

**THE SECOND
FIELD TEST OF THE
MISSOURI JUVENILE DETENTION ASSESSMENT**

PREPARED BY

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PURPOSE

This report presents the results of a second field test of the Missouri Juvenile Detention Assessment (JDTA). This supplemental test was requested by the JDTA development work group following a change in the “*prior offenses*” risk factor weighting recommended by the Resource Development Institute (RDI) in their report on the original field test of the assessment tool completed in 2008. The JDTA risk factor modification was regarded as necessary to enhance the efficacy of the JDTA and ensure racial, ethnic, and gender equity in the detention decision process. To the extent possible, the second study, collaboratively conducted by seven Missouri juvenile courts and the OSCA Division of Court Programs Research and Education, follows the original RDI field test design.

BACKGROUND

In 2005 and 2006, a committee of juvenile justice professionals and community stakeholders was convened by the Missouri Office of State Courts Administrator (OSCA) to develop standardized criteria for determining whether juveniles presented for detention should be detained. The Missouri Juvenile Detention Assessment (JDTA) was developed to provide an objective assessment process to minimize the potential for disparities in the decision to detain, process, and to classify youth according to their relative likelihood of re-offending and failure to appear for their adjudicatory hearing.

The JDTA is comprised of six risk factors: 1) Capias – Court Order or Warrant; 2) Most Serious Presenting Offense; 3) Additional Presenting Offenses; 4) Prior Referrals; 5) Current Legal Status; and 6) Flight Risk. Each factor contains multiple levels, each with an assigned score based on the seriousness of the respective level. The JDTA was designed to have assessors select the score of the “most serious” level within each factor, and then aggregate the scores into a final assessment score. Based on the aggregate score, the JDTA presents an “Indicated Decision” to help guide the assessor’s decision on whether the juvenile should be detained, receive a detention alternative, or be released to a suitable custodian until they can appear before the court for a formal adjudication hearing. The three ranges of aggregate scores and their accompanying Indicated Decisions are: 1-9 indicates release; 10-14 indicates placement in a detention alternative; and 15 & above indicates detention.

In 2007, OSCA contracted with the Resource Development Institute (RDI) to assist with a field test of the JDTA. To determine the accuracy of the JDTA assessment, RDI examined how well the assessment tool grouped youth into categories for release, detention alternative, and detention by empirically determining whether, or to what extent, there was a relationship between the aggregate JDTA assessment scores, and recidivism and/or a youth’s failure to appear for their adjudicatory hearing. Recidivism was defined as any new referral for a law violation between the time of assessment and the adjudicatory hearing or dismissal. Six circuit courts of varied population, demographics, income, and region were selected to participate in

the original JDTA field test: 12th (Audrain, Montgomery, & Warren Counties); 16th (Jackson County); 21st (Saint Louis County); 22nd (Saint Louis City); 31st (Greene County); and 45th (Lincoln & Pike Counties).

Complete results of the original field test performed by RDI are contained in the “*Field Test of the Missouri Juvenile Detention Assessment*” report. A consequential recommendation of the report was for the JDTA work group to consider modifying the point values associated with the “*prior offenses*” risk factor to coincide with a statistical model developed using field test data that projected a reduction of new referrals, failures to appear, and overrides-to-detention, if the modification was implemented. The model also indicated the modification would reduce the potential of racial and ethnic disparity of the instrument. Prompted by the RDI recommendation, the JDTA work group voted to modify the risk factor weighting and requested a second field test of instrument to ensure it operates as predicted by the model.

The second JDTA field test utilized data submitted through the Judicial Information System (JIS) databases in the following circuits: 13th (Boone & Callaway Counties); 16th (Jackson County); 21st (Saint Louis County); 22nd (Saint Louis City); 23rd (Jefferson County); 31st (Greene County); and 45th (Lincoln & Pike Counties).

SAMPLE

The research sample consisted of 1675 youth for whom a detention assessment was completed between June 1, 2009 and March 31, 2010 using the JDTA as it is incorporated under the assessment form [CZAASMT] of JIS. The age of the youth assessed ranges from 6 to 20 years old. Since the JDTA instrument is designed for assessing juveniles under 17, the 126 youth who were older than 16 at the time of assessment were taken out of the sample, which leaves 1549 youth in the sample.

Even though the youth over 17 are not included in this final report, because they were considered as juveniles at assessment in the field practice, analysis were conducted while including them so as to reflect reality. We compared the results with those of the sample excluding the older youth, no statistically significant differences were found on major measures on override.

Based on the results of the JDTA, the sample was divided into two groups. The *Not at Risk* group was comprised of 636 youth who were detained. Data from this group was used in a relatively limited fashion: the distribution of scores across items and total scores were examined and compared to the *At Risk* group. The *At Risk* group was comprised of 913 youth who were assessed and released to suitable custodian (n=689) or to a detention alternative (n=224) within five days of assessment. Even though many of them (622) were detained for a short amount of time, they were considered at risk of recidivism since they were physically released back to the community. The *At Risk* group was followed to identify those who *succeeded* (did not receive a new law violation; and/or appeared for their adjudicatory hearing as scheduled) and those who

failed (received a new referral for law violation on or before the hearing or the disposition and/or failed to appear for their adjudicatory hearing). Data from the *At Risk* group provided the foundation for the bulk of the validation effort.

The greatest number of assessments was conducted by the 21st Circuit with 477 (31%), followed by the 22nd Circuit with 452 (29%), the 16th Circuit with 395 (26%), the 31st Circuit with 84 (5%), the 13th Circuit with 77 (5%), the 45th Circuit with 42 (3%), and the 23rd Circuit with only 22 (1%).

FINDINGS

Demographics

JIS contains demographic data on youth presented for detention including age, gender, and race/ethnicity. This information is presented below.

Race/Ethnicity

Overall, the majority of juveniles assessed using the JDTA during the field test period were Black/African American (76.5%), followed by White non-Hispanic (20.7%), Hispanic (1.7%), Asian or Pacific Islander (0.8%), and unknown race/ethnicity (0.3%). Table 1 presents the race/ethnicity of JDTA assessed juveniles by circuit.

