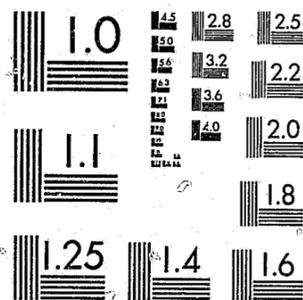


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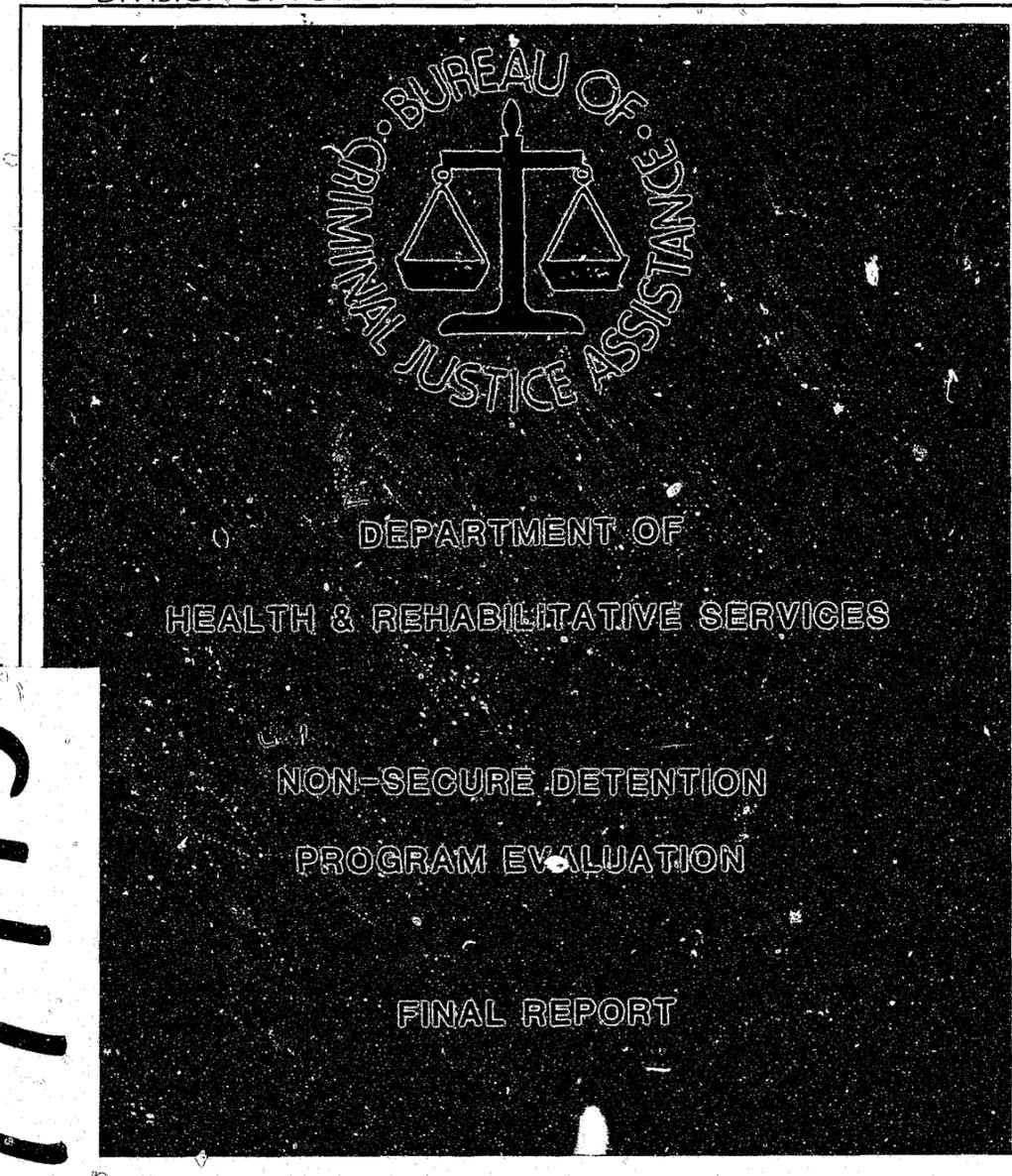
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STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF PUBLIC SAFETY PLANNING AND ASSISTANCE



ARTHUR YOUNG

FLORIDA BUREAU OF CRIMINAL JUSTICE ASSISTANCE
DEPARTMENT OF HRS NON-SECURE DETENTION PROGRAM

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FLORIDA BUREAU OF CRIMINAL JUSTICE ASSISTANCE
DEPARTMENT OF HRS NON-SECURE DETENTION PROGRAM

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ARTHUR YOUNG

I. INTRODUCTION AND METHODOLOGY

This document is Arthur Young's final report of the evaluation of the Non-Secure Detention (NSD) program of the Department of Health and Rehabilitative Services (DHR). The evaluation was funded by the Bureau of Criminal Justice Assistance (BCJA) and represents one of the major elements of the second year of Arthur Young's assistance to the BCJA in developing an evaluation capability. The results, conclusions, and recommendations of this evaluation are documented in detail in this report.

This introductory chapter contains the following sections:

- . Background of the Evaluation Project;
- . Evaluation Issues and Objectives and Scope of the Evaluation;
- . Evaluation Methodology; and
- . Outline of the Remainder of the Report.

1. BACKGROUND OF THE EVALUATION PROJECT

This evaluation of the NSD program was conceived by the BCJA as part of its continuing evaluation capability program. This project consisted of a first year effort including four evaluations of Law Enforcement Assistance Administration (LEAA) funded program areas and two special studies conducted for the BCJA under contract by Arthur Young.

For the second year of the evaluation capability program, the BCJA designated five evaluation areas. Based on a competitive consultant selection process, Arthur Young was selected to conduct this engagement. As in the first year of the evaluation capability, the selection process involved the development of a proposal outlining the professional approach our Firm would use in conducting the four identified evaluations.

Though the proposal included a brief description of the project, a review of evaluation issues and objectives, and a preliminary work plan, these were insufficient to immediately begin each of the projects. The first task defined for each project was the development of a more specific evaluation plan as the basis for consultant activity and input by concerned parties during the evaluation.

2. EVALUATION ISSUES, OBJECTIVES AND SCOPE

The NSD program has been funded since 1973. As a part of the funding requirement, individual offices have maintained weekly and monthly summary reports, completed by Community Youth Leaders (CYLs), and total program statistics. These data have been used for previous evaluations conducted by the Planning Coordination Unit of the Youth Services Program Office (YSPO). Because the project objectives defined in the LEAA subgrant have been addressed in these previous evaluations, this evaluation has been structured to emphasize managerial and attitudinal issues which were not fully explored. The evaluation issues, objectives and scope are discussed below:

(1) Non-Secure Detention Evaluation Issues

In conducting the NSD program evaluation, key issues were addressed:

- . What impact does the Non-Secure Detention program have on total detention populations?

There are two components to this issue. The first relates to the NSD program's impact on the total population detained. That is, does the existence of the NSD program increase the percentage of children detained within the District compared with total referrals? Shifts in the percentages of detainees to total delinquent referrals, and population at risk were used as indicators of potential widening of the detention net.

The second component of this issue relates to the percentages of detentions which are non-secure rather than secure.

Both components of this issue were analyzed by District, to serve as a guide for examination of managerial differences between sites.

- . Is the Non-Secure Detention program viewed as a treatment, rather than detention, program and if so, why?

Prior to the evaluation being conducted, the YSPO and the BCJA had expressed concern that the NSD program was being used or viewed by some Intake Counselors and juvenile judges as a formal treatment program rather than as detention. Interviews were conducted with Intake Counselors (detention screeners) and juvenile judges; and the judges were surveyed to determine the existence of such perceptions and the reasons for the perceptions.

What does the NSD program do, and what should it do?

This issue provided a managerial emphasis for the evaluation. Selected NSD program sites were analyzed to determine what activities NSD programs are involved in, how they are managed, and what role they are fulfilling. The NSD program as a whole was analyzed to determine whether the YSPO was providing sufficient guidance to create a uniform program, and what such a program structure might contribute to the NSD program's operation.

(2) Objectives and Scope of the Evaluation

The primary objective of this evaluation is summarized as follows:

"To conduct a managerial evaluation of the NSD program in order to identify variations from philosophy within the program and to identify the causes behind these variations."

The scope of the evaluation was limited to the managerial issues and assessment of underlying causes discussed above to prevent unnecessary duplication of the effort in those areas addressed by the YSPO evaluations. The exact scope of the evaluation is as defined in the evaluation methodology discussed in the following section.

3. EVALUATION METHODOLOGY

The specific tasks, which were used in accomplishing this NSD program evaluation, are presented schematically as Exhibit I following this page. Descriptions of each of the tasks involved follow:

TASK 1 DEVELOP EVALUATION DESIGN

This task involved the development of a Non-Secure Detention Program Evaluation Design. Background for this task involved review of grant documentation, meetings with the Residential Treatment Services Program Specialists responsible for the NSD program and the Planning Coordination Unit evaluator who has conducted past reviews. Site visits were conducted to the NSD programs in Pensacola, Tampa, and Miami to meet with program personnel, Intake Counselors and juvenile judges.

In developing the design, a number of evaluation issues were considered and various assumptions relative to these issues were included. These issues are discussed as follows:

FLORIDA BUREAU OF CRIMINAL JUSTICE ASSISTANCE
DEPARTMENT OF HRS NON-SECURE DETENTION PROGRAM
EVALUATION APPROACH

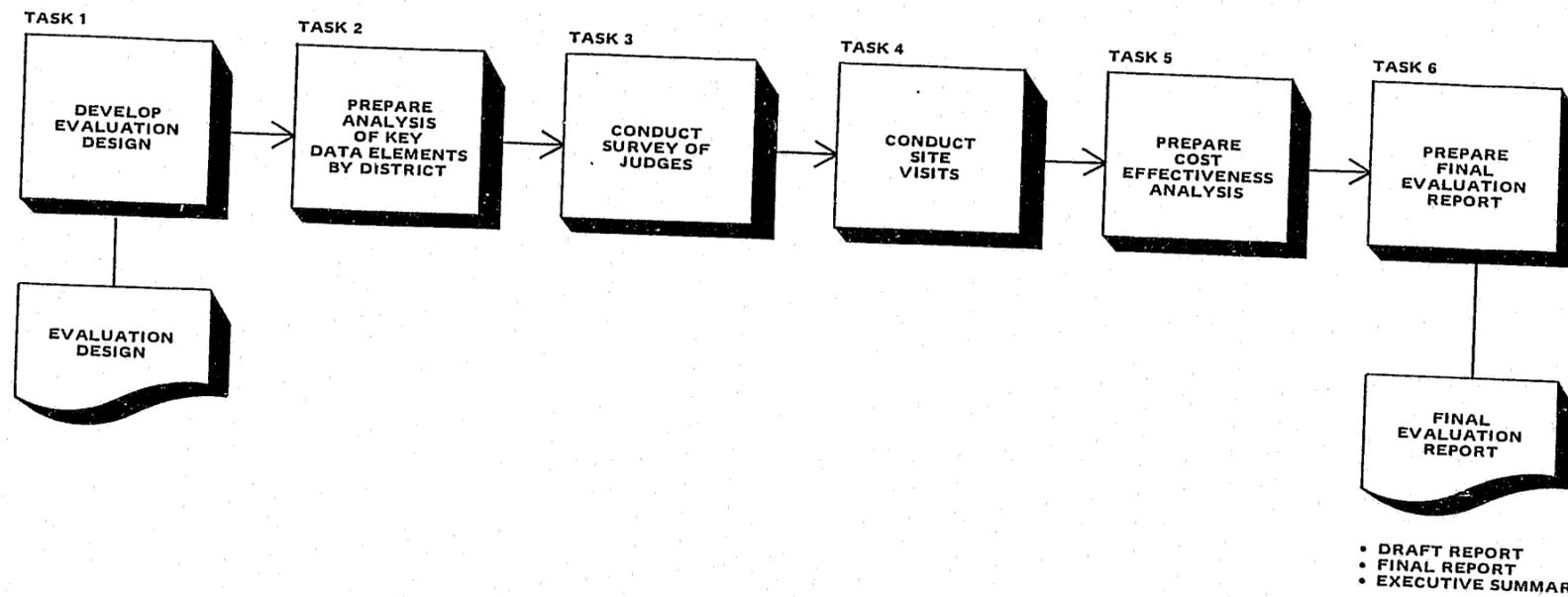


EXHIBIT I

Arthur Young & Company
Certified Public Accountants

Evaluation Objectives

The evaluation design was developed with the intent of not duplicating previous evaluations of the NSD program. Rather, the evaluation was designed to expand upon those areas which have not yet been fully addressed. These include:

- Comparisons between program sites
- Managerial differences
- Causes behind the observed results

Evaluation Data and Performance Measures

The data used in this evaluation came directly from the information collected from each NSD program site and compiled by the YSPO. An exception was the data obtained through surveys of the juvenile judges and interviews with NSD personnel.

