jersey statute, which states the "objective of detention is to provide secure custody for those juveniles who are deemed a threat to the physical safety of the community and/or whose confinement is necessary to insure their presence at the next court hearing" (N.J.A.C. 13:92-1.3). Further, state statute dictates that youth may not be placed in detention unless "detention is necessary to secure the presence of the juvenile at the next hearing" or "the physical safety of persons or property of the community would be seriously threatened if the juvenile were not detained" (N.J.S.A. 2A:4A-34).

The most effective detention admissions practices are those that help ensure secure detention is utilized in a manner consistent with this stated purpose. Implementing a risk screening tool is one practice that effectively helps jurisdictions meet this goal. Detention screening tools are objective, standardized instruments that evaluate a youth's immediate risk to public safety and risk of flight. Relevant factors are assigned point values and sum to a final score that guides the detention admission decision. In addition to helping jurisdictions meet the goal of using detention consistent with its stated purpose, a structured screening tool also promotes consistency, equity, and transparency in decision-making. Decisions are guided by explicitly stated, rational, and objectively measured criteria that are applied uniformly across cases, which results in similar outcomes for similarly situated youth.

SUMMARY OF RISK SCREENING TOOL DEVELOPMENT

Since the purpose of secure detention is defined by state statute, the goal was to develop a single, uniform screening tool to guide the use of detention statewide. Given the statewide nature of this work, the development of New Jersey's screening tool was tasked to the JDAI State Steering Committee, via its Screening Subcommittee, which convened in the summer of 2004. The subcommittee was charged with developing a screening tool that Family Court Intake Services would use upon receiving a request for detention from law enforcement. The screening tool would

recommend one of three possible outcomes – release, placement in alternative custody, or admit to detention – and this recommendation would guide intake’s decision. Since the agreed purpose was to guide the decision-making of intake officers and not the decision-making of judges, the use of the RST would be limited to cases where there was no judge-issued detention warrant active at the time of the detention request.

In the course of its work, the subcommittee had to come to consensus regarding the purpose and benefits of a detention screening tool, agree on the appropriate screening tool components, draft and weight the instrument, conduct retrospective and prospective studies of the instrument, review and process the study results, finalize a draft tool based on those results, and consider a number of implementation issues.

In working to identify the primary components of the RST, the subcommittee used New Jersey statute as a frame of reference. As discussed, state statute identifies two purposes of detention – detaining youth who pose a serious threat to public safety, and detaining youth whose confinement is necessary to secure appearance at the next court hearing. State statute then sets forth a set of factors appropriate to consider in assessing whether either of these conditions exist, including nature and circumstances of the offense charged, record of prior adjudications, record of appearance or nonappearance at prior court proceedings, age, and ties to the community. When proposing and discussing possible screening tool components, the subcommittee considered whether each related to the statutory purpose of detention and/or to the corresponding factors.

The group also relied on data throughout the process. During late 2004 and early 2005, data regarding calls placed to intake services was collected in the five original JDAI counties (Atlantic, Camden, Essex, Hudson, Monmouth). The subcommittee reviewed the data regarding these calls in order to determine those factors that emerged as important to detention decision-makers around the state. By relying on data in this way, the subcommittee gained a broader perspective on detention decision-making – a perspective that represented not just the dozen or so subcommittee members, but a broader group of juvenile justice stakeholders as well.

The data analysis first considered the detention decision, including whether youth were released or detained by intake services, and for those detained, the circumstances of subsequent release from detention. Detained and released youth were then compared along a number of measures, including, for example, number and type of current offenses, number and type of prior offenses, supervision status, detention alternative history, and failures to appear. Analyses also examined the circumstances of the detention referral, including, for example, the time of day of the detention request and whether a parent/guardian was contacted.

SUMMARY OF INITIAL TESTS OF THE RST

Ultimately the subcommittee arrived at a draft RST, comprised of seven core components. The next step involved conducting retrospective and prospective studies in order to obtain a solid understanding of the potential impact of its use – to determine the extent to which using the RST as designed would change current practice, and conversely, the extent to which screening tool recommendations aligned with current decision-making. In the retrospective study the draft tool was applied to the over-500 cases for which data was collected during the initial development, comparing the actual decision made by intake services to the projected decision recommended by the RST.

The subcommittee then conducted a prospective study, whereby JDAI detention specialists were on-site during regular business hours to observe and record data regarding detention calls handled by intake services. The detention specialists also asked a series of follow-up questions to assess the factors involved in the intake officers' decision-making process. These observations occurred between late-May and mid-July 2006. After removing cases where a warrant was active at the time of the call, the prospective sample yielded 174 cases. Again, the draft RST was applied to each case, allowing for a comparison between intake's decision and the RST recommendation.

Taken together, the retrospective and prospective results indicated that upon RST implementation, fewer youth would be detained at the point of referral to intake services. This result was expected since the RST expands the placements available to intake to include alternative custody, a middle option between outright release and admission to secure detention.

Importantly, while the studies projected the RST would produce a shift toward non-detention, the findings also indicated the cases accounting for this shift were in large part those youth who, while detained by intake, were released by a judge shortly thereafter. This suggested the shift in decision-making toward fewer detained youth was more a matter of *when*, and not *whether*, youth were released. Additionally, the findings indicated a small group of youth historically released outright by intake would instead be detained or admitted to alternative custody using the RST. The shift from both ends of the continuum suggested the tool would help achieve the balanced goal of using the least restrictive alternative possible, but doing so consistent with public safety.

RECOMMENDATION FOR A PILOT OF THE RST

Pilot Purpose

Given the promising results, the subcommittee recommended in its *Report to the Administrative Office of the Courts* (August 2006) proceeding with a pilot of the RST. While the retrospective and prospective studies were informative, certain aspects of the studies, by necessity, were based on hypotheticals (e.g., aspects related to the potential use of alternative custody by intake, a process that was non-existent at the time). As such, projections regarding the potential impact of the screening tool, while informed and data-driven, were indeed just that: projections.

The purpose of piloting the RST was to further ensure the tool in its current form would meet the needs and goals of the courts and the detention system. As its name implies, the screening tool is indeed a tool – if working properly, it should help key actors achieve the goals and objectives of the juvenile justice system. Ongoing monitoring and review is essential to determine whether the RST is helping the system realize its goals, or whether it may need adjustment. Piloting the RST represented the first step in this monitoring and review process. Use of the RST on a trial-basis would provide an additional level of confidence in its utility. A pilot would also help further identify implementation issues, allowing any such issues to be resolved prior to broader RST use.

Pilot Preparation & Logistics

As noted, the Screening Subcommittee received approval to pilot the RST in the five original JDAI counties – Atlantic, Camden, Essex, Hudson, and Monmouth. Proceeding with the pilot was contingent upon each site completing a set of readiness tasks. The subcommittee and its supporting staff also had a number of preparatory tasks to complete, including:

- Developing a “Site-Readiness Plan” document for use by each of the five counties as they prepared for implementing the RST and its corresponding policy and practice changes.
- Preparing a policy training curriculum that would be used to adequately prepare local training teams as they embarked on implementing the policy changes associated with the use of the RST.
- Identifying the array of information that needed to be recorded in order to sufficiently track and monitor the implementation and impact of the RST and related policy changes.
- Developing a database for tracking the above information.
- Developing a “User’s Guide & Reference Manual,” a training curriculum, and related training materials to adequately prepare intake officers responsible for completing/scoring the RST.

