

Validation of Arizona's Statewide Detention Screening Instrument

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INTRODUCTION

For the past several decades, the field of juvenile justice has endeavored to limit the use of secure detention so that it is utilized only with those youth who pose a legitimate risk to public safety. In so doing, youth who do not pose such a risk are spared the many negative consequences associated with incarceration (e.g., disrupted school engagement, family stress, introduction to delinquent peers, and likelihood of further penetration into the system). The Annie E. Casey Foundation (AECF) has led the field in this regard with its Juvenile Detention Alternatives Initiative (JDAI). To prevent an overreliance on secure detention, AECF encourages sites to utilize non-secure options while the youth is pending court. These include an outright release to a parent/guardian/relative with a notice to appear or placement in a non-secure option that provides additional structure and supervision to the youth (e.g., day or evening reporting centers, shelter care, supervised release). The trick is to properly identify youth who do not pose a substantial risk to public safety and to utilize these less restrictive options. Conversely, youth who do pose a legitimate risk to public safety also need to be accurately identified so that, while pending court, they can be held in a secure setting that severely restricts their ability to commit a new law violation and ensures that they will appear in court. In addition to the youth-focused reasons for limiting exposure to incarceration, given that secure detention is extraordinarily expensive, the proper administration of public funds also requires this option to be used only when necessary.

Toward this end, one of AECF's core strategies is to utilize an objective detention screening process to assess each youth's level of risk and to place each youth in the setting commensurate with that risk level. The screening process involves applying a set of criteria (i.e., *risk factors*) to each youth. Risk factors are criteria that gauge the potential level of risk a youth may pose to public safety—when more serious factors or a constellation of factors apply to a youth, in theory, he/she poses a greater risk to public safety.¹ Scores on the various risk factors are combined to indicate a *scored risk level*, and each level carries with it a presumptive screening decision. In general, youth with low scores should be released to a parent/guardian, youth with moderate scores should be placed in a non-secure program, and youth with high scores should be admitted to secure detention.

¹ It is essential to remember that while youth are labeled low, medium or high-risk, structured decision making is not about prediction, but about classification. Detention screening instruments do not predict how an individual offender will behave. Instead, they classify offenders into groups that are likely to behave a certain way. The goal is to assign the offender to the right group, not to predict individual behavior.

However, in order to permit the application of professional judgement by intake staff, detention screening processes typically include an *override* function, which is a mechanism by which a youth's score on the screening instrument is superseded if certain criteria apply. These criteria take one of two forms: policy overrides and discretionary overrides. *Policy overrides* are certain statuses that are designed to be applied to any youth who meets specific criteria. In Arizona, these are called "Special Detention Criteria"). *Discretionary overrides* are designed to account for individual circumstances that may not have been addressed by the various risk factors. In theory, an override can be used in either direction—to place a youth in either a more restrictive setting ("upward override") or less restrictive setting ("downward override") than the setting indicated by the scored risk level.

AECF's best practices dictate that departures from the total score should be used only to address exceptional circumstances; they should not be the primary method by which screening decisions are determined. In other words, the risk level/screening decision suggested by the youth's total score on the risk factors should be the presumptive decision, and deviations from the risk level should occur in no more than 15% of cases. The rationale is as follows: risk screening instruments rely on a constellation of factors that are given different weight. The point values associated with each factor should be derived through research, with factors most highly correlated with a risk to public safety assigned a higher weight/more points. When a policy or discretionary override is applied, in effect, the intake staff is elevating the weight of the policy criteria or individual circumstance above all of the scored risk factors, saying that it matters the most. While this may be appropriate in certain exceptional circumstances, in the vast majority of cases, the instrument should be left to do its work. Otherwise, what is the point of having a scored instrument? As described in more detail below, the purpose of this study was to examine the extent to which: 1) youth's screening decisions are determined primarily by using their scores on the risk factors; and 2) screening decisions are properly aligned with public safety, meaning that youth who score as low/moderate risk and are not placed in secure detention refrain from subsequent law violations and appear in court as required. Questions of equity across race and ethnicity are examined as well.

Purpose of the Study

The purpose of **Phase I** of this study was first to examine the screening decisions and assess whether the DSI has been implemented with integrity. Questions guiding this phase of the research included:

- Is each youth's DSI filled out completely and used to identify the presumptive/scored risk level?

- In most cases, does the presumptive risk level match the screening decision? In other words, are low-risk youth released, are moderate-risk youth placed in a non-secure option and are high-risk youth securely detained? If not, how are departures from the decision indicated by the scored risk level explained?
- Are there differences across the 6 counties included in this study?
- Are there differences across race/ethnicity?

The purpose of **Phase II** of the study was to determine the extent to which youth who are released or placed in a non-secure option at the time of screening refrain from subsequent law violations and appear in court as required. Questions guiding this phase of the study include:

- What proportion of youth who are released outright/placed in a non-secure option commit a new law violation while they are pending court?
- What proportion of youth fail to appear in court as required, leading to a warrant for their arrest?

The results of the study are followed by a set of recommendations to fortify the DSI's implementation and to assist Arizona in its efforts to appropriately utilizing secure detention without negatively impacting public safety. Each jurisdiction has its own level of tolerance for the level and type of new law violations that may occur. Our goal is to provide objective information so that Arizona stakeholders may wrestle with these challenging decisions.

PHASE I: SCREENING DECISIONS

Sample. The sample for this phase of the study included all youth screened using the DSI in six Arizona Counties between January 1, 2016 and June 30, 2017. This included a total of 11,371 DSI screenings from Maricopa (n=7,691; 68%), Pima (n=1,225; 11%), Yuma (n=1,179; 10%), Pinal (n=931; 8%), Cochise (n=256; 2%) and Gila (n=89; 1%). In terms of the demographic characteristics of the full sample:

- 78% were male, 22% were female;
- 7% were age 12 or 13, 25% were age 14 or 15, and 68% were age 16, 17, or 18²; and
- 46% were white, 20% were black, 23% were Hispanic, 5% were Native American or Alaskan Native, 1% were Asian, <1% were Hawaiian or Pacific Islander, and 1% were unknown or “Other.”

While there were no major differences among the counties in terms of gender or age, youths’ race/ethnicity varied, as shown in Table 1 below.³ Of the youth screened in Maricopa and Pinal counties, larger proportions were youth of color (67% and 45%, respectively). Youth of color made up a much smaller proportion of the samples from other counties (Pima 27%, Yuma 12%, Cochise 14% and Gila 19%).