Table 1. Race/Ethnicity by Circuit

Circuit	Black/African American	Non-Hispanic White	Hispanic	Asian or Pacific Islander	Unknown	Total
13	30	46	1	0	0	77
16	306	68	18	2	1	395
21	411	61	2	3	0	477
22	421	19	5	6	1	452
23	1	20	0	0	1	22
31	10	71	0	1	2	84
45	6	36	0	0	0	42
Total	1185	321	26	12	5	1549

Age

For the entire sample the average age of the juveniles was 15 years old with a range of 6 to 16 years old. The biggest age group is age 16 (43%), followed by 15 (30%), 14 (16%), and the rest younger youth (11%). Only 3 youth (one 6 years old and two 8 years old) in the 13th circuit were under 10. See Table 2 for average age and age range by circuit.

Gender

The majority of juveniles assessed with the JDTA were male (81%). Table 2 displays the gender of the JDTA assessed juveniles by circuit.

Table 2. Age and Gender by Circuit

Circuit	Avg. Age (range)	Female	Male
13	14 (6-16)	22 (28.6%)	55 (71.4%)
16	15 (11-16)	64 (16.2%)	331 (83.8%)
21	15 (10-16)	102 (21.4%)	375 (78.6%)
22	15 (11-16)	63 (13.9%)	389 (86.1%)
23	14 (12-16)	4 (18.2%)	18 (81.8%)
31	14 (11-16)	27 (32.1%)	57 (67.9%)
45	14 (12-16)	15 (35.7%)	27 (64.3%)
Total	15 (6-16)	297 (19.2%)	1252 (80.8%)

Presenting Offenses

The juveniles assessed with the JDTA had been charged with a wide variety of presenting offenses. Table 3 presents a breakdown of the presenting offenses.

Table 3. Presenting Offenses

Category	Frequency	Percent
Felony-Property	297	19.2%
Felony-Person	220	14.2%
Tech Sup/Prob Viol By Warrant, JO Auth or Court Order	209	13.5%
Misdemeanor-Property	203	13.1%
Misdemeanor-Person	132	8.5%
Court Ordered Detention at Hearing	102	6.6%
Weapons Offense	87	5.6%
Sex Offense	63	4.1%
Warrant-FTA	55	3.6%
Drug Offense	48	3.1%
Status Offense	45	2.9%
Warrant-DYS	41	2.6%
Misdemeanor-Other	30	1.9%
Pre-Adjudication Placement or Program Failure	10	0.6%
Felony-Other	7	0.5%

JDTA Factors

Juveniles were assessed based on six factors: 1) Capias – Court Order or Warrant; 2) Most Serious Presenting Offense; 3) Additional Presenting Offenses; 4) Prior Referrals; 5) Current Legal Status; and 6) Flight Risk. Each category contains multiple levels with assigned scores based on the seriousness of the level. Assessors were instructed to select the “most serious” level for each factor, and then aggregate the scores from each factor into a final assessment score. To ensure reliability among users, assessors were instructed to refer to the following definitions when scoring each factor on the JDTA.

1. Capias, Court Order or Warrant:

A Capias refers to a court order allowing law enforcement to assume custody of a youth. Note: assessors were instructed to review specific laws and regulations regarding secure detention of status offenders (RSM 211.063).

Table 4 below presents a breakdown of the number and percent of juveniles assessed during the field test period who met the criteria for factor #1.

Table 4. Capias, Court Order or Warrant

Assessment Factor	Number	Percent
Total - Capias, Court Order or Warrant	392	25.3%
Capias for secure detention	181	11.7%
Court order for secure detention	169	10.9%
DYS warrant	42	2.7%
None	1157	74.7%

2. Most Serious Presenting Offense:

Assessors were instructed to consider only the most serious presenting offense. Status offenses alone were not a basis for the decision to detain.

- a. All A & B felonies, all felony sex offenses, and all felony offenses pertaining to the unlawful possession or use of a fire arm or explosive device.
- b. All C & D or unclassified felony offenses **against persons**, including involuntary manslaughter, felonious restraint, stealing from a person, assault on school property, and unlawful **use** of a weapon other than a firearm or an explosive device.
- c. All other felonies not described in A or B above.
- d. Prior sex offense referral includes only those referrals found sufficient by a juvenile officer or designee. Easy access to a victim is defined as a victim that resides in the same home, residential facility or near the home of the suspect, or who attends the same school or daycare as the suspect.
- e. Other misdemeanor sex offenses not covered in D above.
- f. Misdemeanors involving visible or medically identified injury to a victim.
- g. All other misdemeanors not described in E or F above.

- h. Infractions and municipal violations.
- i. Violations of conditions of formal supervision.

Table 5 presents a breakdown of the number and percent of juveniles assessed during the field test period who met the criteria for factor #2.

Table 5. Most Serious Presenting Offense

Assessment Factor	Number	Percent
Total - Most Serious Presenting Offense	1254	81.0%
A or B felony, felony sex offense, or unlawful felony possession or use of a firearm or explosive device	257	16.6%
Other felony offense <i>against person</i>	96	6.2%
Other felony	317	20.5%
Misdemeanor sex offense, <i>with prior sex offense referral, or easy access to a victim</i>	8	0.5%
Other misdemeanor sex offense	10	0.7%
Misdemeanor <i>against person involving injury</i>	67	4.3%
Other misdemeanor	326	21.1%
Infraction or municipal offense	5	0.3%
Probation violation	119	7.7%
Status offense	49	3.2%
None	295	19.0%

3. Additional Presenting Offenses:

Assessors were instructed to consider additional presenting offenses that are separate and unrelated to the presenting offense in #2.

Table 6 presents a breakdown of the number and percent of juveniles assessed during the field test period who met the criteria for factor #3.

Table 6. Additional Presenting Offenses

Assessment Factor	Number	Percent
Total - Additional Presenting Offenses	120	7.7%
Two or more unrelated felonies	16	1.0%
One unrelated felony	29	1.9%
One or more unrelated misdemeanor(s)	75	4.8%
None	1429	92.3%

4. Prior Referrals:

Assessors were instructed to consider only referrals to the juvenile office or court of law violations that were found sufficient by a juvenile officer or designee and occurred prior to the present offense.