The Site-Readiness Plan template was distributed to the Local Steering Committee in each of the five pilot sites in December 2006. The planning document required each county to:

- Work collaboratively to plan for the RST pilot, forming a subcommittee of key actors, and actively seeking input/advice from juvenile judges.
- Identify the intake services staffing pattern and rotation that would be in place for both business hours and after-hours during the pilot (which in many cases varied from existing patterns/rotations).
- Develop a plan that provided intake officers with access to complete and accurate information needed to complete the RST, both during and after business hours.
- Identify which alternative custody options within the county would be made accessible to intake services; establish a process for accessing those alternatives during business hours and after-hours; and identify first court hearing timelines for youth placed by intake in alternative custody.
- Create a training team and develop a roadmap for conducting a) policy training for all stakeholders affected by/responsible for implementing the RST and related policies, b) technical training for the intake staff responsible for scoring the RST, and c) general informational training for broader groups not directly affected by the RST, but with a vested interest or stake in its use.
- Develop a plan for locally maintaining the data needed to monitor the implementation and impact of the RST and related policy changes on an ongoing basis, and for doing so in a timely manner.

All five sites submitted their Site-Readiness Plans to the Screening Subcommittee in February of 2007. The subcommittee carefully reviewed the plans; four sites received a set of follow-up questions, and one site was asked to fully revise and resubmit the original plan. Upon receipt of the answers to the follow-up questions and revised Site-Readiness Plans, subcommittee representatives met with key actors in each site to discuss next steps.

Policy and Technical Training

Once the final Site-Readiness Plans were approved, training ensued. The Screening Subcommittee developed a half-day policy training curriculum that covered the purpose and benefits of objective screening tools, as well as the development of and initial test results for NJ’s Risk Screening Tool. The subcommittee held the first two policy training sessions for local training teams from the four sites with approved readiness plans in August and September of 2007. Local training teams were comprised of at least one key leader from each area of the system – judges, prosecutors, public defenders, police officers, court administration, and detention alternatives. The purpose was to ensure these key actors were well-versed in the policy surrounding the use of the RST, as well as the related training curriculum, so that they could effectively carry-out RST policy training locally.

After participating in the “train-the-trainer” session held by the Screening Subcommittee, each training team conducted local policy training. The local team trained the broader group of key actors on the curriculum developed by the Screening Subcommittee, as well as on a site-specific training curriculum, which presented the ins-and-outs of how the practices related to the RST would be implemented locally. The site-specific piece of the local training was based on the approved Site-Readiness Plan and the policy and procedures manual created as a result of that plan.

Once all local policy training was conducted, the JJC detention specialists conducted multi-day technical training where intake officers learned to use the RST. Technical training was conducted using a highly structured, multi-day curriculum that involved an initial full day of instruction and exercises, and then “homework” where intake officers applied concepts learned to practice cases. Then, during follow-up sessions, these practice cases were reviewed and compared across trainees, with troubleshooting and follow-up discussion. The first four sites participated in technical training between late 2007 and early 2008.²

SECTION II: RST PILOT RESULTS AND RECOMMENDATIONS

ENTRY INTO THE PILOT AND RELATED TIMELINES

Upon completion of the policy and technical training, each site was ready to begin using the RST. The first four sites entered the pilot between November 2007 and April 2008. As noted in Table 1, Atlantic was the first site to enter the pilot, implementing the RST on November 5, 2007. Monmouth followed on February 25, 2008, and Essex and Camden joined the pilot on March 31 and April 3, 2008, respectively. The present report details calls placed to intake through May 31, 2008; thus, the timeframe covered ranges from two to seven months for participating sites.³

**Table 1. Summary of Time Period Covered and Calls Handled
During Pilot, by County⁴ (N=714)**

	Entry to RST Pilot	Pilot Data Includes Calls Through:	Approximate # of Months	Total # of Calls
Atlantic	11/5/07	5/31/08	7	175
Monmouth	2/25/08	5/31/08	3	72
Essex	3/31/08	5/31/08	2	369
Camden	4/3/08	5/31/08	2	98

Questions Considered in RST Pilot Evaluation

In evaluating the pilot of the RST, the Screening Subcommittee was guided by several core questions that collectively represent the goals of implementing an objective decision-making tool. These core questions include:

- *Impact on Decision-Making.* To what extent were the projections from the initial tests of the RST upheld during the pilot? Was the initial projection that while decision-making would not change drastically, somewhat fewer youth would be detained by intake using the RST, upheld?
- *Achieving Consistency in Decision-Making.* Did the use of the RST help achieve the goal of consistency in decision-making? To what extent did the detention decision made by intake “match” the RST recommendation? On the other hand, how often was an override invoked, and how often did errors or problems scoring the RST result in an intake decision that was contrary to the RST recommendation?
- *Impact on Admissions to Detention and Admissions of Minority Youth.* Since a goal of using a standardized risk instrument is to avoid the unnecessary detention of lower-risk youth, did using the RST in fact result in an overall decrease in admissions to detention, and what was the impact on minority youth specifically?
- *Youth & Public Safety Outcomes.* Related, since a primary purpose of using a risk tool is to avoid the detention of youth who do not pose a serious risk of reoffending or failure to appear in court, a final, critical question is: When intake officers successfully use the RST to guide decision-making, what proportion of non-detained youth reach final case disposition successfully/without incident?

IMPACT ON DECISION-MAKING

As noted, the initial studies conducted in the development phase of the RST indicated the use of the RST would lead to fewer youth detained by intake services. For the most part, the initial studies projected these youth would be assigned to the new placement option available to intake – alternative custody. So, the first question considered in the evaluation of the RST pilot is with regard to the RST’s impact on decision-making, and specifically, whether those initial test projections were maintained once the RST was actually implemented.

RST Projections: Initial Studies vs. Pilot Findings

Table 2 describes the RST recommendation for the 714 cases included in the pilot across the four involved counties. For comparison, Table 3 then describes the initial RST projections for the 556 cases included in the retrospective and prospective studies (combined) conducted during the RST’s development phase.

Comparing the current pilot results to the initial studies, the RST projected equal proportions of youth to alternative custody (29.3% vs. 29.9%, respectively). However, during the pilot a somewhat smaller proportion of youth scored for release (29.7% vs. 37.4%), while a larger proportion of youth scored for detention (40.9% vs. 32.7%). The shift from the initial studies to the

RST pilot was most pronounced for Camden and Essex, while Atlantic showed the most similarity between initial projections and pilot results.

Table 2. RST Projected Placement during PILOT, by County

	Atlantic		Camden		Essex		Monmouth		Total	
Release	23.4%	41	24.5%	24	35.6%	132	22.2%	16	29.7%	213
Alternative	28.6%	50	34.7%	34	29.4%	107	23.6%	17	29.3%	208
Detain	48.0%	84	40.8%	40	35.0%	130	54.2%	39	40.9%	293
TOTAL	100.0%	175	100.0%	98	100.0%	369	100.0%	72	100.0%	714

Table 3. RST Projected Placement during INITIAL STUDIES, by County

	Atlantic		Camden		Essex		Monmouth		Total	
Release	28.3%	30	51.0%	76	48.7%	76	17.9%	26	37.4%	208
Alternative	28.3%	30	32.2%	48	24.4%	38	34.5%	50	29.9%	166
Detain	43.4%	46	16.8%	25	26.9%	42	47.6%	69	32.7%	182
TOTAL	100.0%	106	100.0%	149	100.0%	156	100.0%	145	100.0%	556

Examining Variation in RST Projections

Since the RST has not been altered since the initial studies, changes in other factors or external conditions likely account for the shift between RST projections during those initial studies and RST projections during the pilot. While it is beyond the scope of the present report to fully examine the various factors that may have intervened to produce the differences in RST projections, a cursory analysis of the potential reason for the shift, especially for Camden and Essex, is warranted.

One of the more obvious factors to consider is whether there has been any change over time in terms of the volume and nature of calls placed to intake. In other words, if the universe of cases to which the RST is applied has changed, then the resulting RST projections would be expected to change.