Race/Ethnicity	TOTAL		Maricopa		Pima		Yuma		Pinal		Cochise		Gila	
	N (11,371)	%	N (7,691)	%	N (1,225)	%	N (1,179)	%	N (931)	%	N (256)	%	N (89)	%
White	5,241	46	2,513	33	894	73	1035	88	508	55	219	86	72	81
Black	2,301	20	1,868	24	204	17	30	3	174	19	24	9	1	1
Hispanic	2,560	23	2,525	33	14	1	1	<1	18	2	1	<1	1	1
Nat. Am/Alask	598	5	330	4	93	8	102	9	58	6	9	4	6	7
Asian	60	1	39	1	13	1	4	<1	4	<1	~	~	~	~
Hawaiian/P.I.	14	<1	10	<1	2	<1	~	~	2	<1	~	~	~	~
Unkn/Other	597	5	406	5	5	<1	7	1	167	18	3	1	9	10

² Across the entire sample, 1,696 youth (15%) were categorized as 18 and over (Three of these may have been data entry errors as they were listed as 19, 20 and 23 years old). Most came from Maricopa County (n=1,168), followed by Pima (n=182), Yuma (n=165), Pinal (n=120), Cochise (n=44) and Gila (n=14).

³ During the sampling frame for this study, Arizona did not have the capacity to track both race and ethnicity, and thus the number of Hispanic youth is likely to be an underestimate. Recent improvements to the way this information is captured should resolve the issue in future studies

Scores on DSI Criteria

The DSI is composed of five scored risk factors/Sections A-E: Most Severe Current Offense, Prior Offense History, Legal Status/Court History, Aggravating Factors, and Mitigating Factors. Youth receive a score on each criterion, which are then combined for a Total Score.

Section A. Most Severe Current Offense

Youth's scores on the first criteria are shown for the total sample and for each county in the table below. In Section A, offenses are categorized as follows:

- 12-point offenses where mitigating factors may not be applied include Murder, Attempted Murder, Firearm Possession, Negligent Homicide, Manslaughter, Sexual Assault, Sexual Abuse (class 3), Molestation, Armed Robbery, Arson, Aggravated Assault (class 2 or 3), Aggravated Robbery, Kidnapping, Drive By Shooting, and First Degree Burglary (class 2).
- 12-point offenses where mitigating factors may be applied include First Degree Burglary (class 3) and Escape from a Secure Care Facility.
- 8-point offenses include Aggravated Assault (class 4, 5 or 6), Driving Under the Influence (class 1 misdemeanor), Deadly Weapon at School (class 1 misdemeanor), Carrying a Concealed Weapon (not firearm), and Sexual Abuse (class 5).
- 6-point offenses include Class 2 and 3 Felonies.
- 3-point offenses include Class 4, 5 and 6 Felonies.
- 1-point offenses include Misdemeanors or Violation of Probation/Condition of Release.
- No Most Serious Current Offense.⁴

Section A. Most Severe Current Offense														
Offense Level	TOTAL		Maricopa		Pima		Yuma		Pinal		Cochise		Gila	
	N (11,371)	%	N (7,691)	%	N (1,225)	%	N (1,179)	%	N (931)	%	N (256)	%	N (89)	%
12-point offenses, no mitigation	834	7	647	8	76	6	33	3	66	7	7	3	5	6
12-point offenses, mitigation ok	16	<1	10	<1	1	<1	1	<1	2	<1	1	<1	1	<1
8-point offenses	307	3	227	3	41	3	16	1	16	2	5	2	2	2

⁴ For the most part, "No MSCO" refers to youth who were picked up on a warrant, though about 5% were left blank in error by the intake staff.

6-point offenses	655	6	459	6	35	3	58	5	55	6	43	17	5	6
3-point offenses	1319	12	777	10	272	22	84	7	145	16	26	10	15	17
1-point offenses	5510	49	3320	43	577	47	833	71	641	69	96	38	43	48
NO MSCO	2730	24	2251	29	223	18	153	13	6	<1	78	30	18	20

Approximately half of the youth screened with the DSI were brought to detention on low-level offenses including misdemeanors and violations of probation/conditional release (1-point offenses). About one-quarter of youth did not have a most serious current offense, meaning that they had not committed a new crime, but instead were picked up by police on a warrant. Only about 10% of youth screened with the DSI were brought to detention on serious offenses (12- and 8-point offenses).

Across the counties, a few differences were evident (marked in the table in red): 1) significantly larger proportions of youth were brought to detention for low-level offenses in Yuma and Pinal counties (71% and 69%, respectively); and 2) a larger proportion of youth were brought to detention for mid-level felonies (i.e., 6-point offenses) in Cochise county than in the other counties.

Section B. Prior Offense History

Section B assesses a youth’s delinquent history, including whether the youth has:

- A pending felony (3 points);
- A warrant issued in the past 6 months (2 points);
- A pending misdemeanor or violation of probation (VOP) that is not related to the current offense (1 point).

Section B. Prior Offense History (score all that apply)														
Prior Offense History	TOTAL		Maricopa		Pima		Yuma		Pinal		Cochise		Gila	
	N (11,371)	%	N (7,691)	%	N (1,225)	%	N (1,179)	%	N (931)	%	N (256)	%	N (89)	%
Pending Felony (3 pts.)	1378	12	1022	13	179	15	17	1	138	15	12	5	10	11
History of Warrant, past 6 mo. (2 pts.)	2256	20	1605	21	267	22	270	23	89	10	13	5	12	14
Pending Misd. or VOP, not related to current offense (1 pt.)	2712	24	1996	26	383	31	54	5	217	23	37	15	25	28
None (0 pts.)	5970	53	3733	49	602	49	851	72	535	58	197	77	52	58

In Section B, multiple criteria may apply and thus a youth may accrue points from more than one criterion, not to exceed 3 points. As a result, the total in each shaded column may exceed 100%. The majority of youth screened (53%) did not have any prior offense history. Approximately equal proportions had a warrant in the previous 6 months or a pending misdemeanor/VOP (24% and 20%, respectively), while 12% had a pending felony.

Across counties, a few differences were evident: 1) Yuma county screened fewer youth with pending felonies (1%) and more youth with no delinquent history (72%); 3) fewer youth in Pinal county had a warrant in the previous 6 months (10%); and 4) the vast majority of youth in Cochise county had no delinquent history (77%).

Section C. Legal Status/Court History

Section C awards points to those currently on some form of juvenile justice supervision or with a prior felony adjudication, including:

- Currently on parole or JIPS supervision (3 points);
- Active standard probation (2 points); or
- Felony adjudication in the past 18 months (but not currently on supervision; 1 point).

Section C. Legal Status/Court History														
Legal Status/Court History	TOTAL		Maricopa		Pima		Yuma		Pinal		Cochise		Gila	
	N (11,371)	%	N (7,691)	%	N (1,225)	%	N (1,179)	%	N (931)	%	N (256)	%	N (89)	%
Parole/JIPS (3 pts.)	1486	13	646	8	187	15	492	42	84	9	62	24	15	17
Active Standard Probation (2 pts.)	3105	27	2234	29	304	25	268	23	206	22	54	21	39	44
Felony Adjudication in past 18 mo. (not on probation) (1 pt.)	142	1	77	1	43	4	8	1	11	1	3	1	~	~
None (0 pts.)	6638	58	4734	62	691	56	411	35	630	68	137	54	35	39

Most of the youth screened with the DSI (58%) were not currently on supervision and did not have a prior felony adjudication, while about one-quarter (27%) were on standard probation.