Table 7 presents a breakdown of the number and percent of juveniles assessed during the field test period who met the criteria for factor #4.

Table 7. Prior Referrals

Assessment Factor	Number	Percent
Total - Prior Referrals	906	58.5%
5 or more sufficient law violation referrals	163	10.5%
3-4 sufficient law violation referrals	211	13.6%
1-2 sufficient law violation referrals	532	34.3%
None	643	41.5%

5. Current Legal Status:

Assessors were instructed to consider current legal status using available records. If youth was from another jurisdiction, assessor was to contact appropriate agencies to verify legal status. Assessors were also instructed to consider failure of a secure detention alternative that juvenile is **currently** participating in.

Table 8 presents a breakdown of the number and percent of juveniles assessed during the field test period who met the criteria for factor #5.

Table 8. Current Legal Status

Assessment Factor	Number	Percent
Total - Current Legal Status	576	37.2%
Alternatives to secure detention failed	34	2.2%
Currently in DYS custody	70	4.5%
Felony or misdemeanor petition pending	105	6.8%
Current formal or informal supervision for a law violation	367	23.7%
None	973	62.8%

6. Flight Risk:

Assessors were instructed to consider the history of escape from confinement or law enforcement (not including resisting arrest), and failure to appear for court hearings. Assessors were also instructed to consider current status as an out-of-state resident/runaway.

Table 9 presents a breakdown of the number and percent of juveniles assessed during the field test period who met the criteria for factor #6.

Table 9. Flight Risk

Assessment Factor	Number	Percent
Total - Flight Risk	128	8.3%
Prior escape from secure detention facility	91	5.9%
Prior escape from custody (DJO or law enforcement)	8	0.5%
Out-of-state resident/runaway	29	1.9%
None	1421	91.7%

Scores and Decisions

Based on the aggregate score, the JDTA presents an “Indicated Decision” to guide the assessor’s decision on whether or not the juvenile should be detained or not. The three ranges of scores and their accompanying indicated detention decision included:

- A score of 1-9 indicates the youth should be released to a suitable custodian.
- A score of 10-14 indicates the youth is appropriate for a detention alternative.
- A score of 15 or above indicates a youth should be detained.

Aggregate assessment scores ranged from “0” to “48.” The JDTA indicated 58.4% of the youth be detained, 16.3% be placed in detention alternative, and 25.3% be released to a suitable custodian.

In this study, assessor’s final decision is defined in a similar manner as in the first field study so as to maintain consistency. If a youth was released or put on a detention alternative program within five days of JDTA assessment, the final decision is considered “release” or “detention alternative”, even though the youth was detained for a short amount of time. Based on the data availability and the information collected from individual circuits about their field practice and the JIS data entry routines, program code entries on CZAPROG in JIS are heavily relied on in finding the final decisions for most circuits. If the end date of a detention program was entered within the five days of the assessment, the youth is considered released unless a program code for detention alternative is also entered within the five days. If no detention or detention alternative program code(s) could be found, then released is considered as the final decision.

Among the 1549 youth assessed, physical detention occurred to 1274 (82.3%) of them during the study period. However, with overrides (see below) 41.1% of the youth were considered detained as final decision, 14.5% were placed in detention alternative, and 44.5% released to a suitable custodian.

Overrides

Assessors had the option of overriding the JDTA Indicated Decision with either more restrictive or less restrictive decisions. An override is a decision to detain or release a child in contravention of the risk score and indicated decision of the JDTA. In those cases, the assessor was asked to indicate reasons for the override.

While some overrides are expected and desired when using structured decision making tools such as the JDTA, when the indicated decision is overridden at substantial rates, then it would suggest that the form is not being used as desired as an influence in the decision process (Steinhart, 2005; Virginia DJJ, 2004). Table 10 presents a comparison of the JDTA Indicated Decisions and the Final Decisions made including overrides.

In this study, overrides-to-detention are defined as those overrides where a youth scores low enough to be released to a suitable custodian or detention alternative program, but is detained. Table 10 shows that 12 (3.1%) youth who were indicated to be released (two steps more restrictive) and 66 (26.2%) youth who were scored as detention alternative (one step more restrictive) were actually detained. Thus, the overall override-to-detention rate is 12.1% (78/644), decreased significantly from 33.4% found in the original JDTA field study.

Table 10. Comparison of JDTA Indicated Decisions and Final Decisions

Freq. (override%)	Final Decision to Release	Final Decision Detention Alternative	Final Decision to Detain	Total
JDTA Indicated Release	372 (94.9%)	8 (2.0%)	12 (3.1%)	392
JDTA Indicated Detention Alternative	107 (42.5%)	79 (31.3%)	66 (26.2%)	252
JDTA Indicated Detain	210 (23.2%)	137 (15.1%)	558 (61.7%)	905
Total	689	224	636	1549

	JDTA Indicated decision and final decision are the same
	Final decision is 1 step more restrictive than JDTA indicated decision
	Final decision is 2 steps more restrictive than JDTA indicated decision
	Final decision is 1 step less restrictive than JDTA indicated decision
	Final decision is 2 steps less restrictive than JDTA indicated decision

Considering the detention override goal set by Casey Foundation, 15 to 20 percent of children eligible for release (Steinhart, 2006), the participating sites in this study have met the goal with a low rate of 12.1%.

On the other hand, a considerable number of youth were handled with less restrictive decisions. Table 10 shows that 107 of youth scored as detention alternative and 210 of those scored as detention were actually released, and 137 of those scored as detention were put on detention alternative program. Altogether, the override-to-less-restrictive rate reached an exceptionally high rate of 39.2%, increased from 8.5% found in the original JDTA field study. It may be beneficial to some youth by diverting them from the secure detention to other non-secure settings; however, putting youth with high risks back to the community might bring the society more harm should they recidivate. More data and discussion are presented in later sections regarding this concern.

