

# Public Safety Outcomes of Virginia's Detention Assessment Instrument

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## ABSTRACT

The placement of juveniles in secure detention has been the subject of considerable attention recently. For the past several years, Virginia has been engaged in efforts to improve detention practices at both the state and local levels. One important policy and practice change is the implementation of a standardized, structured decision-making instrument to guide detention decisions by intake officers of the Virginia Department of Juvenile Justice (DJJ). This report will present a brief background on the Detention Assessment Instrument (DAI); an analysis of the performance of the DAI on key public safety outcomes; and an overview of Virginia's participation in the Juvenile Detention Alternatives Initiative (JDAI).

of juvenile detention and overall youth crime rates (Sickmund et al., 2005).

As recently as 2001, Virginia ranked second among the states in the rate of juveniles held in secure detention settings as reported in the biennial *Census of Juveniles in*

*Residential Placement (CJRP)* conducted by the United States Office of Juvenile Justice and Delinquency Prevention (OJJDP). This ranking is in the context of a juvenile crime rate below the national average. In the 2003 CJRP data, Virginia ranked tenth among the states with a rate of 110 juveniles detained per 100,000 (down from 150 per 100,000 in 2001). The national average in 2003 was 83 per 100,000 (Sickmund et al., 2005).

For the past several years, Virginia has made efforts to improve detention practices at both the state and local levels. These efforts have included expansion of and physical improvements to detention facilities, increasing the availability and use of detention alternatives, as well as legislative and policy changes to

## INTRODUCTION

Placement of juveniles in secure detention<sup>1</sup> has received considerable attention recently. Among the concerns identified are overcrowding and its impact on conditions of confinement; detention when the youth poses little threat to public safety; negative impact on recidivism, mental health, school status, and future employment; and lack of alternatives to secure detention where availability of such alternatives would allow safe management of the juvenile in the community (Benda & Tollet, 1999; Holman & Ziedenberg, 2006; Hubner & Wolfson, 2004; Parent, Leiter, Kennedy, Livens, Wentworth, & Wilcox, 1994). Overrepresentation of minority youth among detention populations is also of concern. Disproportionate minority confinement (DMC) is reflected in higher rates of youth of color among the detained population as compared to their proportion in the general juvenile population (Hinton Hoyt, Schiraldi, Smith, & Ziedenberg, 2002; Sickmund, Sladky, & Kang, 2005). Finally, there is little relationship between the rate

<sup>1</sup> Pre-dispositional juvenile detention is placement in a secure facility of a youth who allegedly committed a delinquent act or who meets other criteria specified under state statutes. Specifically, pre-dispositional detention refers to being detained during the period prior to adjudication, and if found guilty, the additional time between adjudication and final case disposition. Because placement involves loss of liberty, its use is ideally limited to youths who pose a significant risk to themselves or to public safety, or who are at risk for failure to appear for court appearances. Detention is also employed by the juvenile court as a sanction or punishment upon a finding of guilt; this is referred to as post-dispositional detention. Post-dispositional detention is not addressed in this study.

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maximize the likelihood that juveniles are detained only when necessary for public safety reasons and then, only for the period required to achieve those public safety goals. One important change in policy and practice is implementation of a standardized, structured decision-making instrument to guide detention decisions by intake officers of the Virginia Department of Juvenile Justice (DJJ). Under Virginia statutes (*Code of Virginia*, Criteria for Detention or Shelter Care, §16.1-248.1; Procedure for Detention Hearing, §16.1-250), intake officers make most initial decisions to detain, subject to judicial review.

This article will present a brief background on the Virginia Department of Juvenile Justice's Detention Assessment Instrument (DAI); an analysis of the performance of the DAI on key public safety outcomes; and an overview of Virginia's participation in the Juvenile Detention Alternatives Initiative (JDAI), a national project focused on juvenile detention reform. Many states and localities utilize objective decision-making tools, such as the DAI, as a key strategy to address concerns about detention admission practices. Once developed, few of these instruments are subjected to formal empirical testing. The results of the present study provide one methodology for juvenile justice systems to evaluate such tools and also offer support for the utility of this approach to improving juvenile justice policy and outcomes.

### The Detention Assessment Instrument (DAI)

The Virginia General Assembly directed that "The Department of Juvenile Justice shall establish a uniform risk assessment instrument for use when making a detention decision ...and when making recommendations to the court at a detention hearing...The uniform risk assessment instrument and related procedure shall be implemented by each court service unit and distributed to each juvenile court judge no later than October 1, 2002" (Commonwealth of Virginia General Assembly, Acts of Assembly Chapter 978, 2000).