A couple differences across counties were evident: 1) youth in Yuma and Cochise county were more likely to be on parole/JIPS (42% and 24%, respectively); and 2) youth in Gila county were more likely to be on standard probation (44%).

Section D. Aggravating Factors

Section D adds points for destabilizing circumstances that may suggest a youth is a greater risk to public safety. Intake staff may apply a maximum of 3 of the following 4 categories:

- Youth does not attend school or work (1 point);
- Youth is currently under the influence of drugs or alcohol (1 point);
- The current referral includes multiple, unrelated felony charges (1 point); and
- Youth has a history of fire setting or animal cruelty.

Section D. Aggravating Factors (Choose Maximum of 3).														
Aggravating Factor	TOTAL		Maricopa		Pima		Yuma		Pinal		Cochise		Gila	
	N (11,371)	%	N (7,691)	%	N (1,225)	%	N (1,179)	%	N (931)	%	N (256)	%	N (89)	%
Does not attend school or work (1 pt.)	3671	32	2588	34	441	36	150	13	357	38	98	38	37	42
Currently under the influence of drugs or alcohol (1 pt.)	1594	14	618	8	529	43	40	3	375	40	14	6	18	20
Multiple unrelated felony charges on this referral (1 pt.)	237	2	163	2	26	2	10	1	31	3	2	1	5	6
History of fire setting or animal cruelty (1 pt.)	134	1	59	1	23	2	12	1	30	3	4	2	6	7
None (0 pts.)	6774	60	4741	62	493	40	978	83	376	40	147	57	39	44

In Section D, multiple criteria may apply and thus a youth may accrue points from more than one criterion (thus, the total in each shaded column may exceed 100%). An aggravating factor was applied to only 40% of youth, with “does not attend work or school” as the most frequently applied (32%).

A couple differences across counties were observed: 1) Pima and Pinal counties had significantly more youth who were currently under the influence of drugs or alcohol (43% and 40%, respectively); and 2) Youth from Maricopa and Yuma were less likely to apply aggravating factors (62% and 83% did not score aggravating points, respectively) compared to their counterparts in other counties.

Section E. Mitigating Factors

Section E *subtracts* points from the youth’s risk score when certain protective factors are in place, including:

- Youth attends school or work (1 point);
- Youth is engaged in pro-social activities (1 point);
- A family member/responsible adult is able to assume responsibility for the youth (1 point);
- Youth has not had a warrant or FTA in the previous 12 months (1 point).

Section E. Mitigating Factors (Choose Maximum of 3).														
Mitigating Factor	TOTAL		Maricopa		Pima		Yuma		Pinal		Cochise		Gila	
	N (11,371)	%	N (7,691)	%	N (1,225)	%	N (1,179)	%	N (931)	%	N (256)	%	N (89)	%
Attends school or work (1 pt.)	6670	59	4627	60	497	41	887	75	521	56	113	44	25	28
Engaged in pro-social activities (1 pt.)	945	8	889	12	15	1	25	2	3	<1	12	5	1	1
Family member or adult is able to assume responsibility for juvenile (1 pt.)	7105	63	4991	65	434	35	866	74	696	75	73	29	45	51
No FTA warrant history in past 12 mo. (1 pt.)	6627	58	4378	57	661	54	732	62	713	77	111	43	29	33
None (0 pts.)	1631	14	992	13	350	29	97	8	94	10	78	31	26	29

In Section E, multiple criteria may apply and thus points may be subtracted for more than one criterion (thus, the total in each shaded column may exceed 100%). A large proportion of youth screened with the DSI were attending school or work (59%), had a parent/responsible adult who was able to assume responsibility for him/her (63%) and/or did not have a warrant or FTA in the previous 12 months (58%).

Several differences across counties were evident: 1) A larger proportion of youth in Yuma and Maricopa counties (75% and 60%, respectively) were assessed as attending school or work, compared to

a much smaller proportion in Gila county (28%); 2) a larger proportion of youth in Maricopa county were assessed as engaged in pro-social activities (12%) than in other counties; 3) a larger proportion of youth in Yuma, Maricopa and Pinal counties (74%, 65% and 75%, respectively) had a parent/responsible adult who was able to assume responsibility for the youth than in Pima county or Cochise county (35% and 29%, respectively); 4) a larger proportion of youth in Yuma and Pinal county had no warrant or FTA in the previous 12 months (62% and 77%, respectively) than in Gila county (33%); and 5) Maricopa, Yuma and Pinal counties were more likely to apply mitigating factors than their counterparts in other counties. Only 13%, 8% and 10% (respectively) of youth in these counties did not have mitigating factors applied, compared to approximately 30% in other counties. It is unknown whether these variations reflect actual differences in the status of youth in each county, or whether they instead reflect differences in practice among intake staff in each county.

Scored Risk Level and Presumptive Screening Decision

For each youth, points accrued in Sections A through E are tallied, creating a total score. That score is translated to a presumptive screening decision:

- Scores of 0 to 6 points translate to Release;
- Scores of 7 to 11 points translate to Release to a Non-Secure Option; and
- Scores of 12 or more points translate to Detain.

Scored/ Presumptive Screening Decision	TOTAL		Maricopa		Pima		Yuma		Pinal		Cochise		Gila	
	N (11,371)	%	N (7,691)	%	N (1,225)	%	N (1,179)	%	N (931)	%	N (256)	%	N (89)	%
Release	9754	86	6547	85	991	81	1115	95	795	85	231	90	75	84
Non-Secure Option	703	6	434	6	154	13	28	2	65	7	17	7	5	6
Detain	914	8	710	9	80	7	36	3	71	8	8	3	9	10

The vast majority of youth (86%) scored between 0 and 6 points/Release, with only small proportions scoring between 7 and 11 points/Release to Non-Secure Option (6%) or 12 or more points/Detain (8%).

This pattern held across all six counties, although slightly fewer youth scored in the Detain category in Yuma and Cochise counties (each with 3%). Slightly more youth scored as Release to Non-Secure Option in Pima (13%) than in other counties, and somewhat fewer youth in Yuma (2%) than in

other counties. **The presumptive screening outcome—derived from scores on the risk factors—suggests that only a small proportion of youth screened with the DSI should be placed in secure detention.**

To assess racial equity, scores on the DSI were compared for white youth and youth of color. The table below shows that approximately equal proportions scored at each level (Release, Non-Secure and Detain).