As described in Tables 2 and 3, in Camden, the proportion of youth projected for release was cut in half, and the proportion projected for detention more than doubled. While the tool making those projections has not been modified, there is some indication that the volume and nature of calls to intake has changed. During the two months that Camden was participating in the pilot, intake received 98 calls for youth with “new delinquency charges only” (i.e., no warrant, and therefore subject to RST use), roughly 49 per month. During a five-month period in 2006 for which data are available (May-Sep), roughly 70 calls per month occurred for new delinquency charges (non-warrant) cases, a decrease in volume of 30%. Moreover, a quick analysis of the nature of these calls indicates the proportion of cases where the most serious current offense was fourth degree or less was roughly 16% during the pilot, down from about 21% during the period in 2006, and down from about 34% during the time period covered by the initial studies (late 2004 and mid-2006). Similarly, in Essex, the proportion of cases called where the most serious current offense was fourth degree or less during the initial studies was about 28%; during the pilot it was 19%.

In sum, these findings suggest that compared to earlier periods, fewer detention requests calls were placed to intake during the pilot, especially for youth with less serious offenses. A primary reason for the change in calling patterns is likely the amended detention statute (N.J.S.A. 2A:4A-34)

enacted in January 2006, which limited the criteria for placing youth in detention. Prior to the amendment, youth could be detained if charged with an offense of the first through fourth degree. The amendment narrowed the definition of “detainable” fourth degree offense to a select handful of charges. It is likely that since the RST pilot occurred subsequent to the amendment, a group of youth with less serious offenses previously called to intake were no longer called-in. This change in calling patterns reduced the volume of calls to intake, and the proportion of calls for less serious offenses, and likely had an impact on the proportion of youth projected for release by the RST.

Actual Intake Decision-Making: Initial Studies vs. Pilot Findings

Despite the shift in RST projections, the overall comparison between initial test results and pilot results are not contrary, i.e., the initial projection that fewer youth would be detained by the RST was upheld during the pilot. For example, Table 4 describes the actual decision-making of intake services during the initial studies, and shows that across the four counties, approximately 70.0% of youth called to intake were detained. In comparison, Table 2 (presented earlier) revealed that during the pilot the RST projected detention for 40.9% of youth called to intake.

Moreover, Table 5 describes the actual decisions made by intake during the pilot, after accounting for overrides (further described below). Table 5 indicates that across the four counties, fewer youth were detained by intake (51.0%) when using the RST to guide decision-making, as compared to decisions made by intake prior to the RST’s availability (Table 4, 70.0%). The decrease in the actual detention rate from 70.0% to 51.0% represents a change of -19 percentage points, or -27.1%.

Table 4. Actual Decisions Made By Intake during INITIAL STUDIES, by County

	Atlantic		Camden		Essex		Monmouth		Total	
Release	33.0%	35	46.3%	69	34.0%	53	6.9%	10	30.0%	167
Detain	67.0%	71	53.7%	80	66.0%	103	93.1%	135	70.0%	389
TOTAL	100.0%	106	100.0%	149	100.0%	156	100.0%	145	100.0%	556

Table 5. Actual Decisions Made By Intake during PILOT, by County

	Atlantic		Camden		Essex		Monmouth		Total	
Release	26.3%	46	21.4%	21	36.0%	133	15.3%	11	29.6%	211
Alternative	17.1%	30	38.8%	38	16.0%	59	16.7%	12	19.5%	139
Detain	56.6%	99	39.8%	39	48.0%	177	68.1%	49	51.0%	364
TOTAL	100.0%	175	100.0%	98	100.0%	369	100.0%	72	100.0%	714

In sum, the initial finding that the RST would produce a shift toward non-detention, but that overall decision-making would not divert sharply from current practice, was upheld during the RST pilot. Comparing Table 5 to Table 4 reveals that across sites, overall detention rates have dropped, outright release rates have remained fairly stable, and a substantial proportion of youth previously detained are now afforded the opportunity of placement in alternative custody.

Recommendation

- ❑ Continue to monitor the impact of the RST on decision-making, as well as changes in the volume and nature of detention request calls placed to intake services.

ACHIEVING CONSISTENCY IN DECISION-MAKING

As described earlier, a primary goal of objective admissions policies is achieving consistency in decision-making. Consistency promotes fairness and equity, ensuring similarly situated youth are treated similarly. In order to achieve that goal, the RST must be accurately scored and then consistently followed. If there are RST errors, including errors related to: a) miscalculating the RST score, b) incorrectly identifying the value of and/or points assigned to any RST component, or c) the inability to access accurate information, then consistency is lost. Similarly, if intake officers use discretion to override the RST recommendation at a high rate, then objectivity is compromised.

Matching Cases vs. Overrides and Errors

Given the above, the second question considered in the evaluation of the RST pilot is whether the goal of consistency in decision-making was achieved. To what extent did the decision made by intake “match” the RST recommendation? On the other hand, how often was an override invoked, and how often did problems scoring the RST result in an intake decision that was contrary to the RST projection?

Table 6 answers these broader questions regarding consistency, indicating that across the four sites, a match occurred in 82.4% of all cases handled during the pilot, ranging from 79.7% in Essex to 89.8% in Camden. An override was intentionally invoked in 10.5% of all cases, ranging from 8.0% in Atlantic to 13.9% in Monmouth. Based on the literature regarding objective decision-making tools, the Screening Subcommittee agrees that as a general guideline, the overall override rate should not exceed 15% of all cases screened using the RST, with a target of 10%.⁵

Table 6 also describes cases where, while an override was not deliberately and intentionally invoked by the intake officer, either an error or problem scoring the RST led to a decision that was contrary to the accurately/fully scored RST. The particular scoring *errors* reflected here include those where the intake officer completed the RST on paper, added up the points, and made a decision the officer thought was in agreement with the RST; however, when the RST was entered into the database (which auto-populates certain fields and sums the final score), an error that reached the level of changing the RST projection was revealed. *Problems* scoring the RST include instances where an after-hours intake officer experienced technical difficulty accessing the Family Automated Case Tracking System (FACTS) or the Juvenile Registry, and therefore had to make a decision based on a partially completed RST.

Table 6. Comparing RST Projected Placements vs. Actual Intake Decisions, by County

	Atlantic		Camden		Essex		Monmouth		Total	
RST & Intake Decision Match	84.6%	148	89.8%	88	79.7%	294	80.6%	58	82.4%	588
Non-Match: Override Used	8.0%	14	8.2%	8	11.7%	43	13.9%	10	10.5%	75
Non-Match: Scoring Error/Problem	7.4%	13	2.0%	2	8.7%	32	5.6%	4	7.1%	51
TOTAL	100.0%	175	100.0%	98	100.0%	369	100.0%	72	100.0%	714

A review of Table 6 indicates that scoring errors/problems led to a decision that was contrary to the accurately/fully completed RST in 7.1% of all cases, and ranged from 2.0% in Camden to 8.7% in Essex. Note that these errors actually represent *de facto* overrides. However, the cause, and therefore the solution, is different than that of intentional overrides, so they are reported separately.

As a general guideline, the *de facto* override/error rate should not exceed 5%, with a target of 3%. Note, though, that slightly higher rates are not unexpected during a pilot, while intake officers become accustomed to using the new RST.

Recommendations

- ❑ Continue to monitor overall override rates, and set a goal of reducing overrides to less than 10% of all cases in each site.
- ❑ Continue to monitor errors that result in *de facto* overrides and develop solutions to the identified issues that lead to scoring errors.
- ❑ Set an initial goal of reducing the *de facto* override rate to less than 5% of all cases, and a future goal of reducing the rate to less than 3% of all cases in each site.
- ❑ Set a goal of achieving a “match” in at least 85% of all cases.

Override Direction (Up/Down) & Type (Detain/Release)

Table 7 illustrates the distinctions, and relationship between, override direction and override type. *Overrides up* include youth who score for release or alternative custody and who are instead detained by intake (19 and 43 cases respectively, also referred to as “detain overrides”), as well as youth who score for release and are assigned alternative custody by intake (6 cases). *Overrides down* include youth who score for detention but who are released or assigned alternative custody (2 cases and 0 cases, respectively, also referred to as “release overrides”), and youth who score for alternative custody but who are released outright (5 cases).

