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SECURE DETENTION
NEEDS ASSESSMENT



SECURE DETENTION NEEDS ASSESSMENT

Crawford, Hancock, Hardin,

Seneca, and Wyandot Counties, Ohio

U.S. Department of Justice
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Prepared under grant #79-JS-AX-0001 from the Office of Juvenile Justice and Delinquency Prevention, Law Enforcement Assistance Administration, U.S. Department of Justice.

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ACKNOWLEDGEMENTS

The National Council on Crime and Delinquency and the Association for Juvenile Justice in Ohio would like to thank the Juvenile Court Judges and their staffs, the Sheriffs and their staffs, and the County Commissioners in Crawford, Hancock, Hardin, Seneca, and Wyandot counties for their gracious assistance during the preparation of this study. In addition, we are grateful to the staffs of the Seneca County Youth Center and the Richland County Attention Center for allowing us access to their facilities, and to Michael Donovan, Executive Director of the Human Services Law Centre in Columbus for providing information on the law.

Special thanks are due staff members of NCCD's Office of Social Justice for Young People for their assistance, particularly to John Graves who helped with the data collection and analysis and Linda Sheridan who assisted with the compilation and analysis of the data. At AJJO, Richard Moss and Sue Phillips participated in the collection and the analysis of data, and Molly Holden was responsible for handling the myriad of administrative details involved in this complex study.

This report is organized with the data and analysis for each county contained in a separate section. The recommendations at the end apply to all five counties. We hope the information contained in this report will help the five counties to improve their treatment of youths in trouble with the law.

SECURE DETENTION NEEDS ASSESSMENT

Crawford, Hancock, Hardin,

Seneca, and Wyandot Counties, Ohio

This study was conducted by the National Council on Crime and Delinquency (NCCD), in conjunction with the Association for Juvenile Justice in Ohio (AJJO), at the request of the Honorable Frederick H. Baerkircher, Juvenile and Probate Judge, Crawford County; the Honorable Allan H. Davis, Juvenile and Probate Judge, Hancock County; the Honorable Burke E. Smith, Juvenile and Probate Judge, Hardin County; the Honorable Gerald D. Meyer, Juvenile and Probate Judge, Seneca County; and the Honorable John G. Hunter, Juvenile and Probate Judge, Wyandot County. The final report was prepared by NCCD.

The purposes of this study are 1) to examine secure detention practices and procedures; 2) to assess the appropriateness of secure detention for the sample detention populations; 3) to analyze and comment on court practices and procedures which directly or indirectly affect detention practices and procedures; and 4) to make specific recommendations about secure detention needs and practices. For purposes of this study, secure detention is defined as any placement in a locked facility prior to the first disposition of a case.

BACKGROUND

In May 1980, a Cleveland Legal Aid attorney informed AJJO staff that the Sheriff of Hancock County had just written to the Hancock County Juvenile Judge stating that juveniles were no longer to be held in the county jail unless:

1. they were 15 years of age, and
2. were charged with a felony, or
3. there was a record of confinement signed by the judge.

AJJO staff arranged to meet with Judge Davis and a committee of concerned citizens to explore alternatives to the use of the jail and at the same time requested technical assistance from NCCD. AJJO staff and a representative of

NCCD's Office of Social Justice for Young People in Hackensack, New Jersey, participated in a series of meetings with the judge and his committee.

While these meetings with Judge Davis and his committee were taking place, AJJO/NCCD staff learned that four other counties had similar problems and needs: Hardin, Crawford, Seneca, and Wyandot counties were using county and/or municipal jails to detain juveniles. AJJO/NCCD suggested, therefore, a joint meeting with appropriate county officials to examine the feasibility of conducting a five-county secure detention needs assessment. The needs assessment was begun in December 1980.

The five counties are located in rural Northwestern Ohio. The 1978 estimated census lists the county populations as follows: Crawford--49,400; Hancock--62,400; Hardin--32,600; Seneca--60,100; and Wyandot--21,800. Hancock and Seneca counties are the most populous and the most urban of the five counties and have the most significant juvenile crime problem. Hardin County, while not the least populated, is probably the most rural and has the least significant juvenile delinquency problem. Agriculture is the major industry in the five counties and there is some light industry. Ethnic or racial breakdowns were not available, but we were told in interviews that non-white groups make up a very small portion of the populations of the five counties.

METHOD

Information Collection

Information on secure detention policies and practices was obtained by examining the Ohio Revised Code and Ohio Rules of Juvenile Procedure and through interviews with persons involved in the secure detention process. Representatives of the following agencies were interviewed:

Crawford County Juvenile Court and Sheriff's Department
Bucyrus, Crestline, Galion, and New Washington Police Departments
Richland County Attention Center
Hardin County Juvenile Court and Sheriff's Department
Hancock County Juvenile Court and Sheriff's Department
Findlay, and Tiffin Police Departments
Seneca County Youth Center
Wyandot County Juvenile Court and Sheriff's Department
Upper Sandusky, Carey, and Sycamore Police Departments.

We examined case records from the juvenile courts in all five counties. Detention information from the Sheriffs' Departments was available in every county but Crawford. Because of the relatively small number of secure detention cases in Crawford, Hardin, and Wyandot counties, we looked at all secure detention files from January 1979 through November 1980. Seneca and Hancock counties handled a larger number of cases, and we chose to look at sample months in 1979 and 1980. The sample months for both years were January, April, July, and October.

The following information was gathered from the case records: 1) offense admitted for, 2) age, sex, and race, 3) prior offense history, 4) length of stay in secure detention, 5) dates of hearings held, 6) representation by counsel, and 7) disposition of cases. In all five counties the race of the juvenile was entered in the case record only if the juvenile was not white; all those juveniles whose case records did not indicate that he or she was nonwhite, are counted in this study as white.

Analysis

All five counties studied follow the guidelines for secure detention in Ohio statute and Rules of Procedure (see p.7). These guidelines are very vague and allow broad discretion on the part of intake and the court. Ohio currently has no specific guidelines or standards to help intake officers or the court interpret the preventive detention standard, "to protect the person and property of others or those of the child."

Model detention placement criteria are, however, available. Objective and specific detention criteria have been developed by the Institute of Judicial Administration/American Bar Association (IJA/ABA) (1977) and the National Advisory Committee for Juvenile Justice and Delinquency Prevention (NAC) (1980). See Appendix A for relevant standards from each set.

To determine the appropriateness of secure detention for the juveniles in our sample, we compared the records to two of the NAC criteria, current and prior charges. NAC standards also include, however, three other criteria which should be weighed when determining whether a youth is eligible for secure detention. They state that youths accused of committing minor delinquencies, violations of probation when the new charge is not a violent or serious felony, or status offenses are ineligible for secure detention unless they have a history of absconding, there is an outstanding warrant on them, or they request in writing that they be detained for their own safety. Because reasons for secure detention were not found in the official court records in any of the five counties, however, we were unable to apply these criteria in our analysis.

It should be stressed that the NAC standards clearly state a presumption against secure detention, even for those youths who are eligible under the criteria. The NAC believes that it is the responsibility of jurisdictions to provide alternatives to secure detention in the vast majority of cases, even those which involve violent and/or serious felonies.

The Community Research Forum of the University of Illinois at Urbana-Champaign compared counties which used the NAC detention criteria with those that did not. They found that counties which adhered to the criteria had much lower

rates of detention than those that did not, and that the counties with the lower detention rates did not have higher rates of rearrest or absconding (Community Research Forum, Prohibiting Secure Detention, 1979).

The IJA/ABA standards are in many ways similar to the NAC standards, and would also have been appropriate for purposes of this study. Because, however, of the lack of specificity in the criteria contained in Ohio law, they were not used as the basis for our analysis.

As we began to examine detention records, we found in all five counties files which did not contain sufficient information to permit solid analysis, and files which showed that youths were held only a few hours while waiting to be picked up by their parents. These cases were eliminated from the study.

Thus the findings in this report, and our recommendations are based on the records only of those youths who were actually detained and for whom we could obtain sufficient information to permit analysis. The analysis was further limited by our inability to determine the reason for detention of any of the juveniles studied. Therefore, the sample does not represent the entire population of detained youths. Also data are not complete for the sample studied. However, we believe we obtained sufficient information to allow us to make reasonable recommendations about detention practices and procedures and tentative recommendations about the number of secure detention beds needed for each county.

The total number of secure detention admissions which were studied during the sample time periods for each month was: Crawford--27; Hancock--65; Hardin--53; Seneca--106; Wyandot--45. The distribution for each county by month sampled is set forth in Table 1.

Table 1
Number of Secure Detention Cases Sampled
by Month and County

Month	County				
	Crawford	Hancock	Hardin	Seneca	Wyandot
1979					
January	1	6	1	12	2
February	3	*	--	*	2
March	--	*	--	*	3
April	1	8	--	17	2
May	--	*	3	*	2
June	--	*	5	*	3
July	3	1	--	8	1
August	3	*	--	*	5
September	--	*	3	*	--
October	--	31	5	17	2
November	--	*	2	*	3
December	--	*	3	*	1
1980					
January	--	8	2	26	3
February	3	*	6	*	--
March	1	*	3	*	5
April	2	7	5	20	3
May	4	*	--	*	4
June	1	*	4	*	--
July	2	2	6	2	1
August	1	*	1	*	1
September	1	*	--	*	1
October	1	2	2	4	--
November	--	*	2	*	1
Total	27	65	53	106	45

* Not sampled.

RESULTS AND DISCUSSION

The Present Juvenile Detention System

The decision to place a juvenile in secure detention is initiated at the police level. When a juvenile is taken into custody on a charge of a delinquent or status offense an "unruly" in Ohio, the police have the option of releasing him or her or of placing the youth in either secure or non-secure detention. Ohio Rules of Procedure clearly give preference to releasing a juvenile to his or her parents whenever possible (Ohio Rules of Juvenile Procedure, Rule 7 (B) (1)). The majority of juveniles taken into custody by the police, therefore, are released to parent or guardian pending hearings on their cases.

In all five counties, the police officer is required to seek authorization to detain a juvenile from a representative of the juvenile court, usually a chief probation officer or his or her deputy. In Bucyrus in Crawford County and Tiffin in Seneca County, however, the Juvenile Officer of the police department may authorize detention. In all five counties representatives of the juvenile courts are available by phone on a 24-hour-a-day, seven-day-a-week basis to authorize detentions.

Court representatives make detention decisions based on criteria set forth in the Ohio Revised Code and Ohio Rules of Juvenile Procedure. According to both, detentions may be approved for the following reasons:

to protect the person and property of others or those of the child, or [because] the child may abscond or be removed from the jurisdiction of the court, or [because] he has no parents, guardian, or custodian or other person able to provide supervision and care for him and return him to the court when required, [or because an order for his detention or shelter care has been made by the court] (Ohio Revised Code, Sec. 2151.31 and Ohio Rules of Juvenile Procedure, Rule 7(A)).*

Even after examination of court records and interviews with police officers, judges, and probation officers, it was difficult to get a clear picture of the intake procedures

* Bracketed language is from Ohio Revised Code.

for the five counties. AJJO/NCCD staff were left with the impression that the process was informal, consisted of telephone authorization of detention by a representative of the court.

The options available to court representatives appear to be limited. The first option is to deny the police officer's request for detention and to authorize the release of the juvenile to his or her parent or guardian. This option is used when the case does not meet the statutory criteria for detention.

The second option available to the court representative is to require the police officer to make further attempts to contact the juvenile's parents or another adult who will accept custody of the juvenile. The third option is to place the juvenile in a nonsecure detention facility. Only Crawford and Seneca counties, however, have nonsecure facilities available to them. Crawford County can use Keller Hall for unrulies, and Seneca County can use the Seneca County Youth Center to detain unrulies and minor delinquents. Hardin, Hancock, and Wyandot counties have available a small number of foster homes through the Department of Social Services for the nonsecure detention of unrulies, but they are rarely used for delinquents.

The fourth available option is to place a juvenile in a secure facility. This may be done only when the juvenile meets the statutory criteria. None of the five counties has a secure juvenile detention center. Crawford County has a contractual agreement with the Richland County Attention Center. Hancock County uses the Wood County Detention Center for secure detention of juveniles, but there is no contractual agreement. The remaining three counties use either county or municipal jails to securely detain juveniles. In most cases the municipal jails are only used to hold juveniles overnight or until they can be transferred to the county jail. Hardin County occasionally uses the Wood County juvenile facility.

Ohio Rules of Juvenile Procedure require that, when a child has been admitted to detention or shelter care, a hearing to determine whether detention or shelter care is required, shall be held no later than 72 hours after the child is placed or the next court day, whichever is earlier (Ohio Rules of Juvenile Procedure, Rule 7 (F) (1)). If the detention hearing is to be the next day, juveniles in Crawford County are usually held in the county jail overnight and are transported to the Richland Attention Center by a probation

officer after the hearing if detention is found to be appropriate. If the hearing is not to be held within 24 hours, the juvenile is transported to the Richland County facility as soon as possible.

Because the Hancock County Sheriff's Department will only accept juveniles over 15 who are charged with felonies or for whom there is a record of commitment signed by a judge, most juveniles to be detained have to be transported to the Wood County facility as quickly as possible.

If, at the hearing, the detention is found to be inappropriate the juvenile must be released from detention. If a juvenile is not released to the custody of his or her parent or guardian or another responsible adult custodian he or she must be transported back to the neighboring county's detention facility or returned to the county jail. In Crawford and Hancock Counties, juveniles must be transported back to court for each subsequent hearing from either Richland or Wood County. While this creates some problems for probation personnel, the distance is not more than 45 miles.

Juveniles not released at their detention hearings remain in detention for varying lengths of time. Some remain in detention until disposition of their cases.

Crawford County

Description of the Sample

A total of 20 youths in 1979 and 18 youths in 1980 were securely detained prior to disposition in Crawford County. Because of missing court records or insufficient data, the records of only 27 cases were examined for both years.

White males accounted for 78 percent (n=21) of the sample, and white females for 22 percent (n=6). Age, sex, and race distribution of the sample is shown in Table 2.

