

# Detention Risk Screen

## *Training on the Development and Implementation of the Detention Risk Screen for Juvenile Court*

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Hello and welcome to the training on the development and implementation of the detention risk screen for juvenile court. This training will familiarize you with the Detention Risk Screen process as enacted in Public Act 16-147: *An Act Concerning the Recommendations of the Juvenile Justice Policy and Oversight Committee*. The Detention Risk Screen process is effective January 1, 2017, in conjunction with the new grounds for detention which amends C.G.S. Section 46b-133 (c) and (e) to reduce the grounds from six to three:

1. Probable cause the child will pose a risk to public safety;
2. Need to hold the child to ensure the child's appearance before the court; or
3. Need to hold the child for another jurisdiction.

# Detention Risk Screen

## *Goals for this training include understanding:*

*\*What a risk screen is:*

*\*How the detention risk screen was developed:*

*\*What the components of the detention risk screen are: and*

*\*How the risk screen will be utilized during the juvenile court process.*

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There are four goals for today's training.

First, we will review what a risk screen is in order to provide a foundational understanding of the what the instrument is and is not designed to accomplish.

Second, we will outline how the risk screen was developed and finalized.

Third, we will review the components of the risk screen so that you have an understanding of the risk screening process.

Lastly, we will walk through how the risk screen will be utilized in the juvenile case process, including the roles of juvenile detention, juvenile probation, and the court.

# Detention Risk Screen

## ***What is a risk screen?***

*\* A brief instrument designed to guide decision making*

*\* Science-based*

*\* Provides consistency, uniformity and objectivity*

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What is a risk screen? A risk screen is a brief instrument designed to measure a specific type of risk; such as, risk to public safety or risk to recidivate. Such tools are used to inform the judicial process at specific decision points. These instruments are science-based; provide consistency, uniformity and objectivity; and support professional judgement. The Judicial Branch Risk To Public Safety Screen has been designed to assist the Court in the decision about which child may be detained on the new, more narrow, grounds for detention.

# Detention Risk Screen

## *The detention risk screen will:*

- \*Measure Risk To Public Safety*
- \*Classify arrested children to determine their eligibility for pre-trial juvenile detention*
- \*Be administered by both Juvenile Detention and Juvenile Probation*

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The detention risk screen is designed to specifically measure Risk To Public Safety – the risk of a respondent committing a public safety offense prior to case disposition. The risk screen provides the statistical likelihood (or probability) of a threat to public safety as the child's case moves through to disposition. This particular risk screen **does not** measure risk of any re-arrest (or general recidivism); rather it measures the risk of re-arrest for a subset of offenses considered threats to public safety.

## Detention Risk Screen

### *How was the detention risk screen developed?*

*\*Sub-committee of the Juvenile Justice Planning and Oversight Committee (JJPOC) Incarceration workgroup*

*\*Forked with researchers from CCSU and CSSD*

*\*Data analysis was conducted on 6,183 juvenile cases from C.MIS*

*\*Identified CMIS information related to future public safety arrest*

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The Detention Risk Screen was developed through an interagency committee process. The Juvenile Justice Planning and Oversight Committee Incarceration Workgroup was initially charged with the development of the risk screen. A sub-committee of the Incarceration Workgroup, with guidance from Professor Steve Cox of Central Connecticut State University, developed the validated instrument.

Dr. Cox and data staff from the Judicial Branch Court Support Services Division began with an analysis on over 6,000 juvenile arrests that occurred in 2015. The research identified information contained in the CMIS case management information system correlated to future public safety arrests.

More than 6,000 distinct court referrals for a child's initial arrest in 2015 were tracked. Some of the children had prior court histories and some had future arrests. Based on the statistical analysis, the researchers determined which case elements were related to an arrest for a future public safety offense.

# Detention Risk Screen

## *Research Findings in Developing the Risk Screen*

*\* Public safety offenses were identified from the list of re-arrest offenses by the subcommittee of the Incarceration Workgroup*

*\* Of 6,183 juvenile arrests in 2015, only 2.2% were re-arrested for a public safety offense between the original arrest and case disposition*

*\* Analyzed 40 data points potentially relevant to re-arrest*

*\* Only statistically related data points were included in the final risk screen*

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The researchers generated a list of all re-arrest offenses that juveniles committed after their initial 2015 arrest. Based on this list, the subcommittee members identified a sub-set of public safety offenses to be used in the risk screen.

Of 6,183 juvenile arrests in 2015, only 2.2% were re-arrested for a public safety offense between the original arrest and case disposition.

Based on the research literature and questions from workgroup members, the researchers assessed the relationship of over 40 data points potentially related to public safety. Only those data points statistically related were included in the risk screen.

# Detention Risk Screen

## ***Detention Risk Screen Items:***

- 1. Are there any prior judicially handled dockets?*
- 2. Are there any prior delinquency commitment dispositions?*
- 3. Are there any prior felony adjudications?*
- 4. Are there 2 or more prior dispositions to supervision (includes all judicial and non-judicial supervision types)?*
- 5. Is the child currently on probation?*

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The next two slides detail the 10 data points that are demonstrated to have a statistically significant correlation to public safety re-arrest.