Table 7. Illustrating Definitions of Override “Direction” and “Type”

If RST Projection Is:	And Intake Decision Is:	Then Override Direction Is:	And Override Type Is:
Release	Alternative	Up	n/a
Release	Detain	Up	Detain
Alternative	Release	Down	n/a
Alternative	Detain	Up	Detain
Detain	Release	Down	Release
Detain	Alternative	Down	Release

As is usually the case in jurisdictions using an objective tool such as the RST, overrides up are more common than overrides down, and detain overrides are more common than release overrides. For example, Table 8 indicates that across sites, 90.7% of all overrides were overrides up, where intake opted to place the youth in a higher level of custody than that recommended by the RST. Overrides up ranged from 75.0% of all overrides in Camden to 100.0% in Monmouth.

Table 8. Direction of Overrides, by County

	Atlantic		Camden		Essex		Monmouth		Total	
Overrides Up	85.7%	12	75.0%	6	93.0%	40	100.0%	10	90.7%	68
Overrides Down	14.3%	2	25.0%	2	7.0%	3	0.0%	0	9.3%	7
TOTAL	100.0%	14	100.0%	8	100.0%	43	100.0%	10	100.0%	75

Detain Overrides vs. Release Overrides

While Table 8 describes the general direction of all overrides, and Table 6 describes overall override rates, it is important to examine detain vs. release overrides. In other words, when a correctly scored RST projects release or alternative placement, how frequently are youth overridden to detention (*detain overrides*)? Conversely, when a correctly scored RST projects detention, how often are youth instead released or assigned alternative custody (*release overrides*)?

Table 9 describes detain and release override rates for each site, indicating that 16.4% of all youth projected for release or alternative custody by the RST were instead detained. The detain override rate ranged from 3.4% in Camden to 27.6% in Monmouth. On the other hand, of all youth projected for detention by the RST, 2.5% were not detained (all were placed on alternative custody). The release override rate ranged from zero in Monmouth to 5.3% in Camden. The detain override rate is of particular interest, as it is the measure required by the Annie E. Casey Foundation for JDAI sites. As a guideline, the detain override rate should not exceed 20% with a target of less than 15%.

Recommendation

- *Continue to monitor detain override rates, and set a goal of keeping the detain override rate in each site under 20%, and ultimately under 15%.*

Table 9. Detain Overrides vs. Release Overrides, by County

	Atlantic	Camden	Essex	Monmouth	Total
# of Youth Where RST = Release or Alternative Custody	81	58	211	29	379
# of Those Youth Instead Detained	12	2	40	8	62
Detain Override Rate	14.8%	3.4%	19.0%	27.6%	16.4%
# of Youth Where RST = Detention	81	38	126	39	284
# of Those Youth Instead Released or Placed on Alternative	2	2	3	0	7
Release Override Rate	2.5%	5.3%	2.4%	0.0%	2.5%

Override Reason

Upon invoking an override, the intake officer provides an explanation for diverting from the RST, and a supervisor reviews the case as soon as practicable. Table 10 describes the 68 cases where intake invoked an override to a higher level of custody. While override explanations are open-ended (i.e., there is no list of pre-determined override categories), reviewing the rationale provided for each override revealed the eleven general categories listed in Table 10. Note that reviewing the reasons for overrides is important, as overrides that emerge as most common point to specific policy questions that should be considered and discussed at both the state and local level. As seen in Table 10, two categories in fact emerged as most common among override reasons – family or parent/guardian issues (30.9% of all overrides up, 2.9% of all calls handled) and nature of current offense (29.4% of overrides up, 2.8% of all calls). Taken together, these two categories account for 60.3% of all overrides to a higher custody level, and 5.7% of all cases handled during the pilot.

Recommendation

- *Further examine the most commonly invoked override categories and develop solutions to address the issues underlying the overrides, with the goal of reducing any given category to less than 2% of all calls handled across sites and within each site.*

Table 10. Lead Override Reason (Categorized) for Overrides Up, by County
Sorted Based on “Total” Column, with Most Common Reason Listed First
(Reported as a Percent of all Overrides)

	Atlantic		Camden		Essex		Monmouth		Total	
Family or Parent/ Guardian Issues	0.0%	0	33.3%	2	37.5%	15	40.0%	4	30.9%	21
Nature of Current Offense	16.7%	2	0.0%	0	42.5%	17	10.0%	1	29.4%	20
Recent Arrest and/or Pending Charges	0.0%	0	16.7%	1	7.5%	3	20.0%	2	8.8%	6
Runaway Behavior or Flight Risk	8.3%	1	33.3%	2	0.0%	0	10.0%	1	5.9%	4
On Alternative at Time of Current Incident	16.7%	2	0.0%	0	0.0%	0	10.0%	1	4.4%	3
At Request of Prosecutor	16.7%	2	0.0%	0	2.5%	1	0.0%	0	4.4%	3
Removal/AWOL from Residential Program	0.0%	0	0.0%	0	7.5%	3	0.0%	0	4.4%	3
Out of County Resident	0.0%	0	0.0%	0	2.5%	1	10.0%	1	2.9%	2
Violent Behavior	16.7%	2	0.0%	0	0.0%	0	0.0%	0	2.9%	2
Repeat Drug Offender	16.7%	2	0.0%	0	0.0%	0	0.0%	0	2.9%	2
On Probation/JISP	8.3%	1	16.7%	1	0.0%	0	0.0%	0	2.9%	2
TOTAL	100.0%	12	100.0%	6	100.0%	40	100.0%	10	100.0%	68

Quality Assurance Findings

As described earlier, in 7.1% of all calls handled by intake during the pilot, an error or problem scoring the RST resulted in intake making a decision that was contrary to the recommendation of the RST, once accurately/completely scored. However, this is only one measure of accuracy in completing the RST, and an incomplete measure, as the errors/problems reported earlier only represent instances where:

- a) the intake officer was able to detect/report the technical issue/error, and/or
- b) the process of entering the data revealed an error, and/or
- c) the error was tied to assigning or adding points incorrectly,⁶ and
- d) the miscalculation of the RST rose to the level of affecting the RST projected placement.⁷

Because any scoring error has the *potential* to cross the threshold of affecting the projected RST placement, it is important to evaluate the accuracy of RST scoring on the whole. The pilot involved a structured, quality assurance review process, whereby detention specialists independently completed RSTs and compared the result to the RST completed by the intake officer. If a discrepancy was found, the detention specialist checked the RST a second time to confirm whether there was in fact an error on the part of the intake officer. Note that detention specialists met regularly with intake officers to review and troubleshoot any RST where an error was found (discussed below), further confirming an error had occurred, prior to reporting the error.

Detention specialists reviewed the first five RSTs completed by each intake officer. Then, during the first three months of the pilot, a minimum of 20% of all RSTs completed, or 20 RSTs (whichever was greater), were reviewed in each site. During each subsequent month, the greater of 10% of all RSTs or 10 RSTs were reviewed. Except for the first five RSTs completed by each intake officer, the RSTs reviewed were randomly selected from all RSTs completed.

Table 11 describes quality assurance (QA) results, indicating that 35.5% of all RSTs contained one or more errors. The QA error rate ranged from 20.3% in Monmouth to 48.2% in Atlantic. The RST components that posed the greatest challenge for intake officers were number of delinquency adjudications (error in 17.8% of reviewed cases) and most severe prior adjudication (17.5%). While more than one-third of all cases reviewed contained an error, consistent with the findings reported earlier, only 6.8% of errors rose to the level of causing the RST to project an incorrect custody level.