Data elements include the following:

- Detainee Statistics
 - .. Detainees as a percentage of total delinquent referrals, and of total population at risk
 - .. NSD as a percentage of total detainees
 - .. NSD offense charges
 - .. NSD success rate statistics
- Program Statistics
 - .. Program success/fail statistics, including new law violations, returns to secure, non-appearance in court, and runaways
 - .. Average length of stay (LOS) in Non-Secure and Secure Detention (SD)
- Management Measures
 - .. CYL caseloads, and assignment of duties
 - .. Procedures for screening and rescreening
 - .. CYL training and qualifications
 - .. Internal organizational structure of NSD
 - .. NSD working relations with Secure Detention and the judiciary

TASK 2 PREPARE ANALYSIS OF KEY DATA ELEMENTS BY DISTRICT

Data files prepared by the YSPO in the course of their evaluation included specific identification by District being drawn from the Detention Data Card. All analysis, however, was done on a program-wide basis. For the sake of this managerial review, it was necessary to identify the relevant profiles by District.

Analysis concentrated on:

- .. Detention Admissions (from the YSPO Detention Population Analysis) to Total Delinquency Referrals (from the Intake Recapitulation Reports)
- .. NSD admissions as a percentage of total detainees (YSPO Detention Population Analysis)
- .. Primary offense charges for NSD and SD youths (from Intake Data Card - "Reason for Referral")
- .. Client profile for NSD and SD youths including "Status at time of referral" (from the Intake Data Card)
- .. NSD success rates including new offense charges, runaways, failure to appear for court hearings.

TASK 3 CONDUCT SURVEY OF JUDGES

The attitude of the juvenile judges is a crucial element in the use of the NSD program. This attitude affects the percentage of detainees placed in NSD, policies on detention and length of stay.

A survey was conducted of the juvenile judges in the Districts with active NSD programs to determine their concept of the NSD program and their specific reasons for utilizing non-secure detention or for refusing to transfer committed children to such a program. Specific elements of the survey were based on interviews of judges conducted during the development of the evaluation design.

TASK 4 CONDUCT SITE VISITS

Incorporating the results of Tasks 2 and 3, site visits were scheduled to those Districts with fully implemented NSD programs (Districts I, IIA, V, VI, X, and XI) and one recently closed program (District IX). Follow-up interviews were conducted with NSD state and local personnel. As a part of the follow-up, the annual NSD conference was attended in November. The concentration of effort during these site visits was a management review of the organization and delivery of services within that District, and identification of those specific extraneous factors which may influence the use of non-secure detention and the average length of stay.

TASK 5 PREPARE COST EFFECTIVENESS ANALYSIS

An important element of a managerial review of the NSD program is its relative cost effectiveness. The average budgeted cost for one day of detention in non-secure is significantly below cost in secure (\$7.63/day versus \$30.95/day). The cost determined by different lengths of stay times budget was calculated in the YSPO evaluations of Non-Secure Detention. This calculation, however, was questioned by the residential program personnel responsible for the NSD program. As a result, this analysis was carefully reviewed and conclusions were prepared for this final report.

4. OUTLINE OF THE REMAINDER OF THE REPORT

Following this introductory chapter, the remainder of the report is organized in the following chapters:

- NSD Program Description - includes the history of the program and an outline of its purpose. A description is provided of the NSD program's organizational structure and operation.
- Program Objectives and Achievements - includes a review of the grant objectives and the NSD program's achievements of those objectives. Other program measures and achievements are discussed such as the NSD program's impact on total detention populations. Managerial operations in the various program sites are compared, including procedures for screening, assigning CYL duties, and policies toward obtaining releases from NSD.
- Cost Effectiveness Analysis - includes a review of the YSPO's average cost per day and client in NSD and SD.

Judicial Perception of NSD - includes a discussion of the judiciary's perceptions of NSD programs across the state.

Overall Conclusions and Recommendations - includes the evaluators' observations and conclusions concerning the NSD program and the identification of opportunities for program modification and improvement.

11. NON-SECURE DETENTION PROGRAM DESCRIPTION

ARTHUR YOUNG

II. NON-SECURE DETENTION PROGRAM DESCRIPTION

This chapter describes the Non-Secure Detention (NSD) program which is operated under the Residential Treatment Services section of the Youth Services Program Office (YSPO) within the Department of Health and Rehabilitative Services (DHRS). Included in this section are descriptions of the program's purpose and history, as well as a review of the program's structure.

1. PROGRAM PURPOSE AND HISTORY

A child may be detained, according to Florida Statutes 39.032(2), for the following reasons:

- "(a) To protect the person or property of others or of the child;
- (b) Because the child has no parent, guardian, responsible adult relative, or other adult approved by the court able to provide supervision and care for him. If a child is to be detained pursuant to this paragraph alone, a crisis home only may be used;
- (c) To secure his presence at the next hearing;
- (d) Because the child has been twice previously adjudicated to have committed a delinquent act and has been charged with a third subsequent delinquent act which would constitute a felony if the child were an adult; or
- (e) To hold for another jurisdiction a delinquent child escapee or an absconder from probation, a community control program, or parole supervision or a child who is wanted by another jurisdiction for an offense which, if committed by an adult, would be a violation of law."

The YSPO is charged with the responsibility of caring for the detained youths until their release or until disposition by the court. The Detention Program consists of two components, Secure and Non-Secure Detention. Secure Detention (SD) provides constant surveillance in locked, high security facilities. The Non-Secure Detention program is structured to be less restrictive while maintaining regular adult supervision.

The NSD program was established in keeping with the Youth Services philosophy of providing the least secure custody that is consistent with the safety and welfare of the child and the protection of the community. This philosophy is described in the HRS Manual 175-1, Detention of Delinquent Youth, as follows:

"The use of detention can be a very effective tool in protecting both the community and the children served by detention programs. However, more abuses probably occur in the use of detention than in any other area of the Juvenile Justice System. Secure detention is an extreme measure and must be used only in cases where the child presents a very real threat to the community or where such detention is absolutely necessary to provide for the child's presence at a court hearing."

In keeping with this philosophy, a program of Non-Secure Detention was developed for those children who require detention but do not necessarily require secure custody.

The Non-Secure Detention program is designed to handle youths who could be supervised in their own homes as well as youths who, for certain reasons, could not be returned to their own homes. The supervision is provided by Community Youth Leaders (CYLs) in one of three settings:

- Home Detention - where the CYL provides intensive supervision of youths who are living in their own homes.
- Attention Homes - which are homes paid under contract with HRS to provide supervision to youths who cannot be returned to their own homes. The CYL provides supervision to these youths during their detention status.
- Volunteer Homes - which are homes performing the same function as Attention Homes and are under contract with HRS, but do not receive any payment. The CYL provides supervision to these youths during their detention status.

The NSD program during the 1978-79 fiscal year was allocated 90 Attention Home beds, but contracted for only 68% or 61 beds. These beds provided 10,993 residential days of supervision for a 34% occupancy rate of allocated beds and 49% of actual contracted beds.

The NSD program was developed with the concept that youths would receive intensive supervision through the CYL, whether they are in an Attention Home or their own homes. The emphasis of the program is on the interaction of the CYL with the child through daily contacts and through the development of communications with parents, schools, employers, and others in order to supervise and monitor the child's behavior.

The State of Florida began its first NSD program in Dade County in February 1973 at the request of and with funding from the State Legislature. In March of that same year, a NSD program was implemented in the ten county region of West Florida which operated out of the Secure Detention facilities in Pensacola and Panama City. In 1973 the Legislature mandated that NSD programs be implemented in all areas of the State, but no appropriations were made for funding. In 1973 the proposed Legislative budget included appropriations to fund a fully operating NSD program which would service 550 children per day statewide. However, the YSPO Director proposed that the NSD program could be successful as a volunteer program and suggested funding for the NSD positions be deleted. The Legislature followed the recommendations with the DHRS's approval. Consequently, the program was slow to expand and had to rely on other funding sources.

Funding was obtained for additional NSD programs through an LEAA grant, which has been renewed ever since and which supports the majority of existing NSD positions to date. Following the establishment in 1973 of the first two programs in Districts I and XI, four additional programs were started in 1974. By 1976 four more programs were initiated, with the remaining Districts instituting programs between 1976 and 1978.

Although many of the programs are minimally staffed, each District currently has some NSD program except Districts IVB (Volusia), VIIB (Brevard), and IX (Palm Beach and St. Lucie). The operating programs are funded through combinations of LEAA and JJDP dollars, CETA positions, and with limited General Revenue funds supporting two counties. Eight NSD programs have been defined as being "fully operational" at this time. This classification, "fully operational", is defined by the YSPO in the LEAA grant applications to include Districts I, IIA, IIB, V, VI, VIIIIC, X and XI. These programs have been in existence for at least 18 months and have two or more LEAA or General Revenue funded positions serving the program. Certain data analyses were prepared concentrating on these eight areas, based on the YSPO classification. Exhibit II on the following page describes, by District, program start dates, positions, funding sources, and the designations for fully operational programs.

Statewide the NSD program presently has 35 LEAA funded CYL positions, 12 CETA funded CYL positions, and 2 General Revenue funded positions. LEAA funds seven of the eight Community Detention Supervisor positions and all three of the Community Detention Administrator positions. Two programs (Districts I and XI) have both CDS and CDA positions. The 49 CYLs across the State had an average caseload of 4.6 in November 1979. This compares favorably with the NSD program's recommended caseload of five, with a maximum of seven (established in 1978).

FLORIDA BUREAU OF CRIMINAL JUSTICE ASSISTANCE
DEPARTMENT OF HRS NON-SECURE DETENTION PROGRAM
PROGRAM STATUS

<u>Location</u>	<u>District</u>	<u>Program Start Date</u>	<u>Positions</u>	<u>Funding Source</u>	<u>Comments</u>
Escambia*	I	March 1973	1 Community Detention Administrator 1 Community Detention Supervisor 3 Community Youth Leaders 1 Community Youth Leader 2 Clerical	LEAA LEAA LEAA CETA LEAA	Part of the initial West Florida NSD program.
Okaloosa*	I	March 1973	1 Community Youth Leader 1 Community Youth Leader	LEAA CETA	Part of the initial West Florida NSD program.
Bay*	IIA	March 1973	1 Community Detention Supervisor 2 Community Youth Leaders 1 Community Youth Leader 1 Clerical	LEAA LEAA CETA LEAA	Part of the initial West Florida NSD program.
Leon*	IIB	March 1974	1 Community Detention Supervisor 1 Community Youth Leader	LEAA LEAA	Initially started with a borrowed position from Dade.
Alachua	IIIA	-	1 Community Youth Leader 1 Community Youth Leader	LEAA CETA	Program's existence has been sporadic, and LEAA position has not been utilized solely for NSD.
Lake	IIIB	Oct. 1977	1 Community Youth Leader	General Revenue	The NSD program was started when the Secure Detention facility was closed.