In response to the legislative mandate, an inter-agency work group was created to design an objective detention screening tool for use in Virginia. This group included key stakeholders from across Virginia, including Court Service Unit (CSU) directors and intake officers, DJJ administrative personnel, the judiciary, Commonwealth's

Attorneys (prosecutors), law enforcement, and a law school professor with a national reputation as a juvenile justice advocate. With the assistance of the National Council on Crime and Delinquency (NCCD), this group clarified the intended purposes of pre-dispositional detention and reviewed examples of similar instruments used in other jurisdictions. Detention assessment instruments (also referred to as detention risk assessment instruments) incorporate a structured and limited set of objective, public safety-related criteria. These criteria are used to guide detention admission decisions. Employing a consensus approach, the Virginia DAI work group developed a preliminary DAI by first identifying specific items for inclusion and then applying weighted values to the various items.

An extensive field test was conducted to determine the potential impact of the DAI. The test included a geographically representative statewide sample of approximately 1,000 juveniles, about equally divided between youths detained and those eligible for detention according to Virginia law but not detained, over a three-month period. The pilot test was a *simulation* as the DAI was not used to guide staff decisions. After the detention decision was made in accordance with the prevailing procedures, intake staff completed a data collection form that was used to score and classify each youth on the DAI. This approach allowed simulation of what *would* have happened if the instrument had been used to guide the decisions, to compare actual decisions with the DAI-guided recommendations, and to verify that the instrument would achieve the desired goals of classifying youths according to their risk to either re-offend prior to, or fail to appear at, their next court appearance. The field test resulted in adjustments to item weightings and cut-off scores in the final version of the DAI (see Appendix A for the DAI). Field test results indicated that implementation of the adjusted, final DAI was expected to:

- Decrease pre-dispositional detention of juveniles who, with less chronic and/or less serious current and prior offenses, were not seen as a threat for additional pre-trial offending or for failure to appear for scheduled court appearances;
- Increase the rates of detention for juveniles seen as greater threats to public safety (e.g., juveniles alleged to have committed more serious felonies), or threats of failure to appear (FTA) in court; and

- Increase consistency in detention decision outcomes, both within each Court Service Unit and across different CSUs.

The seven items on the DAI include measures of the seriousness of the current alleged offense(s), number and nature of prior adjudications of guilt, number and nature of pending petitions, supervision status, and history of failure to appear or runaway/escape. These seven weighted items generate the total DAI score that is classified into one of three categories, referred to as the “Indicated Decision”:

- 0-9 points—Release (to a parent, guardian, or other responsible adult)
- 10-14 points—Detention Alternative (placement in a community supervision program that might include electronic monitoring, home detention, outreach detention, or less secure shelter)
- 15+ points—Secure Detention (pending judicial review)

In addition to the score-driven Indicated Decision, the DAI provides for Mandatory Overrides (circumstances that warrant secure detention regardless of the DAI score) and both Aggravating and Mitigating Overrides, in which the Intake Officer may arrive at an “Actual Decision” different from the Indicated Decision by assessing the particulars of the case and citing specific reasons for varying from the Indicated Decision. Mitigating Overrides may result in a decision with a less restrictive outcome than the DAI Indicated Decision, while Aggravating Overrides may result in a decision with a more restrictive outcome than the DAI Indicated Decision. Examples of common aggravating and mitigating factors can be found on the reverse of the DAI form in Appendix A.

The DAI was implemented on December 1, 2002 in all DJJ and locally operated Court Service Units. The DAI was placed on the DJJ automated Juvenile Tracking System (JTS), and CSU intake officers were required to complete the form when considering pre-dispositional detention. Since the initial implementation, only minor revisions have been made for clarification purposes.

### Virginia’s Juvenile Detention Alternatives Initiative

Detention reform has been supported in numerous states (including Virginia) by the Juvenile Detention

Alternatives Initiative (JDAI) of the Annie E. Casey Foundation (AECF). Results from other jurisdictions (Cook County [Chicago], Illinois; Santa Cruz, California; Multnomah County [Portland], Oregon; Bernalillo County [Albuquerque], New Mexico) have shown that it is possible to reduce the use of secure detention without sacrificing public safety or juvenile accountability (Carmody & Buchan, 2007). However, it should be noted there is currently no universally accepted standard for acceptable detention risk.