Scored/Presumptive Screening Decision	White Youth		YOC	
	N (5,242)	100%	N (6,129)	100%
Release	4632	88	5122	84
Non-Secure Option	300	6	403	7
Detain	310	6	604	10

However, examining these data from another angle suggests a disparity. The table below examines the racial/ethnic composition of each of the three outcomes (Release, Non-Secure and Detain). Recall that in the total sample of 11,371 cases, youth of color comprised 54%. If the distribution across outcomes were totally equitable, youth of color would comprise about 54% of each group (Release, Non-Secure and Detain). Instead, as shown in the table below, youth of color (YOC) are over represented among the youth who scored as Detain (12+ points), with 66% of those youth being youth of color. As discussed in the next section, this disparity evaporates when departures from the risk score are considered, with the various actual screening decisions being equitably applied.

Scored/Presumptive Screening Decision	Release		Non-Secure Option		Detain	
	N (9754)	100%	N (703)	100%	N (914)	100%
White Youth	4632	48	300	43	310	34
YOC	5122	53	403	57	604	66

A deeper dive into youth’s scores on each Section A-E and their total DSI scores revealed that no single factor is driving this inequity. Rather, the accumulation of small differences in scores on each Section is what creates the disparity in total score. For example, youth of color scored slightly higher on Section A (most serious current offense) and Section B (current legal status), but none of these differences were statistically significant. However, the disparity is most pronounced when looking at total score, particularly at the 11/12 cut point, which is what resulted in more youth of color scoring into

the “Detain” category. Thus, large differences in the various risk factors were not present but accumulated to the point that proportionately more youth of color reached the 12-point threshold than did their white counterparts. Notably, **the disproportionality in the scored screening decision is driven by static factors that aren’t under the control of the DSI screeners.** Therefore, the solution to this problem likely resides in the way the risk factors are constructed and weighted and/or the cut points of the scale. This is discussed in more depth in the Recommendations section.

Actual Screening Decision

As noted in the Introduction to this report, DSI screeners have the option to utilize Special Detention criteria (i.e., policy overrides) and discretionary overrides to change the screening outcome indicated by the total score. In the table below, the “Actual Screening Decision” refers to the outcome that was actually imposed, once Special Detention criteria and overrides were applied.

Table 3. Actual Screening Decision														
Actual Screening Decision	TOTAL		Maricopa		Pima		Yuma		Pinal		Cochise		Gila	
	N (11,371)	%	N (7,691)	%	N (1,225)	%	N (1,179)	%	N (931)	%	N (256)	%	N (89)	%
Release	4190	37	2962	39	446	36	198	17	479	52	84	33	21	24
Non-Secure Option	21	<1	5	<1	11	1	2	<1	1	<1	2	1	~	~
Detain	7160	63	4724	61	768	63	979	83	451	48	170	66	68	76

Through the operation of Special Detention criteria and discretionary overrides, a significantly larger proportion of youth was detained than was suggested by the presumptive screening decision (63% versus 8%). Conversely, much a much smaller proportion of youth were released than was suggested by the presumptive screening decision (37% versus 86%).

Across counties: 1) Yuma and Gila counties detained more youth than did other counties (83% and 76%, respectively); 2) Pinal detained a comparatively smaller proportion of youth (48%) than other counties.

As with the scored/presumptive screening decision, the initial distribution of outcomes is equitable when examined across race (i.e., similar proportions of white and youth of color were released, placed in a Non-Secure program, and detained), as shown in the table below.

Table 3a. Actual Screening Decision, White versus Youth of Color				
Actual Screening Decision	White Youth		YOC	
	N (5,242)	100%	N (6,129)	100%
Release	1930	37	2260	37
Non-Secure Option	15	<1	6	<1
Detain	3297	63	3863	63

Interestingly, the disparity evident in the scored/presumptive decision discussed above disappears when assessing proportionality within each of the three outcomes (Release, Non-Secure and Detain) of the Actual Screening Decisions. Among youth who were detained, the proportion of youth of color mirrors their proportion in the total sample (54%).

Table 3b. Actual Screening Decision, White versus Youth of Color						
Actual Screening Decision	Release		Non-Secure Option		Detain	
	N (4190)	100%	N (21)	100%	N (7160)	100%
White Youth	1930	46	16	71	3297	46
YOC	2260	54	6	29	3863	54

As discussed in detail below, the likely cause of this reversal is that so many youth who scored for release were moved into detention via Special Detention criteria and overrides, which had the corollary impact of diluting the disparity evident in the youth’s scores.

Departures from the Scored/Presumptive Screening Decision

A comparison of the Scored/Presumptive Screening Decision to the Actual Screening Decision reveals the **departure rate**, i.e., the rate at which the actual decision *did not* reflect the youth’s score. In the tables below, the shaded diagonal includes cases with a match—where the actual screening decision matched what was suggested by the youth’s total score. Cells above the diagonal, in red, show cases where the actual screening decision placed the youth in a *more restrictive setting* than what was suggested by the youth’s total score—an “upward departure.” Cells below the diagonal show the relatively few cases where the actual screening decision placed the youth in a *less restrictive setting* than what was suggested by the youth’s total score—a “downward departure.”

In the table below, the sum of cases in the shaded cells indicates that only 43% of the youth screened using the DSI were placed in the setting indicated by the youth’s total score (3928 + 21 + 910 =

4859/11371 = 0.427 = 43%). Of all the youth screened using the DSI, 50% (n=5,669) scored as Release, but were Detained, as were 581 youth who scored as Release to Non-Secure Option (5% of the total sample). Furthermore, 157 youth who scored as Release were placed in a more restrictive, Non-Secure Option (1% of the total sample). **This translates to an upward departure rate of 55%.**

Table 4. Comparison of Scored and Actual Screening Decisions TOTAL SAMPLE (N=11,371)		Actual Screening Decision		
		Release	Non-Secure Option	Detain
Scored Screening Decision	Release	36% (n=4085)	~	50% (n=5669)
	Non-Secure Option	1% (n=101)	<1% (n=21)	5% (n=581)
	Detain	<1% (n=4)	~	8% (n=910)

Results for each county are presented in the 6 tables below and are interpreted in the same fashion. Adding the cells above the shaded diagonal together reveals **an upward departure rate of 53% for Maricopa County.**

Table 4a. Comparison of Scored and Actual Screening Decisions MARICOPA COUNTY (N=7,691)		Actual Screening Decision		
		Release	Non-Secure Option	Detain
Scored Screening Decision	Release	38% (n=2891)	~	48% (n=3656)
	Non-Secure Option	1% (n=69)	<1% (n=5)	5% (n=360)
	Detain	<1% (n=2)	~	9% (n=708)

The results for Pima county are presented below. Adding the cells above the shaded diagonal together reveals **an upward departure rate of 56% for Pima County.**

Table 4b. Comparison of Scored and Actual Screening Decisions PIMA COUNTY (N=1,225)		Actual Screening Decision		
		Release	Non-Secure Option	Detain
Scored Screening Decision	Release	36% (n=438)	~	45% (n=553)
	Non-Secure Option	1% (n=8)	1% (n=11)	11% (n=135)
	Detain	~	~	7% (n=80)