FLORIDA BUREAU OF CRIMINAL JUSTICE ASSISTANCE
DEPARTMENT OF HRS NON-SECURE DETENTION PROGRAM
PROGRAM STATUS

<u>Location</u>	<u>District</u>	<u>Program Start Date</u>	<u>Positions</u>	<u>Funding Source</u>	<u>Comments</u>
Marion	IIIB	-	1 Community Detention Supervisor 2 Community Youth Leaders	CETA CETA	Program's existence has been sporadic due to the CETA funding.
Duval	IVA	-	1 Community Youth Leader	CETA	Program's existence has been sporadic due to the CETA funding.
Volusia	IVB	-	None at present	formerly CETA	
Pinellas*	V	Jan. 1974	1 Community Detention Supervisor 5 Community Youth Leaders	LEAA LEAA	
Hillsborough*	VI	Jan. 1974	1 Community Detention Administrator 5 Community Youth Leaders 2 Clerical	LEAA LEAA LEAA	
Manatee	VI	-	1 Intern		The program had an LEAA funded position until May 1978, when the position was transferred to Hillsborough County. The program was subsequently temporarily funded with one CETA position.

FLORIDA BUREAU OF CRIMINAL JUSTICE ASSISTANCE
 DEPARTMENT OF HRS NON-SECURE DETENTION PROGRAM
 PROGRAM STATUS

<u>Location</u>	<u>District</u>	<u>Program Start Date</u>	<u>Positions</u>	<u>Funding Source</u>	<u>Comments</u>
Orange	VIIA	-	1 Child Care Supervisor	General Revenue	A CETA funded program began in May 1976 and was phased out in October 1978. The program has been reinstated with one position.
Seminole	VIIA	-	1 Community Youth Leader	CETA	A CETA funded program began in early 1975, and was closed temporarily in January 1979 for a six month period.
Brevard	VIIB		No program		
Polk	VIIIA	1975	2 Community Youth Leaders	LEAA	Polk Co.'s program was formerly managed by the Hillsborough CDS. Presently the program is supervised by the Superintendent of Detention in District VIIIA.

FLORIDA BUREAU OF CRIMINAL JUSTICE ASSISTANCE
DEPARTMENT OF HRS NON-SECURE DETENTION PROGRAM
PROGRAM STATUS

<u>Location</u>	<u>District</u>	<u>Program Start Date</u>	<u>Positions</u>	<u>Funding Source</u>	<u>Comments</u>
Sarasota	VIII B	1975	1 Community Youth Leader	LEAA	The program's initial CYL positions were CETA funded.
Lee*	VIII C	April 1975	1 Community Detention Supervisor 2 Community Youth Leaders	LEAA LEAA	
Palm Beach	IX	Jan. 1974	None at present		The program was CETA funded and operational until early 1978. Since that time the program has been phased down and closed.
Broward*	X	Feb. 1978	1 Community Detention Supervisor 2 Community Youth Leaders 4 Community Youth Leaders 1 Clerical	LEAA LEAA CETA LEAA	
Dade*	XI	Feb. 1973	1 Community Detention Administrator 1 Community Detention Supervisor 10 Community Youth Leaders	LEAA LEAA LEAA	
Monroe	XI	-	1 Community Detention Supervisor 2 Community Youth Leaders 1 Clerical	General Revenue General Revenue General Revenue	The program was created when the Secure Detention facility was closed.

* Designated fully operational by YSPO. These programs have been in existence for at least 18 months and have 2 or more LEAA or General Revenue funded positions serving the NSD program.

FLORIDA BUREAU OF CRIMINAL JUSTICE ASSISTANCE
DEPARTMENT OF HRS NON-SECURE DETENTION PROGRAM
STATEWIDE DETAINEE PROFILE

January-December, 1979

		<u>AGE</u>	
<u>Years</u>			<u>Years</u>
17	-	24.8%	13 - 7.9%
16	-	26.2%	12 - 3.1%
15	-	22.3%	11 - 1.4%
14	-	13.7%	10 and under .7%

<u>RACE</u>	
White	61.8%
Black	35.1%
Spanish, Oriental, Other	3.1%

<u>SEX</u>	
Male	87.8%
Female	12.2%

Source: YSPO "District Monthly Summary"
Reports - January-December; 1979
DHRS, YSPO

During the NSD program's last three fiscal years, the following number of youths were supervised in all Districts:

	<u>1976-77</u>	<u>1977-78</u>	<u>1978-79</u>
Persons (Direct Admissions plus Transfers in)	4,225	4,683	4,893
Average Daily Population	245.2	267.9	291.6
Total Residential Days	89,498	97,789	106,424
NSD % of Total Detention Residential Days	23%	24%	25%

2. PROGRAM STRUCTURE AND PARTICIPANTS

A child is placed on detention status on the decision of a Single Intake Counselor or on an order of the court. Following the detention placement, each youth is to be screened for potential placement into the NSD program. This screening may be done initially through a review of the youth's records, followed by an interview by the CYL or Community Detention Supervisor/Administrator (CDS/CDA). Ideally this screening of the youth and interviews with parents precedes the detention hearing at which time Non-Secure representatives can make a recommendation for placement to the court.

Once a youth is accepted into the NSD program the CDS, CDA, and in certain cases, the Superintendent of Detention will assign a CYL to the youth. The CDS or appointed supervisor is responsible for monitoring the CYL's supervision of the youth through his or her participation in the program. A CYL will develop a "contract", or rules of behavior to be followed, with the youth and his/her parents. If at any time the youth fails to comply with the terms of the contract or commits a new law violation, the CYL may return the youth to the Secure Detention facility. The CYLs are also required to prepare incident reports and weekly and monthly summary reports of a youth's adjustment and progress in the program.

Non-Secure detainee profiles by age, race, and sex are presented in Exhibit III following this page. The largest age category was the 16 year olds with 26.2%, followed by 17 year olds with 24.8%. Youths 16 and older constituted a majority (51.0%).

An analysis of the racial distribution shows that whites constituted 61.8%, blacks constituted 35.1%, and other races represented 3.1%. The vast majority of Non-Secure detainees are male, as is typical of total juvenile detainees. Females constituted only 12.2% of those in NSD.

III. PROGRAM OBJECTIVES AND ACHIEVEMENTS

ARTHUR YOUNG

III. PROGRAM OBJECTIVES AND ACHIEVEMENTS

This chapter reviews the extent to which the NSD program has achieved the goals and objectives established in the 1978-79 LEAA grant, as well as additional program achievements. The chapter also includes a discussion of the management functions and operation of the NSD program.

1. GRANT OBJECTIVES AND ACHIEVEMENTS

The LEAA grant under which most of the NSD programs are funded has established goals and objectives. Accordingly, the achievement of these goals/objectives by the programs must be viewed as a measure of NSD's success. The grant objectives and program achievements are discussed in the following sections.

(1) Program Population Objective

The first defined grant objective is as follows:

"Reduce the populations of Secure Detention facilities to a level consistent with the maintenance of safety and control. This can be done best if the Non-Secure program maintains an average daily population of at least 170 children."

The NSD program has exceeded this stated objective of 170 for the project's last three fiscal years.

The average daily population (ADP) statewide in NSD increased from 245.2 in 1976-77 to 267.9 in 1977-78, an increase of 9.3%. There was a further increase to 1978-79 of an additional 8.8%, for an ADP of 291.6. Over the same three year period, the ADP for Secure Detention rose from 840.9 to 870.7, an increase of .2% from 1976-77 to 1977-78 and of 3.4% from 1977-78 to 1978-79.

The achievement of this objective suggests problems with the objective definition. The targeted 170 ADP was easily achieved; this use of NSD did not result, on a program-wide basis, in a reduction of the Secure Detention population.

(2) Intake Detention Objective

The second grant objective is defined in the grant as follows:

"Reduce by 10% the percentage of children detained by intake that remain in Secure Detention."

The meaning of this objective was not completely clear. It could refer either to a percentage of intake referrals detained, or a percentage of detainees placed in NSD rather than SD. For the purpose of this report, the analysis presented in Exhibit IV was prepared.

Column (1) is the percentage of total detainees placed in Secure Detention for 1977-1978 for detention centers with YSPO-defined fully-implemented NSD programs and for the State as a whole. Column (2) represents 90% of that percentage, or a reduction by 10% of column (1). Column (3) is the actual percentage of secure detainees to total detainees for 1978-79. Column (4) is the actual change, calculated as column (3) minus column (1). Column (5) is the difference between actual and goal. A positive number in this column indicates goal achievement.

Only District X among the fully-implemented programs achieved the objective. While the State as a whole did reduce the percentage of total detainees in SD, the reduction was not close to 10%.

Discussion of the first draft of this report with the YSPO indicated the objective contained a typographical error. It should have read "Reduce to 10%." The analysis in Exhibit IV, column (3), indicates this objective was also not achieved.

Further discussion indicated that the objective may have been intended to have still another meaning, relating Secure Detention to Intake Referrals. This was not analyzed.

(3) NSD Percentage Objective

The third grant objective is as follows:

"Place approximately 30% of all detainees (in all districts that are fully operational, which at this time includes Districts I, II, V, VI, VIIIC, X and XI) in the Non-Secure Detention program."

This objective is similar to the previous objective. Both are indicators of the ability of the NSD program to relieve Secure Detention populations. This grant objective is structured to measure the impact of NSD where those programs are fully operational and thus capable of making a difference. The analysis was based on the eight subdistricts defined in the objective. The percentage of detainees placed in the NSD program in these subdistricts was compared over the program's last three fiscal years. Three areas (District V, VI, XI) maintained a relatively constant percentage of detainees in

FLORIDA BUREAU OF CRIMINAL JUSTICE ASSISTANCE
 DEPARTMENT OF HRS NON-SECURE DETENTION PROGRAM
 SECURE DETENTION AS PERCENTAGE OF YOUTHS DETAINED

District/ County	(1) % Secure Detention to Total Detainees 1977-1978 %	(2) Objective ¹ for 1978-1979 %	(3) % Secure Detention to Total Detainees 1978-1979 %	(4) Actual Change (3) - (1) %	(5) Actual to Goal (2) - (3) %
I Escambia	66.3	59.7	68.0	+ 1.7	- 8.3
IIA Bay	60.9	54.8	67.0	+ 6.1	-12.2
IIB Leon	75.0	67.5	71.7	- 3.3	- 4.2
V Pinellas	77.4	69.7	71.8	- 5.6	- 2.1
VI Hillsborough	68.5	61.7	72.0	+ 3.5	-10.3
VIIIIC Lee	67.9	61.1	61.9	- 6.0	- .8
X Broward	97.0	87.3	85.7	-11.3	+ 1.6
XI Dade	74.1	66.7	71.5	- 2.6	- 4.8
STATE	81.9	73.7	81.2	- .7	- 7.5

¹ Based on second LEAA grant objective 1978-1979.

Source: Detention Population Analysis
 DHRS-YSP0
 (1977-1979)

EXHIBIT IV

Non-Secure from 1976-77 to 1978-79, while two areas (Districts I, IIA) actually showed a reduction in this percentage. The other Districts had an increase in the percentage of youths placed in NSD. Because the grant objective relates only to the most recent year, and District X was not operational at the beginning of this period, it has been excluded from the averages for fiscal years 1976-77 and 1977-78. Exhibit V presents the percentage distributions within the Districts for the last three years.

During the 1978-79 fiscal year, three of the fully operational Districts (I, IIA and VIIIC) achieved the 30% objective. In District X, the least mature of the fully operational programs (the program was not functioning until 1978), the percentage of detainees in NSD was a full 15.7% short of the objective. On the average, for 1978-79 27.0% of all youths detained in the eight districts were placed in the Non-Secure program.

The performance of the Districts with fully operational NSD programs over the past three years reveals a relatively constant percentage of detained youths being serviced by the program.

(4) NSD Training Objective

The fourth grant objective is as follows:

"Forty (40) hours of orientation and preservice training will be provided for all new staff. Forty (40) hours of additional training will be provided for employees during subsequent years of service."