Collaboration between the Virginia DJJ and AECF officially began on October 1, 2003. Originally, JDAI was implemented in seven jurisdictions, with an eighth site added in October 2005.

According to AECF (2006), JDAI has four main objectives:

- Eliminate the overuse of secure detention;
- Minimize failures to appear and new delinquent behavior;
- Redirect public finances from building new facilities to establishing responsible alternative strategies; and
- Improve conditions in secure detention facilities.

AECF has identified and outlined eight key strategies to meet these objectives, as follows:

- Collaboration;
- Data-driven policy and program decisions;
- Objective admissions screening;
- Expedited case processing;
- Alternatives to secure detention;
- Special detention cases;
- Reduce racial disparities; and
- Supervision of facility conditions and programs.

Virginia’s Detention Assessment Instrument corresponds to the third of these eight strategies and was initiated and implemented prior to DJJ’s formal involvement with JDAI. Results from participating jurisdictions indicate significant progress in achieving the JDAI objectives. Use of the DAI is one important contributor to those successes.

INDICATED DECISION	ACTUAL DECISION
Release	Release
Release	Detention Alternative
Detention Alternative	Release
Detention Alternative	Detention Alternative

**DAI Public Safety Validation**

Validation refers to “the process of measuring the success of the DAI in relation to the specific risks it is designed to address,” and more specifically “to the discrete, post-implementation task of measuring success/failure rates for screened and released children”(Steinhart, 2006, p. 72). This validation process is sometimes referred to as a “public safety” test of the particular instrument because it focuses on two specific outcomes:

- Did the juvenile re-offend while on release status during the period of risk?
- Did the juvenile fail to appear in court while on release status during the period of risk?

The present study tracks these outcomes for a selected group of juveniles.

**Methodology**

*Defining the Sample*

A list of all detention-eligible juveniles (*Code of Virginia*, Criteria for Detention or Shelter Care) processed at intake in each of Virginia’s seven participating Juvenile Detention Alternatives Initiative sites<sup>2</sup> between July and September 2005 was generated from the DJJ automated Juvenile Tracking System (JTS). Specifically, the JDAI sites were chosen because these jurisdictions complete a DAI for all detention-eligible intakes. From this list, all juveniles whose DAI Indicated Decision was either Release or Detention Alternative, and who were not placed in secure detention as a result of a Mandatory or Aggravating Override (as indicated by the DAI Actual Decision), were included in the study. Any juvenile who was detained (whether as a result of a score above the secure detention threshold on the DAI or a Mandatory or Aggravating Override) was excluded from the study because once detained they are not “at risk” of comparable negative outcomes due to their being incapacitated during the “at risk” period. Juveniles

whose intake detention decisions were made in an “on-call” situation outside of routine business hours were then excluded because such decisions are often made prior to the DAI being completed.

The defined population of cases (N=847) was divided into four sub-groups based upon the Indicated Decision of the DAI and the Actual Decision made. The groups are shown in the following matrix:

*Defining the Time at Risk*

The *Code of Virginia* (Time Limitation, §16.1-277.1.A) specifies that a juvenile shall be released from confinement if an adjudicatory hearing is not conducted within 21 days from the date he or she was first confined. This provision reflects the statutory “limit” of the pre-trial or pre-adjudicatory detention period. Therefore, for the purposes of this study, the time at risk is defined as the 30-day period following the juvenile’s being released by an intake officer in response to an allegation of a detention-eligible offense. Although nine days longer than the statutory provision, the 30-day period allows for “good cause” extensions and other brief delays for some cases.

*Defining the Outcomes, Data Collection, and Analysis*

As previously described, the current study is a “public safety” test of Virginia’s DAI because it focuses on two specific outcomes:

- Did the juvenile commit a new offense while on release status during the period of risk?
- Did the juvenile fail to appear (FTA) in court while on release status during the period of risk?

The first of these outcomes (new offense) was defined as the juvenile’s having a new intake for a delinquent (felony or misdemeanor) offense within the 30 days following the “reference” intake which resulted in a detention decision being made following completion of the DAI.

<sup>2</sup> Richmond (City), Hampton, Newport News, Hopewell/Prince George County, Petersburg/Dinwiddie County, Lynchburg, Bedford County.