The typical male juvenile offender in the sample was 15.6 years old, and accused of committing a nonviolent but serious felony, usually breaking and entering. The typical female juvenile offender was 15.5 years old, and accused of violation of probation. See Table 3 for a breakdown of offense by sex.

Table 2
Age, Race, and Sex of Secure Detentions
Crawford County

Age in Years	Black		White		Hispanic	
	Male	Female	Male	Female	Male	Female
11	--	--	--	--	--	--
12	--	--	--	--	--	--
13	--	--	1	--	--	--
14	--	--	2	1	--	--
15	--	--	4	1	--	--
16	--	--	8	4	--	--
17	--	--	6	--	--	--
None given	--	--	--	--	--	--
Total	--	--	21	6	--	--
Percent	--	--	78	22	--	--

Table 3
Secure Detentions by Offense Charged and Sex
Crawford County

Offense Charged	Male	Female
Violent felony	1	0
Nonviolent felony	9	1
Other delinquency	4	0
Violation of a court order	1	3
Status offense	3	1
Nonoffender	1	0
Not on data sheet	2	1
Total	21	6

Eligibility

Table 4 shows that only 19 percent (n=5) of the detained juveniles in our sample were eligible for secure detention under the NAC Standards, and all or most of them would not have been eligible if a less restrictive alternative were available. Only one youth was charged with a violent crime against a person. The other four cases involved serious property offenses, usually breaking and entering. It could be argued that the accused juveniles did not present a threat to the safety of the community sufficient to warrant secure detention.

Juveniles charged with status offenses, minor delinquent acts, or violations of probation do not present a threat to the safety of the community and are not eligible for secure detention under NAC standards. If, because there is no adult available to assume responsibility or because a youth resides outside

Ohio Secure Detention

Table 4

NAC Eligibility for Secure Detention Based on Current Charges and Prior Adjudications
Crawford County

Priors*	Current Charge						
	Violent felony	Nonviolent felony	Other delinquency	Violation of a court order	Status offense	Non-offender	Not on data sheet
Violent felony	---**	---**	--	--	--	--	--
Nonviolent felony	1**	4**	--	1	--	--	--
Other delinquency	--	4	2	2	1	--	3
Violation of a court order	--	--	--	--	--	--	--
Status offense	--	2	2	1	2	1	--
Nonoffender	--	--	--	--	--	--	--
No priors	--	--	--	--	--	--	--
Not on data sheet	--	--	--	--	1	--	--

* Most serious prior adjudication only; does not include multiple priors.

** NAC eligible for secure detention.

the county, he or she cannot be released, these youths are appropriate for placement in nonsecure alternatives to secure detention. (See Recommendations and (Appendix B.) If non-secure alternatives are not available, a nonsecure detention facility, e.g., Keller Hall, is preferable to placement at the Richland County Attention Center or the Bucyrus Jail. Table 5 shows the offenses for which juveniles were detained by month, and Table 6 shows their places of residence.

Length of Stay

The mean predispositional length of stay for our sample was 8.6 days, and 70 percent (n=19) of the sample spent 5-15 days in secure detention. Table 7 is a frequency distribution of the length of stay for juveniles in detention.

Because of the practice of holding youths in secure detention after disposition of their cases and while they are awaiting placement, we also examined the records of 15 such cases.

Four of these youths had not been securely detained prior to disposition. All four of them had appeared at their scheduled court hearings. One of the four was awaiting transport to a psychiatric hospital, but there was nothing in his record to show that his behavior constituted a threat to the community.

The average length of stay in postdispositional secure detention for these 15 juveniles was 7.9 days; a frequency distribution is set forth in Table 8.

Legal Representation

Table 9 shows how many juveniles charged with status or delinquent offenses were represented by counsel. The majority, 18 of the 27 youths in our sample did not have legal representation. There were no data in 7 cases.

Number of Secure Detention Beds Required

Using the data provided in case records as a basis we have determined that Crawford County requires only 1 secure detention bed. Juvenile justice officials stated in interviews that violent juvenile offenses are very rare in the county. It appears, therefore, that few youths would need to be securely detained because they pose a threat to the safety of the community. In fact, only five youths in our sample were eligible

Ohio Secure Detention

Table 5
Offense Charged by Month
Crawford County

Month*	Offense Charged						Not on data sheet
	Violent felony	Nonviolent felony	Other delinquency	Violation of a court order	Status offense	Non-offender	
January	--	--	--	--	--	1	--
February	1	4	--	--	--	--	1
March	--	--	1	--	--	--	--
April	--	--	2	1	--	--	--
May	--	--	--	3	--	--	1
June	--	1	--	--	--	--	--
July	--	4	--	--	1	--	--
August	--	1	--	--	2	--	1
September	--	--	--	--	1	--	--
October	--	--	1	--	--	--	--
November	--	--	--	--	--	--	--
December	--	--	--	--	--	--	--
Total	1	10	4	4	4	1	3
Percent**	4	37	15	15	15	4	11

* 1979 and 1980 combined.

** May not equal 100 percent because of rounding.

Ohio Secure Detention

Table 6
Place of Residence by Month
Crawford County

Month*	Crawford County	Other county in region	Other Ohio county	Out of state	Not on data sheet
January	1	--	--	--	--
February	6	--	--	--	--
March	1	--	--	--	--
April	3	--	--	--	--
May	4	--	--	--	--
June	--	--	--	--	1
July	3	--	--	--	2
August	3	--	--	--	1
September	1	--	--	--	--
October	1	--	--	--	--
November	--	--	--	--	--
December	--	--	--	--	--
Total	23	--	--	--	4
Percent	85	--	--	--	15

* 1979 and 1980 combined.

Table 7

Predispositional Length of Stay by Month of Detention
Crawford County

Month*	Length of Stay in Days					
	1 or less	2-4	5-15	16-20	21-30	31+
January	--	--	1	--	--	--
February	--	1	5	--	--	--
March	1	--	--	--	--	--
April	1	1	1	--	--	--
May	--	2	--	2	--	--
June	--	--	1	--	--	--
July	--	--	5	--	--	--
August	--	--	4	--	--	--
September	--	--	1	--	--	--
October	--	--	1	--	--	--
November	--	--	--	--	--	--
December	--	--	--	--	--	--
Total	2	4	19	2	--	--
Percent**	7	15	70	7	--	--

* 1979 and 1980 combined.

** May not equal 100 percent because of rounding.

Table 8

Postdispositional Length of Stay by Month
Crawford County

Month*	Length of Stay in Days						
	1-5	6-15	16-31	32-40	41-50	51-60	61+
January	--	--	--	--	--	--	--
February	3	--	--	--	--	--	--
March	--	--	--	--	--	--	--
April	1	--	1	--	--	--	--
May	--	1	--	--	--	--	--
June	--	1	--	--	--	--	--
July	--	1	--	--	--	--	--
August	--	2	--	--	--	--	--
September	--	3	--	--	--	--	--
October	--	--	--	--	--	--	--
November	1	--	--	--	--	--	--
December	1	--	--	--	--	--	--
Total	6	8	1	--	--	--	--
Percent	40	53	7	--	--	--	--

* 1979 and 1980 combined.

Table 9

Legal Representation by Offense Category
Crawford County

Offense category	Had counsel	Did not have counsel	Not on data sheet
Status offense	--	2	2
Won offender	--	1	--
Delinquency	2	15	2
Charge not on data sheet	--	--	3

for secure detention based only on current and prior charges, and only one of these was charged with a violent felony. If the other information needed for determining NAC eligibility were available, it is questionable if all of these five youths would have been appropriate for secure detention.

Hancock CountyDescription of the Sample

A total of 96 youths in the sample months in 1979 and 52 youths in the sample months in 1980 were securely detained prior to disposition in Hancock County. After elimination of records with insufficient data and cases of juveniles who were held only for a short time awaiting their parents' arrival and who did not have court cases opened, a total of 65 records were examined. Males made up 78 percent (n=51) of the sample and females 22 percent (n=14). Whites accounted for 95 percent (n=62) of the sample, and 5 percent (n=3) were Hispanic. Table 10 shows the age, sex, and race of all youth in our sample. The typical male detained juvenile was white, 15.4 years old, and charged with a serious property offense, usually breaking and entering. The typical detained female was white, 14.9 years old, and accused

Table 10

Age, Race, and Sex of Secure Detentions
Hancock County

Age in Years	Black		White		Hispanic	
	Male	Female	Male	Female	Male	Female
11	--	--	--	--	--	--
12	--	--	--	--	--	--
13	--	--	4	1	--	--
14	--	--	9	4	--	--
15	--	--	9	4	--	--
16	--	--	15	3	1	--
17	--	--	11	1	1	1
None given	--	--	1	--	--	--
Total	--	--	49	13	2	1
Percent	--	--	75	20	3	2

Ohio Secure Detention

of being unruly or of committing a violation of a court order. See Table 11 for a complete breakdown of offense admitted for and sex.

Table 11

Secure Detentions by Offense Charged and Sex
Hancock County

Offense Charged	Male	Female
Violent felony	2	--
Nonviolent felony	21	--
Other delinquency	12	2
Violation of a court order	10	6
Status offense	4	6
Nonoffender	--	--
Not on data sheet	2	--
Total	51	14

Eligibility

Only 12 percent (n=8) of our sample was eligible for secure detention under NAC criteria as shown in Table 12. Only one of these youths was accused of committing a violent crime against a person. In fact, during our sample period, the county held only two youths who allegedly committed violent crimes. Only one of the youths had a history of a serious felony adjudication and was therefore eligible for secure detention under NAC criteria. Seven of

Table 12

NAC Eligibility for Secure Detention Based on Current Charges and Prior Adjudications
Hancock County

Priors*	Current Charge						
	Violent felony	Nonviolent felony	Other delinquency	Violation of a court order	Status offense	Non-offender	Not on data sheet
Violent felony	---**	---**	1	--	--	--	--
Nonviolent felony	1**	7**	2	2	--	--	1
Other delinquency	1	2	3	5	1	--	--
Violation of a court order	--	--	--	--	--	--	--
Status offense	--	--	--	5	4	--	--
Nonoffender	--	1	--	--	--	--	--
No priors	--	11	8	4	3	--	1
Not on data sheet	--	--	--	--	2	--	--

* Most serious prior adjudication only; does not include multiple priors.

** NAC eligible for secure detention.

the eight NAC-eligible juveniles were accused of committing nonviolent felonies, usually breaking and entering. If alternatives to secure detention were available to the court, many of the eligible youths might not have required detention.

Table 13 shows offenses for which youths were detained by month. Nonviolent property crimes accounted for 32 percent (n=21) of detentions; only 3 percent (n=2) of the sample were charged with violent felonies. The county detained 10 unrulies who accounted for 15 percent of the sample.

Table 14 shows the distribution of cases by month and place of residence. Youths who lived outside the county comprised 25 percent (n=16) of the sample. All but one of these youths were ineligible for secure detention under NAC criteria and could have been placed in alternatives to secure detention if no responsible adult were available.

Length of Stay

The average length of stay in detention was 3.5 days; 38 percent (n=25) of the sample stayed 1 day or less and 38 percent (n=25) stayed 2 to 4 days in detention. A frequency distribution for predispositional length of stay is shown in Table 15.

Nine youths were held in detention after disposition, at an average length of stay of 8.4 days. (See Table 16). Two were at the dispositional hearing ordered securely confined pending placement. Both youths appeared at all scheduled court hearings. There was no indication in the court records that either would abscond when they learned that they were going into residential placement.

Legal Representation

The majority of juveniles in our sample -- 60 percent (n=6) of the unrulies and 66 percent (n=35) of the delinquency cases -- did not have legal representation at any stage of the court proceedings. (See Table 17).

Number of Secure Detention Beds Required

According to our analysis, Hancock County needs only three secure detention beds. Representatives of the county juvenile

Table 13
Offense Charged by Month
Hancock County

Offense Charged	Month*				Total	Percent
	January	April	July	October		
Violent felony	--	1	--	1	2	3
Nonviolent felony	1	6	--	14	21	32
Other delinquency	4	2	1	7	14	22
Violation of a court order	3	3	2	8	16	25
Status offense	5	3	--	2	10	15
Nonoffender	--	--	--	--	--	--
Not on data sheet	1	--	--	1	2	3

* 1979 and 1980 sample months combined.

Table 14
Place of Residence by Month
Hancock County

	Month *				Total	Percent
	January	April	July	October		
Hancock County	10	13	2	23	48	74
Other county in region	--	--	--	2	2	3
Other Ohio county	1	--	1	2	4	6
Out of state	2	2	--	6	10	15
Not on data sheet	1	--	--	--	1	2

* 1979 and 1980 sample months combined.

Ohio Secure Detention

Table 15

Predispositional Length of Stay by Month of Detention
Hancock County

Month*	Length of Stay in Days					
	1 or less	2-4	5-15	16-20	21-30	31+
January	6	3	5	--	--	--
April	3	6	5	--	1	--
July	1	2	--	--	--	--
October	15	14	3	1	--	--
Total	25	25	13	1	1	--
Percent	38	38	20	2	2	--

* 1979 and 1980 combined.

Table 16

Postdispositional Length of Stay by Month
Hancock County

Month*	Length of Stay in Days						
	1-5	6-15	16-31	32-40	41-50	51-60	61+
January	2	--	1	--	--	--	--
April	1	2	--	--	--	--	--
July	--	--	--	--	--	--	--
October	1	2	--	--	--	--	--
Total	4	4	1	--	--	--	--
Percent**	44	44	11	--	--	--	--

* 1979 and 1980 combined.

** Total percent may not equal 100 percent because of rounding.

Table 17

Legal Representation by Offense Category
Hancock County

Offense category	Had counsel	Did not have counsel	Not on data sheet
Status offense	1	6	3
Nonoffender	--	--	--
Delinquency	14	35	4
Charge not on data sheet	--	2	--

justice system reported that violent juvenile crime is not an extremely serious problem. Only two youths in our sample were charged with violent crimes against persons. Therefore, few youths need to be detained as threats to the public safety. Only eight youths in our sample would be eligible for secure detention according to NAC standards regarding current and prior charges. If the other information needed for determining NAC eligibility had been available in the court files, however, many or all of these eight may have failed to meet the criteria. Three secure detention beds would be more than adequate if the county adopted specific detention criteria such as the NAC standards.