Table 11. Findings of Structured Quality Assurance Review

	Atlantic (N=85)		Camden (N=62)		Essex (N=149)		Monmouth (N=59)		TOTAL (N=355)	
A. Total Charges	5.9%	5	4.8%	3	7.4%	11	5.1%	3	6.2%	22
B. Most Severe Current Offense	9.4%	8	9.7%	6	12.1%	18	8.5%	5	10.4%	37
C. # of Delinquency Adjudications	29.4%	25	9.7%	6	18.8%	28	6.8%	4	17.8%	63
D. Most Severe Prior Adjudication	15.3%	13	9.7%	6	24.2%	36	11.9%	7	17.5%	62
E. # of Warrants for FTA	15.3%	13	4.8%	3	6.7%	10	5.1%	3	8.2%	29
F. AWOL History	0.0%	0	1.6%	1	0.0%	0	0.0%	0	0.3%	1
G. Detention Status	1.2%	1	0.0%	0	0.0%	0	0.0%	0	0.3%	1
Total Cases with One or More Errors	48.2%	41	30.6%	19	36.2%	54	20.3%	12	35.5%	126
Did An Error Lead to an Incorrect RST Projection?	7.1%	6	1.6%	1	10.1%	15	3.4%	2	6.8%	24

Recommendations

- ❑ *Continue the quality assurance review process, and continue to meet with intake officers to troubleshoot errors, with the understanding that as intake officers become more accustomed to using the RST, errors will decrease.*
- ❑ *Set as a goal reducing the overall number of cases with one or more errors to less than 20%, and ultimately to less than 10%.*

Results of First Hearing

As discussed, the RST was developed to guide decisions made by intake services. However, a reasonable gauge of the RST’s acceptability among judges is the extent to which first hearing results align with the intake decision based on the use of the RST. For a number of reasons a perfect match is not expected – not only because the RST is not meant to affect judicial discretion, but also because between the time the youth is screened by intake and the occurrence of the first hearing, additional information can surface or circumstances can change. However, a substantial

discrepancy between intake decisions guided by the use of the RST and initial hearing results might be an indicator of a potential problem inherent in the RST, i.e., might indicate that one or more important factors are not adequately reflected in the RST in its current form.

As noted, the calls included in the pilot involved those placed through May 31, 2008. For all of those calls, initial hearing results were tracked through June 30, 2008, ensuring a follow-up period of at least 30 days. Table 12 compares the intake decision using the RST to the initial hearing results for all sites combined, and indicates that agreement occurred in 389, or 75.0% of cases where such a comparison was applicable (shaded boxes). By county, agreement was: Atlantic – 84.8%, Monmouth – 72.0%, Essex – 71.7%, and Camden – 70.1%. In terms of the nature of the decision, the greatest agreement was seen for release decisions (94.4%), followed by alternative custody decisions (74.8%), and then detention decisions (66.4%).

Table 12. Intake Decision Using RST vs. First Hearing Result, by County⁸

1 st Hearing Result	Intake Decision Using RST		
	Release	Alternative	Detain
Release	94.4% (117)	13.9% (16)	8.6% (24)
Alternative	3.2% (4)	74.8% (86)	25.0% (70)
Detain	2.4% (3)	11.3% (13)	66.4% (186)

IMPACT ON ADMISSIONS TO DETENTION

As noted, a primary goal of using a standardized, objective risk instrument is avoiding the unnecessary detention of youth who do not represent a serious risk of flight or to public safety. A third question for the evaluation of the Risk Screening Tool pilot, then, is whether using the RST in fact resulted in a decrease in detention admissions. While the RST projected fewer youth for detention, the findings also indicate intake decisions did not match the RST projection in about 18% of all cases. Moreover, the RST is only one of several avenues for admission to detention. The RST is not applied when: a) a detention warrant is active at the time of the detention call, b) a previously non-detained youth is remanded at court, or c) a youth is transferred from another detention center/secure facility.

Table 13 describes the timeframes used to evaluate the RST’s impact on detention admissions. While each site entered the pilot on a different date, all sites could be followed through August 31, 2008. As such, admissions to detention are evaluated for a minimum of five months and a maximum of ten months. Admissions during the pilot are compared to the same months in the previous year, and to the same number of months immediately preceding entry into the pilot.

Table 13. Summary of Timeframes for Examining Impact on Admissions, by County

	Entry to RST Pilot	RST Admissions Period	Prior Year Comparison Period	Prior Months Comparison Period	# Months Compared
Atlantic	11/5/07	Nov 07 – Aug 08	Nov 06 – Aug 07	Jan 07 – Oct 07	10
Monmouth	2/25/08	Mar 08 – Aug 08	Mar 07 – Aug 07	Sep 07 – Feb 08	6
Essex	3/31/08	Apr 08 – Aug 08	Apr 07 – Aug 07	Nov 07 – Mar 08	5
Camden	4/3/08	Apr 08 – Aug 08	Apr 07 – Aug 07	Nov 07 – Mar 08	5

Table 14 illustrates changes in admissions before and after the use of the RST. Comparing the months where the RST was used to the same months in the prior year indicates across sites, admissions decreased by -30.0%, ranging from -12.2% in Monmouth to -34.6% in Essex. Comparing the RST months to the months immediately preceding the pilot indicates detention admissions decreased by -15.8% across sites, ranging from -8.3% in Camden to -27.2% in Atlantic.

Table 14. Admissions to Detention Since RST Use, by County

	Since RST Use	Same Months in Prior Year	Months Just Prior to RST	Change Since Prior Year		Change Since Prior Months	
				Kids	%	Kids	%
Atlantic	283	397	389	-114	-28.7%	-106	-27.2%
Camden	276	359	301	-83	-23.1%	-25	-8.3%
Essex	600	917	689	-317	-34.6%	-89	-12.9%
Monmouth	151	172	177	-21	-12.2%	-26	-14.7%
TOTAL	1310	1845	1556	-535	-30.0%	-246	-15.8%

Table 15 describes youth of color admitted to detention since the use of the RST. Comparing the months where the RST was used to the same months in the prior year indicates that across sites, admissions of minority youth decreased by -29.9%, ranging from -9.0% in Monmouth to -34.2% in Essex. Comparing the RST months to the months immediately prior to the pilot reveals minority admissions decreased by -17.7%, ranging from -11.6% in Camden to -31.9% in Atlantic.

Table 15. Admissions of Minority Youth to Detention Since RST Use, by County

	Since RST Use	Same Months in Prior Year	Months Prior to RST	Change Since Prior Year		Change Since Prior Months	
				Kids	%	Kids	%
Atlantic	239	358	351	-199	-33.2%	-112	-31.9%
Camden	244	316	276	-72	-22.8%	-32	-11.6%
Essex	585	889	675	-304	-34.2%	-90	-13.3%
Monmouth	121	133	143	-12	-9.0%	-22	-15.4%
TOTAL	1189	1696	1445	-507	-29.9%	-256	-17.7%

Table 16. Disproportionality in Admissions Since RST Use, by County

	Since RST Use	Same Months in Prior Year	Months Prior to RST	Change Since Prior Year		Change Since Prior Months	
				Prcntg Pts	%	Prcntg Pts	%
Atlantic	84.4%	90.2%	90.2%	-5.8 pts	-6.4%	-5.8 pts	-6.4%
Camden	88.4%	88.0%	91.7%	+0.4 pts	+0.5%	-3.3 pts	-3.6%
Essex	97.5%	96.9%	98.0%	+0.6 pts	+0.6%	-0.5 pts	-0.5%
Monmouth	80.1%	77.3%	80.8%	+2.8 pts	+3.6%	-0.7 pts	-0.9%
TOTAL	90.8%	91.9%	92.9%	-1.1 pts	-1.2%	-2.1 pts	-2.3%

While Table 15 indicates the overall decrease in admissions to detention since the use of the RST is largely the result of a decrease in the number of minority youth admitted to detention, Table 16 describes the proportion of all admissions comprised of minority youth, before and after the use of

the RST. Comparing the months where the RST was used to the same months in the prior year shows only Atlantic experienced a decrease in disproportionality, with admissions of youth of color dropping from 90.2% of all admissions to 84.4%, a decrease of -5.8 percentage points, which amounts to a percent change of -6.4%.⁹ When comparing the months immediately preceding the pilot to those in which in the RST was used, Atlantic again saw that same sizable shift (-5.8 points, -6.4%). A slightly smaller decrease in disproportionality is seen in Camden (-3.3 points, -3.6%), while disproportionality in Monmouth and Essex remained relatively unchanged, though the small shift seen was in the downward direction.