All of these data points are available in the Case Management Information System to both juvenile detention and juvenile probation staff. The screen will score each item as “yes” or “no”. A “yes” response will score one point, while a “no” response will score a zero.

There are both historical items and items specific to the arrest initiating the detention risk screen. The items specific to the arrest are referred to as the “Instant Offense” on the risk screen, while the historical items are referred to as “prior”.

# Detention Risk Screen

## ***Detention Risk Screen Items (continued):***

6. *Are there 2 or more prior school-based arrests?*
7. *Are there any prior charges of "Violation of Court Orders"?*
8. *Are there any prior charges of "Violation of Probation"?*
9. *Does the Instant Offense include 2 or more charges?*
10. *Does the Instant Offense include felony charges?*



# Detention Risk Screen

## **Risk to Public Safety Level:**

*Level 1 (0 to 2 points) = 1% likely to commit a public safety offense*

*Level 2 (3 to 5 points) = 4% likely to commit a public safety offense*

*Level 3 (6 to 10 points) = 11% likely to commit a public safety offense*

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Once each of the risk to public safety items is scored, a total risk to public safety score is tabulated. The total score is utilized to assign a Risk To Public Safety Level.

If a child scores between 0 and 2 points, he or she is assigned a Level 1, meaning he or she has a 1% likelihood of committing a future public safety offense prior to case disposition.

If a child scores 3 to 5 points, he or she is assigned a Level 2, meaning he or she has a 4% likelihood of committing a future public safety offense prior to case disposition.

If a child scores 6 to 10 points, he or she is assigned a Level 3, meaning he or she has a 11% likelihood of committing a future public safety offense prior to case disposition.

# Detention Risk Screen

*The risk screen will be completed by  
Juvenile Detention Staff:*

*\*On all admissions.*

*\*Juvenile Detention will recommend release or detain.*

*\*Juveniles admitted on a Serious Juvenile Offense (SJO) or those ordered by a judge not to be released will remain in detention, at least until the initial detention hearing, regardless of the identified Risk To Public Safety Level.*

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Detention staff will complete the Risk To Public Screen for any child presented at the detention center. The Classification and Program Officer will complete the screen using the information available in CMIS. If the CPO is unavailable, the Shift Supervisor or Lead Juvenile Detention Officer will complete the screen to determine the child's level of Risk To Public Safety. The completed screen will be reviewed by the Detention Deputy Superintendent for accuracy and any possible need to override the risk level. The Deputy Superintendent will complete the screening process by recommending the child for release or detention.

Pursuant to C.G.S. § 46b-133 (f), as amended by Public Act 16-147, section 3, unless there is an order **not to release** noted on the Take Into Custody Order, Arrest Warrant, or Order to Detain, the child may be released to the custody of child's parent or parents, guardian, or some other suitable person or agency in accordance with policies adopted by the Court Support Services Division of the Judicial Branch.

In accordance with CSSD Policy, when a child scores as a Level 1 on the Risk To Public Safety Screen, and there is no order to prohibit release, detention staff may release the child to the child's parent or parents, guardian, or other suitable person or agency. The release of any child must be authorized by the Detention Superintendent.

If a child is eligible for release and the child's parent or parents, guardian, or other suitable person or agency refuses to take custody of the child or is unavailable, the child will be held in detention until the initial court hearing or until the child's parent or parents, guardian, or other suitable person or agency picks up the child.

If a child is released prior to court, the child and child's parent or parents, guardian, or other suitable person or agency representative will be given a Promise to Appear for court on a specific date and time.

# Detention Risk Screen

***The risk screen will be completed by  
Juvenile Probation Officers:***

*\*For any child being considered for a Take Into Custody order:*

*\*For any child where an Order To Detain  
has been requested by the State's Attorney:*

*\*Juvenile Probation will recommend **release or detain**.*

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In accordance with CSSD Juvenile Services Policy 7.19, Juvenile Probation will seek a Take Into Custody Order on any child who has absconded and has been missing over 24 hours. A TIC may also be sought in cases in which Juvenile Probation believes the child presents a public safety risk or has been non-responsive to the court process and is at risk for failure to appear. The judge will need to determine if the criteria for detention has been met.

If the State's Attorney seeks detention for a child presented at court on a Promise to Appear or for another court hearing, the prosecutor should file a written motion seeking an Order of Detention or the JD-JM-9A form, *Application for Order of Detention*. The Court will need to pass the case in order to have Juvenile Probation complete the Risk To Public Safety Screen. Once complete, Juvenile Probation will submit the *Juvenile Detention Eligibility Screen* with a recommendation for "release" or detain". The judge will need to determine if the criteria for detention has been met.

Pursuant to C.G.S. § 46b-133, as amended by Public Act 16-147, section 2(b), when a child is presented before the Court and it appears from the available facts there is probable cause to believe the child has violated a valid court order, the Court, after the administration of the detention risk screen, may order the child to participate in nonresidential programs for intensive wraparound services, community-based residential services for short-term

respite, or other services and interventions the Court deems appropriate.

