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RETURNEES TO THE JUVENILE DETENTION CENTER

By Joseph Zefran, Jr.
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This report studied the detention and legal histories of 41 children who were held in the Juvenile Temporary Detention Center (JTDC) in November, 1978, and who were detained three or more times.

No differences in age, sex, or type of petitions were found between the returnees and all children detained in September and November, 1978. The returnees were found to have a higher number of and the same degree of non-serious complaints. One reason for this may be in the data on reasons for continuances during detention. This data suggested some uncertainty by the Court system in dealing with non-serious offenders.

It was further found that each returnee averaged 4.3 detentions, 6.4 filed petitions, 18.6 days per detention, and 2.8 court hearings per detention (1 hearing for each 6.7 days detained).

The major finding of the study was in regard to the 42% of returnees who were under the Department of Children and Family Services (DCFS). The DCFS children were significantly younger (13.7 years old) than the non-DCFS children (14.8 years old). The DCFS children had significantly more detentions (DCFS: 5.2; non-DCFS: 3.7). Finally, in the 36% of detentions of DCFS children when a Release-Upon-Request-to-DCFS order was issued, the length of detention was significantly higher (28.7 days) than for the remaining 64% of DCFS children (14.1 days) or for the non-DCFS children (17.7 days). The report suggested that some reasons for these results might include the high degree of emotional deprivation causing delinquent behavior, the lack of a secure placement facility for DCFS children, or the reluctance of local communities to deal directly with DCFS wards.

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ACQUISITIONS

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CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, JUVENILE DIVISION
CHICAGO, ILLINOIS 60612

J REPORT ON
X RETURNEES TO
JUVENILE TEMPORARY DETENTION CENTER
FEBRUARY, 1979

NCJRS

DEC 7 1979

ACQUISITIONS

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PURPOSE OF REPORT

This short-term, descriptive report investigated the detention and legal histories of children who have had 3 or more detentions in the Juvenile Temporary Detention Center (J.T.D.C.) in order to provide some general information as to reasons for their return to detention and for their lengthy detention periods.

DESCRIPTION OF CHILDREN STUDIED

The total sample included 54 children who were in the J.T.D.C. on November 30, 1978, and recorded as being detained at least 2 previous times. Complete information was able to be gathered on 41 of these 54 children. Of these 41, 17 were under the guardianship of the Illinois Department of Children and Family Services (D.C.F.S.) about 60% or more of their time with the Court (see Table I). Most all children are still active with the Court except for 13 (of the 54) who have been committed to the Department of Corrections.

Table II presents a self-explanatory summary of the data gathered for this report. It will be referred to in the discussion in the next section.

FINDINGS

The 54 children studied were compared to all 337 children in detention in September and November, 1978. There were no

differences as to age (see Table II, #1), sex (see Table II, #2), or type of petition (80% delinquent, 20% MINS). However, the children studied tended to have a greater number of petty thefts, burglaries, auto thefts, and runaways but a lesser number of violent offenses (armed robbery, assault/battery, murder, rape, use of weapons). (See Table III). No other comparisons between the entire sample of 54 and the population could be made. The rest of the report will focus on the 41 children (of the 54 sampled) on whom complete information was obtained.

The average age of these 41 children was 14.3. The DCFS children were found to be significantly younger than the non-DCFS children (DCFS - 13.7 years old, non-DCFS - 14.8; see Table II, #1).

A review of the history of complaints against the 41 children indicated that 90% were charged with the same degree of seriousness on all their petitions. Only 5% were charged with increasingly serious offenses and 5% with decreasingly serious offenses. Also, a majority of the children tended to be charged with the same type of offense throughout; that is, a child was likely to be charged with almost all auto thefts or all home burglaries, etc.

The average number of detentions per child was 4.3 for the 41 children (4.8 for the entire sample of 54 children). The DCFS children had significantly more detentions than the

non-DCFS children) (DCFS - 5.2, non-DCFS - 3.7; see Table II, #3).

The average number of filed petitions for the 41 children was 6.4 per child, 7.8 for those having only delinquent petitions, 3.6 for those having both delinquent and MINS petitions (2 to 1 ratio of delinquent to MINS).

The only difference between the DCFS and non-DCFS children was, not surprisingly, that only 4 of 17 DCFS children had only delinquent petitions whereas almost half (11 of 24) of the non-DCFS children had only delinquent petitions (see Table II, #5, a-d).