**TABLE 1**  
New Offense and Failure to Appear Rates

Indicated Decision	Actual Decision	# of Cases	New Offenses	Failure Rate (New Offense)	FTA	Failure Rate (FTA)
Release	Release	629	39	6.2%	8	1.3%
Release	Detention Alternative	41	2	4.9%	0	0.0%
Detention Alternative	Release	117	13	11.1%	5	4.3%
Detention Alternative	Detention Alternative	60	6	10.0%	1	1.7%
<b>Totals</b>		<b>847</b>	<b>60</b>	<b>7.1%</b>	<b>14</b>	<b>1.7%</b>

The second of these outcomes (FTA) was defined as the juvenile's being charged with a failure to appear offense within the 30 days following the "reference" intake which resulted in a detention decision being made following completion of the DAI.

To gather data on these outcomes, the list of cases was sent to the appropriate Court Service Unit (CSU) to acquire data concerning the two outcomes of interest. Data on new offenses included the date of the new offense and the specific offense alleged. Data on FTA occurrences included the date charged. Data were returned to the DJJ Research and Evaluation Unit where new offense and FTA rates were tabulated. New offenses were then separated into felony or misdemeanor categories with associated rates.

## Results

Table 1 presents results for each of the two outcomes of interest, rates of new offenses and failure to appear. Statistical analyses compare the observed outcomes against reference criteria outlined in Steinhart (2006) of 10% failure rate (indicating a "passing" performance for the instrument) or 5% failure rate (indicating a "good" performance for the instrument).

### New Offense Rates

- The overall new offense rate for the sample was 7.1%.
  - When the indicated decision matched the actual decision, the new offense rate was 6.5% (45/689 cases).

- When the indicated decision did not match the actual decision, the new offense rate was 9.5% (15/158 cases).
  - When there was a mitigating override, the new offense rate was 11.1% (13/117 cases).
  - When there was an aggravating override, the new offense rate was 4.9% (2/41 cases).

Chi-square analysis revealed that the overall new offense rate for the DAI was significantly less than the 10% criteria ( $\chi^2$  (1, N=847) = 8.00, p=.005), but significantly greater than the 5% criteria ( $\chi^2$  (1, N= 847) = 7.69, p=.006).

Further analysis indicated that the new offense rate for the Release-Release condition was significantly less than the 10% criteria ( $\chi^2$  (1, N=629) = 10.09, p=.001). Neither the Detention Alternative-Release nor the Detention Alternative-Detention Alternative conditions were significantly greater or less than the 10% criteria. For the Release-Detention Alternative condition, the expected frequency for the chi-square test was too small for analysis.

### Failure to Appear Rates

- The overall failure to appear rate for the sample was 1.7%.
  - When the indicated decision matched the actual decision, the failure to appear rate was 1.3% (9/689 cases).
  - When the indicated decision did not match the actual decision, the failure to appear rate was 3.2% (5/158 cases).

**TABLE 2**  
**Felony and Misdemeanor New Offense Rates**

Indicated Decision	Actual Decision	# of Cases	Felony	Misd.	Total Offenses	Felony (%)	Misd. (%)	Total Offense (%)
Release	Release	629	12	27	39	1.9%	4.3%	6.2%
Release	Detention Alternative	41	0	2	2	0.0%	4.9%	4.9%
Detention Alternative	Release	117	8	5	13	6.8%	4.3%	11.1%
Detention Alternative	Detention Alternative	60	0	6	6	0.0%	10.0%	10.0%
<b>Totals</b>		<b>847</b>	<b>20</b>	<b>40</b>	<b>60</b>	<b>2.4%</b>	<b>4.7%</b>	<b>7.1%</b>

- When there was a mitigating override, the failure to appear rate was 4.3% (5/117 cases).
- When there was an aggravating override, the failure to appear rate was 0.0% (0/41 cases).

Chi-square analysis revealed that the overall failure to appear rate for the DAI was significantly less than the 5% criteria ( $\chi^2$  (1, N=847) = 20.03, p=.000).

Further analysis indicated that the failure rate for the Release-Release condition was significantly less than the 5% criteria ( $\chi^2$  (1, N=629) = 10.09, p=.001). The Detention Alternative-Release condition is not significantly different than the 5% criteria ( $\chi^2$  (1, N=117) = .13, p=.718), although it was significantly less than the 10% criteria ( $\chi^2$  (1, N=117) = 4.26, p=.039). For the Release-Detention Alternative and Detention Alternative-Detention Alternative conditions, the expected frequencies for the chi-square test were too small for analysis at both the 5% and 10% criteria.