Hardin CountyDescription of the Sample

Hardin County securely detained a total of 43 juveniles prior to disposition in 1979 and 56 in 1980. After eliminating short stays and insufficient data, we were left with a sample of 100 cases. Of these, 91 percent (n=48) were white males and 9 percent (n=5) were white females. See Table 18 for a complete frequency distribution by age, sex, and race.

The typical male detained was 15.9 years old and accused of having committed a nonfelony delinquent act. The typical

Table 18
Age, Race, and Sex of Secure Detentions
Hardin County

Age in Years	Black		White		Hispanic	
	Male	Female	Male	Female	Male	Female
11	--	--	--	--	--	--
12	--	--	--	--	--	--
13	--	--	1	--	--	--
14	--	--	6	--	--	--
15	--	--	10	1	--	--
16	--	--	9	3	--	--
17	--	--	20	1	--	--
None given	--	--	2	--	--	--
Total	--	--	48	5	--	--
Percent	--	--	91	9	--	--

female was 16 years old and had allegedly committed either a minor delinquency or a status offense. Table 19 presents offense distribution by sex for the two-year sample period.

Table 19
Secure Detentions by Offense Charged and Sex
Hardin County

Offense Charged	Male	Female
Violent felony	1	--
Nonviolent felony	8	--
Other delinquency	18	3
Violation of a court order	11	--
Status offense	6	2
Nonoffender	--	--
Not on data sheet	4	--
Total	48	5

Eligibility

According to the NAC criteria for which information was available (current and prior charges), only one youth in the sample was eligible for secure detention (see Table 20). None of the eight youths accused of nonviolent felonies had histories of violent or nonviolent felony adjudications.

Table 21 shows the offenses for which juveniles were admitted to secure detention by month. Although reasons for detention were not available, we learned from discussions with juvenile justice personnel in the county that there is a very low rate of absconding. In all likelihood, therefore, none of the juveniles detained were eligible by NAC criteria.

Table 22 shows that 11 percent (n=6) of the sample resided outside of the county. As shown above, these youths were not

Ohio Secure Detention

Table 20

NAC Eligibility for Secure Detention Based on Current Charges and Prior Adjudications
Hardin County

Priors*	Current Charge						
	Violent felony	Nonviolent felony	Other delinquency	Violation of a court order	Status offense	Non-offender	Not on data sheet
Violent felony	--	---**	--	--	--	--	--
Nonviolent felony	--	1**	--	--	2	--	--
Other delinquency	--	3	9	3	--	--	1
Violation of a court order	--	--	1	--	--	--	--
Status offense	1	--	3	4	2	--	1
Nonoffender	--	--	--	--	--	--	--
No priors	--	4	8	4	4	--	2
Not on data sheet	--	--	--	--	--	--	--

* Most serious prior adjudication only; does not include multiple priors.

** NAC eligible for secure detention.

Table 21

Offense Charged by Month
Hardin County

Month*	Offense Charged						
	Violent felony	Nonviolent felony	Other delinquency	Violation of a court order	Status offense	Non- offender	Not on data sheet
January	--	--	3	--	--	--	--
February	--	2	4	--	--	--	--
March	--	--	--	2	1	--	--
April	--	1	1	2	--	--	1
May	--	--	2	1	--	--	--
June	1	--	4	2	--	--	2
July	--	3	--	1	1	--	1
August	--	--	--	--	1	--	--
September	--	--	1	1	1	--	--
October	--	2	4	1	--	--	--
November	--	--	1	1	2	--	--
December	--	--	1	--	2	--	--
Total	1	8	21	11	8	--	4
Percent**	2	15	40	21	15	--	8

* 1979 and 1980 combined.

** May not equal 100 percent because of rounding.

Table 22
Place of Residence by Month
Hardin County

Month*	Hardin County	Other county in region	Other Ohio county	Out of state	Not on data sheet
January	3	--	--	--	--
February	5	--	1	--	--
March	3	--	--	--	--
April	5	--	--	--	--
May	3	--	--	--	--
June	7	2	--	--	--
July	6	--	--	--	--
August	1	--	--	--	--
September	2	--	--	1	--
October	7	--	--	--	--
November	2	--	--	2	--
December	3	--	--	--	--
Total	47	2	1	3	--
Percent**	89	4	2	6	--

* 1979 and 1980 combined.

** May not equal 100 percent because of rounding.

otherwise eligible for detention and could have waited for their parents or guardians in nonsecure alternatives such as a short-term (up to 72 hours) holding facility.

Length of Stay

Table 23 is a frequency distribution of the length of stay in predispositional secure detention for juveniles during our sample period. The average length of stay was 5.4 days; 34 percent (n=18) of the sample stayed 1 day or less and 30 percent (n=16) stayed for 5 to 15 days. Only 2 percent of the sample (n=1) stayed for more than 30 days.

There were 20 youths detained following disposition, 15 of whom were awaiting residential placement. Of those 15, 4 had not been securely confined until their dispositional hearings, and all had appeared at all court hearings. There was no indication in their files that they presented a risk of absconding if they remained at home or in a nonsecure setting while awaiting placement. In addition, 2 of the 15 were held 29 days each, and then released to their parents to await OYC placement. Of the remainder, 3 youths were placed in the county jail for violation of probation, and 1 at the request of his mother. Finally, 1 youth was securely confined for a period after disposition, and then released into the custody of the chief probation officer. The average length of postdispositional detention was 13.5 days (see Table 24 for frequency distribution).

Legal Representation

As shown on Table 25, 53 percent (n=28) of the youth in the sample, including 88 percent (n=7) of the unrulies, had legal counsel according to court records.

Table 23

Predispositional Length of Stay by Month of Detention
Hardin County

Month*	Length of Stay in Days					
	1 or less	2-4	5-15	16-20	21-30	31+
January	1	--	2	--	--	--
February	1	--	4	--	1	--
March	1	--	2	--	--	--
April	1	3	1	--	--	--
May	1	--	2	--	--	--
June	4	1	3	1	--	--
July	2	3	--	--	--	1
August	--	1	--	--	--	--
September	--	1	1	1	--	--
October	4	3	--	--	--	--
November	2	1	1	--	--	--
December	1	2	--	--	--	--
Total	18	15	16	2	1	1
Percent	34	28	30	4	2	2

* 1979 and 1980 combined.

Table 24

Postdispositional Length of Stay by Month
Hardin County

Month*	Length of Stay in Days						
	1-5	6-15	16-31	32-40	41-50	51-60	61+
January	--	1	1	--	--	--	--
February	--	1	4	--	--	--	--
March	2	--	--	--	--	--	--
April	--	--	1	--	--	--	--
May	--	1	--	--	--	--	--
June	--	1	--	--	--	--	--
July	1	--	1	--	--	--	--
August	--	--	--	--	--	--	--
September	1	1	1	--	--	--	--
October	--	1	--	--	--	--	--
November	2	--	--	--	--	--	--
December	--	--	--	--	--	--	--
Total	6	6	8	--	--	--	--
Percent	30	30	40	--	--	--	--

* 1979 and 1980 combined.

Table 25

Legal Representation by Offense Category
Hardin County

Offense category	Had counsel	Did not have counsel	Not on data sheet
Status offense	7	1	--
Nonoffender	--	--	--
Delinquency	20	21	--
Charge not on data sheet	1	3	--

Number of Secure Detention Beds Required

According to our analysis of the data, Hardin County requires only one secure detention bed. During our sample periods the county admitted only one youth who was charged with a violent felony against a person. We were told by county juvenile justice officials that violent juvenile crime is not a significant problem in the county. If the other information needed to determine NAC eligibility were available in court files, the one youth who would have been eligible for secure detention based on current and prior charges may not have remained eligible. If the county adopts more specific criteria for determining eligibility for secure detention, one secure bed would be more than sufficient.

Seneca County

Description of the Sample

During the sample months in 1979 59 youths were admitted to the Seneca County Detention Center, and 47 youths were admitted during the sample months in 1980. We examined 106 cases for which adequate data were available.

As of July 1, 1980, the Seneca County Detention Center was officially reclassified as a nonsecure facility. The effect on the number of admissions during July and October of that year, our last two sample months, was drastic; only two youths were admitted during July and only four during October, compared with eight and seventeen admissions to secure detention during the corresponding months the previous year. (Because of this change of policy, the table showing offense classification by month has been presented for each year, rather than for both years together as was done for the other counties.) The significance of this marked decrease will be discussed below.

Males accounted for 58 percent (n=62) of the youth sampled and females for 42 percent (n=44). Of the total, 98 percent (n=104) were white and 2 percent (n=2) Hispanic. Table 26 sets forth the age, sex, and race distribution of the sample.

The typical detained male was 15.4 years old and charged with either a violation of a court order or a minor delinquency. The average female was 15.2 years old and charged with a violation of probation or a status offense. Table 27 shows a breakdown of offense by sex.

Table 26

Age, Race, and Sex of Secure Detentions
Seneca County

Age in Years	Black		White		Hispanic	
	Male	Female	Male	Female	Male	Female
11	--	--	1	--	--	--
12	--	--	2	--	--	--
13	--	--	3	3	--	--
14	--	--	11	6	--	--
15	--	--	10	19	--	--
16	--	--	19	7	1	--
17	--	--	14	7	1	--
None given	--	--	--	2	--	--
Total	--	--	60	44	2	--
Percent*	--	--	57	42	2	--

* May not equal 100 percent because of rounding.

Table 27

Secure Detentions by Offense Charged and Sex
Seneca County

Offense Charged	Male	Female
Violent felony	5	--
Nonviolent felony	13	--
Other delinquency	16	7
Violation of a court order	15	19
Status offense	12	18
Nonoffender	1	--
Not on data sheet	--	--
Total	62	44

Eligibility

According to the NAC criteria for which information was available (current and prior charges) only four percent (n=4) of the youths sampled were eligible for secure detention (see Table 28). Only one of these four was charged with a violent felony, the remaining three youth with serious property offenses. In line with the NAC standards' presumption against secure confinement, unless the three youth charged with serious property offenses presented a documented threat to the community or themselves or had histories of absconding, they would not be eligible for secure detention.

As shown in Table 29, only 17 percent (n=18) of juveniles sampled was charged with either violent or serious felonies, compared with 32 percent (n=34) charged with violation of probation and 28 percent (n=30) charged with status offenses. Charges of nonfelony offenses accounted for 83 percent (n=88) of the detentions studied.

Table 30 presents a distribution of cases by residence.

Ohio Secure Detention

21 percent (n=22) did not live in the county. Unless they were otherwise eligible for secure detention, under NAC criteria these youths should have been sent to nonsecure alternatives or to a nonsecure detention facility to await their parents or guardians.

Table 28

NAC Eligibility for Secure Detention Based on Current Charges and Prior Adjudications
Seneca County

Priors*	Current Charge						
	Violent felony	Nonviolent felony	Other delinquency	Violation of a court order	Status offense	Non-offender	Not on data sheet
Violent felony	---**	---**	--	1	--	--	--
Nonviolent felony	1**	3**	--	1	--	--	--
Other delinquency	1	5	5	9	3	--	--
Violation of a court order	--	--	2	4	1	--	--
Status offense	--	--	1	14	3	--	--
Nonoffender	--	--	3	1	1	--	--
No priors	3	5	12	4	22	1	--
Not on data sheet	--	--	--	--	--	--	--

* Most serious prior adjudication only; does not include multiple priors.

** NAC eligible for secure detention.

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Table 29
Offense Charged by Month
Seneca County

Months*	Current Charge						
	Violent felony	Nonviolent felony	Other delinquency	Violation of a court order	Status offense	Non-offender	Not on data sheet
1979							
January	3	1	1	3	4	--	--
April	--	1	5	4	7	--	--
July	--	--	2	1	4	1	--
October	--	2	5	8	2	--	--
Total	3	4	13	16	17	1	--
Percent	6	7	24	30	31	2	--
1980							
January	--	5	5	9	7	--	--
April	1	3	3	8	5	--	--
July	1	--	--	--	1	--	--
October	--	1	2	1	--	--	--
Total	2	9	10	18	13	--	--
Percent	4	17	19	35	25	--	--

* Sample months.

Ohio Secure Detention

Ohio Secure Detention

Table 30

Place of Residence by Month
Seneca County

Month*	Seneca County	Other county in region	Other Ohio county	Out of state	Not on data sheet
January	34	--	--	2	2
April	13	--	2	18	4
July	9	--	--	--	1
October	21	--	--	--	--
Total	77	--	2	20	7
Percent**	73	--	02	19	07

* 1979 and 1980 sample months combined.

** May not equal 100 percent because of rounding.

Length of Stay

Table 31 is a frequency distribution of the predispositional lengths of stay for the sample. The average predispositional length of stay was 10.9 days, the longest of the five counties studied. Of youths placed in secure predispositional detention during the sample months, 35 percent (n=37) were held for one day or less, and 21 percent (n=22) for from two to four days. But 11 percent (n=12) were held for 31 days or more. NAC standards state that a maximum of 30 days from entry into detention until disposition is appropriate and that detention for longer than 30 days is excessive.

During the months sampled, 42 youths were held in secure detention after disposition of their cases. Of these, 19 were sentenced to the Center, despite the fact that using the same facility to house both detained and sentenced youths obviously increases the number of beds required. The average length of stay for all youths either sentenced to the Center or awaiting transport to other postdispositional placements was 41.7 days; for detained youth only, the average length of stay was 35.2 days; for sentenced youths only, average stay was 64.8 days (see Table 32 for frequency distribution).

Table 31
Predispositional Length of Stay by Month by Detention
Seneca County

Month*	Length of Stay in Days					
	1 or less	2-4	5-15	16-20	21-30	31+
1979						
January	1	2	5	1	2	1
April	8	2	6	--	1	--
July	2	1	1	--	1	3
October	6	3	3	2	--	3
Total	17	8	15	3	4	7
Percent**	32	15	28	6	7	13
1980						
January	7	10	2	3	2	2
April	10	3	2	1	1	3
July	1	1	--	--	--	--
October	2	--	1	--	1	--
Total**	20	14	5	4	4	5
Percent***	39	27	10	8	8	10

* Sample months.