YOUTH & PUBLIC SAFETY OUTCOMES

As repeatedly stated, a primary purpose of using a risk tool is to avoid the *unnecessary* detention of youth – in other words, to avoid the detention of youth who *do not* pose a serious risk of reoffending or failure to appear (FTA) in court. As such, a fourth, critical analysis question for the RST pilot is: When intake officers successfully use the RST to guide decision-making, what proportion of non-detained youth reach final case disposition successfully, without incident?

Table 17 describes outcomes for those youth released or placed on alternative custody by intake using an accurately completed RST. All youth were tracked through August 31, 2008, ensuring a minimum follow-up period of at least 90 days.¹⁰ Across the four sites, 8.2% of all youth incurred new charges while awaiting final case disposition, ranging from 4.3% in Atlantic to 10.9% in Camden. Similarly, 7.5% of youth failed to appear for a court hearing, ranging from zero in Monmouth to 12.7% in Essex.

Table 17. Success Rates for Youth Awaiting Disposition during Pilot, by County

	Atlantic		Camden		Essex		Monmouth		TOTAL	
New Charges	4.6%	3	10.9%	5	9.0%	15	6.7%	1	8.2%	24
FTA	0.0%	0	2.2%	1	12.7%	21	0.0%	0	7.5%	22
Other Violation ¹¹	4.6%	3	6.5%	3	0.0%	0	6.7%	1	2.4%	7
Successfully Reached Disposition	90.8%	59	80.4%	37	78.3%	130	86.7%	13	81.8%	239
TOTAL	100.0%	65	100.0%	46	100.0%	166	100.0%	15	100.0%	292

According to standards put forth by the Annie E. Casey Foundation, sites where the reoffense or failure to appear rate is less than 10% should be given a “passing grade” for the particular performance measure.¹² Taken as a whole, then, these results suggest the pilot use of the RST in New Jersey merits a passing mark for both public safety (8.2%) and failure to appear (7.5%) objectives. However, these results should be viewed as preliminary, particularly for individual sites, given the relatively small number of cases (N<100) in all but Essex.

Recommendation

- ❑ *Continue to monitor success/failure rates, and set a goal of limiting each of the two primary measures (new charges, FTA) to less than 10% in each site and collectively. Related, also set as a goal striving to ensure 85% of all youth successfully reach disposition without incident.*

FEEDBACK FROM KEY ACTORS

The above quantitative results provide valuable insight into the impact of the Risk Screening Tool on the detention system, and suggest this major policy change is achieving the intended outcomes. It is also important to understand the effect RST implementation has had on the daily operations of the professionals directly involved in its everyday use. To that end, the Screening Subcommittee and support staff solicited feedback directly from court intake and local law enforcement officers. What follows is a summary of positive feedback received from, as well as challenges experienced by, each of these key groups.

Court Intake Officers

As noted, JJC detention specialists assigned to each JDAI county routinely met with intake officers, as well as Family Division management, to assess how RST implementation was advancing. The purpose of these meetings was multifold. The group could a) troubleshoot as issues arose and devise immediate solutions, b) provide immediate feedback to the Screening Subcommittee on potential cross-cutting issues affecting all pilot sites, and c) provide feedback that would ultimately provide insight into, and guidance regarding, how frontline professionals experienced this policy change. The following summary points describe the general consensus among intake officers within a site, and/or common themes that emerged across sites.

Positive Feedback

- Overall, intake officers feel the RST provides a clear guideline for making decisions, providing them with a justification and solid support for the decisions they make, plus the added benefit of having “protection” for release decisions.
- Intake officers expressed that RST recommendations generally comport with what they would have decided in the absence of the tool. Officers feel that this, in essence, provides validation for their decision-making practices.
- Some officers noted that using the RST has helped to identify gaps in services, for example, they have been able to track family crisis situations that are sometimes called to intake as “detention” cases, providing information that assists in identifying the services needed for those situations.
- Overwhelmingly, intake officers appreciate the third option afforded to them using the RST, i.e., the opportunity to place youth on alternatives instead of choosing between straight release and detention. Several officers noted that in the past they might have detained a “questionable” youth because there was no such middle option.
- Officers feel confident knowing the youth who they must admit to detention are in fact those who are appropriate for detention, i.e., feel there is a reduction in the “unnecessary” detention of youth.
- Intake officers appreciate having access to information (e.g., FACTS, other reports) that can help guide their decision-making.
- Some staff noted that the process of implementing the RST fostered positive communication with local Information Technology (IT) departments within the county, opening-up lines of communication, and noting that IT was responsive and supportive.
- Most intake officers expressed an understanding of the value of the intensive development, training, and intentional roll-out process, saying it was critically important that all involved

parties needed to be fully aware of the substantive details of the policy change before proceeding.

Challenges Experienced

- Intake officers lamented the more time-consuming process involved with using the RST, including time needed to complete the RST and to place youth in alternative custody. Related, intake officers noted that police expressed frustration regarding the lengthier process.
- Intake reported difficulty obtaining correct charge information from the police. For example, often police did not provide or could not readily identify the degree of the current offense(s). At other times the charge description and degree provided did not match/make sense based on a review of the criminal code. In more than one site police were accustomed to providing intake with a detailed description of the circumstances surrounding the alleged offense, but were not accustomed to providing the citation and degree based on the criminal code.
- Intake reported that issues with the equipment needed to process after-hours calls (e.g., issues tied to the laptops, logging-on, using the security features) presented an ongoing challenge.
- Related, on multiple occasions intake experienced difficulty accessing the FACTS after-hours.

Police/Law Enforcement

Detective Lieutenant Robert Sarnecki (retired) serves as the Screening Subcommittee's Law Enforcement Liaison, with specific responsibilities tied to the implementation of the RST. In this capacity, Mr. Sarnecki, with the assistance of each local Prosecutor's office, coordinated and conducted meetings with police in the four RST pilot counties. A total of 44 police officers representing 33 local jurisdictions participated in these feedback sessions (Family Court Intake was also present at meetings in two of the counties). All police officers present had at some point during the pilot placed a detention request call to intake. The following summary points describe the general consensus among police officers within a site, and/or common themes that emerged across sites.

Positive Feedback

- Police generally feel the RST process is working adequately and has improved throughout the course of the pilot.
- For the most part, officers are satisfied with the results of the RST. Officers reported that the youth detained using the RST are the youth who require detention, i.e., they are "the right youth." Police also noted that they detect no major diversion from results of detention requests prior to RST implementation.
- Police officers from all four counties appreciate the third option made available through the use of the RST, i.e., the opportunity to place youth on alternatives.
- Many police officers noted an appreciation for the additional guidance offered by the RST in the decision-making process, reporting that intake decisions seem less subjective and more consistent. Police like knowing what to expect from intake, and that the basis for decision-making was state statute in the form of the RST.
- Officers from three of the four counties reported general satisfaction with the alternative custody options now available at the point of referral to intake services. In the one county

where some dissatisfaction was expressed, solutions are underway to provide more direct placement on alternative custody for calls placed overnight (i.e., placing youth directly on electronic monitoring instead of waiting until the morning to formally establish that level of supervision).

- Officers in one county noted the RST took some pressure off in terms of advising parents that their child needed to be detained, i.e., the RST provided a rationale for that decision.