As seen in Table 2, new offenses were divided by offense type (felony or misdemeanor), providing the following results:

#### *New Offense Rates (Felony)*

- The overall new felony offense rate for the sample was 2.4%.
  - When the indicated decision matched the actual decision, the new felony offense rate was 1.7% (12/689 cases).
  - When the indicated decision did not match the actual decision, the new felony offense rate was 5.1% (8/158 cases).

- When there was a mitigating override, the new felony offense rate was 6.8% (8/117 cases).
- When there was an aggravating override, the new felony offense rate was 0.0% (0/41 cases).

#### *New Offense Rates (Misdemeanor)*

- The overall new misdemeanor offense rate for the sample was 4.7%.
  - When the indicated decision matched the actual decision, the new misdemeanor offense rate was 4.8% (33/689 cases).
  - When the indicated decision did not match the actual decision, the new misdemeanor offense rate was 4.4% (7/158 cases).
    - When there was a mitigating override, the new misdemeanor offense rate was 4.3% (5/117 cases).
    - When there was an aggravating override, the new misdemeanor offense rate was 4.9% (2/41 cases).

#### **Discussion**

According to the Annie E. Casey Foundation, "When a juvenile detention validation study yields a failure rate for either re-offense or FTA that is less than 10 percent of the release cohort, the risk assessment instrument (RAI) should be given a passing grade for meeting public safety and court appearance objectives. Reoffense and FTA rates under 5 percent can be considered good performance" (Steinhart, 2006, p. 73).

Using these guidelines to measure the performance of Virginia's DAI indicates that on the new offense

**TABLE 3**  
Overall DAI Performance Outcomes

<b>New Offense Rates</b>	
Indicated Decision = Actual Decision	Passing
Indicated Decision Different from Actual Decision	Passing
<i>Mitigating</i>	Marginal
<i>Aggravating</i>	Passing
<b>Failure to Appear Rates</b>	
Indicated Decision = Actual Decision	Good
Indicated Decision Different from Actual Decision	Good
<i>Mitigating</i>	Good
<i>Aggravating</i>	Good

outcome, the DAI overall performance was solidly in the “passing” grade level (7.1%) and this held true for all but one sub-group.

- When the actual decision matched the DAI indicated decision, the DAI performed somewhat better (6.5% vs. 9.5%), although both outcomes are within the range considered to be passing performance and the DAI conforming decisions approach the “good” performance level established by AECE.
  - When looking at mitigating overrides alone (the sub-group of cases in which an indicated decision for a detention alternative was overridden to a release), performance was marginally outside the passing grade (11.1%) on the new offense outcome.
  - When new offenses were further subdivided into severity levels (felony vs. misdemeanor), the results indicated that misdemeanors accounted for two-thirds (40/60) of the new offenses alleged to have been committed by juveniles released or placed in detention alternatives.

These findings indicate that on the overall public safety outcome of new offenses, the DAI can be used with confidence. Particular caution is advised when mitigating decisions to a lower level of supervision. This is especially of concern when releasing the juvenile to parents or guardians without the added support of some detention alternative when this is indicated.

On the failure to appear outcome, the DAI overall performance was solidly in the good performance level (1.7%) and this held true for all sub-groups.

- When the actual decision matched the DAI indicated decision, the DAI performed slightly better (1.3% vs. 3.2%), with both outcomes well within the range considered to be good performance.
- The sub-group with the poorest performance on the failure to appear outcome was similar to that with the poorest performance on the new offense outcome—where an indicated decision for a detention alternative was overridden to a release—and that performance (4.3% failure to appear) was still within the “good” range.

These findings would indicate that on the overall public safety outcome of failure to appear, the DAI can be used with confidence in all cases. As with the new offense criteria, the DAI performs best on the failure to appear outcome when the actual decision conforms to the DAI indicated decision.

Table 3 summarizes the results on both public safety outcomes in light of the framework provided by the Annie E. Casey Foundation.