The results for Yuma county are presented below. Adding the cells above the shaded diagonal together reveals **an upward departure rate of 80% for Yuma County.**

Table 4c. Comparison of Scored and Actual Screening Decisions YUMA COUNTY (N=1,179)		Actual Screening Decision		
		Release	Non-Secure Option	Detain
Scored Screening Decision	Release	17% (n=198)	~	78% (n=917)
	Non-Secure Option	~	<1% (n=2)	2% (n=26)
	Detain	~	~	3% (n=36)

The results for Pinal county are presented below. Adding the cells above the shaded diagonal together reveals **an upward departure rate of 41% for Pinal County.**

Table 4d. Comparison of Scored and Actual Screening Decisions PINAL COUNTY (N=931)		Actual Screening Decision		
		Release	Non-Secure Option	Detain
Scored Screening Decision	Release	49% (n=455)	~	37% (n=340)
	Non-Secure Option	3% (n=23)	<1% (n=1)	4% (n=41)
	Detain	<1% (n=1)	~	8% (n=70)

The results for Cochise county are presented below. Adding the cells above the shaded diagonal together reveals **an upward departure rate of 64% for Cochise County.**

Table 4e. Comparison of Scored and Actual Screening Decisions COCHISE COUNTY (N=256)		Actual Screening Decision		
		Release	Non-Secure Option	Detain
Scored Screening Decision	Release	32% (n=83)	~	58% (n=148)
	Non-Secure Option	<1% (n=1)	1% (n=2)	6% (n=14)
	Detain	~	~	3% (n=8)

The results for Gila county are presented below. Adding the cells above the shaded diagonal together reveals **an upward departure rate of 68% for Gila County.**

Table 4f. Comparison of Scored and Actual Screening Decisions GILA COUNTY (N=89)		Actual Screening Decision		
		Release	Non-Secure Option	Detain
Scored Screening Decision	Release	23% (n=20)	~	62% (n=55)
	Non-Secure Option	~	~	6% (n=5)
	Detain	1% (n=1)	~	9% (n=8)

Factors Contributing to Upward Departures

At this point, the results demonstrate that a large proportion of youth are detained, despite scores on the risk factors that indicate they would be safe to place in a less secure option. In addition, a small segment of youth scored as Release, but were placed into a Non-Secure option—also considered an “upward departure.” These totaled about 1% of the sample (n=157) and are not discussed in the table below, which focuses on youth placed in secure detention.

The table below illustrates the various pathways by which youth were placed in secure detention, either by score, Special Detention criteria or discretionary overrides.

Table 5. Pathway to Detention, by County														
Pathway to Detention	TOTAL		Maricopa		Pima		Yuma		Pinal		Cochise		Gila	
	N (7160)	%	N (4724)	%	N (768)	%	N (979)	%	N (451)	%	N (170)	%	N (68)	%
Scored 12+ points on DSI	910	13	708	15	80	10	36	4	70	16	8	5	8	12
Scored 7-11 points (Non-Secure) but Special Detention	392	5	247	5	83	11	14	1	39	9	5	3	4	6
Scored 7-11 points (Non-Secure) but Override	189	3	113	2	52	7	12	1	2	<1	9	5	1	1
Scored 0-6 points (Release) but Special Detention	4988	70	3368	71	385	50	730	75	331	73	126	74	48	71
Scored 0-6 points (Release) but Override	681	10	288	6	168	22	187	19	9	2	22	13	7	10

Overall, a very small segment of detained youth in Arizona (only 13%) are placed in a secure setting because of their score on the various risk factors. Instead, they are primarily detained because they meet one of the Special Detention categories (75% of detained youth fall into this category) or have an individual circumstance that is used to justify their detention via discretionary override (13% of detained youth fall into this category).

Some differences across counties are notable. In Maricopa and Pinal counties, only about 15% of detained youth are placed in a secure setting because of their score on the DSI. This percentage shrinks to about 10% in Pima and Gila counties, and shrinks even further to about 5% in Yuma and Cochise counties. The counties vary a bit in terms of their use of Special Detention criteria versus discretionary overrides, but the effect is the same—**the vast majority of youth who are detained following DSI screening are placed in detention via a mechanism that subverts the score (Special Detention or override), rather than by their score on the risk factors.**

Table 5a compares the pathway into detention for white youth versus youth of color. As noted above, a disproportionate number of youth of color scored as Detain, but the disparity was no longer evident in the actual screening decision, likely because so many youth are placed in detention via Special Detention criteria or override. Tables 5a and 5b provide additional insight into this phenomenon. The main difference in the pathway into detention between white youth and youth of color is the larger proportion of youth of color who scored 12+ points. The use of Special Detention and overrides, however, is approximately equivalent.

Table 5a. Pathway to Detention for White Youth and Youth of Color						
Pathway to Detention	TOTAL		White Youth		Youth of Color	
	N (7160)	100%	N (3297)	100%	N (3863)	100%
Scored 12+ points on DSI	910	13	306	9	604	16
Scored 7-11 points (Non-Secure) but Special Detention	392	5	168	5	224	6
Scored 7-11 points (Non-Secure) but Override	189	3	84	3	105	3
Scored 0-6 points (Release) but Special Detention	4988	70	2319	70	2669	69
Scored 0-6 points (Release) but Override	681	10	420	13	261	7

Table 5b shows that among the various pathways into detention, white youth are overrepresented among the population of youth who scored as Release but who were overridden into detention (62% were white, 38% were youth of color). This inequity had the impact of balancing out the disparity in the disproportionate number of youth of color who scored for detention. In the end, the proportion of youth of color who were detained mirrored the racial composition of the overall sample.

Table 5b. Pathway to Detention for White vs Youth of Color												
Subgroup	TOTAL		Scored 12+		Scored 7-11 but SD		Scored 7-11 but OR		Scored 0-6 but SD		Scored 0-6 but OR	
	N (7160)	100%	N (910)	100%	N (392)	100%	N (189)	100%	N (4988)	100%	N (681)	100%
White Youth	3297	46	306	34	168	43	84	44	2319	46	420	62
Youth of Color	3863	54	604	66	224	57	105	56	2669	54	261	38

Because Arizona’s instrument contains very few opportunities for subjectivity and bias, strategies to address any inequity in scores reside in the construction and weighting of the risk factors themselves. Similarly, strategies to combat the overall high rate of Special Detention criteria and overrides must be constructed to ensure equitable application to all youth. Both of these issues are discussed in more detail in the Recommendations section.

Special Detention

Given the central role of Special Detention criteria in the use of secure detention (75% of all youth who were detained, were detained based on Special Detention Criteria), the following section examines which of the Special Detention criteria were applied most often. For the detained youth placed in a secure setting via the Special Detention categories, Table 6 below shows which criteria were applied:

- **ADJC Warrant** refers to warrants issued by the Arizona Department of Juvenile Corrections in circumstances such as AWOL/escape, parole violations or a criminal charge while in custody.
- **FTA Warrant** refers to a warrant issued when a youth fails to appear for a scheduled court hearing. Counties differ on how many failures to appear must occur before a warrant may be issued.
- **Probation Violation** refers to the failure to follow the rules and requirements of community supervision. Some counties issue a warrant for the violation, others do not.