Based on observations and discussions with the seven NSD programs visited and reviewed, no formal training program has been implemented program-wide. While the YSPO developed a NSD training packet over three years ago, its use in the Districts has been minimal. The majority of the Districts have relied on the training programs developed for and offered to other Youth Services workers, such as Community Control Counselors and Intake Counselors. The YSPO has not done an adequate job of tracking, monitoring and controlling training.

FLORIDA BUREAU OF CRIMINAL JUSTICE ASSISTANCE
 DEPARTMENT OF HRS NON-SECURE DETENTION PROGRAM
 SECURE DETENTION AND NON-SECURE DETENTION
 AS PERCENTAGES OF TOTAL DETAINEES

		% Secure Detention of Total Detainees 1976-1977	% Non-Secure Detention of Total Detainees 1976-1977	% Secure Detention of Total Detainees 1977-1978	% Non-Secure Detention of Total Detainees 1977-1978	% Secure Detention of Total Detainees 1978-1979	% Non-Secure Detention of Total Detainees 1978-1979
I	Escambia	63.2	36.8	66.3	33.7	68.0	32.0
IIA	Bay	59.3	40.7	60.9	39.1	67.0	33.0
IIB	Leon	83.5	16.5	75.0	25.0	71.7	28.3
V	Pinellas	72.7	27.3	77.4	22.6	71.8	28.2
VI	Hillsborough	73.4	26.6	68.5	31.5	72.0	28.0
VIIIC	Lee	80.2	19.8	67.9	32.1	61.9	38.1
X	Broward	100.0	0	97.0	3.0	85.7	14.3
XI	Dade	72.1	27.9	74.1	25.9	71.5	28.5
	Average for fully operational programs (excludes District X in 1976-77 and 1977-78).	72.2	27.8	71.8	28.2	73.0	27.0

Source: Detention Population Analyses
 YSPO, DHRS, June 1977, 78 & 79.

EXHIBIT V

EXHIBIT VI

(5) NSD Success Objective

The fifth grant objective is as follows:

"The success/failure rate of the Non-Secure program should be evaluated. The program shall maintain a 93% success rate. A failure for this evaluation is a child that is alleged to have committed a new offense while in the Non-Secure program or a child that absconds from the program and is not available for court."

Success rate statistics for 1979 are presented in Exhibit VI. The statewide success rate for all NSD youths during the period was 91.6% (a failure rate of 8.4%). The NSD project statewide is thus short of its objective by 1.4%. New offenses accounted for 52.3% of the failures; 47.7% of failures were runaways who were not available for court.

Over the year analyzed, the highest failure rate occurred in June at 13.3%. The lowest failure rate was in November at 3.7% for a 96.3% success rate.

The statewide success rate statistic of 91.6% speaks well of the program's ability to perform one of its primary goals -- to serve as a detention status, by assuring the youth's presence in court and reducing the incidence of new law violations. This measure does not, however, accurately reflect all violations of NSD.

Two additional indicators relating to unsuccessful dispositions are tracked by YSPO. One of these indicators is the number of youths who run away but are ultimately available for court. The other is the number of youths returned to Secure Detention from Non-Secure Detention. These two measures are technically not indicators of "violations of detention status", but do indicate the program's ability to maintain a youth in NSD. Statewide, an additional 3.5% of NSD program participants ran away but did appear in court. The percentage of youths returned to Secure facilities for other than new offenses was 14.8%. However, this statistic may include duplicative counts of youths who were transferred more than once from NSD to SD. Exhibit VII illustrates the pattern of these two measures.

2. OTHER PROGRAM IMPACTS

Because the NSD program has not served to reduce the Secure Detention population, the charge has been made by the program's critics that its existence results in "net widening" -- the detention of children who would not otherwise be detained. This issue is analyzed from three perspectives -- the change over time in the ratio of detainees to total delinquency referrals, the relationship over time between total detainees and the "population at risk", and the offense resulting in detention for NSD participants.

FLORIDA BUREAU OF CRIMINAL JUSTICE ASSISTANCE
DEPARTMENT OF HRS NON-SECURE DETENTION PROGRAM
SUCCESS OBJECTIVE STATISTICS
1979

Month	(1)	(2)	(3)	(2) + (3)
	Month's NSD Population	New Offenses	Runaways Not Available For Court	As Percentage of (1)
	#	#	#	%
January	410	22	14	8.8
February	462	16	16	6.9
March	443	21	15	8.1
April	411	21	13	8.3
May	435	19	23	9.7
June	308	20	21	13.3
July	316	17	22	12.3
August	283	11	10	7.4
September	272	12	13	9.2
October	287	7	6	4.5
November	269	5	5	3.7
December	247	12	9	8.5
Total	4143	183	167	8.4

Source: District Monthly Summaries, 1979

EXHIBIT VII

FLORIDA BUREAU OF CRIMINAL JUSTICE ASSISTANCE
DEPARTMENT OF HRS NON-SECURE DETENTION PROGRAM
ADDITIONAL SUCCESS STATISTICS
1979

Month	(1) Month's NSD Population	(2) Runaways Available For Court	(3) Percentage of Population	(4) No. of Returns to S.D.	(5) Percentage of Population
	#	#	%	#	%
January	410	14	3.4	50	12.2
February	462	15	3.2	70	15.2
March	443	18	4.1	59	13.3
April	411	14	3.4	67	16.3
May	435	19	4.4	84	19.3
June	308	9	2.9	49	15.9
July	316	22	7.0	42	13.3
August	283	11	3.9	33	11.7
September	272	8	2.9	30	11.0
October	287	8	2.8	52	18.1
November	269	5	1.9	41	15.2
December	247	4	1.6	36	14.6
Total	4143	147	3.5	613	14.8

Source: District Monthly Summaries, 1979

Each of these analyses deals with data from the recent past, over a span of 2½ to 3 years. A longer period for analysis could have been chosen, but was not for several reasons:

- change in the juvenile laws included adding seventeen year olds and eliminating status offenders in 1974 and 1975
- changes in reporting forms used by intake complicates longer period comparisons
- Non-Secure Detention programs are not fully implemented statewide now; even the grant objectives specify the program is mature in only eight of twenty-one analysis areas.

The effect of these influences would have been to complicate the analysis without being sure anything has been gained.

(1) NSD Impact on Detention Rates

While NSD is not directly involved in the detention decision, concern has been raised that Intake Counselors may detain more youths because of the existence of the NSD program. The NSD program is thought to influence their decision by serving as a less harsh alternative to Secure Detention.

To examine this issue, a linear regression analysis was prepared by District of the percentage of youth detained of total delinquency referrals for the ten calendar quarters from June 1976 through December 1978 (when the Detention Data Card was discontinued).

Exhibit VIII classifies the analysis areas' detention rates as stable (slope between ± .5), declining (slope less than -.5) or rising (slope greater than +.5). Of the seventeen areas so classified, four are stable, eleven declining and two rising. The eight fully implemented or "mature" NSD programs classify as one stable, six declining and one rising -- or approximately the same distribution pattern as all analysis areas.

Another statistic derived from the previous analysis is the Y-intercept which implies the relative "inclination to detain" of the various analysis areas. The average Y-intercept is 19.77%. There are nine areas above the average including I* (26.23), IIA* (32.42), IIB* (24.52), IIIA (24.03), IVB (21.54), VI* (20.82), VIIIA (26.52), VIIIC* (21.48) and IX (21.0). These include five of the eight areas with "mature" programs. The eight areas below the average include IIIB (17.26), IVA (19.43), V* (12.98), VIIA (13.8), VIIB (15.4), VIIIB (12.16), X* (14.49) and XI* (12.14). These include three of the eight mature programs.

FLORIDA BUREAU OF CRIMINAL JUSTICE ASSISTANCE
DEPARTMENT OF HRS NON-SECURE DETENTION PROGRAM
NON-SECURE DETENTION IMPACT ON DETENTION RATES

Area (District or Sub-District)	Percentage of referrals detained by Quarter										Slope
	1	2	3	4	5	6	7	8	9	10	
<u>Stable:</u>											
IVA	18.1	19.6	21.2	19.7	13.2	17.0	17.5	18.2	17.2	16.6	(.290)
VIIA	15.0	14.3	13.5	16.8	12.8	14.8	14.2	17.9	14.6	17.4	.24
VIIB	16.2	15.8	16.5	15.6	10.4	16.8	12.7	15.0	15.8	16.2	(.059)
XI *	10.6	12.9	16.0	11.4	4.9	8.5	11.0	10.2	11.1	10.6	(.250)
<u>Declining:</u>											
I *	24.9	22.2	24.6	26.0	18.1	20.4	16.5	14.0	16.1	17.9	(1.12)
IIA*	33.5	29.6	32.1	31.6	29.2	29.4	24.9	25.8	28.9	30.0	(.532)
IIB*	18.9	23.2	26.6	23.0	18.7	20.5	15.2	19.6	16.0	14.4	(.893)
IIIA	22.0	18.6	23.9	21.9	13.8	18.7	19.7	16.5	10.1	11.8	(1.15)
IIIB	17.8	17.4	14.0	16.0	10.0	12.6	7.9	9.4	12.4	12.4	(.77)
VI *	19.6	24.0	18.0	18.8	14.1	14.6	16.0	16.7	19.2	13.9	(.600)
VIIIA	22.3	21.3	18.8	23.9	19.9	50.6	19.2	20.6	13.5	10.7	(.800)
VIIIB	12.0	10.6	12.9	10.1	9.8	7.4	3.5	7.5	9.4	8.4	(.540)
VIIIC*	22.8	21.0	19.8	19.0	15.7	15.4	16.7	16.6	20.5	15.0	(.587)
IX	20.5	22.6	16.2	19.7	14.1	19.9	13.3	12.9	13.7	17.3	(.730)
X *	12.0	13.9	16.6	13.0	8.5	12.0	9.1	12.0	7.2	10.7	(.540)
<u>Rising:</u>											
IVB	18.7	22.2	27.6	29.8	23.6	26.8	21.5	27.4	26.9	30.9	.720
V *	15.5	15.8	12.5	16.0	9.0	18.0	20.4	16.7	16.5	20.5	.560

* "Mature" NSD programs.

EXHIBIT VIII

While these analyses do not clearly refute the charge that the presence of a NSD program increases Intake Counselors' inclination to detain delinquency referrals, they also do not lend any support to the charge. The distribution of all analysis areas is close to the pattern of distribution of the areas with fully operational NSD programs.

(2) Detention Relative to Population at Risk

The percentage of population at risk which is detained is another measure of potential "net widening". The "population at risk", as defined by DHRS, is the number of youths enrolled in grades 4 through 12. An analysis was completed on populations at risk during the last three fiscal years of the NSD program. As shown in Exhibit IX, two of the nine Districts without fully operational NSD programs (IIIA and IX) had an increase in the percentage of population at risk which was detained over the three year period. Four of the nine (IIIB, IVA, IVB, IIIIB) were stable; three (VIIA, VIIB, VIIIA) declined. Of those districts with fully operational NSD programs, three (VI, X and XI) demonstrated increases in the percentage of population at risk detained. Four (I, IIA, IIB, and VIIIC) declined slightly. One (V) was fairly stable.

Again, there is no statistically significant difference in these distributions which would imply that the existence of NSD "widens the net".

(3) Reasons for Detention

Because Non-Secure Detention is considerably less restrictive than is Secure, it has been suggested that NSD may be used to detain children whose offense does not justify detention.

For this analysis, reasons (offense or court order) for detention of youths who were placed in NSD were analyzed for calendar year 1979. Exhibit X presents the statewide distribution of reasons by frequency. The charge for burglary was most frequent, occurring 27.70% of the time. The second and third most frequent reasons for detention related to offense charges for assault and larceny. Court order was the fourth largest category for which youths in NSD were detained. During the analysis period, eleven youths were held in NSD statewide on murder or attempted murder charges. Fifteen youths were placed in the program with a kidnapping charge, and thirty-two youths were detained in the program for arson charges.

The NSD program does not appear to be accepting only youths with minor offenses. The presence of youths in the program with charges for kidnapping, murder and arson, while small in number, tend to substantiate this perception.