Challenges Experienced

- Police shared that using the RST takes more time than decision-making prior to the RST, though overall officers did not feel the time factor was a substantial problem. A few instances of excessive call-processing time were shared, and were largely due to the process of placing youth in alternative custody (and not to the process of scoring the RST). In counties where placement in alternative custody is processed at police headquarters, the time factor for police was most pronounced.
- Some police expressed concern regarding the specific nature of detention alternative custody options available, particularly after-hours.
- Police expressed some confusion regarding the override process. While overrides are an acceptable part of an objective decision-making process when used sparingly, some police were unaware that overrides were even a possibility. In the meetings, police were advised that if they have serious concerns about public safety regarding a youth denied admission to detention based on the RST, they should share the facts of that concern with intake, who ultimately makes the final decision whether to override.
- Officers shared their concern regarding cases where a parent/responsible adult fails to pick-up a youth destined for alternative custody.

As noted, the summary above provides an overview of the feedback provided by the juvenile justice professionals most directly involved in RST implementation. The Screening Subcommittee is reviewing the details and specifics of this feedback, and will continue to work with counties to devise solutions.

SUMMARY OF KEY FINDINGS & RELATED RECOMMENDATIONS

The following summarizes the recommendations reported throughout this report, in terms of the report's key findings. The report then concludes with additional recommendations regarding next steps.

Impact on Decision-Making & Admissions to Detention

Summary of Findings

The results of initial studies conducted during the RST development phase, which indicated fewer youth would be detained upon RST implementation, were upheld during the pilot. In each site during the pilot a) the RST projected fewer youth for detention, b) the detention rate for youth called to intake dropped, and c) overall admissions to detention decreased. However, during the pilot the RST projected somewhat fewer youth for outright release, as compared to the initial studies. Preliminary data suggest this outcome is likely tied to a reduction in detention request call volume, as well as a decrease in detention calls placed for youth facing less serious charges.

Recommendation Made

- ❑ Continue to monitor the impact of the RST on decision-making, as well as changes in the volume and nature of detention request calls placed to intake services.

Achieving Consistency in Decision-Making & Impact on/Feedback from Key Actors

Summary of Findings

The results of the pilot are promising in terms of the goal of achieving consistency in decision-making. Override rates (intentional and *de facto*) during the first few months of the RST's use are generally acceptable for a pilot. Moreover, support for the content of the RST is found in the levels of agreement between intake decisions guided by the RST and initial hearing decisions. Finally, while staff directly affected by the RST faced a number of challenges, feedback regarding the purpose of the RST and its role in decision-making was generally positive.

Recommendations Made

- ❑ Continue to monitor overall override rates, and set a goal of reducing overrides to less than 10% of all cases in each site.
- ❑ Continue to monitor errors that result in *de facto* overrides and develop solutions to the identified issues that lead to scoring errors.
- ❑ Set an initial goal of reducing the *de facto* override rate to less than 5% of all cases, and a future goal of reducing the rate to less than 3% of all cases in each site.
- ❑ Set a goal of achieving a “match” in at least 85% of all cases.
- ❑ Continue to monitor detain override rates, and set a goal of keeping the detain override rate in each site under 20%, and ultimately under 15%.
- ❑ Further examine the most commonly invoked override categories and develop solutions to address the issues underlying the overrides, with the goal of reducing any given category to less than 2% of all calls handled across sites and within each site.
- ❑ Continue the quality assurance review process, and continue to meet with intake officers to troubleshoot errors, with the understanding that as intake officers become more accustomed to using the RST, errors will decrease.
- ❑ Set as a goal reducing the overall number of cases with one or more errors to less than 20%, and ultimately to less than 10%.

Youth & Public Safety Outcomes

Summary of Findings

Results of the pilot are promising in terms of reducing the unnecessary detention of youth, i.e., of avoiding the detention of youth who do not represent a serious risk to public safety or of failing to appear in court. Across the four sites combined, new charges and FTAs were held to under 10% of non-detained youth (8.2% and 7.5%, respectively). According to best-practice standards, the use of the RST on a pilot basis merits a “passing grade.”

Recommendations Made

- ❑ Continue to monitor success/failure rates, and set a goal of limiting each of the two primary measures (new charges, FTA) to less than 10% in each site and collectively.
- ❑ Related, also set as a goal striving to ensure 85% of all youth successfully reach disposition without incident.

RECOMMENDED NEXT STEPS

The results of the RST pilot reported herein are promising, and at this juncture, the Screening Subcommittee does not recommend any modifications to the RST's content. However, in addition to the recommendations put forth above, the subcommittee has a number of recommendations regarding next steps for the subcommittee's work, current pilot sites, the expansion of RST implementation to additional counties, and future reporting.

Next Steps for Screening Subcommittee & Support Staff

1. Continue to monitor the use of the RST in terms of the recommendations and goals stated throughout this report.
2. Continue to support the institutionalization of the RST and related policies and procedures as standard business practice in the four currently participating sites, troubleshooting and making improvements in existing counties, not only with regard to overrides and errors, but in terms of improving the process to address the concerns voiced by intake and police.
3. Related, strategize to ensure Family Division staff view the RST and related policies and practices as "standard operating procedures" integral to their job. While some of this will come with time, it is important to continue to convey that the use of the RST is a court practice, and not a policy/practice imposed by an outside entity.
4. Meet with Local Steering Committees in RST pilot sites to discuss the findings of this report, and to strategize regarding how to achieve the goals put forth in the recommendations of the report, with a particular focus on the most common override areas.
5. Continue to review data regarding RST implementation, as well as feedback provided by key actors involved with RST implementation locally, in order to determine whether modification of the RST is warranted over time.
6. More closely examine and monitor data regarding the RST's impact on minority youth to ensure this significant policy change is "race-neutral," and to look for any potential unintended consequences.
7. Provide additional and ongoing training as new intake officers are added to on-call rotation or fill vacant positions. Also provide ongoing technical training to existing officers on an as-needed basis, as indicated by ongoing quality assurance results.
8. Address any cross-site challenges, i.e., work to ensure accurate reporting of current offense information by police to intake, strategize and find solutions to address technological issues (already in progress).
9. Strategize regarding how technology can be used to further support RST implementation.
10. Solidify criteria for expansion of the RST to additional counties (as further detailed below).

Recommendations for Current RST Pilot Sites/Local Steering Committees

1. Continue to monitor and support the implementation of the RST, providing the leadership necessary to ensure successful implementation, and to ensure the RST and related policy changes are adopted as standard business-practice.
2. Meet with Screening Subcommittee members to strategize regarding means to achieve the goals set forth in the present report.

3. Based on the findings of this report, local data, and meetings with Screening Subcommittee members, implement plans in furtherance of the report's recommendations and goals.
4. Continue to hold regular feedback/trouble-shooting meetings with key actors involved in RST implementation and local leadership. Sessions should be held on a weekly/bi-weekly basis at any point when a new rotation of intake officers begins. Once all intake officers are established RST users, such sessions can occur less frequently (i.e., monthly/every two months).

Recommendations for RST Expansion

The importance of a methodical, intentional approach to RST implementation cannot be overstated. The experience in the first four RST pilot sites made clear that even with extremely deliberate, well-thought out plans, many significant challenges surfaced that required substantial time, energy, and attention to resolve. A process guided by strong leadership and with appropriate collaborative support, accountability, and due diligence is critical to the success of this substantial and important policy change. Indeed, strong collaboration and leadership makes the difference between sites that are able to successfully overcome complaints and challenges, and those that "get stuck."

As a result, the resources needed to launch the RST in just these initial sites were extensive. Training, quality assurance, feedback/trouble-shooting sessions, and the like placed significant demands on staff and subcommittee members. With this in mind, the Screening Subcommittee puts forth the following recommendations regarding potential RST expansion.