### Limitations

The current study is seen as a sound validation of the public safety outcomes of the DAI. Several limitations, however, are worth noting. The selected sites which contributed data to the study may not generalize to all

jurisdictions. As JDAI sites, these jurisdictions are actively engaged in a variety of innovative practices which may result in better outcomes than other jurisdictions. While not a direct influence on DAI outcomes, practices with regard to detention alternatives certainly may impact the outcomes of interest. Second, longer follow-up periods are likely to result in higher rates of negative outcomes. If non-detained cases are allowed to “linger” prior to adjudicatory hearings, the “pre-trial” time at risk is extended. As the 21-day statutory limit for an adjudicatory hearing for a detained juvenile is not applicable for those not detained (the limit for non-detained juveniles is 120 days (*Code of Virginia*, Time Limitation), case processing may result in longer “pre-trial” periods. Third, the definition of a negative outcome for a new offense in the study was a new intake case being filed. It is possible that some number of such new offenses would eventually result in a finding of not guilty, nol prosee, or some outcome other than a finding of guilt. Such outcomes would reduce the rate of negative outcomes. Finally, the relatively small sample sizes in the “detention alternative-detention alternative” and “release-detention alternative” sub-groups (60 and

41 cases respectively) will limit generalizability of the findings for those sub-groups.

### Conclusion

The results of this study of Virginia's Detention Assessment Instrument suggest that the use of objective, structured approaches to detention decision making can be accomplished in accordance with important public safety outcomes. No comparable pre-DAI data exist to assess the relative effectiveness of using such an approach to a relatively more subjective one, but the study clearly supports continued use of the DAI. Additionally, the results point to some decision-making patterns where the DAI might be more effective than intake officer determined overrides in achieving desired public safety outcomes. Additional research concerning detention decision-making processes, the need for and the availability of additional or different alternative placements and programs, the need for and the access to additional or different alternative placements and programs, and other related issues will continue to shed light on these important juvenile justice and public policy practices.

### A U T H O R S ' A D D R E S S :

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APPENDIX A

**VIRGINIA DEPARTMENT OF JUVENILE JUSTICE DETENTION ASSESSMENT INSTRUMENT**

Juvenile Name: \_\_\_\_\_ DOB: \_\_/\_\_/\_\_ Juvenile #: \_\_\_\_\_ ICN# : \_\_\_\_\_  
 Intake Date: \_\_/\_\_/\_\_ Time: \_\_:\_\_\_\_  AM  PM Worker Name: \_\_\_\_\_ CSU #: \_\_\_\_\_  
 Completed as Part of Detention Decision:  Completed as Follow-Up (On-Call Intake):

	Score
<b>1. Most Serious Alleged Offense (see reverse for examples of offenses in each category)</b>	
Category A: Felonies against persons.....	15
Category B: Felony weapons or felony narcotics distribution.....	12
Category C: Other felonies.....	7
Category D: Class 1 misdemeanors against persons.....	5
Category E: Other Class 1 misdemeanors.....	3
Category F: Violations of probation/parole.....	2
<hr/>	
<b>2. Additional Charges in this Referral</b>	
Two or more additional current felony offenses.....	3
One additional current felony offense.....	2
One or more additional misdemeanor OR violation of probation/parole offenses.....	1
One or more status offenses OR No additional current offenses.....	0
<hr/>	
<b>3. Prior Adjudications of Guilt</b> (includes continued adjudications with "evidence sufficient to finding of guilt")	
Two or more prior adjudications of guilt for felony offenses.....	6
One prior adjudication of guilt for a felony offense.....	4
Two or more prior adjudications of guilt for misdemeanor offenses.....	3
Two or more prior adjudications of guilt for probation/parole violations.....	2
One prior adjudication of guilt for any misdemeanor or status offense.....	1
No prior adjudications of guilt.....	0
<hr/>	
<b>4. Petitions Pending Adjudication or Disposition (exclude deferred adjudications)</b>	
One or more pending petitions/dispositions for a felony offense.....	8
Two or more pending petitions/dispositions for other offenses.....	5
One pending petition/disposition for an other offense.....	2
No pending petitions/dispositions.....	0
<hr/>	
<b>5. Supervision Status</b>	
Parole.....	4
Probation based on a Felony or Class 1 misdemeanor.....	3
Probation based on other offenses OR CHINSup OR Deferred disposition with conditions.....	2
Informal Supervision OR Intake Diversion.....	1
None.....	0
<hr/>	
<b>6. History of Failure to Appear (within past 12 months)</b>	
Two or more petitions/warrants/detention orders for FTA in past 12 months.....	3
One petition/warrant/detention order for FTA in past 12 months.....	1
No petition/warrant/detention order for FTA in past 12 months.....	0
<hr/>	
<b>7. History of Escape/Runaways (within past 12 months)</b>	
One or more escapes from secure confinement or custody.....	4
One or more instances of absconding from non-secure, court-ordered placements.....	3
One or more runaways from home.....	1
No escapes or runaways w/in past 12 months.....	0
<hr/>	
<b>8. TOTAL SCORE.....</b>	<hr/>