FLORIDA BUREAU OF CRIMINAL JUSTICE ASSISTANCE
DEPARTMENT OF HRS NON-SECURE DETENTION PROGRAM
TOTAL DETAINEES AS PERCENTAGE OF POPULATION AT RISK

District	1976-1977			1977-1978			1978-1979		
	Population at Risk	Total Detainees		Population at Risk	Total Detainees		Population at Risk	Total Detainees	
		#	%		#	%		#	%
I Escambia*	68,559	1,889	2.8	66,062	1,605	2.4	63,903	1,460	2.3
IIA Bay*	28,591	919	3.2	28,357	948	3.3	27,411	815	3.0
IIB Leon*	33,988	843	2.5	33,863	877	2.6	33,538	733	2.2
IIA Alachua	43,515	579	1.3	42,927	747	1.7	41,800	818	2.0
IIIB Lake	42,597	470	2.7	42,468	102	2.1	42,807	-	2.6
IIIB Marion		688			804			1,115	
IVA Duval	106,693	3,203	3.0	104,855	3,425	3.3	101,459	3,151	3.1
IVB Volusia	34,818	1,101	3.2	34,507	1,213	3.5	34,541	1,212	3.5
V Pinellas*	91,577	3,241	3.5	90,651	3,240	3.6	89,924	3,055	3.4
VI Hillsborough*	104,657	2,905	3.3	103,029	3,197	3.7	102,571	3,419	3.8
VI Manatee		571			592			506	
VIIA Orange	96,840	2,953	3.9	95,575	2,106	2.8	94,390	1,697	2.4
VIIA Seminole		810			569			572	

FLORIDA BUREAU OF CRIMINAL JUSTICE ASSISTANCE
 DEPARTMENT OF HRS NON-SECURE DETENTION PROGRAM
 TOTAL DETAINEES AS PERCENTAGE OF POPULATION AT RISK

District	1976-1977			1977-1978			1978-1979		
	Population at Risk	Total Detainees		Population at Risk	Total Detainees		Population at Risk	Total Detainees	
VIIB Brevard	41,111	1,297	3.2	41,003	817	2.0	39,157	788	2.0
VIIIA Polk	52,635	1,830	3.5	52,091	1,354	2.6	50,745	1,273	2.5
VIIIB Sarasota	21,083	591	2.8	20,961	547	2.6	21,139	574	2.7
VIIIC Lee*	39,318	1,412	3.6	112,383	1,350	1.2	39,986	1,371	3.4
IX Palm Beach	87,053	2,069	3.2	85,302	2,248	3.5	84,621	2,301	3.7
IX St. Lucie		720			715			828	
X Broward*	114,845	2,089	1.8	112,872	2,090	1.9	113,247	2,738	2.4
XI Dade*	207,536	4,467	2.3	204,432	4,687	2.3	198,971	5,542	2.8
XI Monroe		213			198			119	
Statewide	1,215,416	34,860	2.9	1,271,338	33,431	2.6	1,180,210	34,087	2.9

* Mature NSD programs.

EXHIBIT X

FLORIDA BUREAU OF CRIMINAL JUSTICE ASSISTANCE
DEPARTMENT OF HRS NON-SECURE DETENTION PROGRAM
YOUTH DETENTION REASON CATEGORIES

Distribution of Reasons for Detention

January-December 1979

	<u>Number</u>	<u>Percent of Reasons</u>
Burglary	1,462	27.70
Assault	632	11.97
Larceny	593	11.24
Court Order	540	10.23
Stolen Vehicle	381	7.22
Robbery	321	6.08
Violation of Community Control	210	3.98
Drugs	181	3.43
Resisting Arrest/Obstructing Justice	120	2.27
Sex Offenses	118	2.24
Disturbing Public Peace	112	2.12
Forgery/Fraud	106	2.08
Stolen Property	106	2.08
Liquor	90	1.71
Property Damage	77	1.46
Weapon Offense	48	.91
Status Offense	46	.87
Traffic	45	.85
Arson	32	.61
Contributing to Delinquency of Minor	31	.59
Kidnapping	15	.28
Murder and Attempted Murder	11	.21
	5,277	100.0

The demographic characteristics of NSD youths also indicates that the program is accepting youths who are traditionally difficult to supervise - older children and males. The vast majority (87.6%) of youths in the program are male. Over 50% of the youths are 16 years of age and older.

3. PROGRAM OPERATIONS

It is generally accepted by the YSPO that some sites of the NSD program are more effective than others, though not necessarily as measured by the regularly reported statistics. As part of this evaluation, Arthur Young consultants visited seven of the NSD program sites and met with program representatives at their annual meeting in Daytona Beach.

From these contacts it is possible to make observations on program management and operations, but few if any of these operations are distinctive indicators of reasons for program success or failure at the site. Nonetheless, there are areas where procedures used in one District may warrant consideration in others, and areas where improvements are possible in the program as a whole. These areas are discussed below.

(1) Position Funding Source

As described in Chapter II, the NSD program has been staffed by a combination of career service positions, funded by grants and general revenue funds, and positions provided under the Comprehensive Employment and Training Act (CETA).

Recent changes and clarifications in CETA guidelines have complicated use of CETA positions by placing increasing emphasis on hard core unemployables (who may not be suited) for a position requiring the sensitivity needed in a CYL) and low salaries. Even before these changes, however, it is evident that overuse of CETA workers as CYLs had a negative impact on programs. Those programs staffed predominantly, or even exclusively, with CETA personnel have suffered from excessive turnover, undertrained staff and lack of credibility with the judiciary and the Community Control staff.

The best use of CETA workers is to supplement a career service staff. This may have advantages in terms of cost and reduction in workload for other employees. A balance of temporary (CETA) and permanent (other funding) positions is critical.

(2) CYL Training

As discussed earlier in this chapter, the LEAA grant objectives relating to formal training for the CYLs have not been met. Further, however, training needs of the CYLs may not be adequately defined. According to their position classification, CYLs are responsible for supervision - not for counseling. Interviews with CYLs and

with the Community Detention Administrators and Supervisors indicate perception of a need for special training in crisis counseling as a result of the CYLs customary interaction with a newly detained juvenile and his or her family. Other areas in which the CYLs need training, according to their own perceptions, include family counseling and orientation to Florida's juvenile laws and regulations and HRS procedures. Training in interview techniques and in transportation procedures were also mentioned, but only by single districts.

(3) CYL Qualifications

Turnover in personnel in the NSD program varies from almost nonexistent to almost total, depending upon the District. Reasons for this vary and are difficult to identify; probably the most common reason for turnover is the low pay which accompanies the CYL position classification.

The turnover emphasizes the need for orientation and training, discussed above. It also requires consideration of the qualifications and/or experience needed when hiring CYLs. Current required qualifications include a high school diploma and prior experience working with youth. The original concept of NSD assumed the CYLs would come from the same geographic, social and economic environment as the supervised youths and this is still taken into consideration.

Interviews with local programs supported at least these minimum requirements. Several Districts suggested higher education levels were needed. The suggestion was usually for an AA degree, though District IIA suggested a BA or BS should be required. All the Districts interviewed felt prior experience working with delinquent youth was needed. District IIA suggested prior counseling experience.

Interviews with CYLs in the Districts visited indicate a high level of commitment on their part to the jobs and to the youths. Yet the position classification leads to little job mobility or opportunity to advance. Suggestions for upgrading the position, possibly even to professional status, have been made. These suggestions are under study by the Detention Specialists at the YSPO.

(4) CYL Activities

The activities of the CYLs are primarily concerned with direct regular contact with the youths assigned to them and with the "significant others" of those youths - parents, schools, jobs, etc. Within this general description some variation was observed between program sites in the following areas:

- . assignment of caseload;
- . intensity of supervision over time;
- . court attendance at detention hearings;
- . school coverage; and
- . weekend coverage.

Each of these areas is briefly considered in the following paragraphs.

Assignment of Caseload

Program guidelines suggest a caseload of five to seven youths per CYL. Virtually all programs profess to make assignments of youths to CYLs based on geography -- the location of the youth's residence or location of the attention home to which he or she is assigned. Of the seven sites where our consultants conducted interviews, only three indicated that current caseload was a consideration in assignment -- but in two of these, Districts I and IIA -- it was the primary consideration. In Districts I and IIA there is also some consideration of the temperament of the youth and the CYL in making the assignment.

Supervision Intensity

Supervision is intensive in all sites during the first week a youth is under supervision - including two face-to-face and one telephone contact with the youth and contact with the youth's "significant others" every day. Of those sites visited, only District I routinely maintains the same level of supervision throughout the child's stay in the program. Other Districts indicate the level of supervision is tapered off, unless the youth demonstrates specific supervision needs, as the detention is extended. District V, for example, phases the youth out of detention. Upon entering the program the youth would be contacted two or three times per day. With time, the contacts may be reduced to two per day; one face-to-face and one phone contact. Eventually, the youth may be asked to initiate one of the contacts (that is, to phone in to the CYL during the day). When a youth is released, NSD

informs the parents immediately, but does not notify the youth. The youth then still maintains some contact, through phoning the CYL, and is not released completely in the sense that there is no longer any kind of supervision. Eventually, the youth realizes he/she is no longer being visited by the CYL and that there is no more formal supervision.

Court Attendance at Detention Hearings

Most Districts provide for the presence of a CYL at detention hearings. Variations in this assignment include:

- assignment of all hearings to one CYL
- assignment of all CYLs on a rotating basis
- assignment of CYL based on other factors, such as who screened the youth (on a first hearing), who is supervising the youth (on subsequent hearings) or who has worked with the youth previously.

School Coverage

Program guidelines require contact with the schools of youths under supervision. Some Districts trade-off this responsibility on a formal or informal basis so that no more than one CYL needs to visit a given school on a given day.

Weekend Coverage

Supervision is considerably less intensive over weekends. Districts have met this gap by assigning the youth's CYL for intensive contact on the first weekend only; by having each CYL make telephone contact only; by rotating coverage so that one CYL contacts all youths under supervision by telephone; or by putting one CYL on call for any problems which may arise.

(5) NSD Organizational Placement

The "fully operational" programs which were visited receive direct supervision from either a Community Detention Administrator, a Community Detention Supervisor, or both. Two sites, District I and XI have both CDS and CDA positions. In most areas around

the State the CDA or CDS reports administratively to the Superintendent of Detention. In others, NSD reports to the District Service Supervisor. These different reporting structures do not relate to the program's classification as "effective" in that area. However, certain problems have been identified in Districts in which NSD reports to the Superintendent of Detention. Because the Superintendent of Detention is responsible for maintaining the Secure Detention population as well as the NSD population, there are times when pressure may be applied to NSD to accept some youths who are less than appropriate for the program in order to control Secure Detention population. Interviews suggest this is more of a problem in Districts with court ordered caps on Secure Detention population. The programs which report to the Direct Service Supervisor were so placed to respond to these difficulties. A review of failure rates by District conducted on a sample basis from the first and final quarters of 1979 does not indicate a difference in failure rates by District.

(6) Screening for Admission to Non-Secure Detention

An important component of the operations of the NSD program is the initial screening of detained juveniles for determination of their suitability for admission to the program. Screening may consist of a review (normally by the Community Detention Supervisor) of Intake-prepared documentation on the child or a face-to-face interview between an NSD staff person (usually a CYL) and the child.

Four of the seven District NSD programs where interviews were conducted indicated these interviews are generally held prior to the first detention hearing. District XI conducts a screen only if a referral is made by the court; Districts V and VI conduct the full face-to-face screening interview after the first detention hearing.

Screening policies adopted by the various Districts are determined by workload. A preliminary screening enables the District to conduct face-to-face interviews with only the candidates considered most likely to be appropriate for placement in NSD in the short time before the detention hearing. In those Districts where interviews are not conducted prior to the hearing, NSD staff feel they can gain by acquiring additional information on the youth from the hearing or by concentrating their efforts only where judges have made the non-secure alternative optional.