# Detention Risk Screen

## *Juvenile Detention Eligibility Screen*

*\* Official Judicial Branch court form (JD-JM-214)*

*\*Submitted to the Court by either Juvenile Detention Staff or Probation Officer*

*\*Addresses: Risk to Public Safety; Risk for Failure to Appear; and Court Action*

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While the detention risk screen, itself, can not be admitted into the court record, per C.G.S. § 46b-124(l)\* as amended by Public Act 16-147, section 4, the Risk To Public Safety level and recommendation will be submitted to the Court as part of the *Juvenile Detention Eligibility Screen* form.

\*For clarification, 46b-124(l) reads 46b-124( "L").

# Detention Risk Screen

## *Juvenile Detention Eligibility Screen*

*Risk to Public Safety  
(completed by Juvenile Detention Staff or Probation Officer -  
responsible for risk screening process)*

- *Will indicate the child's Risk To Public Safety Level  
(Level 1, Level 2 or Level 3)*
- *Will indicate the recommendation to the Court  
(Release or Detain)*

# Detention Risk Screen

## ***Juvenile Detention Eligibility Screen***

*Risk for Failure to Appear  
(completed in Court at the time of the child's hearing)*

- *All parties will discuss the child's risk for failure to appear  
(as demonstrated by previous failure to respond to the court process)*
- *Once all arguments are heard, the Court will select one of the following:*



# Detention Risk Screen

## Juvenile Detention Eligibility Screen

- **Previous Failure to Appear in Court**  
*(Previous willful failure to appear in court as evidenced by the existing court file(s) or juvenile record)*
- **Previous Failure to Respond to the Court Process**  
*(Previous willful failures to attend court-ordered appointments)*
  - **Not Applicable**  
*(No prior willful failures to appear in court or to attend court-ordered appointments)*

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For the purposes of definition, “court-ordered appointments” are appointments that the child is ordered by the Court to attend, such as a clinical evaluation or a pre-trial hearing. There needs to be evidence that the child’s failure to respond to the court process was willful and not the result of being sick or impeded to attend by the parent. While meeting with one’s Probation Officer may be a Condition of Probation, for example, missing a meeting with one’s Probation Officer is not considered, for this purpose, to be a “failure to respond to the court process”.

# Detention Risk Screen

## Juvenile Detention Eligibility Screen

- *The judge will Order one of the following:*  
*Motion to Detain DENIED*  
*Child Released*  
*Child Detained*
- *If child is to be detained, the judge must find a ground(s) for detention:*  
*Child poses a risk to public safety*  
*Hold to ensure child's appearance before the Court*  
*Hold the child for another jurisdiction*

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Pursuant to C.G.S. § 46b-133, as amended by Public Act 16-147, section 1(e), if a ground for detention is found, the Court may in its discretion, consider as an alternative to detention a suspended detention order with graduated sanctions. If a ground for detention is not found, the child may not be placed on a suspended order of detention.

An example of the JD-JM-214, *Juvenile Detention Eligibility Screen*, form will follow on the next slide. The JD-JM-214 form will be available for use on January 1, 2017; the effective date for the new grounds for detention and the requirement to determine eligibility for detention based on a risk to public safety or a risk for failure to appear prior to case disposition.



Address of Court		Docket number
Name of child	Date of birth	Juvenile number
Address of child		Court date
Name of parent/guardian		

**Risk to Public Safety**

(To be completed by Juvenile Detention Staff or Probation Officer responsible for risk screening process)

Risk to Public Safety Level:

Select appropriate risk level and recommendation:

- Level 1 (1 percent likely to commit a public safety offense)
- Level 2 (4 percent likely to commit a public safety offense)
- Level 3 (11 percent likely to commit a public safety offense)

Recommendation:  Release  Detain

Juvenile Detention Staff or Probation Officer completing screen (Name)

Date signed

Juvenile Detention or Probation Supervisor Review and Approval (Name)

Date signed

**Risk for Failure to Appear**

(To be completed in Court at the time of the child's hearing)

Risk for Failure to Appear (Reasons):

Select appropriate risk for failure to appear (At least one box must be checked):

- Previous Failure to Appear in Court  
Previous willful failure to appear in court as evidenced in the existing court file(s) and/or juvenile record.
- Previous Failure to Respond to the Court Process  
Previous willful failure to attend court-ordered appointments.
- Not Applicable  
No prior willful failures to appear in court and/or no willful failures to attend court-ordered appointments.

**Order**

- Motion to Detain DENIED
- Child Released
- Child Detained
- Child poses a risk to public safety
- Hold to ensure child's appearance before the Court
- Hold the child for another jurisdiction

Signed (Judge)

Name

Date signed



Thank you for your time and attention in completing the Juvenile Detention Risk Screen training. If you have any follow-up questions, please notify your supervisor or an administrator who will facilitate getting a response to you.