Indicated Decision \_\_\_\_\_ 0 - 9 Release \_\_\_\_\_ 10 - 14 Detention Alternative \_\_\_\_\_ 15+ Secure Detention

**APPENDIX A**  
**VIRGINIA DEPARTMENT OF JUVENILE JUSTICE DETENTION ASSESSMENT INSTRUMENT (CONTINUED)**

- Mandatory Overrides:** (must be detained)  1. Use of firearm in current offense  
 2. Escapee from a secure placement  
 3. Local court policy (indicate applicable policy) \_\_\_\_\_
- Discretionary Override:**  1. Aggravating factors (override to more restrictive placement than indicated by guidelines)  
 2. Mitigating factors (override to less restrictive placement than indicated by guidelines)  
 3. Approved local graduated sanction for probation/parole violation
- Actual Decision/Recommendation:** \_\_\_\_\_ **Release** \_\_\_\_\_ **Alternative** \_\_\_\_\_ **Secure Detention**

**Offense Categories and Included Offenses**

**Category A: Felonies Against Persons**

- Abduction
- Aggravated assault
- Aggravated sexual battery
- Arson of an occupied dwelling
- Assault, law enforcement officer
- Carjacking
- Escape from secure juvenile detention by force/violence
- Extortion
- Forcible sodomy
- Larceny > \$5 from a person
- Malicious wounding
- Murder
- Manslaughter
- Inanimate object sexual penetration
- Rape
- Reckless driving/disregard police with bodily injury
- Robbery
- Take indecent liberties with a child

**Category B: Felony Weapons & Felony Narcotics Distribution**

- Distribute Schedule I or II
- Distribute Schedule I, II, III, IV or marijuana on school property
- Possess Schedule I or II with intent to sell
- Sell Schedule I or II or > 1 oz. Marijuana to a minor 3 years junior
- Brandish/point a firearm on school property or within 1000 ft.
- Discharge firearm from motor vehicle
- Discharge firearm in/at an occupied building

**Category C: Other Felonies**

- Arson of an unoccupied dwelling
- Auto theft
- Burglary/Breaking and entering/Possess burglary tools
- Escape from a correctional facility (not detention)
- Failure to appear in court for a felony
- Fraud/bad checks/credit card > \$200
- Grand larceny/Larceny > \$200
- Larceny of a firearm /Receive a stolen firearm
- Possess Schedule I or II drugs
- Receive stolen goods > \$200
- Shoplift > \$200
- Unauthorized use of an automobile
- Vandalism > \$1000 damage

**Category D: Misdemeanors Against Persons**

- Assault, simple
- Sexual battery

**Category E: Other Misdemeanors**

- Brandish/point a firearm
- Carry concealed weapon
- Disorderly conduct
- Escape from secure juvenile detention without force/violence
- Fraud/bad checks/credit card < \$200
- Failure to appear for a misdemeanor
- Larceny < \$200
- Receive stolen goods < \$200
- Possess a sawed-off shotgun

**Common Aggravating / Mitigating Factors (Known at the time of Intake)**

**Aggravating**

- History of 2+ violent/assaultive offenses
- Parent unwilling to provide appropriate supervision
- Parent unable to provide appropriate supervision
- Juvenile has significant mental health problem/mental retardation
- Juvenile has significant substance abuse problem
- Juvenile does not regularly attend school/work
- Juvenile has violated conditions of a detention alternative
- Juvenile is charged with a new (detainable) offense while in a detention alternative
- Juvenile is an explicit threat to flee if released
- Juvenile is currently an absconder from a non-secure placement
- Other Aggravating factor
- Detention alternative not available

**Mitigating**

- Juvenile marginally involved in the offense
- Parent able/willing to provide appropriate supervision
- Juvenile has significant mental health problem/mental retardation
- Juvenile has significant substance abuse problem
- Juvenile regularly attends school/work
- Offense less serious than indicated by charge
- Juvenile has no/minor prior record