It is in the area of rescreening of juveniles held in Secure Detention that different policies seem to correlate with the program's perceived effectiveness at that site. In selecting interview sites, we had asked the Program Office to recommend the most "effective" programs, based on informed opinion. All of the sites judged "effective" by the Program Office rescreen all juveniles in the Secure Detention facility every 72 hours. The program sites rated as most effective rescreen in an interview by a CYL. The program sites which were described as least effective do not rescreen unless specifically requested by the court or a Community Control Counselor.

(7) NSD Policy on Release After 21 Days of Detention

Chapter 39 of the Florida Statutes, which addresses the detaining of youths, states that youths should not be detained longer than 21 days without court ordered continuances. The implementation of this aspect of the law has been difficult for many of the NSD programs. Contributing to the difficulty in implementing a policy is often the lack of communication and cooperation with members of the judicial system.

Three of the programs where interviews were conducted stated they had no policies in operation. This means that the 21st day of a youth's stay in NSD is not flagged by the program or with the judiciary as an indicator of extended stays. One of the three programs noted that the court routinely grants continuances and consequently, no policy can work. All three of these programs had been identified as relatively less effective.

Two other programs stated their policy was to notify the courts regarding the release of a youth from NSD - one after the release, the other prior.

District I holds a "review" before the court on the youth's 21st day in NSD. The judge is given a report on the youth's adjustments during his or her stay in NSD and the decision to release is left with the court.

Other programs have a pre-established agreement with the courts, so that if the court does not grant a continuance the release is automatic. NSD notifies the youth's counselor and parents. The court may not be advised and only rarely goes through the process of issuing a release order.

IV. COST EFFECTIVENESS ANALYSIS

One of the stated advantages of the Non-Secure Detention program over the Secure Detention program is its lower cost. This assumption of lower cost, however, was not supported in the 1978 YSPO publication entitled Evaluation of Florida's Intake Detention Practices and Detention Services. This analysis worked with the budgeted daily costs (where NSD is lower) and combined them with NSD's longer average length of stay from Detention Data Cards, July through December, 1977. This calculation showed a Non-Secure stay to average \$345.33 as opposed to Secure's \$318.79. This chapter presents a different analysis of these two programs using expenditure data where possible.

1. METHODOLOGY

Program information concerning total resident days, average length of stay, and total number of cases by District for the period July 1, 1977 through June 30, 1978, was obtained from the YSPO in Tallahassee. Actual expenditure data for this same period was then sought for both SD and NSD services. DHRS was able to provide general revenue budget data for the SD program and LEAA grant expenditure data for the NSD program. In addition, each District was asked to provide CETA expenditure information for the NSD program since the DHRS Central Office maintains no records concerning these funds. Districts I, IV, V, VI, and X were able to provide such information.

Of primary concern to the YSPO staff was the amount of time children spent in SD before being transferred to NSD. The DHRS evaluation referred to earlier indicated that these children were in SD an average of 7.1 days previous to transfer. That number was based on data which were both incomplete and available for only a portion of a year.

The analysis which follows was based on examination of costs when the NSD program is being run effectively -- with those youths who are moved from SD to NSD being moved expeditiously. Florida law requires that any child placed in SD must have a hearing within 48 hours of being detained. This would indicate that children subsequently transferred to NSD should, on the average, spend only two days in SD. We have based our analysis on an assumption of an average of three days in SD before transfer. We were unable to obtain data on actual length of stay before transfer which would be acceptable to all interested parties. Further, the analysis was intended to examine whether the NSD program, if run effectively, could be cost effective. The three day figure was accepted in discussion with YSPO representatives as a reasonable target for the program. Accordingly, the average length of stay in SD has been adjusted by reducing the total number of cases by that number transferred to NSD, and by reducing the total number of resident days by three times the number transferred. This adjustment provides a more accurate length of stay figure for those youths who remain in SD throughout detention.

It should be noted that the elimination of short stay individuals from calculations will raise the average length of stay of the remainder. Because SD may include runaways and other short term detainees, this average length of stay may still be understated.

2. FINDINGS

Exhibit XI shows the calculated cost per day, average length of stay, and cost per detainee for SD adjusted for those cases transferred to NSD.

Exhibit XII shows the calculated cost per day, average length of stay, and cost per detainee for NSD cases prior to addition of the SD cost component.

Combining the information contained in these two exhibits provides the following cost estimate:

Youth placed in Secure and not transferred:

$\$30.34 \times 11.8 \text{ days} = \underline{\$358.01/\text{case}}$

Youth placed in Secure and later transferred to Non-Secure:

Secure Costs: $\$30.34 \times 3 \text{ days} = \$ 91.02$

Non-Secure Costs: $\$11.46 \times 16.44 \text{ days} = \underline{188.40}$

\$279.42

The analysis, therefore, suggests that the NSD program is cost effective when serving as an actual alternative to Secure Detention.

For a brief review of the sensitivity of this calculation, we examined the relative costs if the detainees' stay in Secure were only two days. The effect is to increase the cost of SD to \$362.58 and reduce NSD to \$249.08. The single day change shifts the NSD total cost from 78.0% of SD to 68.7%. If five days are spent, on the average, in SD before transfer without a subsequent reduction in the NSD length of stay, SD will become the lesser cost alternative.

The awareness of this factor should be critical to program managers and the judiciary.

FLORIDA BUREAU OF CRIMINAL JUSTICE ASSISTANCE
 DEPARTMENT OF HRS NON-SECURE DETENTION PROGRAM
 ADJUSTED SECURE DETENTION COSTS

<u>District</u> ¹	<u>Cost/</u> ² <u>Day</u>	<u>Estimated</u> ³ <u>Average</u> <u>LOS</u>	<u>Cost/</u> <u>Detainee</u>
I	\$ 43.45	12.2	\$ 530.09
IV	21.86	12.7	277.62
V	30.87	11.8	364.27
VI	34.91	11.4	397.97
X	<u>37.78</u>	<u>10.0</u>	<u>377.80</u>
Weighted Average	30.34	11.8	358.01

¹ Includes only those Districts on which all cost information could be obtained.

² Calculated as total expenditure divided by total resident days in secure detention.

³ Calculated as [total resident days less (three days times number of transfers)]
 divided by number of admissions less number of transfers.

FLORIDA BUREAU OF CRIMINAL JUSTICE ASSISTANCE
 DEPARTMENT OF HRS NON-SECURE DETENTION PROGRAM
 NON-SECURE DETENTION COSTS

<u>Districts</u> ¹	<u>Cost/</u> <u>Day</u> ²	<u>Estimated</u> ³ <u>LOS</u>	<u>Cost/</u> <u>Detainee</u>
I	\$ 14.95	20.7	\$ 309.47
IV	7.54	25.1	189.25
V	12.51	13.9	173.89
VI	9.18	12.6	115.67
X	<u>18.69</u>	<u>22.3</u>	<u>416.79</u>
Weighted Average	11.46	16.44	188.40

¹ Includes only those Districts on which all cost information could be obtained.

² Expenditures from DHRS budget office plus CETA costs (where applicable) from the individual districts.

³ Total resident days divided by admissions plus transfers.

V. FINANCIAL PERCEPTIONS OF NSD

V. JUDICIAL PERCEPTIONS OF NSD

The juvenile judges are an important component in the success or failure of the NSD program. The judges have the legal authority to assign a youth directly to Secure Detention and to prohibit subsequent transfer into NSD. Consequently, the working relations between the judiciary and NSD staff, and the judiciary's perceptions of the program are critical. A survey of the juvenile judges, their use and perceptions of the program, was conducted as a part of this evaluation.

An initial mailing was made to all juvenile judges in the State, based on a list provided by the Office of the State Court Administrator. A subsequent mail out was processed, after a meeting with NSD program personnel, to additional judges identified as working with the program.

A total of thirty-four judges responding to the survey indicated they actually worked with the program and responded to the rest of the survey. Analysis of the survey responses is, therefore, indicative of judicial perceptions of Non-Secure Detention, but does not have a sound statistical base.

The survey of the judges was designed to obtain their views on program operations and placement decision, their perceptions of NSD, and to obtain comments relative to program benefits and areas of needed improvements. The survey instrument used is included as an appendix to this report. The findings from the survey and interviews conducted during the evaluation are discussed in the following sections.

1. PROGRAM OPERATIONS

This section of the survey emphasized the judges' perceptions of their role and the role Youth Services plays in detaining a youth. The criteria utilized in the decision to detain and the reasons for using NSD were reviewed.

The survey allowed the judges to state who they felt should make the decision to use NSD and where in the detention process that decision should be made. A majority of the responding judges indicated that the decision should be made by the judge. Some felt the judge approval was necessary whenever the decision was made; others felt it should apply specifically to the detention hearing. A small minority (5 of the 34 respondents) felt Youth Services' personnel, Intake Counselors or detention staff should have the responsibility for determining NSD assignment. Most responding judges (29 of 32) stated that the court also should approve any transfers within detention, such as from Secure to Non-Secure Detention.

The judges were asked whether they typically specify the type of detention placement or leave the decision to Youth Services (YS) following the decision to detain. Only 8 of the 34 judges claimed that they leave the placement in NSD or Secure Detention with Youth Services. The judges have indicated through the survey that they feel they should make the decision on placement of a youth in NSD or Secure Detention, and that in most cases, the judges are in fact making those decisions.

The criteria used in assigning youths to NSD were reviewed. All of the judges examine the type of offense and past record of the youth in making a placement decision. Twenty-eight of the 34 responding judges consider the recommendations of the Intake Counselor and Community Youth Leader. This is a significant percentage and implies a degree of confidence in these YS personnel on the part of the judiciary. Parental attitudes toward NSD are also important to many of the judges (27 of 34). A community's response to receiving a youth back into the community was recognized as a criteria by 25 of the 34 judges. Less than half (16 of 34) indicated that overcrowding of the Secure Detention facility was a factor used in their decision-making process.

Analysis contained elsewhere in this report indicates a longer average length of stay in NSD as opposed to SD, with average length of stay in NSD rising over the last three years. Discussion with NSD personnel in the Districts attributes this greater length of stay to a judicial attitude which is at least partially confirmed by the survey results. The judges were asked whether they felt a minimum length of stay is generally appropriate. Most (26 of 34) stated no minimum was appropriate. Eight judges felt some minimum stay (from 1 to 21 days) was appropriate. Although the majority indicated no minimum length of stay was appropriate in NSD, 16 of 34 said they could be more likely to extend a youth's stay if he or she was in NSD rather than Secure Detention. Thirteen of 34 stated the type of detention has no influence on their likelihood to issue a continuance.

The judges were asked to prioritize five reasons for assigning a youth to NSD. Based on this priority ranking, NSD's ability to provide sufficient supervision for those children who should be detained, but may benefit from remaining in the community, was first. This was followed by the impression that NSD provides "treatment" benefits to the community, and the ability of NSD attention homes to provide a means of keeping a child in the community. The reason utilized least in placing a youth in NSD was the overcrowding in the Secure facility.

The judges also were asked whether NSD is capable of handling the number of youths they felt could be placed in the program. Half, 17 of 34, said the program was able to handle their caseload; 11 of 34 felt they would like to increase the caseload.

A final question in this section of the survey related to the perceived qualifications of the CYLs. Seven of the responding judges stated the CYLs were well qualified and successful, while ten felt the CYLs were competent with moderate success. Only four stated they found the CYLs to be relatively inefficient and needing considerable training. However, 9 of the 34 judges who regularly work with NSD claimed they had no basis for an opinion of the CYLs abilities.

2. PERCEPTIONS OF NSD

The judges' perceptions as to what the primary objectives of the program are and what they should be were obtained through the survey. The impact that the absence of a NSD program might have also was solicited.

The judges were asked whether a youth typically should spend time in Secure Detention prior to being transferred to NSD. Fifteen respondents said that most youths suitable for NSD could be placed in the program directly. However, seven felt that most youths should spend time in Secure Detention first, and the rest felt some youths need to spend time in Secure Detention prior to placement into NSD.