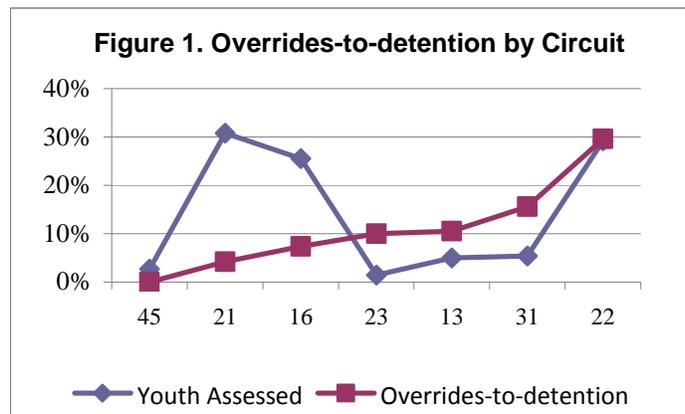
Overrides-to-detention by Circuit

A further examination of the percent of overrides by Circuit Court was conducted. The most assessments were conducted by the 21st Circuit, followed by the 22nd Circuit, the 16th, the 31st Circuit, the 13th Circuit, the 45th Circuit, and the 23rd Circuit. An analysis of frequencies indicated that the smallest percent of overrides-to-detention cases were applied by the 45th Circuit, followed by the 21st Circuit, the 16th Circuit, the 23rd Circuit, the 13th Circuit, the 31st Circuit, and the 22nd Circuit. See Table 11 and Figure 1 for data. (See Appendix C for a more detailed

breakdown by circuit). Table 11 also shows that the 22nd Circuit has the highest detention rates (56.4%), in addition to the highest override-to-detention rate (29.6%)

Table 11. Overrides-to-detention by Circuit

Circuit	Number of youth assessed	% of overrides -to- detention	% of detention as final decision
45	42	0.0%	9.5%
21	477	4.2%	37.1%
16	395	7.4%	32.7%
23	22	10.0%	9.1%
13	77	10.5%	44.2%
31	84	15.6%	41.7%
22	452	29.6%	56.4%



Reason for More Restrictive Overrides

In those cases where the JDTA Indicated Decision was overridden, the assessor was asked to indicate reasons for the override. The reasons indicated for more restrictive overrides by circuit court are presented in Table 12.

Table 12. More Restrictive Overrides by Circuit Court

Circuit Court	No suitable custodian to assume custody	Serious or credible threat to witness, victim, or community	No non-secure alternative available	Out-of-state runaway/ missing person (no capias)	Mental Health Placement Obtained	Non-Secure Alternative Used	Other
13	2 (100.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)
16	0 (0.0%)	9(56.3%)	2(12.3%)	1 (6.3%)	0 (0.0%)	2 (12.5%)	2 (12.5%)
21	9 (90.0%)	0 (0.0%)	1 (10.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)
22	4 (9.8%)	3 (7.3%)	30 (73.2%)	0 (0.0%)	0 (0.0%)	1 (2.4%)	3 (7.3%)
23	0 (0.0%)	1 (50.0%)	1 (50.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)
31	2 (28.6%)	1 (14.3%)	3 (42.9%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	1 (14.3%)
45	0 (0.0%)	0 (0.0%)	1 (50.0%)	0 (0.0%)	1 (50.0%)	0 (0.0%)	0 (0.0%)
Total	17 (21.3%)	14 (17.5%)	38 (47.5%)	1 (1.3%)	1 (1.3%)	3 (3.8%)	6 (7.5%)

“No non-secure alternative available” was the most often indicated reason for a detention override. Especially in the 22nd Circuit, 73.2% of the more restrictive overrides were due to the lack of detention alternative programs, which may help explain the relatively high detention override rate in this circuit. According to the information provided by the 22nd Circuit, most alternatives are not available until the day after a youth is detained. Although the circuit has a number of alternatives, many do result in a one night stay in detention. The circuit has a number

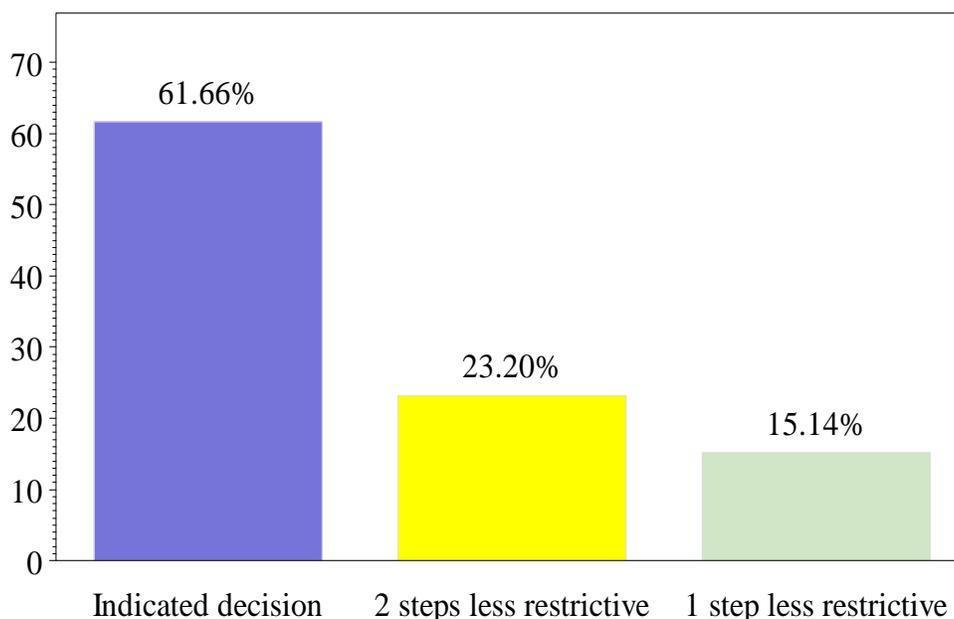
of alternatives that are implemented the following morning. However, when a youth indicated for detention alternative was detained for more than five days, it is most likely because of custodian issues or the judiciary felt that the youth was a serious/credible threat to the community. Since JIS only allows one entry of the override reason, this information might not be recorded in JIS.