** May not equal 100 percent because of rounding.

Ohio Secure Detention

Table 32

Postdispositional Length of Stay by Month
Seneca County

Month*	1-5	6-15	16-31	32-40	41-50	51-60	61+
January	--	3	4	--	3	1	5
April	1	3	5	1	--	--	5
July	--	1	2	--	--	--	--
October	1	--	3	--	--	--	4
Total	2	7	14	1	3	1	14
Percent**	5	17	33	2	7	2	33

* 1979 and 1980 sample months combined.

** May not equal 100 percent because of rounding.

Legal Representation

Of the sample, 67 percent (n=71) are known to have had legal representation (see Table 33).

Table 33

Legal Representation by Offense Category
Seneca County

Offense category	Had counsel	Did not have counsel	Not on data sheet
Status offense	24	4	2
Nonoffender	--	1	--
Delinquency	47	12	16
Charge not on data sheet	--	--	--

Number of Secure Detention Beds Needed

We have determined that Seneca needs two secure detention beds. During our sample periods only five youth were detained for violent offenses, and only four of those met NAC criteria for secure detention. We were told by juvenile justice personnel that violent juvenile crime is not a significant problem in the county and that few juveniles need to be detained because they pose a threat to the safety of the community. If the other information required for determining NAC eligibility were available in court files, it is doubtful that all four youths found eligible under the two criteria used would have been appropriate for secure detention. Two secure detention beds would be more than adequate for the county if specific detention criteria are adopted.

As noted earlier, Seneca County had the longest average length of stay in secure detention of the five counties studied. We attribute this to the fact that it is the only one of the five that, until July 1, 1980, operated its own secure detention facility. Statistics from other parts of the country show that when secure detention beds are available they are used.

It is significant that the number of youths securely detained dropped drastically to roughly one quarter of the previous level following the reclassification, when it became necessary to transport youths to and from neighboring counties or place them in the county jail. This sharp reduction leads us to the conclusion that the county was securely detaining large numbers of youths unnecessarily prior to the reclassification.

Wyandot CountyDescription of the Sample

Wyandot detained youths in 1979 and youths in 1980.* After discarding cases with insufficient data or because of no court file was ever opened, we examined case records of 45 detentions.

White males made up 80 percent (n=36) and white females the other 20 percent (n=9) of the sample. See Table 34 for the age, sex, and race of the juveniles in the sample.

The typical male in the sample was 15.9 years old and charged with a violation of a court order. The typical female was 15.3 years old and charged with a status offense. See Table 35 for a breakdown of offense admitted for by sex.

* We were unable to obtain the final detention figures.

Table 34

Age, Race, and Sex of Secure Detentions
Wyandot County

Age in Years	Black		White		Hispanic	
	Male	Female	Male	Female	Male	Female
11	--	--	--	--	--	--
12	--	--	--	--	--	--
13	--	--	1	1	--	--
14	--	--	3	1	--	--
15	--	--	7	3	--	--
16	--	--	13	2	--	--
17	--	--	12	2	--	--
None given	--	--	--	--	--	--
Total	--	--	36	9	--	--
Percent	--	--	80	20	--	--

Table 35

Secure Detentions by Offense Charged and Sex
Wyandot County

Offense charged	Male	Female
Violent felony	1	--
Nonviolent felony	9	1
Other delinquency	9	2
Violation of a court order	12	2
Status offense	5	4
Nonoffender	--	--
Not on data sheet	--	--
Total	36	9

Eligibility

None of the 45 youths was eligible for secure detention under the two NAC criteria we used. The most serious charge among the cases analyzed was a threatened assault with a gun. The youth had no prior offense record and was therefore ineligible under NAC criteria. See Table 36 for current and prior offenses of the sample.

Table 37 presents the offenses committed by month. Only 2 percent of the sample --only one youth-- was charged with a violent felony; 22 percent (n=10) were charged with nonviolent felonies, usually breaking and entering, and 31 percent (n=14) were charged with violation of a court order.

Table 38 shows that 11 percent (n=5) of the sample lived outside of the county. Only one of these youths was charged with a serious felony, and it is questionable from the file if he should have been securely detained. From the information available to us, alternatives to secure detention would have been appropriate for all of the youth in our sample.

Table 36

NAC Eligibility for Secure Detention Based on Current Charges and Prior Adjudications
Wyandot County

Priors*	Current Charge						
	Violent felony	Nonviolent felony	Other delinquency	Violation of a court order	Status offense	Non-offender	Not on data sheet
Violent felony	---**	---**	--	--	--	--	--
Nonviolent felony	---**	---**	2	2	--	--	--
Other delinquency	--	3	3	2	--	--	--
Violation of a court order	--	--	--	2	--	--	--
Status offense	--	1	2	1	3	--	--
Nonoffender	--	1	--	--	1	--	--
No priors	1	5	4	7	5	--	--
Not on data sheet	--	--	--	--	--	--	--

* Most serious prior adjudication only; does not include multiple priors.

** NAC eligible for secure detention.

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Table 37

Offense Charged by Month
Wyandot County

Month*	Offense Charged						
	Violent felony	Nonviolent felony	Other delinquency	Violation of a court order	Status offense	Non-offender	Not on data sheet
January	--	2	2	--	1	--	--
February	1	--	--	1	--	--	--
March	--	2	1	2	3	--	--
April	--	1	--	2	2	--	--
May	--	--	5	--	1	--	--
June	--	--	1	2	--	--	--
July	--	1	1	--	--	--	--
August	--	2	--	3	1	--	--
September	--	--	--	1	--	--	--
October	--	1	--	1	--	--	--
November	--	--	1	2	1	--	--
December	--	1	--	--	--	--	--
Total	1	10	11	14	9	--	--
Percent**	2	22	24	31	20	--	--

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* 1979 and 1980 combined.

** May not equal 100 percent because of rounding.

Table 38
Place of Residence by Month
Wyandot County

Month*	Wyandot County	Other county in region	Other Ohio county	Out of state	Not on data sheet
January	5	--	--	--	--
February	2	--	--	--	--
March	8	--	--	--	--
April	4	1	--	--	--
May	4	2	--	--	--
June	2	--	--	1	--
July	2	--	--	--	--
August	5	--	1	--	--
September	1	--	--	--	--
October	2	--	--	--	--
November	4	--	--	--	--
December	1	--	--	--	--
Total	40	3	1	1	--
Percent	89	7	2	2	--

* 1979 and 1980 combined.

Length of Stay

The average length of stay in predispositional detention was 3.4 days. As shown in Table 39, 40 percent (n=18) of our sample stayed for one day or less, and 33 percent (n=15) stayed two to four days in detention.

There were 16 youths held in detention after disposition, including one juvenile who did not enter the detention facility until the dispositional hearing. The average length of post-dispositional stay was 37.4 days. There were excessive lengths of postdispositional stays. One youth was held for 260 days, another for 90 days, and another for 79 days. According to NAC standards no juvenile should have to sit in a secure facility for months awaiting placement; if a suitable placement cannot be found within a reasonable length of time, e.g., 30 days, the court should make an alternative disposition. See Table 40 for a frequency distribution of postdispositional lengths of stay.

Table 39

Predispositional Length of Stay by Month of Detention
Wyandot County

Month*	Length of Stay in Days					
	1 or less	2-4	5-15	16-20	21-30	31+
January	1	2	2	--	--	--
February	--	1	1	--	--	--
March	3	4	1	--	--	--
April	2	2	1	--	--	--
May	3	2	--	1	--	--
June	2	--	1	--	--	--
July	--	--	2	--	--	--
August	1	2	3	--	--	--
September	--	1	--	--	--	--
October	1	1	--	--	--	--
November	4	--	--	--	--	--
December	1	--	--	--	--	--
Total	18	15	11	1	--	--
Percent**	40	33	24	2	--	--

* 1979 and 1980 combined.

** May not equal 100 because of rounding.

Table 40

Postdispositional Length of Stay by Month
Wyandot County

Month	Length of Stay in Days						
	1-5	6-15	16-30	31-40	41-50	51-60	61+
January	--	1	1	--	--	--	--
February	--	--	--	--	--	--	--
March	--	--	--	--	--	--	1
April	--	1	1	--	--	--	--
May	--	1	--	--	--	1	--
June	--	--	--	--	--	--	--
July	--	--	1	--	--	--	--
August	1	2	--	--	--	--	1
September	--	--	--	--	--	--	--
October	1	1	--	--	--	--	--
November	--	1	--	--	--	--	1
December	--	--	--	--	--	--	--
Total	2	7	3	--	--	1	3
Percent**	13	44	19	--	--	6	19

* 1979 and 1980 combined.

** May not equal 100 percent because of rounding.

Legal Representation

Of the sample, 36 percent (n=16) are known to have had legal representation. (See Table 41).

Table 41

Legal Representation by Offense Category
Wyandot County

Offense category	Had counsel	Did not have counsel	Not on data sheet
Status offense	5	2	2
Nonoffender	--	--	--
Delinquency	11	9	16
Charge not on data sheet	--	--	--

Number of Secure Detention Beds Required

Based on our analysis of the available data and interviews with juvenile justice representatives in the county, we have determined that Wyandot County needs one secure detention bed. Juvenile justice personnel told us that violent juvenile crime is not a very serious problem in the county, and only one youth in our sample was detained on a violent charge. Basing eligibility for detention on current and prior charges, no youth in our sample would be eligible for secure detention. One secure detention bed would more than meet the county's secure detention needs.

Five-County Aggregate

NCCD and AJJO staff reviewed a total of 296 secure detention cases, of which 74 percent (n=218) were males and 26 percent

(n=78) were females.

The typical male offender was white, 15.5 years old, and charged with either a nonviolent felony, usually breaking and entering, or a minor delinquent act. The typical female offender was white, 14.9 years old, and charged with either a violation of a court order or a status offense. See Table 42 for a breakdown of sex, race, and offense.

Only 10 of the 296 juveniles whose cases we reviewed were charged with violent felonies; 62 youths in the sample were charged with nonviolent felonies, usually breaking and entering. Only 18 of the 296 cases reviewed were eligible for secure detention under the NAC criteria of current and prior charges. (See Table 42 for NAC eligibility.)

The average predispositional length of stay was 7.2 days, and the average postdispositional length of stay was 27.5 days. The counties held 102 youth after disposition.

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Table 42

Five-County Totals: Race, Sex, and Charge

Offense charged	Male				Female			
	White		Hispanic		White		Hispanic	
	N	%	N	%	N	%	N	%
Violent felony	10	4	--	--	--	--	--	--
Nonviolent felony	59	20	1	--	2	1	--	--
Other delinquency	57	19	2	1	14	5	--	--
Violation of a court order	49	17	1	--	28	9	1	--
Status offense	30	10	--	--	31	10	--	--
Nonoffender	2	1	--	--	--	--	--	--
Not on data sheet	7	2	--	--	2	1	--	--
Total*	214	72	4	1	77	26	1	--

* May not equal 100 percent because of rounding.

Table 43

Five-County: NAC Eligibility for Secure Detention
Based on Current Charges and Prior Adjudications

Priors*	Current Charge						
	Violent felony	Nonviolent felony	Other delinquency	Violation of a court order	Status offense	Non-offender	Not on data sheet
Violent felony	---**	---**	1	1	--	--	--
Nonviolent felony	3**	15**	4	6	2	--	1
Other delinquency	2	17	22	21	5	--	4
Violation of a court order	--	--	3	6	1	--	--
Status offense	1	3	8	25	14	1	1
Nonoffender	--	2	3	1	2	--	--
No priors	4	25	32	19	34	1	3
Not on data sheet	--	--	--	--	3	--	--

* Most serious prior adjudication only; does not include multiple priors.

** NAC eligible for secure detention.

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Recommendations and Commentary

These recommendations apply to all five counties.

1. Analysis of the incomplete data indicates the need for a juvenile detention facility, no larger than eight beds, to house juveniles from all five counties. Given the very limited need for secure detention in any of the counties, and the enormous costs of construction and maintenance, no one county can justify building its own secure facility. Initial construction costs range up to \$60,000 per bed, and maintenance averages \$300,000 per year for a 20-bed facility. The per-bed costs for smaller facilities are even higher. A regional facility will more than meet the needs of all five counties, and will be much more cost effective.

If the recommendations which follow are accepted, eight beds will more than meet the counties' combined needs. This estimate of need is, in fact, high; based upon our experience, we feel sure that if the information had been available to allow us to compare detentions in the counties with all NAC criteria, even fewer youths would have remained eligible for secure detention.

Before building a regional facility, the counties should adopt specific and objective detention criteria, improve their record-keeping procedures and record reason for detention, and collect data for at least a year on how many juveniles are actually detained because of real necessity. Only after analysis of complete and accurate data on eligible detentions can the counties determine how many detention beds they really need. They can thus avoid both the expense of building too large a facility and the danger that the extra beds will be filled by juveniles detained unnecessarily simply to prove the facility cost effective.

In the interim, a combination of the alternative programs and contractual agreements outlined below would more than meet the counties' secure detention requirements. This combined approach would save the counties money and at the same time provide adequately for the public's safety.

2. Crawford and Hancock counties continue to use the secure detention facilities of Richland and Wood counties respectively. The other counties should, if possible, enter into contractual agreements with neighboring counties for the use of their secure juvenile detention facilities for detaining their violent delinquents. An attempt should be made by Hancock County to secure a

contractual agreement with Wood County for the use of its secure juvenile detention facility. If the alternative programs described below are developed, the number of secure detention beds required would be significantly reduced.