The impact resulting from the absence of NSD was proposed to the judges. They were asked what most likely would happen to youths now placed into NSD if the program were not available. Of 33 judges who responded to this question 13, or slightly more than a third, said the youths would stay in Secure Detention for the same total length of their stay now in NSD. Nine respondents said they would be detained in Secure Detention but probably for a shorter total stay. Seven judges said the youths would not be detained after the first detention hearing. The other five judges responding felt the disposition would be mixed.

The judges were asked to prioritize what they felt the primary objectives of NSD to be as well as what those objectives should be. In answer to what they perceive the primary objectives to be, the most common first priority (15 responses) was that NSD's primary objective was to serve as a "trial probation" by observing the youth in a community environment. Two other objectives were ranked as important. These objectives were for NSD to reduce the population and, thus, the caseload of Secure Detention, and to provide a family setting for the youth. The ensuring of daily contact with a counselor and reducing costs associated with detention status were ranked as of less importance.

The responses by the judges as to what the primary objectives should be were quite similar to their views as to what the objectives actually are. Although the numbers changed, the primary objective of NSD to serve as a trial probation remained the highest ranked objective by most respondents. The objective next ranked as of most importance was the ability of NSD to ensure daily contact with a counselor.

3. FURTHER COMMENTS

The judges were asked to make any additional comments they felt were relevant to the NSD program. The survey requested comments on the advantages and disadvantages of the program, and their perceptions on the best use of the program. The judiciary's role in determining the use of Secure vs. Non-Secure Detention was also asked.

Listed advantages of NSD over Secure Detention were numerous and diverse. One judge claimed NSD is the "most effective HRS program". Another simply said it is an "excellent program". Several felt NSD prevents exposure to and association with hardened delinquents, and retains the use of Secure Detention for the violent and unruly. Some judges felt it reduced the client load in Secure Detention, avoided overcrowding of the facility, and was more cost effective. Another advantage associated with NSD was the ability of a youth to remain in his/her regular school and to not detract from the positive factors present in his or her life.

The provision of close supervision was cited as a positive benefit which permitted a detention status to be in effect without placing a youth behind bars. The limited freedom in the community, and the youth's recognition that the freedom is dependent on his or her behavior was felt to be a positive aspect of the program. Reinforcing a perception stated previously by the judges, some viewed the "trial period" provided under strict limitations and supervision to be an advantage of the program. One judge went so far as to say NSD is a more effective form of probation than Community Control. The advantages were summarized by one judge when he stated NSD was a "viable alternative to Secure Detention".

The disadvantages listed by the judges were very limited. One judge felt there was insufficient protection of the public against certain youths placed in the program. Another respondent felt the supervision provided was not intensive, while another perceived the staff in his District to be incompetent, particularly with regards to failure to report a youth's violations to the court. The major disadvantage expressed was the lack of intensive supervision. However, these comments were few and isolated.

The judges were asked what is the best use of the NSD program. The responses were relatively uniform and reinforced many of the advantages mentioned previously. Responses to the question ranged from providing a less restrictive alternative to Secure Detention, assuring presence in court, and keeping down Secure Detention populations, to "uses" more beneficial to the youth. These included providing the youth an opportunity to assume responsibility for his or her behavior and to "force organization into the family structure". Also noted was NSD's provision of more supervision for youths who need it, while preventing the exercise of peer pressure associated with Secure Detention. Again, a "best use" of the program was the ability to observe how a youth responds to restrictions. Finally, one judge claimed it provided an opportunity to "undo bad decisions made by judges with insufficient information".

Opinions concerning the judiciary's role in determining placement in Secure vs. Non-Secure Detention were solicited in an open comment format. The responses were decidedly in favor of the judge having the ultimate decision. Some judges felt the decision should be exclusively that of the judge, while others relied to varying degrees on the recommendations of Youth Services' personnel. Various methods were proposed for including Youth Services in the decision-making process. Overall the judiciary feels it is their role to determine the placement of a youth into Secure or Non-Secure Detention.

Proposed changes in the NSD program were solicited from the judges. The changes, in general, were emphasizing the positive aspects of the program and calling for increased services. Several judges wanted to see the program expanded. The expansion included changes in the scope of the program. One suggestion was made that NSD include dependency cases, while another called for incorporating NSD into Community Control. Other respondents wanted an increase in the number of attention and shelter homes, and an increase in staff. Additional comments included a desire to see an increase in the information provided judges at detention hearings. One judge wanted releases from Secure or Non-Secure Detention to be by court order only.

In the last section of the survey, the judges were provided the opportunity to express any additional thoughts relative to the program. The comments indicate a fairly strong support for the program. A sample of the quotes is provided below:

"The program is a bright light in a typically demoralized, underfunded, poorly functioning program."

"Please help us before we give up hope. HRS is a failure in general in delivering youth services. NSD is one of their good concepts. Get them moving to implement it again."

"We need it back!"

"The Non-Secure Detention home program is working well in this county."

"We need more funds in District 7 for the program being conducted in Orange County."

"It can be a good program with sufficient and competent personnel."

"The Non-Secure program is a far more effective means of supervising a child than is Community Control."

VI. SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

ARTHUR YOUNG

VI. SUMMARY CONCLUSIONS AND RECOMMENDATIONS

The conclusions and recommendations derived from our findings are summarized in the first section of this chapter. Recommendations relative to NSD program operations are presented in the second section.

1. SUMMARY CONCLUSIONS AND RECOMMENDATIONS

The conclusions and recommendations presented in this section are based on the evaluation findings discussed in the previous chapters. The findings reviewed include the following:

- . Grant Objectives Achievement
- . NSD Impact on Total Detainees
- . NSD Youth Offense Profile
- . CYL Duties, Training, and Qualifications
- . NSD Organizational Structures
- . Screening and Rescreening Policies
- . Policies on 21 Day Releases
- . Judicial Perceptions of NSD

(1) Grant Objectives Achievement

Five LEAA grant objectives were reviewed and the NSD's progress toward their achievement measured. The objective achievements are summarized below:

Objective #1 - Reduce Secure Detention populations by maintaining an average daily population of 170 in NSD.

- The average daily population portion of the objective was obtained on a statewide basis in each of the program's last three fiscal years.
- Although NSD serviced more youths, the number of youths in Secure Detention has not been reduced.

Objective #2 - Reduce by 10% the percentage of youths detained by Intake that remain in Secure Detention.

- The percentage of youths placed in SD of total detainees statewide was 81.2% in 1978-79. The target based on the previous fiscal year's statistics was 73.7%. The goal was missed by a margin of 7.5 percentage points.
- The objective is intended to measure NSD's impact on SD populations. However, the percentage of youths that NSD can absorb is dependent upon the program's ability to expand. Expansion problems are associated with factors such as the average length of stay, the number of CYLs, and the CYL caseload.

Objective #3 - Place 30% of all detainees into NSD, in programs which are fully operational.

- Three of the programs met the objective. Four of the other five fully operational programs had 28% or more of detained youths in NSD. The NSD programs have serviced a relatively constant number and percentage of total detainees over the last three fiscal years.
- NSD, in order to meet the grant objective, must be prepared to accommodate greater absolute numbers as long as the number of youths detained remains relatively constant or increases.

Objective #4 - Provide 40 hours of orientation and preservice training for all new staff.

- Training has not been provided in a coordinated fashion to the NSD programs. The training received has been developed primarily for other Youth Services staff.
- NSD training materials prepared by the Program Office have not been employed. Monitoring of training activities has been inadequate.

Objective #5 - Maintain a 93% success rate as defined by new offenses committed and runaways not appearing for court.

- The success rate achieved statewide, as defined in the grant, was 91.6%.
- Additional indicators of program success include the number of youths who run away but are available for court, and the number returned to SD for violations of NSD rules.

(2) NSD Impact on Total Detainees

The potential for the presence of a NSD program to contribute to more youths being detained was measured by two factors. The percentage of youths detained of total delinquency referrals over a two and one-half year period (7/1976 to 12/1978) indicated few differences existed between Districts with NSD programs and those without. Consequently, the presence of a NSD program does not seem to be increasing the percentage of youths being detained.

The percentage of population at risk being detained, the second factor, is increasing in only 33% of the Districts with fully operational programs. Statewide, 49% of the Districts showed an increase. Thus, these two factors, the percentage of delinquent referrals detained and the percentage of population at risk detained, indicate that the presence of NSD is not "widening the net", increasing the number of youths detained.

(3) NSD Youth Offense Profile

The offense charges of youths placed into NSD were sufficiently serious to warrant detention. Youths charged with murder, kidnapping, and arson were among those admitted to the program. The NSD program does not appear to be accepting only youths with minor offenses. The profile of NSD youths reveals they are primarily male (87.8%), and over 50% are 16 and 17 years of age.

(4) CYL Duties, Training, and Qualifications

Districts were surveyed relative to the responsibilities assigned to CYLs, the training provided and desired for CYLs, and the desired qualifications for CYLs.

CYL Duties

Geographic distribution was the basis for assigning youths to CYLs in the majority of programs.

The supervision of youths on the weekend ranged in the Districts surveyed from no supervision to rotating CYLs who assume weekend responsibilities. NSD guidelines state that ten face-to-face contacts should be made during each seven day period. Most programs provide this level of supervision only on the week days and only during the first week the youth is under supervision.

Supervision of youths in attention homes was dealt with differently among the Districts. Certain programs expect the attention home parents to provide substantial supervision. In these Districts the CYLs may visit the homes once or twice per week. Other Districts treat youths in attention homes no differently than youths on home detention, and supervise them daily.

Most Districts assign a CYL to attend detention hearings. This has proven to be positive, particularly when the CYL is prepared with information for the judge relative to acceptability of a candidate for NSD.

Most Districts interviewed are reducing the level of supervision after the first week, when the youth's behavior permits. There are no indications that this policy causes any increase in failures, and CYLs in Districts where it is followed feel it is beneficial.

CYL Training and Qualifications

All new CYLs are supposed to receive 40 hours of training. However, materials developed by the Program Office are not used and there is inadequate monitoring of training. A survey of Districts suggested more emphasis should be placed on the provision of family and crisis counseling. The CYLs often find themselves in circumstances which dictate that they be prepared to respond to crisis situations.

The Community Detention Supervisors and Community Detention Administrators in several programs were asked what kind of qualifications they desired to have in a CYL. All felt that the existing minimum educational requirement of a high school diploma was needed; close to half felt a college degree (AA or BA/BS) should be required.

Several programs felt there was need within the program structure to recognize the CYL as a professional position. The qualifications desired and the training needed indicates that the CYLs have responsibilities beyond simply noting a youth's whereabouts. The YSPO is presently studying the possibility of upgrading the CYL position to reflect its responsibilities.

(5) NSD Organizational Structures

Seven NSD programs which are fully operational were surveyed relative to their organizational structure. Two report to a Direct Service Supervisor, while the others report to the Superintendent of Detention. The structure in which NSD reports to the Superintendent of Detention has been felt to possess some problems due to pressure on the Superintendent to keep Secure population down.

(6) Screening and Rescreening Policies

Seven fully operational Districts were surveyed relative to their screening policies. Four of the five who conduct paper screening do so as part of the initial screening. All seven Districts have face-to-face interviews with the youths prior to final acceptance into the program. Four of the Districts are screening prior to the detention hearing, while three are screening after the hearing.

Rescreening policies are defined by the Program Office, but are not always adhered to. Rescreening for potential transfer into NSD was conducted by five of the seven surveyed Districts. The two Districts which are not rescreening have a court ordered population cap. The NSD program is viewed in these two particular Districts as a "release valve" for SD. Consequently, inappropriate placements may be more frequent and may occur as a response to overcrowding in Secure Detention.

(7) Policies on 21 Day Releases

Three of the seven Districts surveyed have no policies regarding the release of youths on their 21st day in detention. Releases are required by law unless a court issues a continuance. Extended stays in these programs, consequently, are not flagged by NSD or the judiciary for potential action.

Policies in operation ranged from notifying the court after release, to requesting approval from the court for release.