“No suitable custodian to assume custody” and “Serious or credible threat to witness, victim, or community” were the second and third most common reasons for detention override. All the overrides in the 13th Circuit and a vast majority of the overrides in the 21st Circuit were due to unavailable suitable custodian. More than half of the overrides that occurred in the 16th Circuit were exercised to eliminate the potential serious or credible threat to witness, victim, or community.

Less Restrictive Overrides from Detention

JDTA scores of 15 and higher indicated that 905 youth should be detained. Assessors decided to override the indicated detain decision with 347 (38.3%) of the youth assessed, with 137 (15.1%) going into a detention alternative (one step less restrictive) and 210 (23.2%) being released (two steps less restrictive). See Figure 2.

Figure 2. 15+ Indicated Detain



The reasons for less restrictive overrides by Circuit Court are presented in Table 13. It is noted that majority of the overrides are missing reason indicators in JIS, which is because JIS only allows one entry for override reason. Based on the information gathered directly from the circuits, in most cases, “Retain indicated decision” was used in JIS since that was the original decision. However, non-secure alternatives or custodian often became available at a later time and the assessors decided to use these options instead for unrecorded reasons; therefore, the final decision became “release” or “detention alternative”.

Table 13. Less Restrictive Overrides by Circuit Court

Circuit Court	No-Non Secure Alternative Available	Mental health placement obtained	Does Not Meet Local Age Guidelines	Non-secure alternative utilize	Referral is insufficient	Other	Missing Reason for Override
13	0 (0.0%)	0 (0.0%)	1 (11.1%)	4 (44.4%)	1 (11.1%)	3 (33.3%)	0 (0.0%)
16	0 (0.0%)	0 (0.0%)	0 (0.0%)	2 (2.2%)	2 (2.2%)	1 (1.1%)	110 (94.4%)
21	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	94 (100.0%)
22	2 (2.2%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	88 (97.8%)
23	1 (9.1%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	10 (90.9%)
31	0 (0.0%)	1 (11.1%)	0 (0.0%)	2 (22.2%)	0 (0.0%)	(11.1%)	5 (55.6%)
45	0 (0.0%)	0 (0.0%)	0 (0.0%)	3 (17.6%)	1 (5.9%)	0 (0.0%)	13 (76.5%)
Total	3 (0.9%)	1 (0.3%)	1 (0.3%)	11 (3.2%)	4 (1.2%)	5 (1.4%)	320 (92.8%)

Comparison by Race/Ethnicity, Gender, and Age

In order to assess whether the JDTA indicated decisions and the final decisions made are unbiased regarding race/ethnicity, gender, and age, logistic regression models were run on the indicated decision and the final decision controlling all the JDTA factors. Stepwise selection procedures were used and the results show that **none** of the demographic variables are significantly associated with either decision. Even though the respective Chi-square analysis between the demographic variables and the decision variables indicate significant relationships between them, without controlling the JDTA factors, the results can be misleading. However, with the insignificant findings from the regression analysis, we are confident to conclude that the JDTA instrument and the final decision are **not biased** regarding any of the demographic variables.

Follow-up Information

The *At Risk* group was comprised of 913 youth (58.9% of all youth assessed) who were assessed and released to suitable custodian (n=689) or to a detention alternative (n=224). The youth in the *At Risk* group were then followed to identify those who *succeeded* (appeared in court as scheduled and had no subsequent law violation) and those who *failed* (failed to appear for their court hearing and/or received a new referral for law violation). Table 14 compares the JDTA Indicated Decisions and the Final Decisions for the *At Risk* group. Thirty eight percent of the youth in the *At Risk* group were indicated to be detained by JDTA, but were released (210) or placed in a detention alternative program (137).

Table 14. Juveniles in *At Risk* Group: Indicated Decision by Final Decision

	Final Decision to Release	Final Decision Detention Alternative	Final Decision to Detain	Total
JDTA Indicated Release	372	8	0	380 (41.6%)
JDTA Indicated Detention Alternative	107	79	0	186 (20.4%)
JDTA Indicated Detain	210	137	0	347 (38.0%)
Total	689 (75.5%)	224 (24.5%)	0 (0%)	913 100%

	JDTA Indicated decision and final decision are the same
	Final decision is 1 step more restrictive than JDTA indicated decision
	Final decision is 2 steps more restrictive than JDTA indicated decision
	Final decision is 1 step less restrictive than JDTA indicated decision
	Final decision is 2 steps less restrictive than JDTA indicated decision

Recidivism and Failure to Appear

In order to determine the accuracy of the JDTA assessment, we examined how well the assessment tool grouped youth into categories for release, detention alternative, and detention by empirically determining whether, or to what extent, there was a relationship between the aggregate JDTA assessment scores, and recidivism and/or a youth's failure to appear for the scheduled court hearing. To be consistent with the first field study done by RDI, recidivism was defined as any new referral for a law violation following the JDTA assessment occurring prior to adjudication, informal disposition, or dismissal of the original referral.

Two hundred and twelve youth had new referrals for law violations (210) and/or failed to appear in court hearings¹ (6) during the tracking period. Four youth appeared in both types of failures. This represents a 23.2% (212/913) recidivism rate for the *At Risk* group.

The RDI definition does not differentiate legally sufficient law violations from the non-sufficient ones, which may be inappropriate because referrals that did not satisfy legal sufficiency should not be considered as true recidivating offenses. Therefore, we provide a second set of statistics for recidivism involving only legally sufficient law referrals.

One hundred and seventy three youth had new legally sufficient referrals for law violations and/or failed to appear in court hearings during the tracking period. This represents an 18.9% (173/913) recidivism rate for the *At Risk* group.

¹ Most circuits do not record information in JIS about "failure-to-appear in court hearing".