- **Court Ordered** refers to youth who attended a court hearing during which a Judge ordered the youth to be detained.
- **Federal Hold, Tribal Hold, Hold for Other Jurisdiction and Contract Hold** all refer to notices that the youth is wanted in another jurisdiction and is held in detention pending pickup by that jurisdiction.
- **Violation of Conditions** refers to the failure to follow the conditions of release from a *previous* DSI screening, such as those related to electronic monitoring or house arrest.

Table 6. Special Detention Criteria														
Special Detention Criteria	TOTAL		Maricopa		Pima		Yuma		Pinal		Cochise		Gila	
	N (5380)	%	N (3615)	%	N (468)	%	N (744)	%	N (370)	%	N (131)	%	N (52)	%
ADJC Warrant	294	6	263	7	4	1	15	2	9	2	2	2	1	2
FTA Warrant	753	14	566	16	94	20	31	4	49	13	7	5	6	12
Probation Violation*	2188	41	1241	34	255	55	494	66	136	37	40	31	22	42
Court Ordered	1740	32	1386	38	45	10	143	19	79	21	62	47	25	48
Federal Hold	43	1	2	<1	~	~	3	<	38	10	~	~	~	~
Tribal Hold	51	1	2	<1	~	~	49	7	~	~	~	~	~	~
Hold for Other Jurisdiction	195	4	115	3	12	3	9	1	36	10	21	16	2	4
Contract Hold	29	1	26		~		2		1		~		~	
Violation of Conditions	291	5	199		59		2		24		6		1	

**Note: counties label Probation Violations in different ways. They are all lumped together in the "Probation Violation" category for the ease of comparison.*

Probation Violations and Court Orders account for the vast majority of youth who are detained using Special Detention criteria (73%). Some differences were noted across counties—In Pima and Yuma counties, responses to Probation Violations were the predominant form of Special Detention (55% and 66%, respectively), while in Cochise and Gila counties, Court Orders were the predominant form of Special Detention (47% and 48%, respectively). As noted in the Recommendations below, unpacking each of these categories would be useful to the effort to understand the assumed risks to public safety.

Discretionary Upward Overrides

As shown in Table 5, above, discretionary upward overrides (“override”) were also used to detain youth who scored in the Non-Secure and Release categories. They are labeled “upward”

overrides because they place the youth in a *more restrictive setting* than that indicated by the youth’s score on the risk factors. This occurred for 870 of the 7,160 youth who were detained (12%), 189 of whom scored for the Non-Secure Option and 681 of whom scored as Release. If not for the use of Special Detention criteria, the frequency with which the DSI score is subverted using discretionary overrides is within the generally accepted practice of 10-15% of cases being overridden.

Discretionary Upward Overrides are meant to capture individual circumstances—not adequately explained by the risk factors—that suggest a youth’s risk to public safety is higher than it appears, and thus secure detention is thought to be necessary. In Arizona, staff must justify the use of a Discretionary Upward Override in writing and it must be approved by an intake Supervisor before it can be applied. The text field containing the intake staff’s justification was analyzed to better understand the factors contributing to the staff’s assessment that a more restrictive setting was necessary than that indicated by the youth’s total score. Some of the justifications were case-specific, reflecting unique circumstances (e.g., youth had made specific threats; family not willing to assume custody). However, many of the justifications duplicated scored risk factors (e.g., offense severity, currently on probation) or special detention criteria (e.g., warrant, VOP). In part, this may reflect user-error, but also suggests that it may be prudent to re-examine the substance of the risk factors and the item weights to ensure they are properly calibrated.

Discretionary Downward Overrides

Overrides of the youth’s total score may also be used to place the youth in a *less restrictive setting* than that indicated by the youth’s score on the risk factors (“downward overrides”). This option is not used very often in Arizona. Of the 4,211 youth who were released outright or to Non-Secure, 98% of the youth scored that way, with only 3% of youth being overridden down to a less restrictive setting. There were no major differences in race/ethnicity, and the majority of cases were from Maricopa (71 of 105, or 68%) and Pinal (24 of 105, or 23%). None of the cases that were overridden down included a written justification by the intake staff which prevented an examination of whether this mechanism was used according to policy guidelines.

Table 5. Pathway to Release		
Pathway to Release	TOTAL	
	N (4211)	%
Scored 7-11 points Non-Secure	21	1

Scored 12+ points but OR to Release	4	<1
Scored 7-11 points but OR to Release	101	2
Scored 0-6 points Release	4085	97

The next section of this report examines outcomes for the subset of youth who were either released outright or placed in a non-secure option. While this type of analysis is necessary to ascertain whether the DSI properly identifies youth who are likely to be successful if released, the high rates of upward departures (i.e., youth scoring for release but being placed in detention, primarily through the use of Special Detention criteria), means that the youth who were actually released are only a small subset—the lowest of the low risk. Therefore, the results of Phase II should be interpreted with caution.

PHASE II: RECIDIVISM ANALYSIS

As discussed in the introduction to this report, in addition to assessing the extent to which the DSI is properly scored and subverted only in exceptional circumstances, a further goal of the validation study was to assess the extent to which youth are released following DSI screening without jeopardizing public safety.

Methodology

A recidivism analysis was conducted on the 4,211 youth who were released following DSI screening.⁵ Youth who are detained cannot be included in this type of analysis because they are not in the community and thus not at risk of subsequent criminal conduct. This phase of the research required two key decisions:

- **How is success/failure defined?** Ideally, youth who are released to the community 1) do not engage in subsequent offending and 2) appear for court as directed. Youth who are released at the point of screening and who go on to commit serious offenses have a negative impact on public safety. While these metrics intuitively describe “success” and “failure,” operationalizing these terms is far less straightforward. In this report, “failure” and “recidivism” are used interchangeably, as defined below.

“Offending behavior” subsequent to release can be defined any number of ways—via new arrest, new detention screening or new conviction. Each metric has its pros and cons. For example, arrest data is often relatively easy to obtain, but is likely to reflect concerns about over-policing in communities of color and therefore risks contributing to inflated “failure rates” among youth of color. Conversely, data on convictions is often difficult to obtain and difficult to interpret when otherwise unrelated cases are handled together. Furthermore, several layers of informal processing or diversion may not appear in official court records and thus may undercount the level of new criminal behavior.