3. The use of municipal and county lockups and jails for the detention of juveniles should be strictly forbidden. Federal law clearly prohibits the use of adult jails and lockups to detain juveniles. Ohio statute allows the detention of juveniles in adult jails under very strictly prescribed circumstances, but the negative effects of jailing juveniles make the practice unconscionable. In fact, most officials interviewed for this study, particularly sheriffs, stated that they did not believe that adult jails or lockups were appropriate for housing juveniles. See Children's Defense Fund, Children in Adult Jails, Washington, D.C.: 1976; Community Research Forum, An Assessment of the National Incidence of Juvenile Suicide in Adult Jails, Lockups and Juvenile Detention Centers, Washington, D.C.: U.S. Department of Justice, Law Enforcement Assistance Administration, Office of Juvenile Justice and Delinquency Prevention, 1980; Zimbardo, P.G., "Pathology of Imprisonment," Society, April 1972.

4. The juvenile court should develop and adhere to specific and objective criteria for determining secure detention placement. The criteria for determining eligibility for secure detention in Ohio statute and Rules of Procedure are overly vague. They do not consider and can harm the best interests of both juveniles and the community. No guidelines are given for determining whether a juvenile will abscond or is a danger to himself or herself or the community. Personnel making the initial detention decision, judges at detention or subsequent hearings, are left to their own discretion when determining whom to detain. These broad discretionary powers can lead to inappropriate detentions.

The best national standards which have been promulgated over the last few years delineate specific criteria for determining the likelihood of flight or dangerousness. We recommend that the courts in the five counties adopt either the Institute of Judicial Administration/American Bar Association Juvenile Justice Standards or the standards recently issued by the National Advisory Committee for Juvenile Justice and Delinquency Prevention. See Appendix A for both sets of criteria.

5. The courts should join with existing juvenile justice groups in the state who are calling for a change in the Rules of Procedure which would require a journal entry for reasons for detention. Rules of Procedure currently state that the court

can speak officially only through its journal. Placing reason for detention in the court journal would give notice to both prosecuting and defense attorneys that there are limited grounds for detention. This would help to guard against inappropriate detentions, and defense attorneys would no longer have to speculate about why their clients were detained. Ultimately it would provide greater protection for the rights of juveniles.

6. To ensure accountability of detention placement decision making, the juvenile courts should establish formal intake units and improve their record-keeping procedures. Ohio statute states that when a child is brought either before the court or to a place of detention, an intake officer or other authorized officer of the court "...shall immediately make an investigation" (Ohio Revised Code, Sec. 2151.311). Rules of Procedure goes a bit further and requires that:

any person who delivers a child to a shelter or detention facility shall give the admissions officer at the facility a signed report stating why the child was taken into custody and why he was not released to his parent, guardian or custodian.... (Ohio Rules of Juvenile Procedure, Rule 7(c)).

It does not appear that the five jurisdictions are adhering to this or any formally prescribed procedure. At a minimum, detention control forms should be filled out properly, stating the reasons for each detention placement. See Appendix C for samples of detention control forms.

7. Unrulies should not be placed in secure detention under any circumstances. Status offenses are noncriminal acts of behavior that are proscribed for juveniles but not for adults. They are symptomatic of conflicts which are interpersonal in nature and often represent healthy juvenile testing of authority. Whether this behavior should be condoned is not appropriate to this discussion, but runaways and other unrulies who will not or cannot return to their homes should be placed in nonsecure facilities. See Appendix B for examples of nonsecure detention programs.

8. The use of municipal/county jails and secure juvenile detention facilities to scare or shock juveniles into behaving should be strictly prohibited. The reasons for secure detention for juveniles set forth in Ohio statute and Rules of Procedure include nothing which could be remotely interpreted as allowing secure detention to be used to frighten youth into going straight.

"Such a practice is clearly in violation of Ohio law; in fact there is no state in the Union which officially sanctions this practice. Research on the "Stared Straight" approach to dealing with juvenile offenders has found that the effectiveness of such an approach is questionable at best. Given the well-documented negative effects of placing youth in adult jails and the serious constitutional questions that surround this inappropriate detention of juveniles, the practice should be stopped immediately.

9. The practice of adjudicating a juvenile as delinquent on the basis of a violation of a court order on an unruly charge should cease immediately. An unruly charge is not delinquent behavior and is not criminal. It stands to reason, then, that a violation of what is essentially a civil adjudication on an unruly charge cannot be a criminal act. If the violation involves behavior which does constitute a delinquent act, the court should act on the new charge and not simply on the violation of the court order.

10. Probable cause hearings should be held on all charges of violation of probation. An allegation of behavior which would constitute a violation of probation, even an allegation by an officer of the court, should not be sufficient to revoke a youth's probation and place him or her in jeopardy of being detained. Whenever a youth, suspected of violating probation, is in danger of having his or her liberty restricted, a hearing to determine if there is probable cause to proceed is required by law. If the youth is in detention, according to statute a detention hearing must also be held to determine the appropriateness of secure detention.

11. Youths who violate probation, but who do not commit violent or serious felonies in the process should not be securely detained. There is no question that youth who violate conditions of probation should be dealt with by the court. If the violating offense is not a violent crime or a serious felony, however, secure confinement should be avoided. Community service orders or additional time on probation are penalties which can be imposed for probation violations.

12. Guardians ad litem, preferably attorneys, should be required in all status offender cases (unrulies) when a parent or guardian is the complainant. Ohio Rules of Juvenile Procedure state that:

The court shall appoint a guardian ad litem to protect the interests of a child or in-

competent adult in a juvenile court proceeding when... (2) the interests of the child and the interests of the parent may conflict. (Ohio Rules of Juvenile Procedure, Rule 4(B) (2)).

By requiring that the court appoint a guardian ad litem in cases of conflict of interest between parent and child, the Rules of Procedure underscore the belief that the conflict is interpersonal and not criminal in nature. In unruly cases where parents are alleging incorrigibility, the interests of the child and his or her parent or guardian obviously may conflict. Most national authorities recognize that status offenses are really interpersonal conflicts, and the misbehaving child often does not perceive him or herself as having done wrong.

Strong argument can be made for appointing attorneys as guardians ad litem in these cases. Often, because of the nature of court proceedings, guardians ad litem find themselves acting as legal counsel. Laypersons acting in this capacity can inadvertently harm the child. This can be avoided either by appointing coguardians ad litem (a child advocate and an attorney) or simply by appointing an attorney as guardian ad litem. In either case, where the interest of the child and his or her parents may conflict, the child would have his or her interests protected. We urge the court to ensure that young people's rights and interests are properly protected by stressing to juvenile defendants and their parents the importance of having legal representation during court proceedings.

13. An attorney should represent a youth in any court proceeding where a youth is in danger of having his or her liberty restricted. The court should make every attempt to inform both the youth and his or her parent or guardian of the importance of legal counsel. This means that the court must do more than simply inform the youth and his or her parent or guardian of their right to have counsel assigned to them if they cannot afford to retain an attorney. The court must take the time to explain fully the value of retaining counsel.

14. Alternatives to secure detention for both delinquents and unrulies should be developed. Although approximately 94 percent of the juveniles in our sample do not meet objective and specific eligibility criteria for detention, many of them cannot be released because no parent or guardian is available or because the youths require more supervision and support than can be provided by their parents or guardians. Nonsecure alternatives to detention should be developed for these youngsters. The following alternatives, among others, have been identified by NCCD and AJJO as ways to

reduce or eliminate inappropriate use of secure detention. OYC subsidy monies can be used for the nonsecure alternatives mentioned below.

- a. The existing nonsecure detention facilities in Crawford and Seneca counties should be used to a greater extent for placing minor delinquents.
- b. Alternatives to detention for unrulies should be developed. For a fraction of the cost of placing unrulies in any facility the counties could provide services to these youths in their own homes. There are several types of programs which should be explored.
 - o The Franklin County Services to Unruly Youth is a diversion program for status offenders that provides a variety of services to both the youth and his or her family. The services range from counseling to intensive services to the family to advocacy.
 - o Project Friendship, sponsored by the Cleveland YWCA, is designed to provide female status offenders with one-to-one relationships with concerned and supportive women volunteers from the community. They meet an average of 3-5 hours a week, and activities include shopping, tutoring, exploring vocational interests, and recreation. The project also offers an individualized remedial education program. The relationship can begin at the petition stage and can eliminate the need to detain an unruly youth. The services provided are also appropriate for adolescent boys.
 - o The Crisis Intervention Service of Bergen County (New Jersey) is a community-based counseling program offering assistance to youth and parents entangled in domestic disputes; youths who are runaways, incorrigibles or truants; and youths who are experiencing any other nondelinquent problem at home, in school, or in the community. The program is an alternative offered to the family in lieu of signing a complaint and referring a youth to court. For youths and parents who require respite services, the program uses the services of volunteer host homes in the community for up to 10 days.

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- o Huckleberry House in Columbus provides 24-hour comprehensive crisis-intervention services to runaway youths to help them develop alternatives in their lives, stabilize the crisis that they and their families are encountering, and develop the capacity to reintegrate themselves in a stable living situation. Services include emergency intake, crisis counseling, 24-hour shelter care, crisis follow-up and consultation, and community education. The focus is on helping youth regain control over their lives and effecting family reconciliations.
- c. A home detention program should be developed as an alternative to secure detention. For virtually a fraction of the cost of placement in a secure juvenile detention facility, the counties could operate a home detention program. Juveniles who can remain in their own homes would be monitored daily by a court-approved county employee to ensure that they stay out of trouble pending their court proceedings. The program represents a middle ground between outright release and secure custody.
- d. The use of a Mentor Program should be explored as an alternative to secure detention. The Mentor I Program (a component of DARE, Inc., a multiservice community agency) offers intensive foster and traditional group shelter care as an alternative to secure detention for youths pending their adjudication and dispositional hearings. The program serves youths aged 7-17, who have been charged with offenses ranging from destruction of personal property to armed robbery and arson. In the intensive foster care component, youths are placed in a one-to-one living situation in the home of an adult known as a "Mentor." The Mentor provides 24-hour-a-day care and supervision of a child until his or her court appearance. The Mentor program can achieve the same objectives as secure detention--to ensure that youths do not commit new offenses while awaiting court hearings.

A Mentor-type program could be used for youths charged with violent crimes or serious property offenses. Because of the restrictiveness of the program, provided by 24-hour contact, the program is inappropriate for youths who do not meet the NAC secure detention criteria.

See Appendix B for a description of all the above-mentioned programs.

15. Hancock, Hardin, and Wyandot counties should each develop a small, nonsecure emergency holding facility for those youths who must be detained for short periods of time (no longer than 72 hours). Crawford and Seneca counties should explore using part of their existing nonsecure facilities for this purpose. The nonsecure alternatives mentioned above may be inappropriate or insufficient for some youths. Out-of-county or out-of-state youths cannot be placed on home detention; the program can be used only for county residents. The Mentor program could be used for these youngsters, but a sufficient number of Mentors might not be available or it might make more sense to use them solely for county residents.

One advantage to developing a nonsecure facility is that an existing building, either on or off county property, could be used. This is not the case if the counties develop secure facilities. Because of building requirements it is virtually impossible to convert an existing building into a secure facility. Further, construction of a secure juvenile detention facility, even a 72-hour holding facility, may cost up to \$60,000 a bed. This seems prohibitive in light of the fact that most of the juveniles detained pose no threat to the safety of the community. Although the proposed facility would be nonsecure, a certain degree of security could be provided by high staffing ratios.

Another advantage is that the facilities would be located in the individual counties and the various police departments would be responsible for transporting juveniles to them. This would reduce the need to transport juveniles to and from neighboring counties' juvenile facilities.

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1 OF 2

Summary and Conclusion

The purpose of this study was 1) to examine secure detention practices and procedures; 2) to assess the appropriateness of secure detention for the sample detention population; 3) to analyze and comment on court practices in Crawford, Hancock, Hardin, Seneca, and Wyandot counties; and 4) to make specific recommendations about secure detention needs and practices.

Our data show that all five counties detain too many juveniles. If the counties were to adopt more specific and objective eligibility criteria for secure detention, the number of appropriate detentions would be extremely low; only 6 percent of the sample was eligible for secure detention using the two NAC criteria of present charge and prior offense. The absence of such criteria allows far too much discretion at all stages of the detention decision-making process. This can lead to arbitrary and inconsistent detention decisions which can be harmful to or neglectful of the best interests of the detained youths, and raises serious due process issues.

We had difficulty reaching a conclusion about the number of secure beds required by the counties because of the incompleteness of the records examined. No county consistently placed the reason for detention in the court records; without this information it is impossible to make a sound recommendation about how many secure beds are needed.

All five counties should begin to record reason for detention in the official court record, i.e., the court journal. Until this is done the counties continue to run the risk of making detention decisions that are arbitrary and potentially harmful to juveniles. Just as important, no truly logical and sound planning about the number of secure detention beds needed can be done without this information. The counties should begin immediately to keep detailed information on all detentions. At the end of one year those records should be analyzed to determine the number of secure beds required by the five counties.

The danger in using incomplete data to determine the number of secure beds required is that, once a decision is made and a building constructed, the counties will have to live with the structure. Studies have shown that if the beds are available they will be used, even if inappropriately. In fact, we found that the one county in the study which had a secure detention facility available for their sole use had both the highest

number of detentions and the longest lengths of stay; when that facility was reclassified as nonsecure, the rate of secure detentions dropped sharply. Hancock County, which has a comparable population and juvenile crime rate and level of severity, had a much lower detention rate. This supports the theory that available beds will be used, whether needed or not. In order to avoid what can only be described as an unjust and harmful practice, therefore, the counties should not build until they have harder data on which to base their decisions.

Detaining juveniles in county jails and municipal lockups should be stopped immediately. Numerous studies have documented the ill effects of this practice. In addition, only those youths who meet the NAC or similar eligibility criteria should be considered for placement in secure detention. Even in those cases where the youth is eligible for secure detention, however, the presumption should be toward the use of alternatives to secure detention. Care should also be taken to avoid overly long postdispositional stays in secure detention facilities. A study entitled Delinquent Justice: Juvenile Detention Practice in Massachusetts, prepared by the Massachusetts Advocacy Center, points out that over 70 percent of the youths in secure detention in that state are not awaiting adjudication, but are sentenced youths awaiting placement. The average length of stay for the postdispositional population in our study was 27.5 days. According to the NAC standards anything over 30 days is "excessive". The counties should guard against keeping juveniles in secure detention for long periods while awaiting placement.