Steinhart (2006) suggests that a juvenile detention risk assessment instrument performs well and meets public safety and court appearance objectives when a failure rate for either reoffense or failure to appear (FTA) is less than 10 percent for the release cohort. When the reoffense and FTA rate is under 5%, the instrument is considered good performance. The recidivism rates (23.2% & 18.9%) found in this study are higher than the criteria suggested. However, many practitioners and researchers question how realistic the recommended 10 percent failure rate is. We think that it may be unrealistic to set such a high standard for a group of youth who most likely score moderate to high risk based on the Missouri Juvenile Risk Assessment. For the *At Risk* group in this study, we found that only 8% of youth were assessed as low risk, 62.7% moderate risk, and 29.3% high risk. According to the Missouri Juvenile and Family Division Annual Report (CY 2009), 13% of low risk, 30% of moderate risk, and 44% of high risk offenders had new legally sufficient law referrals since case disposition. The report also indicates that 40% of recidivists re-offended within the first three months of their initial offense disposition date. Based on the above information, we estimate a recidivism rate of 13.1% for the *At Risk* group. In the following sections, we will try to explore reasons for the higher recidivism rate found for the *At Risk* group and the implications for the JDTA instrument.

Overrides and Recidivism

Table 15 presents the *At Risk* youth by their JDTA indicated decisions and their recidivating status. We found that more than half of the recidivists (110 out of 212 all law offenses / 96 out of 173 legally sufficient law offenses) were indicated for detention by JDTA but override decisions were made to send them back to community. The results in Table 15 show that this group of youth suffered the highest recidivism rate (31.7% / 27.7%). Those who were indicated for detention alternative had a recidivism rate of 28.9% / 22.6%. Among the 380 youth who were indicated for release, only fifty-two / thirty-five recidivated, which represents a low rate of 13.7% / 9.2%.

Table 15. Recidivism for *At Risk* youth by JDTA indicated decisions

Frequency (Row Pct)	New Law & FTA		
	No	Yes	Total
JDTA Indicated Release	328	52 (13.7%)	380
JDTA Indicated Detention Alternative	136	50 (26.9%)	186
JDTA Indicated Detain	237	110 (31.7%)	347
Total	701	212 (23.2%)	913
Frequency (Row Pct)	Legally Sufficient New Law & FTA		
	No	Yes	Total
JDTA Indicated Release	345	35 (9.2%)	380
JDTA Indicated Detention Alternative	144	42 (22.6%)	186
JDTA Indicated Detain	251	96 (27.7%)	347
Total	740	173 (18.9%)	913

Table 16 presents the *At Risk* youth by their final decisions and their recidivating status. We found that the youth on detention alternative programs had significantly higher recidivism rates (36.6% / 32.6 %) than youth released (18.9% / 14.5%). This finding may indicate the ineffectiveness of the detention alternative programs in preventing recidivism.

Table 16. Recidivism for *At Risk* youth by final decisions

Frequency (Row Pct)	New Law & FTA		
	No	Yes	Total
Final Decision to Release	559	130 (18.9%)	689
Final Decision Detention Alternative	142	82 (36.6%)	224
Frequency (Row Pct)	Legally Sufficient New Law & FTA		
	No	Yes	Total
Final Decision to Release	589	110 (14.5%)	689
Final Decision Detention Alternative	151	73 (32.6%)	224

Table 17 below presents a summary description for the recidivists to compare their JDTA Indicated Decision and the Final Decision. One hundred and thirty of the recidivists (61.3%) were released as final decision and fifty-four of them (40.6%) were supposed to be detained as indicated by the JDTA. Eighty two (38.7%) of the recidivists were placed on detention alternative and the majority of them (68.3%) were actually indicated for detention. The youth group with legally sufficient law referrals shares the same patterns. If we excluded these 110 youth from the *At Risk* group as suggested by the JDTA, the recidivism rate would decrease to 18.0% and 13.6% respectively, which would be much closer to the recommended 10% failure rate. Especially, the rate for new legally sufficient law referrals (13.6%) is very close to the estimated rate 13.1% based on the statewide recidivism information. Therefore, detaining those who are suggested for detention by the JDTA will greatly decrease the recidivism rate.

Table 17. Juveniles with New Referrals/FTA: Indicated Decision by Final Decision

New Law & FTA	Final Decision to Release	Final Decision Detention Alternative	Total
JDTA Indicated Release	50	2	52 (24.5%)
JDTA Indicated Detention Alternative	26	24	50 (23.6%)
JDTA Indicated Detain	54	56	110 (51.9%)
Total	130 (61.3%)	82 (38.7%)	212 (100%)
Legally Sufficient New Law & FTA			
JDTA Indicated Release	33	2	35 (20.2%)
JDTA Indicated Detention Alternative	23	19	42 (24.3%)
JDTA Indicated Detain	44	52	96 (55.5%)
Total	100 (57.8%)	73 (42.2%)	173 (100%)

Further investigation was conducted on the 347 youth who were indicated for detention by JDTA but ended with a less restrictive decision. As indicated earlier, the recidivism rate among this group is as high as 31.7%. It is also noticed that most youth in this group were assessed in three major metro circuits, with 115 (33%) from the 16th circuit, 94 (27.1%) from the 21st circuit, and 90 (25.9%) from the 22nd circuit. Notably, those in the 16th circuit had the highest recidivism rate of 52.2%, and those in the 21st circuit also had a rather high recidivism rate of 29.8%.

Table 18 shows the interaction between the reason for detention and recidivism. The table is sorted by the recidivism rate for each reason in a descending order. We found that almost half the youth had a strong reason, such as court ordered detention at hearing, a FTA warrant, weapons offense, or technical supervision/probation violation, to be detained but somehow were released or sent to detention alternative. This practice led to considerably high recidivism rates among these youth. Youth with court ordered detention had the highest recidivism rate (48.8%), followed by youth who already had a FTA warrant (44.0%), youth with weapons offenses (43.8%), and technical supervision/probation violators (40.9%).