The availability of reliable data was a key consideration for this study. In addition to the DSI screening that occurred during the study period for Phase I (January 1, 2016 and June 30, 2017), DSI screenings subsequent to that date were readily available. These data could be used to assess whether a youth who was originally released per the DSI screening process was subsequently brought to detention and screened again using the DSI (either for new criminal behavior or after

⁵ Throughout this section of the report, “released” is used to describe those youth who, following DSI screening, were either released outright (n=4,190) or released to a non-secure option (n=21).

being picked up on a warrant). Thus, “new DSI screening” was utilized as the primary metric indicating “failure.” This metric *excludes* offenses that police chose to handle via cite-and-release, rather than transporting the youth to detention for screening.

Furthermore, youth who are released at the point of screening are generally given a Notice to Appear at a later date to being court processing. When youth appeared as directed, this was considered “success.” When youth do not appear in court, a Judge makes the choice to either reschedule the court date or to issue a warrant for the youth’s arrest. In case of the former, the youth was considered “success” for the purpose of this study since the Judge decided that the youth was able to remain in the community, and thus his/her behavior was not considered particularly serious. Cases in which a Judge issued a Warrant for Failure to Appear (FTA) were considered “failure.”

- **How long is the follow-up period?** The key question for detention screening validation studies is at what point does decision making change hands. In other words, at what point following DSI screening is the youth’s status in the community (released or detained) determined by another decision-maker? Reflecting on the definition of success/failure above, when a youth who was initially released to the community was picked up by police and brought to detention on a new charge/warrant, the follow-up period ended because the new DSI screening determined what happens to the youth from that point forward. When a youth who was initially released failed to appear, the follow-up period ended because a Judge—not the DSI—now determined whether that youth remained in the community pending the rescheduled hearing or needed to be taken into custody via a warrant.

The logic model for the outcomes of interest is presented in the table below:

Table 6. Logic Model for Validation Study	
Success	
Appeared at Hearing	Following release, youth appeared at scheduled hearing as required. The hearing date marks the end of the follow-up period because the decision maker changes hands.
No subsequent event	Following release, youth was not brought to detention by police (i.e., no new DSI screening) and did not have a hearing scheduled (e.g., prosecutor declined to file charges, matter was handled informally and thus not in the court records). For these cases, the follow up period is June 30, 2017, which was the end of the period captured by the dataset.
FTA, No Warrant	Following release, youth did not appear at scheduled hearing, but Judge rescheduled rather than issuing a warrant. The hearing date marks the end of the follow-up period because the decision maker changes hands. The case is

	considered a “success” because his/her initial release to the community was not revoked by the Judge.
Failure/Recidivism	
FTA, Warrant	Following release, youth did not appear at scheduled hearing and Judge issued a warrant for the youth’s arrest. The hearing date marks the end of the follow-up period because the decision maker changes hands. The case is considered “failure” because the Judge revoked his/her initial release to the community was revoked by the Judge.
New DSI Screening	Following release and prior to the scheduled hearing, youth was brought to detention by police for a new offense/warrant and re-screened on the DSI. The case is considered “failure” because of the continued involvement in offending behavior and/or the presence of a warrant for arrest.

Results

Overall, youth who were released following DSI screening had low rates of recidivism. **Only 16% (n=674) were subsequently brought to detention (“new DSI screening”) or FTAed and the Judge issued a Warrant (“FTA, Warrant”).** In other words, the presumptive decision of the DSI for youth who score 0-11 points accurately captures the set of youth who can be released without jeopardizing public safety. These results are very encouraging. However, it is important to remember that these are only a subset of youth who scored 0-11 points, since all youth who met a Special Detention criterion were detained. Thus, the release sample is a particularly low risk group and thus the low recidivism rates are not surprising.

Rates across gender and race were examined to assess outcomes for key subpopulations. As shown in the table below, the failure rates among males were higher than among females (18% vs 12%). A logistic regression analysis revealed that this difference is statistically significant ($B = .438, p = .000, \text{Exp}(B) = 1.550$), with **males being 55% more likely to fail than females.**

Outcome	TOTAL		Males		Females	
	N (4211)	100%	N (3064)	100%	N (1147)	100%
Success	3537	84	2528	83	1009	88
Failure	674	16	536	18	138	12

As shown in the table below, the failure rates among white youth and youth of color were quite similar. A logistic regression analysis revealed that **differences across race were not statistically significant** ($B = .138, p = .104$).

Outcome	TOTAL		White Youth		YOC	
	N (4211)	100%	N (1945)	100%	N (2266)	100%
Success	3537	84	1653	85	1884	83
Failure	674	16	292	15	382	17

The rates for each county were also examined to identify regional differences in outcomes. As shown in the table below, failure rates varied significantly across the counties. Using Maricopa as a reference (84%), **rates of recidivism in Pima County (3%) were significantly lower** ($B=-1.871, p=.000, \text{Exp}(B) = .154$) than Maricopa, and **rates of recidivism in Pinal County (30%) were significantly higher** ($B=.833, p = .000, \text{Exp}(B) = 2.299$) than Maricopa. [The number of youth released in Gila county was too small for reliable analysis.]

Outcome	TOTAL		Maricopa		Pima		Yuma		Pinal		Cochise		Gila	
	N (4211)	100%	N (2967)	100%	N (457)	100%	N (200)	100%	N (480)	100%	N (86)	100%	N (21)	100%
Success	3537	84	2493	84	444	97	170	85	334	70	76	88	20	95
Failure	674	16	474	16	13	3	30	15	146	30	10	12	1	5

The length of time between the DSI screening and the recidivism event was also analyzed. As shown in the table below, **when youth recidivated, they tended to do so quickly (within 7 days).**

Days	N (674)	100%
Less than 7 days	223	33
7 to 14 days	60	9
15 to 30 days	92	14
31 to 60 days	88	13
61 to 90 days	53	8
90 to 120 days	33	5
More than 120 days	125	19

The time-to-recidivism across race and gender were examined to identify differences. **White youth recidivated more quickly**, with a median time-to-recidivism of 115 days, compared to 137 days among youth of color. This difference was statistically significant (*Wilcox* = 19.51, *p* < .000). Although **males recidivated more quickly**, with a median time-to-recidivism of 121 days, compared to 160 days among females, this difference was not statistically significant (*Wilcox* = 1.86, *p* = .173).

Type of Failure

The severity of subsequent offenses is very much a concern for any agency making decisions about who can be safely released to the community. This fear tends to drive the tendency of system actors to err on the side of caution and to place low-scoring youth in more restrictive settings. As noted above, youth who were released following DSI screening had low rates of recidivism (16%). An analysis of the type of recidivism revealed that most of these youth committed a misdemeanor or violated probation (48%) or met one of the Special Detention Criteria (27%, most commonly a court order or probation violation). **About one-quarter of the youth who failed (24%; n=161) committed a new felony offense, though most were low-level (n=87 committed a Class 4, 5 or 6 offense; 54%)**. The table below shows the types of events that occurred among youth who were released to the community.