Status offenders should not for any reason be placed in secure detention. Status offenses are noncriminal acts, indicative of interpersonal and intrafamily problems. Securely confining "unrulies" is inappropriate and harmful. In fact, NCCD believes the counties should seriously question whether status offenders even belong in court; the community-based alternatives to court processing described in this report should be used for status offenders and their families.

Not one of the counties can justify building its own secure juvenile detention facility. Those counties with agreements to use space in a neighboring county's secure juvenile detention facility should maintain those agreements and, if necessary, formalize contractual arrangements. Those counties that do not have formal agreements with neighboring counties should negotiate such agreements immediately. A combination of community-based alternatives to secure detention and the use of a neighboring county's facility for NAC eligible juveniles will more than meet

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any county's secure detention needs. Information on a wide variety of community-based alternatives to secure detention for juveniles is available through the National Council on Crime and Delinquency and the Association for Juvenile Justice in Ohio.

If the counties are going to construct a new facility they should build only a joint regional facility of no more than eight beds. A larger facility would be economically wasteful since it either would remain only partially full or would be filled with inappropriate youth. This would be detrimental not only to the well-being of the youths involved but to the entire concept of juvenile justice.

APPENDIX A

3.152 Criteria for Detention in Secure Facilities—Delinquency

Juveniles subject to the jurisdiction of the family court over delinquency should not be detained in a secure facility unless:

- a. They are fugitives from another jurisdiction;
- b. They request protection in writing in circumstances that present an immediate threat of serious physical injury;
- c. They are charged with murder in the first or second degree;
- d. They are charged with a serious property crime or a crime of violence other than first or second degree murder which if committed by an adult would be a felony, and
 - i) They are already detained or on conditioned release in connection with another delinquency proceeding;
 - ii) They have a demonstrable recent record of willful failures to appear at family court proceedings;
 - iii) They have a demonstrable recent record of violent conduct resulting in physical injury to others; or
 - iv) They have demonstrable recent record of adjudications for serious property offenses; and
- e. There is no less restrictive alternative that will reduce the risk of flight, or of serious harm to property or to the physical safety of the juvenile or others.

Source:

See generally Institute of Judicial Administration/American Bar Association Joint Commission on Juvenile Justice Standards, *Standards Relating to Interim Status*, Standards 6.6 and 6.7 (tentative draft, 1977) [hereinafter cited as IJA/ABA, *Interim Status*]

Commentary

This standard describes the circumstances in which a juvenile subject to the jurisdiction of the family court over delinquency may be detained in a secure facility. It is intended to limit secure detention to those instances in which no less restrictive alternative is sufficient to protect the juvenile, the community, or the jurisdiction of a family court.

Under paragraph (a), juveniles who have fled from a jurisdiction in which a delinquency complaint or petition is pending against them may be detained in a secure facility unless nonsecure detention, conditioned or unconditioned release would be sufficient to significantly reduce the risk of flight.

Paragraph (b) recommends that protective custody be permitted only on the juvenile's written request coupled with circumstances that indicate that the juvenile is in immediate danger of serious physical injury. Such danger is intended to be more than being on the streets at night or the possibility that the juvenile may be harmed if he/she continues to get into trouble. See IJA/ABA, *Interim Status, supra* at Commentary to Standard 5.7. Protective custody provisions have sometimes functioned as convenient excuses for holding a child in custody because of other reasons or the lack of less restrictive facilities. Such a practice would not be authorized under the standard. If the juvenile is endangered by his/her parents, guardian, or primary caretaker in one of the ways set forth in Standard 3.113, a neglect or abuse action may be appropriate.

Paragraph (c) recommends that secure detention be permitted but not required when a juvenile is charged with first or second degree murder. This provision is somewhat analogous to the statutes in some states prohibiting adults charged with a capital offense from being released on bail.

Under paragraph (d), commission of a crime of violence short of murder but still equivalent to a felony, e.g., manslaughter, rape, or aggravated assault, is not in itself sufficient to detain a juvenile. The juvenile must also have, for example, a demonstrable record of committing violent offenses that result in physical injury to others or be on conditioned release or in detention pending adjudication, disposition, or appeal of another delinquency matter. Similarly, being charged with a serious property offense, e.g., burglary in the first degree or arson, must be coupled with a demonstrable record of adjudications for serious property offenses. The term "demonstrable record" is not intended to require introduction of a certified copy of a prior adjudication order, but should include more than allegations of prior misconduct. In order to protect the juvenile's rights and to assure that the decision to detain a juvenile in a secure facility was made in accordance with this standard and Standard 3.151, related standards recommend that a detention hearing be held before a family court judge within twenty-four hours and, if detention is continued, that it be subject to judicial review every seven days. See Standards 3.155 and 3.158.

The standard differs significantly from the IJA/ABA, *Interim Status, supra* provisions on which it is based in four ways. First, it urges that the proposed strict criteria be limited to detention in secure facilities. Second, in view of the large number of burglaries and other serious property offenses

committed by some juveniles, it does not restrict detention to juveniles accused of committing violent crimes. Third, the IJA/ABA Joint Commission provision would limit the violent felonies other than murder, which would warrant secure detention, to those for which commitment to a secure correctional institution is likely. This added factor is omitted because it involves the type of prediction that the other criteria seek to avoid and because it may have a tendency to become a self-fulfilling prophecy. Fourth, the standard does not restrict the violent or serious property offenses, which would make a juvenile eligible for secure detention, to those occurring while the juvenile is subject to the jurisdiction or dispositional authority of the family court. However, the standard, like those approved by the IJA/ABA Joint Commission, is intended to prevent detention of juveniles in secure facilities because of the lack of less restrictive alternatives; because of the unavailability of a parent, relative, or other adult with substantial ties to the juvenile who is willing and able to provide supervision and care; or in order to provide "treatment." See also National Advisory Committee on Criminal Justice Standards and Goals, *Report of the Task Force on Juvenile Justice and Delinquency Prevention*, Standard 12.7 (1976).

As noted in Standard 3.151, even juveniles placed in secure

detention should not be housed in a facility in which they will have regular contact with adults accused or convicted of committing a crime. See Standard 4.26; 18 U.S.C. §5633(a)(13) (Supp. 1979).

Related Standards

- 1.531 Access to Police Records
- 1.532 Access to Court Records
- 1.533 Access to Intake, Detention, Emergency Custody, and Dispositional Records
- 1.534 Access to Child Abuse Records
- 1.54 Completeness of Records
- 1.56 Destruction of Records
- 3.151 Purpose and Criteria for Detention and Conditioned Release—Delinquency
- 3.155 Initial Review of Detention Decisions
- 3.158 Review, Modification, and Appeal of Detention Decisions
- 3.161 Case Processing Time Limits
- 3.171 Rights of the Parties
- 4.2194 Security (in High Security Units)
- 4.26 Detention Facilities

IJA/ABA
Juvenile Justice Standards
Standards Relating to Interim Status

6.6 Guidelines for status decision.

A. Mandatory release. The intake official should release the accused juvenile unless the juvenile:

1. is charged with a crime of violence which in the case of an adult would be punishable by a sentence of one year or more, and which if proven is likely to result in commitment to a security institution, and one or more of the following additional factors is present:

- a. the crime charged is a class one juvenile offense;
- b. the juvenile is an escapee from an institution or other placement facility to which he or she was sentenced under a previous adjudication of criminal conduct;
- c. the juvenile has a demonstrable recent record of willful failure to appear at juvenile proceedings, on the basis of which the official finds that no measure short of detention can be imposed to reasonably ensure appearance; or

2. has been verified to be a fugitive from another jurisdiction, an official of which has formally requested that the juvenile be placed in detention.

B. Mandatory detention. A juvenile who is excluded from mandatory release under subsection A. is not, *pro tanto*, to be automatically detained. No category of alleged conduct in and of itself may justify a failure to exercise discretion to release.

C. Discretionary situations.

1. Release vs. detention. In every situation in which the release of an arrested juvenile is not mandatory, the intake official should first consider and determine whether the juvenile qualifies for an available diversion program, or whether any form of control short of detention is available to reasonably reduce the risk of flight or misconduct. If no such measure will suffice, the official should

explicitly state in writing the reasons for rejecting each of these forms of release.

2. Unconditional vs. conditional or supervised release. In order to minimize the imposition of release conditions on persons who would appear in court without them, and present no substantial risk in the interim, each jurisdiction should develop guidelines for the use of various forms of release based upon the resources and programs available, and analysis of the effectiveness of each form of release.

3. Secure vs. nonsecure detention. Whenever an intake official determines that detention is the appropriate interim status, secure detention may be selected only if clear and convincing evidence indicates the probability of serious physical injury to others, or serious probability of flight to avoid appearance in court. Absent such evidence, the accused should be placed in an appropriate form of nonsecure detention, with a foster home to be preferred over other alternatives.

Commentary

Standard 6.6 A. represents the heart of the *Interim Status* volume and one of the most controversial of its formulations. To some it undesirably authorizes preventive detention because it establishes a category of juveniles whose pretrial release is not mandatory. To others it undesirably interferes with community safety by forbidding the detention of persons not included within its specifications. On balance, the commission believes it presents a reasonable middle ground, characterized by a distinct preference for release, a permissible but minimal category of detainees, and a requirement of candor in identifying those who may be detained.

The categories are (a.) juveniles charged with a class one juvenile offense involving a crime of violence, (b.) escapees from post-trial placement facilities, and (c.) juveniles whose demonstrated record of flight makes it likely that they would fail to appear in court if released. In none of these categories is detention automatic; the rule instead is that persons not in these categories are automatically to be released. In order to detain those who are detainable under 6.6 A., the procedures of Standard 7.6 must be followed. There is, of course, one additional ground for detention, not stated in the standard, upon which courts possess inherent power to deny bail: "a substantial probability of danger to witnesses should the applicant be granted bail." *Carbo v. United States*, 82 Sup. Ct. 662 (Douglas, J. as Circuit

Justice, 1962) ("repeated threats of injury to the person and family of the government's principal witness").

The first of the stated exceptions to mandatory release, a charge of a class one juvenile offense involving a crime of violence, conforms to the rule and practice almost everywhere and permits judicial discretion, rather than a right to bail, to govern the release or detention of persons involved in the most serious offenses. The test in such cases, according to most state constitutions, is whether "the evidence is clear or the presumption great." In the federal system, bail in capital cases in 1789 depended on "the nature and circumstances of the offense, and of the evidence, and usages of law." See D. Freed and P. Wald, *Bail in the United States: 1964*, at 2-3. So long as the principles in Part III of these standards and the procedures in Standard 7.6 are followed, the commission believes that the traditional exception should remain.

The remaining three exceptions in Standard 6.6 A., i.e., escape status, recent failure to appear, and fugitive status, all deal with flight, the principal risk to be avoided by the bail process. The requirement that the failure to appear record be "demonstrable" rather than in accord with the rules of evidence is consistent with Standard 7.6 D. See *Moss v. Weaver*, 525 F.2d 1258, 1260-61 (5th Cir. 1976).

Subsection B. emphasizes that the alleged criminal offense is never sufficient by itself to justify detention. See *In re M.*, 89 Cal. Rptr. 33, 473 P.2d 737, 747 (1970); *In re Macidon*, 49 Cal. Rptr. 861 (1966).

Subsection C. 1., outlawing mandatory detention, is simply the converse of subsection A.

Instead of attempting to formulate guidelines for the use of various forms of release and control, subsection C. 2. requires that the characteristics and needs of each jurisdiction determine the development of such guidelines. The one exception is that secure detention should be a last resort. Edwards, "The Rights of Children," 37 *Fed. Prob.* 34, 36 (1973); Metropolitan Social Services Department, Louisville and Jefferson County, Kentucky, "Analysis of Detention" 25 (1972). Subsection C. 3. permits secure detention to be imposed only when there is a serious threat of physical injury to others or avoidance of court processes. Unless compelling indications of those possibilities are present, nonsecure detention, and the least intrusive form thereof, is to be utilized.

A recent decision by the Court of Appeals of New York illustrates the inadequacy of procedures for the pretrial detention of juveniles which these standards would address. *People ex rel. Robert Wayburn, law guardian, on behalf of Charles L. v. Schupf*, 39 N.Y.2d

682 (1976). The court below had ruled unconstitutional a provision of the Family Court Act that permitted the preventive detention of juveniles before trial, based on "the likelihood of committing another crime," a ground that the lower court found to be prohibited for adults. The lower court (Brownstein, J. in the Supreme Court, Kings County, reviewing a proceeding in the Family Court of Kings County) believed that equal protection of the law was violated because there was no compelling state interest or rational basis "for prohibiting preventive detention for adults while allowing it for juveniles." *People v. Schupf*, 80 Misc. 2d 730 (1974).

The court of appeals reversed, upholding detention because "there is a compelling state interest to be served in differentiating between juveniles charged with delinquency and adults charged with crime with respect to preventive detention." Such a distinction was said to reflect two fundamental concerns—to protect the community and "to protect and shelter children who in consequence of grave anti-social behavior are demonstrably in need of special treatment and care." The court said it did not know whether Charles L. had been initially ordered detained to protect the public, or benefit the juvenile, or both, because the Act did not specify its purpose and "the record contains no recital by the family court judge of the purpose behind the detention of Charles L."

Several factual assertions and omissions did receive the court of appeals' attention: (1) that it did "not find significant the statistics . . . that in New York City . . . a larger percentage of youngsters charged in delinquency proceedings were held in pretrial detention than were ultimately placed in training schools." It must be apparent, the court said, "that there is a vastly different body of relevant data on which to make an informed determination as to the desirability of placement after the dispositional hearing . . . [and] caution and concern for both the juvenile and society may indicate the more conservative decision to detain at the very outset"; (2) that, although no empirical evidence whatever was adduced on this point, "our society may also conclude that there is a greater likelihood that a juvenile charged with delinquency, if released, will commit another criminal act than that an adult charged with crime will do so"; and (3) that although no alternatives to prevent further crime were presented, or facts respecting them found, the court could nevertheless "conclude that it cannot be said that a less burdensome means could be found to achieve that objective."