Table 18. Reason for Detention and Recidivism

Reason for Detention	Recidivated		
	No	Yes	Total
Court Ordered Detention at Hearing	22	21 (48.8%)	43
Warrant-FTA	14	11 (44.0%)	25
Weapons Offense	18	14 (43.8%)	32
Tech Sup/Prob Viol By Warrant, JO Auth or Court Order	39	27 (40.9%)	66
Sex Offense	12	7 (36.8%)	19
Felony-Person	40	11 (21.6%)	51
Misdemeanor-Property	4	1 (20.0%)	5
Felony-Property	64	15 (19.0%)	79
Warrant-DYS	6	1 (14.3%)	7
Drug Offense	5	2 (28.6%)	7
Misdemeanor-Person	8	0 (0.0%)	8
Felony-Other	2	0 (0.0%)	2
Misdemeanor-Other	1	0 (0.0%)	1
Total	237	110	347

Chi-Square tests were used to test the association between the recidivism status and demographics/JDTA factors for this group of youth. Only “Capias” is found to have significant associations with recidivism. Table 19 shows that youth with capias (47.8%) or court order (40.3%) for detention had much higher recidivism rates than those without capias (23.9%). Therefore, releasing youth with capias and indicated for detention back to the society is not promising practice.

Table 19. Significant JDTA Factors

Capias	Recidivated		
	No	Yes	Total
Capias for secure detention - 15 points	36	33 (47.8%)	69
Court order for secure detention- 15 points	40	27 (40.3%)	67
DYS warrant- 15 points	5	1 (16.7%)	6
None - 0 point	156	49 (23.9%)	205
Total	237	110	347

Analysis of JDTA Factors

A logistic regression was conducted to evaluate the relative power of each of the JDTA factors to estimate the risk of a new referral for law violation/failure to appear for court hearing. Demographic variables, gender, race/ethnicity, and age, were controlled in the regression model. See Tables 20 for results from stepwise selection procedure.

Table 20. Significant Parameter Estimates

Did youth have new law referral or fail to appear in a court hearing? Yes		B	Std. Error	Wald	Sig.	Exp(B)	95% Confidence Interval for Exp(B)	
							Lower Bound	Upper Bound
Intercept		-2.4284***	0.3121	60.5592	<.0001	0.088		
Capias	Capias , Court Order or Warrant vs. No	1.0161***	0.2865	12.5796	0.0004	2.763	1.576	4.844
Most Serious Presenting Offense	A or B felony vs. Status	0.8116**	0.3267	6.1728	0.0130	2.251	1.187	4.271
Current legal status	Current formal or informal supervision for a law violation vs. None	0.6341***	0.2289	7.6722	0.0056	1.885	1.204	2.953
Gender	Male vs. Female	1.0909***	0.2503	18.9958	<.0001	2.977	1.823	4.862

** $p < 0.05$; *** $p < 0.01$

Four factors were found to be significantly associated with one's recidivism status: **capias**, **most serious presenting offense**, **current legal status**, and **gender**. The Exp(B) in the Table 20 indicates the odds ratio between the category under consideration and the reference category.

- When a capias, court order, or DYS warrant was issued for a youth, the odds of him/her having a new law referral before the adjudication hearing/case disposition or failing to appear in court are about three times the odds of those who did not receive any capias, court order, or DYS warrant for secure detention.

- Only when a youth is charged with Class A or B felony, his/her odds to recidivate are significantly higher (about 2.3 times) than those whose most serious presenting offense is only status offense. When charged with less serious offense(s), one's odds to recidivate are not significantly different from those charged with only status offense.
- When a youth is currently under formal or informal supervision for a law violation, (s)he has about twice the odds to recidivate in comparison with those who have no current legal condition.
- When all the JDTA factors are controlled, males still have almost three times the odds of females to recidivate.

Since the JDTA instrument would indicate detention for a youth with *capias* or Class A or B felony offense. These two factors are significantly associated with one's recidivism status, suggesting that avoiding overrides to less restrictive decisions would lead to lower recidivism rates. The third significant factor "current formal or informal supervision for a law violation" may suggest that the current supervision programs are not effectively preventing youth from further delinquency since even by increasing the score for this factor from 2 to 5, not many more youth would be indicated for detention. Therefore, we do not believe changing the score of this factor in JDTA would be of much help in lowering the recidivism rate. Instead, we believe caution should be taken in making less restrictive override decisions when a juvenile office or detention center receives a youth under supervision for a law violation, if the youth is indicated for detention by the JDTA instrument.

CONCLUSIONS & RECOMMENDATIONS

Based on the aggregate assessment scores and cut off criteria, the JDTA recommended that 58.4% (54.2% in the first study) of the youth in the sample be detained, 16.3% (19.7%) be placed in detention alternative, and 25.3% (26.1%) be released to a suitable custodian. The final decisions reached by assessors, incorporating both less restrictive and more restrictive overrides, resulted in 41.1% (67.8%) of the youth being detained, 14.5% (8.2%) placed in detention alternative, and 44.5% (24.0%) released to a suitable custodian. These final decisions represented a 12.1% (33.4%) override-to-detention rate, which is even lower than the 15% to 20% target override rate suggested by JDTAI.

However, override to less restrictive decision occurred at an exceptionally high rate (39.2%). More than one third the youth (347) who were recommended for detention by JDTA were sent back to the community by either straight out release or detention alternative. Almost one out of three of these youth re-offended and/or failed to appear in court hearing.

Two hundred and twelve youth (23.2%) had new referrals for law violations and/or failed to appear for their court hearing. But when only counting the legally sufficient referrals, the recidivism rate is 18.9%. These recidivism rates are higher than the 10% recommended by Steinhart (2006) in the practice guide to juvenile detention reform. However, it could be lowered to 13.6%, should the youth who were indicated to detention have actually been detained, which

is very close to the estimated rate based on the information from the Missouri Juvenile and Family Division Annual Report.

It is suggested that detention alternative programs be evaluated and recalibrated to improve their effectiveness.

In addition, the JDTA instrument provides unbiased decisions regarding race/ethnicity, gender, and age. Therefore, we conclude that the JDTA instrument functions in a way that would not create worse recidivism than the statewide recidivism level. The circuits under study only performed override to detention to a relatively small degree. The rather high recidivism rate sends out a signal that the field practice needs to more closely stick to the JDTA indicated decision, especially when secure detention is indicated by the instrument. Routine usage of less restrictive decisions on youth suggested for detention is not recommended, especially for males and youth with capias, Class A or B felony, or under supervision for law violation.