The average length of detention for the 41 children was 18.6 days (18.9 for the 54 children). Although DCFS children had a higher average number of days held than the non-DCFS children (DCFS - 19.4, non-DCFS - 17.7), the difference was not significant (see Table II, #4a). Further examination of the detentions of the 17 DCFS children produced an interesting finding regarding the time between a Release-Upon-Request-to-DCFS order and the date of actual release. During 36% of the detentions of the DCFS children, a Release-Upon-Request-to-DCFS order was issued. The average length of those detentions was 28.7 (see Table II, 4,b). This was found to be significantly higher than the 17.7 average days held per detention of the non-DCFS children. Since the average days between the Release-Upon-Request-to-DCFS order was issued and the date of actual release was 17.0 (see Table II, 4,c), it was evident that the

time between the Release Order and the actual release accounted for 60% of those detentions averaging 28.7 days. This finding is even more interesting in view of the fact that of the remaining 64% of detentions of DCFS children when no Release-Upon-Request order was issued was only 14.1 days (see Table II, 4,d). No significant difference was found between these detentions of DCFS children of a 14.1 days average and the detentions of non-DCFS children of 17.7 days average. In short, the Release-to-DCFS order had a significant effect on lengthening the average detention period.

In regard to the number of hearings while in detention, the average was consistently 2.8 hearings per detention (see Table II, 6,a). This seemed to be the case regardless of the length of stay or the type of complaint. The ratio between the average number of hearings to days in detention for the 41 children was 1 hearing per 6.7 days in detention (see Table II, 6,b).

Table IV lists 11 primary reasons for continuances during a detention. A reason was considered primary if it accounted for more than 80% of the time in detention. If there were 2 reasons each accounting for half of the time, they were counted as half in both categories. Table IV indicates that in 50.5% of the detentions the primary reason for continuances was legal (see Table IV, A. Total Legal); in 49.5% of the detentions the primary reason for continuances were for treatment reasons (see Table IV, B. Total Treatment). The average days held for each of the 11 groups is also shown.

Table II, #7 lists the numbers of children who were placed or not placed on supervision and probation. Most of the children (85%) were placed on probation, supervision, or both. Although 59% were given probation or supervision before or during their first detention (see Table II, 7,e), there was no difference between the average number of detentions after supervision or probation and the average number of detentions of those who were never placed on supervision or probation (see Table II, 8,a and b). And, although there was an apparent difference in the average length of time between detentions for those given supervision/probation (122.7) and those not given supervision/probation (77.2), the difference was not significant and due merely to chance (see Table II, 8, d and e). However, no conclusion can be made regarding the effect or lack of effect of supervision/probation on a return or a forestalling a return to detention. The inadequacies of the data do not allow for any conclusions in this area; further study is necessary.

CONCLUSIONS

Even though this report cannot definitively explain the reasons for return to detention, some general observations can be made.

One main observation from the data is that the children studied were charged with less serious, non-violent complaints than the general detention population. Several reasons may account for this. First, more serious offenders would likely be committed to D.O.C. soon after the complaint and so not

free to commit acts necessitating further detentions. Second, the children studied are the ones who, by definition, are the "failures". Nearly 75% of the children in detention in November, 1978, who were not included in this report, were there for only their first or second detention. Third, the nature of the continuances during detention indicate some uncertainty about what to do for the children who do not have serious, non-violent complaints against them.

Another main finding of this report was that 42% of the children studied were DCFS wards during the majority of their history with the Court and that they were significantly younger and had significantly more detentions than non-DCFS children. This finding suggests that the children who are returned to detention may have more than average emotional problems and thus more prone to exhibit acting-out behavior. Generally, the reasons that children are placed under DCFS guardianships are that they have no one who is willing or able to care for them adequately. This basic kind of rejection and deprivation nearly always breeds troubled and troublesome children. It would seem that many of the children studied are in this kind of situation which may increase the amount of detentions beginning at an earlier age.

Another reason for the higher number of detentions of DCFS children could be due to reluctance of the communities where DCFS children are placed to handle the child locally. Since practical experience indicates that DCFS children are viewed

as "outsiders", there may be less inclination toward station adjustments and thus more "downtown" detentions.