The distressing state of juvenile law reflected in the *Charles L.* case is unfortunate for a number of reasons. First, under (1), the court offered no explanation in law or in policy, in the interests either of

children or of society, why prior to trial "the more conservative decision to detain" is either legal or wise, *i.e.*, why the right to liberty of an unconvicted juvenile should be inferior to that of a juvenile found to be guilty. The court seemed in essence to be establishing a new rule to the effect that deficiencies in information at the outset of delinquency cases require judges to resolve doubts in favor of preferring pretrial detention over pretrial release. The legislature has made no such declaration of policy, and modern standards run the other way. The right to bail for adults and juveniles alike dictates a policy preference for release.

Second, under (2), the court cited no legislative finding to the effect that accused juveniles are more likely to commit crimes on release than are adults in a similar situation, and there are to our knowledge no empirical studies to support such a finding as a general rule. Attempts to predict future criminal behavior have been notoriously unsuccessful, whether at the bail stage, at sentencing, or at parole release. And even if prediction would be possible in some cases with some accused offenders, it would require a particularized finding about a specific individual, based on a factual inquiry about him or her rather than a court-made assumption about all juveniles.

Finally, under (3), the court upheld without any consideration of lesser alternatives to reduce the risk of crime, and without any findings by the court below, the conclusion that the *most* burdensome pretrial decision, the alternative most detrimental to the interests of the juvenile, *i.e.*, pretrial detention, was a perfectly appropriate ruling by a family court. This conclusion runs directly contrary to the emerging public policy, incorporated in this volume of standards, favoring the least burdensome and least detrimental alternative. Why the court of appeals strayed so far, and so unnecessarily, from that policy is left unexplained.

6.7 Protective detention.

A. Placement in a nonsecure detention facility solely for the protection of an accused juvenile should be permitted only upon the voluntary written request of the juvenile in circumstances that present an immediate threat of serious bodily harm to the juvenile if released.

B. In reaching this decision, or in reviewing a protective custody decision made by the arresting officer, the intake official should first consider all less restrictive alternatives, and all reasonably ascertainable factors relevant to the likelihood and immediacy of serious bodily harm resulting from interim release or control.

Commentary

Standard 6.7 presents the counterpart to Standard 5.7. It should be noted, however, that 6.7 permits only *nonsecure* detention for the protection of the juvenile:

Most children who need protective custody for their own physical safety could get it in places other than a juvenile hall. . . . A youth fearing reprisal might better be "hidden out" in a remote foster home. After all, "reprisal" assaults are not unknown in juvenile hall. "Hidden Closets" 61.

MODELS

Alternatives to Imprisoning or Jailing Young People

Program Name(s) SERVICES TO UNRULY YOUTH

515 South High Street Columbus Ohio 43215 (614)462-3563
Street City State Zip Telephone

MODELS PROGRAM TYPE(S): <table border="0"> <tr> <td style="vertical-align: top;"> Nonresidential <input type="checkbox"/> 1. Job/career programs <input type="checkbox"/> 2. After school or evening programs <input type="checkbox"/> 3. Alternative school <input checked="" type="checkbox"/> 4. Advocacy <input checked="" type="checkbox"/> 5. Counseling <input type="checkbox"/> 6. Mediation/arbitration <input type="checkbox"/> 7. Restitution <input checked="" type="checkbox"/> 8. Intensive services to families </td> <td style="vertical-align: top;"> Residential <input type="checkbox"/> 1. Wilderness <input type="checkbox"/> 2. Preparation for independent living <input type="checkbox"/> 3. Foster family care <input type="checkbox"/> 4. Intensive foster care <input checked="" type="checkbox"/> 5. Group home <input type="checkbox"/> 6. Highly structured group care <input type="checkbox"/> 7. Secure group care </td> <td style="vertical-align: top;"> Other _____ (see below in additional information section) </td> </tr> </table>			Nonresidential <input type="checkbox"/> 1. Job/career programs <input type="checkbox"/> 2. After school or evening programs <input type="checkbox"/> 3. Alternative school <input checked="" type="checkbox"/> 4. Advocacy <input checked="" type="checkbox"/> 5. Counseling <input type="checkbox"/> 6. Mediation/arbitration <input type="checkbox"/> 7. Restitution <input checked="" type="checkbox"/> 8. Intensive services to families	Residential <input type="checkbox"/> 1. Wilderness <input type="checkbox"/> 2. Preparation for independent living <input type="checkbox"/> 3. Foster family care <input type="checkbox"/> 4. Intensive foster care <input checked="" type="checkbox"/> 5. Group home <input type="checkbox"/> 6. Highly structured group care <input type="checkbox"/> 7. Secure group care	Other _____ (see below in additional information section)	PROGRAM IS ALTERNATIVE TO: <input type="checkbox"/> Detention <input type="checkbox"/> Correctional Institution <input checked="" type="checkbox"/> Judicial processing OR IS A: <input checked="" type="checkbox"/> Supportive service
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ADDITIONAL PROGRAM INFORMATION:

Services to Unruly Youth, a program of the Franklin County Children Services, provides crisis intervention and ongoing counseling to "unruly youths" (status offenders) and their families in Franklin County, Ohio. The major purpose of the program is to divert status offenders from the juvenile justice system by providing services to them through a coordinated social services delivery system. Youths are referred to the program by parents, law enforcement agencies, schools, and the juvenile court.

The Crisis Intake Center is the centralized and primary service reception entry point for the Unruly Program. The Center is open 24 hours-a-day, 7-days-a-week, and offers crisis intervention counseling and emergency shelter care. Reception workers assess each youth's needs and develop a service plan directed toward family reconciliation.

The Family Centered Counseling Unit provides intensive services to families at the crisis intervention level in order to reduce family conflict. It uses an eight-session family counseling model so that the case can be closed within a 60-day period.

The School Truancy Intake Unit primarily handles referrals which come from the various school systems within the county.

The Unruly Program also operates two Support Units which provide intensive services to youths and their families in order to reduce the incidence of "unruly" behavior and family conflict. These intensive services include counseling, arranging for available community services, helping parents and youths negotiate institutional systems such as schools and courts, and arranging for placement of youths when necessary. Most of the cases handled by the Support Units are those in temporary custody of the agency by order of the juvenile court.

The Community Services System (CSS) is a coordinated social service network administered by the Services to Unruly Youth Program. The CSS is composed of over 70 community-based agencies which provide services to status offenders and their families in Franklin County.

The Services to Unruly Youth Program receives partial operational funding from LEAA. Approximately 80 percent of the remaining support is from the operational budget of the Franklin County Children Services and Title XX funds.

MODELS

Alternatives to Imprisoning or Jailing Young People

Program Name(s) CRISIS INTERVENTION SERVICE OF BERGEN COUNTY

355 Main Street Hackensack New Jersey 07601 (201) 646-3099
Street City State Zip Telephone

MODELS PROGRAM TYPE(S): <table border="0"> <tr> <td>Nonresidential</td> <td>Residential</td> <td>Other</td> </tr> <tr> <td><input type="checkbox"/> 1. Job/career programs</td> <td><input type="checkbox"/> 1. Wilderness</td> <td rowspan="8">(see below in additional information section)</td> </tr> <tr> <td><input type="checkbox"/> 2. After school or evening programs</td> <td><input type="checkbox"/> 2. Preparation for independent living</td> </tr> <tr> <td><input type="checkbox"/> 3. Alternative school</td> <td><input checked="" type="checkbox"/> 3. Foster family care</td> </tr> <tr> <td><input type="checkbox"/> 4. Advocacy</td> <td><input type="checkbox"/> 4. Intensive foster care</td> </tr> <tr> <td><input checked="" type="checkbox"/> 5. Counseling</td> <td><input type="checkbox"/> 5. Group home</td> </tr> <tr> <td><input type="checkbox"/> 6. Mediation/arbitration</td> <td><input type="checkbox"/> 6. Highly structured group care</td> </tr> <tr> <td><input type="checkbox"/> 7. Restitution</td> <td><input type="checkbox"/> 7. Secure group care</td> </tr> <tr> <td><input checked="" type="checkbox"/> 8. Intensive services to families</td> <td></td> </tr> </table>		Nonresidential	Residential	Other	<input type="checkbox"/> 1. Job/career programs	<input type="checkbox"/> 1. Wilderness	(see below in additional information section)	<input type="checkbox"/> 2. After school or evening programs	<input type="checkbox"/> 2. Preparation for independent living	<input type="checkbox"/> 3. Alternative school	<input checked="" type="checkbox"/> 3. Foster family care	<input type="checkbox"/> 4. Advocacy	<input type="checkbox"/> 4. Intensive foster care	<input checked="" type="checkbox"/> 5. Counseling	<input type="checkbox"/> 5. Group home	<input type="checkbox"/> 6. Mediation/arbitration	<input type="checkbox"/> 6. Highly structured group care	<input type="checkbox"/> 7. Restitution	<input type="checkbox"/> 7. Secure group care	<input checked="" type="checkbox"/> 8. Intensive services to families		PROGRAM IS ALTERNATIVE TO: <input type="checkbox"/> Detention <input type="checkbox"/> Correctional institution <input type="checkbox"/> Judicial processing OR IS A: <input checked="" type="checkbox"/> Supportive service
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		ANNUAL BUDGET: \$ <u>52,570</u> AGENCY STATUS: <input type="checkbox"/> Religious <input type="checkbox"/> Private profit <input type="checkbox"/> Private nonprofit <input checked="" type="checkbox"/> Governmental or quasigovernmental AVERAGE DAILY/ANNUAL POPULATION: <u>160</u> STAFF SIZE: Number of full time <u>3</u> Number of part time _____ Number of volunteers _____																				

ADDITIONAL PROGRAM INFORMATION:

The Crisis Intervention Service is a community-based crisis intervention program providing emergency foster family care and counseling to runaways and to youths and families involved in domestic disputes.

Project staff respond immediately, 24 hours a day, 7 days a week, to police departments, families, schools, or anyone seeking assistance in resolving domestic conflicts. Intervention takes place prior to a complaint in order to prevent a youth's contact with the juvenile justice system.

Also available on 24-hour standby are volunteer "Host Families"-- persons in the youth's community or school district who agree to house a youth for a maximum of 10 days in order to provide a "cooling-off"

separation for all involved. Because all services are voluntary, both the youth and parents must agree in advance to the placement. During the placement period the youth and his or her family participate in three counseling sessions which focus on specific problems and seek some resolution. While staying with host families, youths must attend their regular schools.

The Project also offers crisis intervention and short-term counseling (4 to 6 weeks) to those youths for whom host family placement is inappropriate, and refers youths to other community resources.

The Crisis Intervention Service is available to nearly 40 towns in Bergen County through two regional satellite centers, and plans are being made to extend the service throughout the whole county.

This program is funded by the State Law Enforcement Planning Agency and the state and local governments.

National Council on Crime and Delinquency
Office of Social Justice for Young People

M# 0471

MODELS

Alternatives to Imprisoning or Jailing Young People

Program Name(s) HUCKLEBERRY HOUSE

1421 Hamlet Street Columbus Ohio 43201 (614) 294-5553
Street City State Zip Telephone

MODELS PROGRAM TYPE(S): <table border="0"> <tr> <td style="vertical-align: top;"> Nonresidential <input type="checkbox"/> 1. Job/career programs <input type="checkbox"/> 2. After school or evening programs <input type="checkbox"/> 3. Alternative school <input checked="" type="checkbox"/> 4. Advocacy <input checked="" type="checkbox"/> 5. Counseling <input type="checkbox"/> 6. Mediation/arbitration <input type="checkbox"/> 7. Restitution <input type="checkbox"/> 8. Intensive services to families </td> <td style="vertical-align: top;"> Residential <input type="checkbox"/> 1. Wilderness <input type="checkbox"/> 2. Preparation for independent living <input type="checkbox"/> 3. Foster family care <input type="checkbox"/> 4. Intensive foster care <input checked="" type="checkbox"/> 5. Group home <input type="checkbox"/> 6. Highly structured group care <input type="checkbox"/> 7. Secure group care </td> <td style="vertical-align: top;"> Other <input type="checkbox"/> (see below in additional information section) </td> </tr> </table>		Nonresidential <input type="checkbox"/> 1. Job/career programs <input type="checkbox"/> 2. After school or evening programs <input type="checkbox"/> 3. Alternative school <input checked="" type="checkbox"/> 4. Advocacy <input checked="" type="checkbox"/> 5. Counseling <input type="checkbox"/> 6. Mediation/arbitration <input type="checkbox"/> 7. Restitution <input type="checkbox"/> 8. Intensive services to families	Residential <input type="checkbox"/> 1. Wilderness <input type="checkbox"/> 2. Preparation for independent living <input type="checkbox"/> 3. Foster family care <input type="checkbox"/> 4. Intensive foster care <input checked="" type="checkbox"/> 5. Group home <input type="checkbox"/> 6. Highly structured group care <input type="checkbox"/> 7. Secure group care	Other <input type="checkbox"/> (see below in additional information section)	PROGRAM IS ALTERNATIVE TO: <input type="checkbox"/> Detention <input type="checkbox"/> Correctional institution <input type="checkbox"/> Judicial processing OR IS A: <input checked="" type="checkbox"/> Supportive service
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CLIENT CHARACTERISTICS: <input checked="" type="checkbox"/> Males <input checked="" type="checkbox"/> Females <input checked="" type="checkbox"/> Under 12 years <input checked="" type="checkbox"/> 12-15 years <input checked="" type="checkbox"/> 16-18 years <input checked="" type="checkbox"/> Over 18 years <input checked="" type="checkbox"/> Abused/neglected/dependent <input checked="" type="checkbox"/> Status offenders <input type="checkbox"/> Delinquent <input type="checkbox"/> Any youth	AGENCY INDICATED THAT THEY ACCEPT: <input type="checkbox"/> Alcohol abusers <input type="checkbox"/> Drug abusers <input checked="" type="checkbox"/> Emotionally disturbed <input type="checkbox"/> Retarded/developmentally disabled <input type="checkbox"/> Violent <input type="checkbox"/> Sexual minorities <input type="checkbox"/> Physically handicapped <input type="checkbox"/> Arsonists <input type="checkbox"/> Rapists <input type="checkbox"/> Non-English speaking	ANNUAL BUDGET: \$ 284,000 AGENCY STATUS: <input type="checkbox"/> Religious <input checked="" type="checkbox"/> Private profit <input type="checkbox"/> Private nonprofit <input type="checkbox"/> Governmental or quasigovernmental AVERAGE DAILY/ANNUAL POPULATION: 12 daily/610 yr. STAFF SIZE: Number of full time <u>21</u> Number of part time _____ Number of volunteers _____			

ADDITIONAL PROGRAM INFORMATION:

Located in an urban residential neighborhood, Huckleberry House is a crisis intervention program for up to 12 runaway youths under the age of 17. The average length of stay is 3 to 5 days; the maximum length of stay is 14 days. Services offered include emergency shelter, crisis (short-term/problem-solving) counseling, aftercare counseling, individual case advocacy, and referral to community agencies. The focus of the program is on family reconciliation. Youth are involved in running the program. Youth under 18 function as house managers; they run groups and do intakes. The adult house managers are college students. The program emphasizes a young staff because they want staff with whom youths will easily identify. All counselors must have a B.A. and the aftercare counselor must have a M.A. Aftercare consists of coming back to Huckleberry House for groups for a 12-month period after leaving the program.

