

## **An Overview of JDAI Risk Assessment Screening: Guidelines for Developing and Implementing the RAI**

### **Introduction**

Detention risk screening is a fundamental strategy used to achieve the core objectives of JDAI. Risk screening is the process of evaluating each arrested minor to determine the need for secure, locked confinement. Ordinarily, risk screening occurs at a juvenile detention facility to which a youth is taken after an arrest. However, risk screening can also be conducted outside of the detention center—for example, by law enforcement officers in the field or even by telephone.

A basic tool used in the risk screening process is a detention *risk assessment instrument* or RAI. The risk instrument is a written checklist of criteria that are applied to rate each minor for specific detention-related risks. The overall risk score is then used to guide the intake officer in making the critical decision whether to detain or release an arrested youth. RAIs are locally designed, and they vary in scope and format from site to site. But within JDAI, they are all point-scale instruments—assigning points for various risk factors and then producing a total risk score indicating whether the child is eligible for secure detention, for a non-secure detention alternative program, or for release home.

### **Results**

Based on site monitoring data, the risk instruments developed within JDAI have been effective in curbing subjective or inappropriate decisions to incarcerate children in locked facilities. They have also been effective in controlling total admissions to secure detention, while reducing associated government costs and liabilities. While the benefits of screening are well established, the replication of risk-screening technology has proven to be a challenge. Good risk instruments cannot be constructed in a day, or by intuitive guesswork. Specific design protocols need to be observed. Improperly drafted instruments can produce unwanted results, such as higher rates of secure detention, overcrowded juvenile facilities, and higher government costs. In addition to the technical challenges, RAI development may be complicated by political or attitudinal factors, such as the resistance of juvenile justice personnel who would prefer to make decisions the old way, with “gut-level” judgments about who should be detained or released.

### **What is a RAI?**

In most juvenile justice systems, there is a statutory or policy presumption in favor of release. In other words, if a minor does not qualify for secure lockup based on the provisions of state law or local detention criteria, he or she must be released. Risk-screening instruments are used to classify arrested children and to determine their eligibility for secure detention or release. Most often, the minor is risk-screened at a detention center by intake staff. The screening instrument may

be a paper form completed by hand, or it may be automated. The screener goes through a checklist of risk factors on the RAI, selecting those that apply to the case at hand. These risk factors are based on objective facts such as the nature of the offense, the minor's arrest history, and the minor's probation status. All JDAI sites use point-scale risk instruments, assigning points for each risk factor to produce a total risk score. The total risk score is then compared to an outcome or decision scale indicating a detention result. If the minor's total risk score exceeds the cutoff value for detention, he or she is considered high risk and may be securely detained. Minors scoring below the cutoff value are to be released, unless their scores are overridden in favor of secure detention. In many sites, there is a middle range of scores, between the detain and release thresholds, for which minors may be assigned to a detention alternative program, such as home detention.

### **Public Safety**

In validation studies, these point-scale instruments have been shown to be effective in meeting JDAI reform goals, including the goal of public protection. It is worth noting that the final decision to detain or release a minor in each case is a professional judgment call made by an intake worker or other juvenile justice practitioner. The RAI is essentially a triage device that brings structure, uniformity, and predictability to the detention decision-making process. Trained personnel retain discretion to override the score and to select a detention outcome that differs from the one indicated by the RAI.

Juvenile detention risk instruments address specifically defined risks. An understanding of these risks—what they are and what they are not—is an essential pre-requisite for stakeholders designing new instruments. Within JDAI, two specific risks are measured by detention screening instruments:

- **Public safety risk**—the risk of committing another public offense prior to adjudication and disposition of the case.
- **FTA risk**—the risk of failure to appear in court (FTA) after release. This risk is also sometimes referred to as flight risk.

These risks are compatible with the legitimate goals of juvenile pre-trial detention, which are to protect the public and to guarantee the appearance of the minor in court. The focal risks of RAIs are time-linked. In other words, the RAI is designed to guide an administrative custody decision that will cover the time period between delivery to the detention center and appearance in court. For released minors, the period of risk is usually considered to be the time between release at intake and either the court adjudication or the disposition hearing.

### **Developing a RAI**

#### **Stakeholders' role in development**

Normally, a stakeholder working group is assigned the task of developing the RAI over a period of months. Agencies represented usually include the juvenile court, the

#### **NINE DEVELOPMENT STEPS**

- STEP 1: Convene Stakeholder Working Group
- STEP 2: Identify Screening Goals & Workplan
- STEP 3: Construct the Draft Risk Instrument
- STEP 4: Approve Draft RAI for Testing
- STEP 5: Conduct RAI Field Test
- STEP 6: Analyze and Report Test Results
- STEP 7: Review, Adjust, and Adopt the RAI
- STEP 8: Adopt RAI Monitoring Plan
- STEP 9: Formal Validation of the RAI

probation department (or other department responsible for detention intake), local law enforcement, the district attorney, the public defender, public agencies providing collateral services, and community-based agencies operating alternative-to-custody or youth service programs. These individuals work as a team to identify local detention reform goals and to construct the risk instrument. Their choices may be guided by one or more consultants who are experts in detention risk assessment.

The team design approach is preferred because:

- RAIs must be tailored to local laws, policies, and youth populations; local practitioners know best how to adapt their RAIs to reflect these local characteristics.
- The group process has significant educational value. Designing the RAI is often the first major task addressed by detention reform sites, and in the process of building the RAI, stakeholders learn a lot about detention best practices.
- The discussion builds consensus or buy in among stakeholders, including those who may need further convincing about the merits of risk assessment and detention reform.