1. Because of the intensive groundwork and substantial resources required to successfully launch the RST in any given site, the subcommittee does *not* recommend statewide expansion of the RST at this time.
2. The subcommittee recommends proceeding with actual use of the RST in Hudson, the fifth site intended to participate in the pilot.
3. The subcommittee recommends adding each of the five "phase-2" JDAI sites as RST expansion sites after a review by the subcommittee determines the site has met a set of readiness criteria. The draft criteria, to be finalized by the subcommittee, include, for example:
 - a) Site has developed, implemented, and proven effective based on outcome data, a continuum of appropriate detention alternatives.
 - b) Site has demonstrated it has the capacity to carry out the collaborative, deliberative, and intentional planning needed, with broad inclusion of local staff and stakeholders, to successfully implement the substantial policy and practice change involved with the RST.
 - c) Site has demonstrated it has the ability to garner broad-based, ongoing participation from all juvenile justice key actors in both planning and implementing policy change related to its detention reform efforts.
4. As each phase-2 JDAI site is selected for RST expansion, proceed with RST preparation in the same manner as the original sites. Sites shall prepare a Site-Readiness Plan, participate in RST policy training offered by the Screening Subcommittee, develop a detailed policy and procedures manual to guide the specifics of local RST implementation and access to

detention alternatives at the point of intake, conduct local policy training, and participate in RST technical training.

Recommendations for Future Reporting

1. Brief the AOC regarding progress toward implementing the next steps/RST expansion described above in late 2009.
2. Provide an updated impact/outcomes report in mid-2010.

**New Jersey JDAI State Steering Committee:
Screening Subcommittee**

The Screening Subcommittee is convened and staffed by:

Lisa Macaluso	Deputy Director of Crime Prevention, Office of the Attorney General
Jennifer LeBaron	Senior Research Associate, Juvenile Justice Commission

Screening Subcommittee¹³ members include:

Harry Cassidy	Assistant Director, Family Practice Division, AOC
Charles Centinaro	Deputy Public Defender, NJ Office of the Public Defender
Paul DeMuro	PD Associates/Annie E. Casey Foundation
Det. Sgt. Jim Domville	Cresskill Police Dept. & President-NJ Juvenile Officers' Assoc.
Thomas Fiskien	Deputy Attorney General, Division of Criminal Justice
Hon. Eugene Iadanza	Monmouth County Superior Court
Andrea Johnson	Director, Juvenile Unit, Essex County Prosecutor's Office
Harold Katz	First Assistant Deputy Public Defender, Camden County
Craig Levine	Senior Counsel & Policy Director, NJISJ
Gayle Maher	Chief, Juvenile Probation, AOC
Det. Lt. Robert Sarnecki (Ret.)	Immediate Past President, NJ Juvenile Officers' Association
Cynthia Samuels	Assistant Public Defender, NJ Office of the Public Defender
Barry Serebnick	Director, Family Division, Monmouth County Prosecutor's Office



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¹ Each of these core strategies is described in detail in *Pathways to Juvenile Detention Reform*, a series of publications available through the Annie E. Casey Foundation.

² Hudson's revised Site-Readiness Plan was submitted in October 2007, the Screening Subcommittee met with the Hudson JDAI Local Steering Committee to review and discuss the plan in February 2008, a finalized, approved plan was submitted in April 2008, and subcommittee members held policy training for Hudson's training team in June 2008. Hudson is currently finalizing its local policies and procedures manual, and is anticipated to conduct local policy training and technical training in December 2008, with a projected RST pilot entry date of January 2009.

³ While the May 31, 2008, follow-up date technically means results are presented for the first seven months of the pilot, and not just the first six months, it was important to extend the timeframe so that the three sites who entered the pilot after Atlantic had data sufficient to make the results presented herein meaningful.

⁴ As a reminder, calls included in this analysis represent a subset of all detention request calls handled by intake services. First, as noted, only cases where a warrant to detain was not active are included here, though in most jurisdictions these cases are called to intake services. Also note that cases where a youth was a transfer from another jurisdiction's detention center (14 cases) or jail (3 cases) are not included here. Finally, in Camden "day-time" warrants are orders to bring the youth to court if taken into custody. So, if a youth is taken into custody solely on a daytime warrant, the RST is not completed (6 cases over pilot timeframe). However, if the youth is taken into custody based on both a daytime warrant and new delinquency charges, the RST is completed (6 cases).

⁵ The guidelines provided regarding override rates reflect the consensus of the Screening Subcommittee based on best practice, as reflected in the literature regarding the use of objective decision-making tools in justice-system settings. See, *for example*:

- Austin, J., Dedel-Johnson, K., Weitzer, R. (2005). *Alternatives to the Secure Detention and Confinement of Juvenile Offenders*. US Department of Justice, Office of Juvenile Justice and Delinquency Prevention, Washington, DC.
- Austin, J. (2003). *Findings in Prison Classification and Risk Assessment*. US Department of Justice, National Institute of Corrections, Washington, DC.
- Austin, J. (1998). *Objective Jail Classification Systems: A Guide for Jail Administrators*. US Department of Justice, National Institute of Corrections, Washington, DC.
- Steinhart, D. (2006). *Juvenile Detention Risk Assessment: A Practice Guide to Juvenile Detention Reform*. The Annie E. Casey Foundation, Baltimore, MD.
- Wiebush, R.C., Baird, C., Krisberg, B., and Onek, D. (1995). *Risk Assessment and Classification for Serious, Violent, and Chronic Juvenile Offenders*. US Department of Justice, Office of Juvenile Justice and Delinquency Prevention, Washington, DC.

⁶ As opposed to *miscoding* the value of an RST component, for example, counting five adjudications when there were only three, selecting the wrong most serious prior offense among all prior offenses, etc.

⁷ Regarding (d), the cases identified in the analysis reported earlier in this report do not address errors where the erroneous RST score did not cross the threshold of the RST projecting the wrong custody level. For example, if the incorrectly scored RST totaled 13 and the true score was 15, that error would not have been detected, since scores of 12 and 14 both result in a projection to alternative custody placement. On the other hand, if the incorrectly scored RST totaled 13, and the true score was 17, then the threshold was crossed – the erroneous RST score projected alternative custody, but the true score projected detention.

⁸ Since the objective is to determine the extent to which initial hearing results align with intake decisions guided by the RST, this table includes only cases where intake's decision matched the RST projection (N=588). Further, of these 588 "matching" cases, another 69 were excluded because a hearing was never held in the processing county's juvenile court (no complaint filed, jurisdictional transfer, etc.) or had not been held as of 6/30/08 (N=46), or because prior to the first hearing a non-detained youth had failed-to-appear, had been re-arrested, or had violated the conditions of alternative custody (N=23), thus introducing a clear intervening factor that makes any comparison between the RST/intake decision and the initial hearing results, from a consistency perspective, meaningless. The total N for this table is therefore 519.

⁹ For clarification, the example of Atlantic is calculated as 84.4% (current proportion/percentage) minus 90.2% (original proportion/percentage), which equals -5.8 *percentage points*. Dividing the change in points (-5.8) by 90.2% (original proportion/percentage) results in a *percent change* of -6.4% . This means that the proportion/percentage of admissions to detention comprised of minority youth has decreased by -6.4% .

¹⁰ Of the original 714 cases, the outcome analysis and table excludes youth detained by intake (N=364), and cases where the RST projected detention, but who were not in fact detained by intake, either as a result of an intentional "release override" (N=7) or as the result of a problem/error initially scoring the RST (N=4). Of the remaining 339 cases, additional cases are excluded because jurisdiction was immediately transferred out-of-county (N=5), because while not detained by intake, the youth was remanded by the court within one day (for a reason not tied to "failure" on the youth's part) and remained there through disposition (N=8), because no complaint had been filed within 90 days of the call to intake (N=15), or because disposition had not occurred as of 8/31/08 (N=19). The total N for this table is therefore 292.

¹¹ Includes youth who were returned to detention for violating rules of a detention alternative that did not rise to the level of new charges or FTA.

¹² Steinhart, D. (2006). *Juvenile Detention Risk Assessment: A Practice Guide to Juvenile Detention Reform*. The Annie E. Casey Foundation, Baltimore, MD.

¹³ During the development phase of the RST, Brian Hancock represented the NJ Office of the Child Advocate on the Screening Subcommittee.