Another possible explanation of the findings about DCFS children is in regards to the lack of DCFS placement facilities. The only temporary placement alternatives for DCFS children who are charged under delinquent or MINS petitions are an emergency foster home or the J.T.D.C. Herrick House accepts only those children under Dependent or Neglect petitions. Thus, there appears to be a need for a secure facility for DCFS wards who have delinquent or MINS petitions and/or who have run away from their current placements. The J.T.D.C. is now serving this purpose.

The final major finding of this report is in regard to the effect of supervision/probation in decreasing or forestalling return to detention. As stated above, due to inadequate data, no conclusions can be made about such effect.

METHOD OF DATA COLLECTION

Fifty-four children (48 males, 6 females) were chosen from a list of children who were in detention on November 30, 1978. This list was part of the November, 1978, J.T.D.C. Report from James M. Jordan, Superintendent. First, all 43 children (40 males, 3 females) recorded as being detained 3 or more times were selected. Second, an additional 11 children (8 males, 3 females) were randomly selected to include more females so that the sample would better match the overall detention population. Third, the Juvenile Court's Statistical Department gathered the numbers of all petitions filed on each of the 54 children during 1977

and 1978 from the computerized files. Due to the lack of computerized information prior to 1977, complete lists of petitions were obtained for only 41 of the 54 children were excluded from the data for this report. Fourth, detention histories were then obtained from the J.T.D.C. card file. Finally, legal histories (charges, hearing dates, dispositions) were obtained from the legal folders in the Court Clerk's Office.

RECOMMENDATION

In order to answer in a more precise way the question of why children are returned to detention, further study in 3 major areas is recommended. Since a large percentage of children are DCFS wards, the whole area of DCFS resources needs further study. Secondly, to adequately examine the effect of supervision/probation on return to detention, the actual extent of service by probation officers in relation to the environmental and psychological characteristics of the children also needs further study. Such study would likely be of further use in enabling predictions to be made about which children are likely to return to detention. Finally, reasons for the kinds of and numbers of continuances should be clarified so that the effect of legal procedures on return to and length of detention may be fully understood.

TABLE I. NUMBER OF CHILDREN SAMPLED-
RETURNEES IN J.T.D.C. ON 11/30/78

| | DCFS | NON-DCFS | TOTAL |
|-------------------------------|------|----------|-----------|
| Children With Complete Data | 17 | 24 | 41 |
| Children With Incomplete Data | (6) | (7) | (13) |
| Total Children Studied | 23 | 31 | <u>54</u> |

TABLE II. CHARACTERISTICS OF RETURNEES TO J.T.D.C.

| >(* - Indicates Significant Difference) | | Total Sample (54) | Group With Complete Data (41) | Complete Data-DCFS Children (17) | Complete Data-Non-DCFS Children (24) |
|-----------------------------------------|--------------------------------------------------------------|-------------------|-------------------------------|----------------------------------|--------------------------------------|
| 1. | <u>Age</u> | 14.5 | 14.3 | 13.7* | 14.8* |
| 2. | <u>Sex</u> | | | | |
| | M- | 48 | 35 (85%) | 14 | 21 |
| | F- | 6 | 6 (15%) | 3 | 3 |
| 3. | Avg. <u>Detentions</u> per child | 4.8 | 4.3 | 5.2* | 3.7* |
| 4. | <u>Days Held</u> | | | | |
| | a. Avg. Days per detention | 18.9 | 18.9 | 19.4 | 17.7* |
| | b. Avg. Days per detention when Release/DCFS Order Issued | | | 28.7* | |
| | c. Avg. Days from Release/DCFS Order to Actual Release | | | 17.0 | |
| | d. Avg. Days per detention when no Release/DCFS Order issued | | | 14.1 | |
| 5. | <u>Petitions Filed</u> | | | | |
| | a. Avg. Petitions per child | | 6.4 | 6.2 | 6.6 |
| | b. Avg. Delinquent Only | | 7.8 (N=15) | 8.3 (N=4) | 7.6 (N=11) |
| | c. Avg. MINS Only | | 1.0 (N=1) | 1.0 (N=1) | 0 |
| | d. Avg. Delinquent/MINS | | 2.4/1.2 (N=25) | 2.9/1.4 (N=12) | 2.0/1.0 (N=13) |
| 6. | <u>Hearings</u> | | | | |
| | a. Avg. Hearings per detention | | 2.8 | 2.8 | 2.7 |
| | b. Avg. Hearings to Avg. Days Held | | 1-6.7 | 1-6.1 | 1-7.4 |