(8) Judicial Perceptions of NSD

Juvenile judges were surveyed statewide to obtain their perceptions on the operation of NSD. Thirty-four judges who use the program responded to the survey. The survey revealed that the vast majority of judges feel they should make the decision to place or transfer any youth in Secure or Non-Secure Detention. In most cases, they are making these decisions. However, in placing a youth, most judges are relying on the recommendations of the Intake Counselor and CYL.

The judges were asked whether a minimum stay in NSD was generally appropriate. Three quarters felt none was appropriate. Yet, more than half of the respondents said they would be more likely to extend a youth in NSD. The judges also were asked whether youths suitable for NSD could be placed there immediately. Slightly over half of respondents felt either all or some youths should spend time in Secure Detention first. These responses from the judges suggest certain factors which contribute to the longer length of stays for youths in NSD.

The judges were asked to evaluate the impact resulting from the absence of an NSD program. Three quarters of the judges said youths presently placed in NSD would be in Secure Detention for the same or shorter total length of stay. This response reinforces the fact that the program is used for youths who should be detained, and not a category of youths, who without NSD would not be detained. Consequently, the program's presence appears to reduce the number of children held in Secure Detention.

The use of the NSD program from the judges' viewpoints is primarily to serve as a trial probation. Information is provided them by the CYL which is helpful, particularly at the time of the dispositional hearing. The information provided by NSD relative to the youth's progress and familial environment is a significant auxiliary benefit which should be recognized. Overall, the judges appear to use the program for its supervision aspects; ability to provide a family setting; and the information obtained on a youth's behavior.

Judicial perceptions of the advantages of the NSD program over Secure Detention were numerous. The advantages cited included the provision of an alternative to Secure; retaining Secure Detention for the hardened delinquent, thus maintaining a lower Secure Detention population; allowing a youth to continue his or her regular schooling; permitting a youth to be responsible for his or her actions and, thus, freedom; and again, serving as a trial probation. Few disadvantages were listed. Those mentioned were criticisms of the program's lack of adequate supervision.

Changes in the program were solicited. The responses included calls for the expansion of the program to dependency cases, and to incorporate NSD and its concepts into Community Control. General comments received were very positive and reinforced the judiciary's strong support for the program.

2. RECOMMENDATIONS FOR PROGRAM IMPROVEMENT

Recommendations for program improvements are related to program policies and operations at the local and State level. The specific recommendations are presented in the following sections. It should be noted that many of these areas are addressed by the NSD proposed minimum standards.

(1) Establish Good Communication with the Judiciary

We recommend each NSD program appoint a liaison from NSD to be responsible for communication with the judiciary. The participation and support of NSD by the juvenile judges is critical to the program's survival. However, several programs suffer from overuse, primarily because they are viewed very favorably but misunderstood. It is the responsibility of each NSD program to develop good communication with the judiciary. While this entails maintaining a positive image, it also involves articulating the program's true function and operation. The judges, of course, also have a responsibility to use the NSD program according to statute and intent and should work with NSD staff to determine the best use of the program.

The appointment of a liaison from NSD to serve the judiciary could increase the responsiveness of NSD to judicial needs. This may include the timely provision of information on youths screened for the program, and progress reports on youths' activities. This position should be filled by the Community Detention Administrator or Community Detention Supervisor wherever possible. The liaison also would have the responsibility of explaining the importance of appropriate use of the program. Detrimental effectiveness associated with its overuse, particularly extended stays, should be explained, including:

- if the CYL caseload is increased to handle new clients as well as maintaining those with extensions, their effectiveness is likely to be reduced

- if the CYL caseload is maintained at its same level, which would include youths with extensions, then fewer youths can be accepted into the program

- youths, parents, and the CYLs may become unnecessarily dependent or develop an emotional tie which is not beneficial in the long run

- the youths in NSD need reinforcement or recognition for good behavior, such as a release from NSD if warranted.

The ability of the judges to know who in NSD can provide accurate and prompt information relating to a youth should increase the judges' perceptions and use of the program. NSD should also coordinate its activities with the remaining YSPO court contacts, including the Court Intake Unit, in order to facilitate a cohesive approach to the handling of youths. The extent to which Youth Services can provide a unified front will enhance the judiciary's confidence in and willingness to rely on Youth Services' recommendations.

(2) Establish Policy on Initial Placement Decisions

We recommend each NSD program establish a formal written policy on the initial decision to place a child in NSD, to be approved by the local juvenile judges and YSPO.

The decision to place a youth in either Secure or Non-Secure Detention is viewed overwhelmingly by the judges to be their responsibility, and a responsibility which they are assuming. The establishment of a liaison position will assist in the development and coordination of NSD policies and operations with the judiciary. Presently, juvenile judges are operating under differing policies regarding the initial placement of a youth into NSD. Although Youth Services can make a decision to detain, the judges' survey revealed that the judges desire to make the ultimate decision on the type of detention placement; yet a great percentage felt that many youths could be placed directly into the program without spending time in Secure Detention. One method of handling the initial placement decision which satisfies both of the judges' desires is to allow NSD to screen and place appropriate youths immediately upon being detained. NSD would then seek judicial approval at the earliest possible time, usually the detention hearing. This can be expected to succeed only if NSD has obtained the respect and confidence of the judges in their decision making and recommendations. Regardless of the initial placement procedure selected, it is important that judges, Intake, and Detention staff understand what is acceptable to all.

(3) Follow Defined Policy on Rescreenings

All Districts should be following the YSPO developed policies relating to conducting rescreenings of Secure Detention youths on a regular basis. The existence of a rescreening policy allows NSD the opportunity to screen and select appropriate youths for the program, as opposed to awaiting a time when Secure Detention becomes crowded and is pressured into releasing or transferring inappropriate youths into NSD. It is interesting to note that the Districts generally viewed as having the most effective NSD programs routinely rescreen all juveniles in Secure Detention at least every 72 hours.

(4) Monitor Detention Hearings

We recommend that each NSD program have a CYL present at detention hearings where possible and necessary. The CYL should be prepared with screening information on the youth in order to make a recommendation to the court. If the youth has been placed into NSD prior to the hearing, reports on his or her progress should be prepared and available to the court.

In Districts which have a small CYL staff of one or two, the ability to assign a CYL to daily detention hearings would be impractical. In these Districts, NSD should educate the Court Intake Unit on the procedures and functions of the program in order that it may accurately reflect NSD's interest to the court.

(5) Maintain a 21 Day Release Policy

The NSD programs should have a pre-established agreement with the courts regarding release of a youth on his or her twenty-first day of detention. An example of such an agreement might stipulate the automatic release of a youth if the court does not issue a continuance, or Detention notification of Intake, which will issue release papers. NSD as a part of whatever agreement should make available a report on progress and potentially a recommendation on release, prior to the youth's twenty-first day. NSD's ability to develop the judiciary's confidence in the program will assist them in obtaining appropriate and timely releases.

(6) Establish a Policy on Weekend Supervision

Each District should have a policy regarding the delivery of supervision on weekends. Presently, few Districts are providing intensive weekend supervision. Districts with three or more CYLs, may find that rotating CYLs for weekend duty is the more practical way of addressing the problem. However, in those Districts where only two CYLs staff the program, rotation is not practical. Because CYLs must have free time, a policy for maintaining phone contact should be strictly enforced and check-in times varied so as to not be predictable to the youths.

(7) Define Policies on Level of CYL Supervision

The YSPO should define formal policy on varying levels of supervision over time. The NSD programs are providing intensive supervision during the youth's first week in NSD. Over time, this level of supervision is decreased in some Districts. This policy of phasing youths out of the program allows the youth to assume greater responsibility for his actions and reduces the impact of a sudden absence of supervision upon release from the program, but is, in fact, in violation of policy. The reduction in the level of supervision should be applied, however, only to youths whose behavior warrants such action. Other benefits of decreasing supervision are also present, such as an ability to accept more youths and to increase slightly the CYL caseload.

(8) Evaluate Policy Impacts on Recruiting Attention Homes

The YSPO should evaluate the impact NSD program policies are having on the availability of attention homes. Several Districts have experienced problems in recruiting and maintaining attention homes. The problems in recruiting are three-fold. First, other YS programs are actively recruiting for differing types of shelter homes. Consequently, competition exists within YS to obtain the limited number of beds available in the same community. NSD has a handicap because of the types of youths for whom it is seeking homes. The delinquent youth is often more difficult to place than an abused or neglected child.

Secondly, the NSD program frequently cannot offer the same level of pay for attention homes which other YS programs can afford.

The third problem associated with recruiting attention homes is the stipulation that adult supervision be available 24 hours per day. This policy has excluded many couples in which both adults work. Although their schedules may coincide with the youth's work or school schedule, these couples are not permitted to be attention home parents because no one is at the home 24 hours a day.

Consideration should be given to making the payment for serving as attention home parents competitive. The impact of requiring 24 hour supervision should also be assessed.

(9) Improve YSPO Supervision of CYL Training

The Youth Services Program Office should assume greater responsibility for developing and administering training programs. Training received by the NSD programs has not been coordinated on a program-wide basis. Specific training needs should be identified based on the types of situations the CYLs encounter in conducting their daily responsibilities. Findings from this evaluation support the need for family and crisis counseling. These needs should be further explored and a program developed to address them.

(10) The NSD Program Costs Should Be Clarified to All Users

The importance of appropriate use of NSD in making it a cost effective program should be communicated to everyone concerned with the program.

As the discussion in Chapter IV illustrates, NSD may be a cost effective alternative to Secure Detention, but only if appropriate circumstances prevail. These circumstances include both length of stay in NSD, and time in Secure Detention before transfer.

(11) Adopt, Communicate and Implement Formal Policies on YSPO Responsibilities

We recommend a review of the formal responsibilities of the YSPO in relation to NSD.

The YSPO is responsible for monitoring the NSD programs statewide. The responsibility at the local level is that of the YS Residential Program Specialist (RPS). The Districts on a local basis have had little or no monitoring. One program deteriorated to a point that it could not be salvaged by the time it was perceived by the Residential Program Specialist to be foundering. This problem is being addressed by the YSPO through an attempt to concentrate the responsibilities of the RPS again on monitoring, as differentiated from the Placement Coordinator role they were filling.

At the State level, two individuals have been assigned responsibility for monitoring NSD and all Secure Detention facilities. Consequently, the work associated with Secure Detention is consuming the bulk of their time. The NSD program has suffered at the local levels because of the lack of a well coordinated program. Policies for the program are not uniform, including organizational structure, screening and rescreening, and policies on 21 day releases. The absence of some of these policies in the Districts indicates a real need to have an individual responsible solely for the development, coordination, and monitoring of the NSD program. The NSD programs are often uncertain as to what the informational network for the program is, and who should be contacted, for example, on issues relative to funding status.

These problems have been alleviated slightly in the last two years through annual meetings of the NSD programs around the State, organized by the YSPO. These meetings have given the various Districts an insight into how the program functions in other locations and allowed them to ask questions of general concern.

(12) Juvenile Judges Working with NSD Should Recognize Their Responsibilities

The juvenile judges should recognize their responsibility for appropriate use of the NSD program. They must be careful to assure that their use of the program is in accordance with its defined function.

The extent of the influence of the judiciary on the NSD program cannot be overemphasized. Juvenile court judges are directly responsible in law and actual practice for admissions to NSD and for length of stay. Their decisions directly influence whether the youths being detained are appropriate for detention (based on the child and the offense) and whether or not the program is cost effective (resulting from length of stay and time from first detention until transfer to NSD).

The judges who responded to our survey indicated their support for the program; yet, in some Districts the program has been terminated or threatened with termination due to misuse -- inappropriate detentions and excessive lengths of stay. Previous recommendations have emphasized the need for YSPO and the local NSD programs to keep the judiciary informed as to program use and needs.

3. OVERALL CONCLUSIONS

The purpose of this evaluation has been to identify the philosophy, function, and performance of the NSD program's operations and management. The following summary conclusions are appropriate:

- . NSD does seem to substitute for Secure Detention with less coercion and less cost;
- . NSD does not appear to widen the detention net;
- . While program improvements are possible, the problems they correct are not major; and
- . While the program may sometime be misused by the judges, it receives their strong support.

END