REFERENCES

Boulden, W. T., Simon, D., & Her, C. P. (2008). *Field Test of the Missouri Juvenile Detention Assessment*. Prepared for: Missouri Office of State Courts Administrator.

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

Office of State Courts Administrator, *Missouri Juvenile & Family Division Annual Report (CY 2009)*.

APPENDIX A: The New JDTA Form

MISSOURI'S JUVENILE DETENTION ASSESSMENT (JDTA) FORM																																																																																							
Juvenile Name: _____	Race: _____																																																																																						
Juvenile ID (JIS, if available): _____	Gender: _____																																																																																						
SSN: _____	Assessment Staff: _____																																																																																						
DOB: _____	Assessment Date: _____																																																																																						
Presenting Offense: _____	Assessment Time: _____																																																																																						
1. Reporting Reason Code for Detention																																																																																							
<ul style="list-style-type: none"> A. JDACO Court Ordered Detention at Hearing B. JDAWD Warrant – DYS C. JDAWF Warrant – FTA D. JDBTC Technical Supervision/Probation Violation by Warrant, JO Authorization, or Court Order E. JDCPA Pre-Adjudication Placement or Program Failure F. JDCSX Sex Offense G. JDDFP Felony – Person H. JDDMP Misdemeanor – Person I. JDDWE Weapons Offense J. JDEDR Drug Offense K. JDEFP Felony – Property L. JDEMP Misdemeanor – Property M. JDFFO Felony – Other N. JDFMO Misdemeanor – Other O. JDFOR Municipal Ordinance P. JDFST Status Offense 																																																																																							
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Reason for Override:	More Restrictive:	Less Restrictive:
	<input type="checkbox"/> No suitable custodian to assume custody	<input type="checkbox"/> Mental health placement obtained
	<input type="checkbox"/> Serious or credible threat to witness, victim, or community	<input type="checkbox"/> Does not meet local age guidelines
	<input type="checkbox"/> No non-secure alternative available	<input type="checkbox"/> Medical condition
	<input type="checkbox"/> Out-of-state runaway/missing person (no capias)	<input type="checkbox"/> Pregnancy
	<input type="checkbox"/> Other (describe below)	<input type="checkbox"/> Non-secure alternative utilize
		<input type="checkbox"/> Referral is insufficient
		<input type="checkbox"/> Other (describe below)

Explanation for "Other" override: _____

Supervisory override authorized by: _____

CZAPROG code based on Assessment Decision:

- DET – Detention
- ALTEM – Electronic Monitoring
- ALTERC – Evening Reporting Center
- ALTDT – Day Treatment
- ALTGPS – Global Positioning System
- ALTHP – Health Placement
- ALTIHD – In Home Detention
- ALTTRK – Assigned Tracker
- ALTMHP – Mental Health Placement
- ALTREP – Respite Care
- ALTRES – Residential Placement
- ALTSHE – Shelter Care

FINAL DECISION:	<input type="checkbox"/> Release	<input type="checkbox"/> Detention Alternative	<input type="checkbox"/> Detain
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APPENDIX B: Indicated Decision by Final Decision by Circuit

Circuit	Indicated Decision	Final Decision			Total
		Release	Det Alternative	Detain	
Circuit 13 21.1% overrides	JDTA Indicated Release	23 (95.8%)	0 (0.0%)	1 (4.2%)	24
	JDTA Indicated Det. Alt.	7 (50.0%)	4 (28.6%)	3 (21.4%)	14
	JDTA Indicated Detain	7 (18.0%)	2 (5.1%)	30 (76.9%)	39
	Total	37	6	34	77
Circuit 16 27.8% overrides	JDTA Indicated Release	85 (92.4%)	4 (4.4%)	3 (3.3%)	92
	JDTA Indicated Det. Alt.	39 (55.0%)	23 (32.4%)	9 (12.7%)	71
	JDTA Indicated Detain	38 (16.4%)	77 (33.2%)	117 (50.4%)	232
	Total	162	104	129	395
Circuit 21 13.3% overrides	JDTA Indicated Release	181 (97.8%)	1 (0.5%)	3 (1.6%)	185
	JDTA Indicated Det. Alt.	16 (53.3%)	8 (26.7%)	6 (20.0%)	30
	JDTA Indicated Detain	62 (23.7%)	32 (12.2%)	168 (64.1%)	262
	Total	259	41	177	477
Circuit 22 20.7% overrides	JDTA Indicated Release	38 (90.5%)	0 (0.0%)	4 (9.5%)	42
	JDTA Indicated Det. Alt.	31 (28.2%)	38 (34.6%)	41 (37.3%)	110
	JDTA Indicated Detain	70 (23.3%)	20 (6.7%)	210 (70.0%)	300
	Total	139	58	255	452
Circuit 23 59.1% overrides	JDTA Indicated Release	4 (80.0%)	1 (20.0%)	0 (0.0%)	5
	JDTA Indicated Det. Alt.	3 (60.0%)	1 (20.0%)	1 (20.0%)	5
	JDTA Indicated Detain	10 (83.3%)	1 (8.3%)	1 (8.3%)	12
	Total	10	3	9	22
Circuit 31 35.2% overrides	JDTA Indicated Release	29 (96.7%)	0 (0.0%)	1 (3.3%)	30
	JDTA Indicated Det. Alt.	5 (33.3%)	4 (26.7%)	6 (40.0%)	15
	JDTA Indicated Detain	7 (18.0%)	4 (10.3%)	28 (71.8%)	39
	Total	41	8	35	84
Circuit 45 45.7% overrides	JDTA Indicated Release	12 (85.7%)	2 (14.3%)	0 (0.0%)	14
	JDTA Indicated Det. Alt.	6 (85.7%)	1 (14.3%)	0 (0.0%)	7
	JDTA Indicated Detain	16 (76.2%)	1 (4.8%)	4 (19.1%)	21
	Total	34	4	4	42

	JDTA Indicated decision and final decision are the same
	Final decision is 1 step more restrictive than JDTA indicated decision
	Final decision is 2 steps more restrictive than JDTA indicated decision
	Final decision is 1 step less restrictive than JDTA indicated decision
	Final decision is 2 steps less restrictive than JDTA indicated decision