TABLE II. CHARACTERISTICS OF RETURNEES TO J.T.D.C. (continued)

| | Total Sample (54) | Group With Complete Data (41) | Complete Data-DCFS Children (17) | Complete Data-Non-DCFS Children (24) |
|--------------------------------------------------------------|----------------------|----------------------------------|-------------------------------------|-----------------------------------------|
| 7. <u>Supervision/Probation</u> | | | | |
| a. Children given Probation Only | | 18 (44%) | 6 | 12 |
| b. Children given Supervision only | | 11 (27%) | 4 | 7 |
| c. Probation and Supervision | | 6 (15%) | 4 | 2 |
| d. No Probation or Supervision | | 6 (15%) | 2 | 4 |
| TOTALS | | 41 (100%) | 16 | 25 |
| e. Children given Super./Prob. At First Detention | | 24 (59%) | 8 | 16 |
| 8. <u>Super/Prob. and Detentions</u> | | | | |
| a. Avg. Detentions After Super/Prob. | | 2.8 (N=35) | 3.6 (N=14) | 2.3 (N=21) |
| b. Avg. Detentions-No Super/ Super/Prob. | | 3.0 (N=6) | | |
| c. Avg. Days between detentions | | 90.4 | | |
| d. Avg. Days between Order of Super/Prob. and Next detention | | 122.7 (N=35) | | |
| e. Avg. Days between detentions-No Super/ Prob. | | 77.2 (N=6) | | |

TABLE III. OFFENSES CHARGED AGAINST CHILDREN IN DETENTION

| Type of Offense | % of Charges for 54 Children Sampled | Difference in Sample | % of Charges for all Children in J.T.D.C. in 9/78 and 11/78 |
|-------------------------------------------|--------------------------------------|----------------------|-------------------------------------------------------------|
| 1. Murder | < 1% | -12% | 12% |
| 2. Sex Offenses, Rape | 1% | - 4% | 5% |
| 3. Use of Weapon | 1% | - 4% | 5% |
| 4. Assault, Battery, Kidnapping | 7% | - 7% | 14% |
| 5. Armed Robbery | 4% | - 6% | 10% |
| 6. Burglary, Theft, Robbery | 43% | +15% | 28% |
| 7. Auto Theft, CTTV, Poss. Stolen Vehicle | 17% | + 9% | 8% |
| 8. Vandalism, CDTF | 4% | 0% | 4% |
| 9. Use, Possession of Drugs | 1% | 0% | 1% |
| 10. Disorderly Conduct, Prob. Violation | 4% | - | - |
| 11. Ungovernable, Truant | 5% | 0% | 5% |
| 12. Runaway | <u>13%</u> | + 5% | <u>8%</u> |
| TOTAL | 100% | | 100% |

TABLE IV. PRIMARY REASONS FOR CONTINUANCES IN DETENTION

| <u>Reason</u> | <u>Percentage of Total Number of Detentions</u> | <u>Average Days Held Per Detention</u> |
|-----------------------------------------------------------------|-----------------------------------------------------|--------------------------------------------|
| A. <u>LEGAL REASONS</u> | | |
| 1. Simple Continuance (C) | 31% | 17 |
| 2. By Agreement (B/A) | 2% | 13 |
| 3. Court Ordered (O/C) | 7% | 21 |
| 4. Motion of State's Attorney (M/S) | 9% | 16 |
| 5. 702 Hearings | 1.5% | 53 |
| Total Legal Reasons | (50.5%) | (18) |
| B. <u>TREATMENT REASONS</u> | | |
| 6. For Socials, Clinicals, Progress Reports, (S/I, DCS, P/R) | 21% | 18 |
| 7. For DCFS Placements, Reports, Plans | 21% | 18 |
| 8. Referral to UDIS | 1.5% | 36 |
| 9. Parent Refuse Custody | 5% | 13 |
| 10. Medical Treatment | .5% | 16 |
| 11. Mental Institution Referral | .5% | 33 |
| Total Treatment Reasons | (49.5%) | (18) |
| Total A and B | (100%) | (18.6) |

END