Table 9. Severity of Behavior Among Youth Who Failed		
Type of Behavior	N (671)	100%
<i>New Felony Offense</i>	161	24%
Possession of Firearm	2	<1%
Sexual Abuse/Molestation	2	<1%
Armed Robbery Class 2	9	1%
Aggravated Assault, Class 2/3	16	2%
Aggravated Robbery, Class 3	1	<1%
First Degree Burglary, Class 3	3	<1%
Aggravated Assault, Class 4, 5 or 6	18	3%
Weapon (School or Concealed)	3	<1%
Felony, Class 2 or 3	38	6%
Felony, Class, 4, 5 or 6	69	10%
<i>Misdemeanor or VOP</i>	323	48%
<i>Detained based on Special Detention Criteria</i>	178	27%
ADJC Warrant	29	4%
FTA	19	3%

Parole Violation	37	6%
Court Order	78	12%
Tribal Hold	1	<1%
Hold for Other Jurisdiction	7	1%
Contract Hold	1	<1%
Violation of Condition of Release	6	1%
<i>Missing/No MSCO listed</i>	9	1%

Thus, the Phase II analysis provided solid research support for the guidance offered by the DSI score—the vast majority of youth who scored low on the DSI (84%) had good outcomes following their release. They refrained from subsequent criminal activity and appeared in court when required. While this is encouraging, it does beg the question of whether other low-scoring youth—those who met one of the Special Detention criteria—would have had similar positive outcomes had they been released at the point of screening. The Recommendations in the next section are designed to answer this question.

RECOMMENDATIONS

The core recommendation flowing from this research is to strengthen the integrity of the implementation of the DSI, so that more targeted analyses of the risk factors and cut points can be conducted. This additional research is needed in order for Arizona to meet its overall goal—to limit the use of secure detention by releasing youth who present a low-risk to public safety. While discretionary override rates are relatively low (13%), the high volume of cases in which the youth’s score on the DSI is *not* driving the decision-making—because Special Detention criteria are applied—must be addressed. Recommendation 1 offers a solution to this problem by tracking the outcomes of these youth and providing research-based guidance about how to handle these criteria in the future.

Once a larger portion of detention decisions are made using the youth’s DSI score, subsequent research can examine whether any adjustments to risk factors, item weights, or scale cut-points would improve the DSI and its ability to guide decisions about who can safely be released to the community or a non-secure alternative. This research is discussed in Recommendation 2. During the time required to fortify the DSI’s implementation and evaluate its content, Arizona should take steps to expand the array of Non-Secure Options that are available in each county. It is likely that Recommendation 2 will lead to a larger subset of youth being referred to Non-Secure Options, and thus capacity-building efforts will greatly benefit the state’s effort to limit the use of secure detention. This is discussed further in Recommendation 3, below.

Recommendation 1: Assess Outcomes for Youth Detained Via Special Detention criteria

As noted in the Phase I analysis above, a large segment of youth whose DSI scores indicate release/non-secure options are swept into detention via Special Detention Criteria. This is problematic because we do not know the relationship between these Special Detention criteria and the risk to public safety, and thus we cannot say whether this mechanism reflects the overall goal of limiting the use of secure detention to those youth who pose a high risk to public safety. Thus, an essential next step is to research outcomes among youth who are detained via Special Detention. This involves:

- Identifying a sample of youth who scored less than 12 points on the DSI, but who were detained via Special Detention criteria;
- Identifying the subset of those youth who were released by the Judge during their detention hearing and specifying any conditions that were imposed at that time; and
- Assessing the outcomes for these youth once released to the community.

If youth who are detained via Special Detention and subsequently released to the community perform well (i.e., low recidivism, appear in court as required), this will provide research support for handling these youth differently; that is, no longer using the Special Detention criteria to place lower-scoring youth in detention. If youth who are detained via Special Detention and subsequently released to the community perform poorly (i.e., high rates of recidivism and failure to appear resulting in a warrant), this will support the transition of Special Detention criteria to scored risk factors, so that these circumstances are considered alongside the rest of the items on the DSI (rather than trumping them, as they currently do). It is likely that youth with different Special Detention criteria (e.g., probation violations, warrants, etc.) will perform differently, and these differences can and should be reflected in the way in which the resulting risk factors are constructed and weighted. This leads into the assessment of risk factors, item weights and scale cut points described below.

Recommendation 2: Evaluate Risk Factors, Item Weights and Scale Cut Points

Once a larger subset of youth are released to the community via their DSI score, the strength of the association between each risk factor and the outcomes of interest (i.e., recidivism and FTA) should be assessed. This type of analysis is used to answer the following questions:

- Are the risk factors properly weighted? Items with the strongest relationship to the outcomes of interest should be worth the most points.
- Is the current set of risk factors the most parsimonious model? Some risk instruments contain risk factors that do not have a particularly strong relationship to the outcomes (or even work in the opposite direction, with higher scoring youth performing better than lower scoring youth). Removing these items can improve the accuracy of the remaining risk factors to guide decision-making. Furthermore, ensuring that each risk factor contains discrete categories will allow more specific findings in subsequent research. For example, the Most Serious Current Offense risk factor should separate “Misdemeanor” from “VOP,” so that differences between youth in each category can be easily identified.
- Do the cut-points of the scale need to be adjusted? As the total score on the DSI increases, failure rates should increase. Often, this distribution reveals some natural breaking points, where scores above and below certain points have substantially different rates of success. This provides the guidance needed to identify scores that suggest a safe outright release, safe referrals to non-secure options, and scores that suggest secure detention is required to best

protect public safety. Furthermore, the DSI's current scale cut-points result in very few youth scoring for non-secure alternatives. The analysis described above can offer guidance to setting cut points that allow Arizona to safely maximize the use of these options.

- Is the DSI equitable and fair? Scores on each risk factor and the decisions indicated by the total score can be tested and adjusted to ensure they do not exacerbate racial disparities.

Recommendation 3: Develop an Array of Non-Secure Options

While the research described above is underway, each County is encouraged to develop an array of non-secure options that respond to the needs and circumstances of their youth. Youth's circumstances in rural versus urban areas are likely to be different, and thus Counties are encouraged to develop programs uniquely suited to their population of youth. Research has shown that supervision and control-based programs (e.g., electronic monitoring, home detention) tend to be less effective than programs that address youth's needs for structure, support and services. Among the effective non-secure options implemented in other jurisdictions are:

- Day and Evening Reporting Centers
- School-based Support
- Family Counseling or Crisis Intervention

Care should be taken to ensure that non-secure options reflect the culture and traditions of the youth referred to them. Arizona is encouraged to maximize the expertise of the Annie E. Casey Foundation in developing these alternatives.

The expansion of non-secure options is critical to achieve the goal of limiting the use of secure detention. It is likely that many of the youth who are currently detained via Special Detention criteria would be successful if placed in an appropriate non-secure option, which will be reflected when the cut-points on the scale are revised. The Counties are encouraged to properly prepare for this influx of youth so that the use of overrides does not increase because of insufficient options.