A startup task for stakeholders designing risk instruments is to review sample RAIs from other jurisdictions. If you examine the instruments used at different JDAI sites, you will find a variety of models and forms. Some are long, some are short. Some have higher cutoff scores than others. Some add or subtract points in aggravation or mitigation of the basic score, while others do not. Choosing a model upon which to develop your own RAI is largely dependent on the preferences of the working group.

*Getting help.* The dynamics of each RAI working group will vary. If participants are argumentative and unable to agree the process is likely to drag on. It can be helpful to procure outside, expert help. The Casey Foundation has filled this need in the past by linking sites with qualified risk assessment and detention reform consultants providing RAI training and relying on the RAI Practice Guide that can be accessed on the JDAI Help Desk at <http://www.jdaihelpdesk.org/Pages/PracticeGuides.aspx>.

### **RAI design principles**

- *Select proven risk factors.* RAI designers should select risk factors from RAI models that have been proven to be effective, through field testing or validation, in other jurisdictions. The factors most commonly applied are the nature of the referral offense and the minor's referral history. Within these categories, there is considerable latitude for local expression (e.g., how offenses are described and what point values are assigned to each offense). The local efficacy of the risk factors selected, and of the instrument as a whole, will be determined later by field testing and validation.
- *Avoid redundant risk factors.* Care must be taken to avoid overlap and redundancy of risk factors and points on the RAI.

- *Use objective and balanced aggravation/mitigation criteria.* Many RAIs include aggravating and mitigating factors and points. The criteria used to add or subtract points should be objective—e.g., mitigation for “the minor is under 12 years of age.”
- *Strike a balance between points and decision or outcome scales.* RAI designers must be careful to ensure that “the math works” on the RAI.
- *Provide for mid-range alternatives.* Ideally, RAIs should be linked to a range of pretrial options, besides secure detention or outright release.
- *Control special and mandatory detention cases.* All RAIs have exceptions for special detention cases—i.e., referrals for which detention is required. In the design phase, RAI working groups need to think carefully about the number and type of special detention cases that will bypass risk scoring and go straight into secure confinement.
- *Include specific override criteria.* All JDAI risk-screening systems allow for an override of the minor’s risk score—i.e., for the detention of a low-scoring minor or for the release of a high-scoring minor under special circumstances. Overrides represent the ultimate judgment call that detention intake workers must make in each case. Overrides must be controlled to assure the integrity of the risk-screening system as a whole.

#### **RAI CONSTRUCTION CHECKLIST: SUMMARY OF TASKS INVOLVED IN THE DEVELOPMENT OF A NEW RISK ASSESSMENT INSTRUMENT**

REVIEW MODEL RISK INSTRUMENTS from other sites

DEVISE OFFENSE RISK FACTORS

- Select offenses or offense categories to be listed
- Assign points based on severity of the referral offense
- Evaluate options for scoring multiple offenses for the same referral
- Resolve point-value controversies that may arise in the working group
- Balance offense factor points with the cutoff score on the decision scale

DEVISE DELINQUENT HISTORY FACTORS

- Select prior arrest/adjudication factors and points
- Select factors and points for prior escapes or failures to appear
- Account for pending petitions and legal or supervision status
- Avoid redundant scoring for combinations of delinquent history factors

DEVISE FACTORS IN AGGRAVATION OR MITIGATION OF SCORE

- Observe principles of balance and objectivity in designing these factors

CONSTRUCT THE DECISION OR OUTCOME SCALE

- Address need to balance the detention cutoff score with risk factor points
- Include mid-range scores that qualify youth for detention alternative programs
- Run case simulations to confirm the initial choice of a detention cutoff score

DESIGNATE SPECIAL OR MANDATORY DETENTION CASES

- Address need to control the number and type of special or mandatory detention cases

INCORPORATE OVERRIDE PROCEDURES

- Include listed, specific override reasons on the RAI
- Provide for supervisor approval of overrides
- Provide for both “detain” and “release” overrides on the RAI

REVIEW DRAFT INSTRUMENT FOR RACE AND GENDER NEUTRALITY

- Review aggravation/mitigation, override, and other sections for possible bias
- Use upcoming field test to check for DMC effects

FORMAT THE RISK INSTRUMENT

- Format to be compatible with screening process in automated or non-automated systems

**RAI testing**

The only way to assess RAI impact on detention rates and outcomes, and on facility populations, is to test it in the field. The test can be done retrospectively or prospectively. In a retrospective test, the RAI is scored for each minor in a past sample of referrals, using the local data system to supply historical information for each case. In prospective testing, the RAI is tested on a live sample of new referrals to the detention center. A main objective of the test will be to assess the effect of the instrument on detention and release rates for specific referral groups (e.g., by offense, gender, or race). Test results will also document override rates and reasons. The analysis will indicate whether the RAI needs to be adjusted in some way to meet local detention reform goals.

**RAI validation**

Validation, as used here, refers to the process of confirming the predictive value of the RAI in relation to specific outcome measures. For our purposes, validation describes the study method used to track the success or failure of non-detained minors in relation to two specific outcomes: the occurrence of a new offense (arrest or adjudication) pending court or a failure to appear in court. This form of validation is also sometimes referred to as public safety testing of the RAI.

**Monitoring the RAI**

Once the RAI is implemented, it must be monitored carefully to document its effects over time and to ensure that it remains compatible with changing legal and caseload trends.

**RAI Practice Guide**

For specific step-by-step instructions on how to develop a Risk Assessment Instrument or tips to tackle frequent troubleshooting issues in the RAI process, review the *Practice Guide to Juvenile Detention Risk Assessment* which can be downloaded at <http://www.jdaihelpdesk.org/Pages/PracticeGuides.aspx>. For additional examples of JDAI site-specific RAIs, visit the Sample Risk Assessment Instruments section of the JDAI Help Desk at <http://www.jdaihelpdesk.org/objective/Pages/RiskScreeningInstruments.aspx>.