MODELS
M#0471
Page 2

Other Huckleberry House activities are community education and consultation, a 24-hour crisis hotline for youth and parents, and a volunteer training program.

Funding sources include state, county, and local government, HEW, United Way, and public contributions.

HENNERIN COUNTY DEPARTMENT of COURT SERVICES

Minneapolis, Minnesota

**Home Detention:
An Alternative**

HOME DETENTION PROGRAM SPECIFICATION

The Home Detention Program provides an alternative to secure detention for juveniles awaiting court hearings or placement in a specifically designated treatment program. The program is intended to be short term and is not used as part of long-range treatment plans. Home Detention is administered by the Volunteer Division and the Juvenile Detention Center (secure detention), in coordination with the Juvenile Court, Juvenile Probation, the County Attorney's office, private attorneys, the Public Defender's office, and the Welfare Department.

The goals of the Home Detention Program are:

1. To provide the Juvenile Court, the juvenile, the family, and the community with an acceptable alternative to secure detention.
2. To maintain juveniles released from secure detention on the Home Detention Program trouble free in their communities.
3. To decrease the population of the Juvenile Detention Center.
4. To demonstrate that it is both operationally and economically feasible to supervise youths successfully

outside a secure detention facility using volunteer and paid staff.

These goals and the philosophy of the Home Detention Program are based on the following assumptions:

- Incarceration has negative consequences for juveniles because they are removed from the social environment in which their problems began and must eventually be resolved.
- Additional negative consequences of incarceration result from labeling youths "delinquent" and exposing the less sophisticated and status offenders to the more sophisticated and violent offenders. These factors tend to increase the potential for recidivism (continuation of delinquent/criminal activities).
- Many juvenile offenders need not be incarcerated if they can be intensively supervised in the community.
- Home Detention helps youths assume responsibility for their own behavior and has a positive influence on juvenile offenders by virtue of support from family, school, community, and the Home Detention worker.
- Reduction of the Juvenile Detention

Center population through use of Home Detention will increase detention staff effectiveness with juveniles in need of secure detention.

ELIGIBILITY CRITERIA

Juveniles are eligible for release under the Home Detention Program and assigned to a volunteer Home Detention worker if they meet the following criteria:

1. The juvenile is charged with an offense of a non-aggravated nature and is not viewed as a danger to the community, or
The juvenile is awaiting residential placement, or
The juvenile has violated conditions of probation, and the additional supervision is deemed necessary pending a new disposition by the court.
2. The juvenile and parent/guardian must agree to the conditions of the Home Detention Program as outlined in the Home Detention Order.
3. There is an approved residence at which the juvenile will live during the period of Home Detention.

Juveniles are eligible for release under the Home Detention Program and as

signed to a Home Detention officer (paid staff) if they meet the following criteria:

1. The juvenile is charged with an offense of an aggravated nature and/or is viewed as a sophisticated and street-wise offender.
2. The juvenile and parent/guardian must agree to the conditions of the Home Detention Program as outlined in the Home Detention Order.
3. There is an approved residence at which the juvenile will live during the period of Home Detention.
4. There is space available on the probation officer's caseload (caseload is not to exceed 5 juveniles).

Referrals to the Home Detention Program are made by the Juvenile Court, Juvenile Center staff, probation officers, social workers (Welfare Department), and attorneys. Referrals are screened by Home Detention staff, and all releases must be approved by the Juvenile Court. Home Detention may be recommended at any point in the court process but discontinues at the time of final disposition or placement in a treatment facility. Juveniles on Home Detention continue on "detention status," with a review required every eight days, as

specified by the Minnesota State Legislature. Average time on Home Detention is approximately three weeks, although involvement of the juvenile in trial proceedings or adult certification motions may extend this period. Hennepin County's experience seems to indicate that after thirty days the Home Detention Program begins to be less effective in maintaining juveniles trouble free. For the Home Detention worker as well as the juvenile and the family, the daily contacts become routine and acting-out and resentment of the restrictions of Home Detention increase. When these extended Home Detention situations arise, Juvenile Court approval is sought to lessen the need for daily contact and loosen certain restrictions of the Home Detention Order.

HOME DETENTION ORDER

The Home Detention Order (see Appendix) is the working document for the period of Home Detention. The order, which contains rules for the period of Home Detention (curfew, school attendance, restrictions on associates, etc.) is completed at a conference attended by the juvenile, parent/guardian, probation officer or social worker, and Home Detention

staff. During this conference, the Home Detention Program is explained, expectations are clarified, and the individualized order is developed. The juvenile and parents are informed that the consequence for violation of the order is a return to secure detention. Parents also are told that they must report any violation known to them or face possible contempt of court charges.

Most juveniles return to their own homes while on Home Detention, although arrangements can be made at the home of a relative, a shelter care facility, or another temporary placement. The ability to provide adequate supervision is a major factor in determining where a youth will reside. While juveniles must assume the major responsibility for following the order,

Public safety has not been endangered by this program. If kids act up in any way, they are brought back to the Juvenile Detention Center immediately. Kids recognize that Home Detention is a credible program because it holds them accountable for their actions.

Juvenile Court Judge Lindsay G. Arthur

long periods without responsible adult supervision should be avoided. Supervision is a particular problem for youths who do not attend school. In these cases, it may be possible to arrange for certain hours to be spent at a neighborhood center or other supervised setting.

The Home Detention Order is pre-



sented at a court hearing, during which the conditions are read into the court record and the juvenile is recommended for release. The court may make changes or additions to the order and then add its signature. At this point, the order becomes binding and cannot be altered without court approval.

ASSIGNMENT PROCESS

Following the court hearing, the juvenile waits in detention for the arrival of the Home Detention worker, who outlines the order conditions once again before taking the juvenile home. Home Detention staff assume the responsibility for assigning the case within twenty-four hours of the court hearing. At the Juvenile Detention Center, the Home Detention worker receives copies of the order for him/herself, the juvenile, and the parents; pertinent information about the juvenile; the name of the probation officer or social worker; the date of the next court appearance; and forms for the daily log and written summary (see Appendix).

WORKER RESPONSIBILITY

For the period of Home Detention, the worker monitors the Home Detention

Order and provides limited counseling to the juvenile and family (primarily on a crisis intervention basis). Home Detention workers are not involved in long-range treatment and do not "investigate" cases or make recommendations for treatment. Specifically, the Home Detention worker:

- Makes a daily face-to-face contact with the juvenile.
- Makes a daily random phone call to the juvenile.
- Makes a daily contact with the juvenile's school (if school is part of the Home Detention Order) or otherwise checks on school attendance.
- Completes the daily log.
- Completes the written summary.
- Is available to communicate information as requested by the probation officer or social worker.
- Appears at subsequent court hearings or informs staff as to the youth's conduct during Home Detention.

A copy of the Home Detention Order and the name and phone number of the Home Detention worker assigned are placed in the court record and Court Services file (held by the probation officer). The probation officer/social worker for the

juvenile and the Home Detention worker are expected to be in contact during Home Detention. The Home Detention worker's written reports are available to the probation officer/social worker and court.

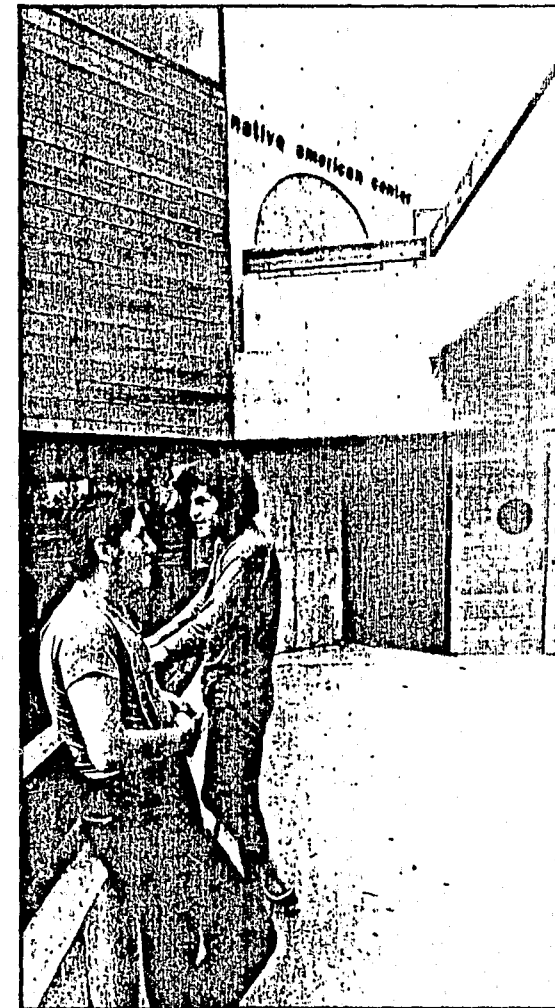
Home Detention workers are expected to use good judgment in monitoring the order. The volunteer has the option to allow one default on the conditions of the order. Given the sophistication of

“ Although we see the kids every day and sometimes become their friends, we have to shy away from being advocates for them. And we have to make it clear that the contract with the court is the bottom line.
Home Detention Volunteer ”

clients on the Home Detention officer's caseload, more than one violation may be allowed. However, continued violations of the order or involvement in a new offense requires the immediate return of the juvenile to secure detention. Home Detention workers may wish to consult with the probation officer/social worker of Home Detention staff regarding violations and the need for return. When return to secure

detention is required but the juvenile will not cooperate with the worker by returning voluntarily, the police are notified. If necessary, a warrant is issued for the juvenile's arrest. Home Detention workers are supervised by the probation officer/social worker in a team relationship, each party having individual responsibilities in working with the youth. Juvenile Detention Center staff are available twenty-four hours a day to assist with problem solving, and Home Detention staff function on an on-call basis for volunteers with questions or problems.

Juveniles who are returned to secure detention as a result of violating conditions of the order but not involved in a new offense may be reconsidered for release on Home Detention. A court hearing is scheduled, at which time the court is informed as to the violations that have occurred and the recommendation as to re-release on Home Detention. Hennepin County has found that some youths do not believe that the Home Detention Order will be strictly enforced. If given a second chance, most juveniles fulfill the expectations of the order.





STAFF ASSIGNMENTS

Job duties of personnel assigned to the Home Detention Program depend on each agency's budget and resources. In Hennepin County, 5 paid staff and approximately 50 unpaid staff currently comprise the Home Detention Program. Individual job responsibilities have been delegated as follows:

The **program administrator** coordinates the Home Detention Program with the policies and procedures of the Juvenile Court as well as with other agency divisions. The administrator assumes overall responsibility for the recruitment, screening, training, and supervision of volunteer staff and provides direct supervision for Home Detention officers (paid staff) and student interns. The administrator also directs the program's intake (interviewing youths and parents, developing release orders, making recommendations to the Juvenile Court) and assigns clients to the appropriate worker. Collateral responsibilities include implementation of the program's evaluative research design and development of ongoing training for volunteer and paid staff.

The **program secretary** maintains program records and statistics, which are compiled on a monthly, quarterly, and

annual basis. The secretary receives correspondence and telephone messages and routes them to staff in the field, handles routine clerical tasks, and serves as the office manager.

The **Home Detention officers** (currently 3 paid staff in this role) maintain a caseload of approximately 5 youths on a Home Detention basis. The Home Detention officer provides intensive supervision through personal and telephone contacts and works with the family, school, probation officer, and other community resources in an effort to maintain the youth trouble free outside the secure detention facility. Paid staff are assigned youths who are charged with aggravated offenses and whose behavior shows them to be sophisticated and street-wise. Home Detention officers supervise their cases on a seven-days-a-week basis, and their working hours include evenings and weekends. Home Detention officers are expected to develop a working knowledge of community resources, such as recreational programs, neighborhood centers, and school and work opportunities, incorporating these supportive services into supervision of the caseload. In addition to attending court hearings of youths on their case-

load, Home Detention officers spend one day a week in the office helping the administrator interview referrals and maintaining continuity with policies and procedures.

The **Home Detention workers** (volunteer staff) generally supervise one youth at a time on an intensive basis. Responsibilities include daily face-to-face and telephone contacts, school checks, and court appearances. Youths assigned to volunteer staff generally are charged with less serious offenses and are not viewed as sophisticated juvenile offenders. Since Home Detention workers also supervise their clients on a seven-days-a-week basis, cases are assigned according to geographic proximity in order to decrease travel time and mileage. After their initial training, Home Detention workers commit themselves to six months as active volunteers. Volunteers also attend monthly in-service training sessions on topics pertinent to their work.

Juvenile Detention Center and Juvenile Probation staff also provide assistance to the Home Detention Program. They supervise volunteer staff and answer their questions, refer youths for consideration for release, and attend volunteer training sessions.

V

RECRUITMENT AND SCREENING OF VOLUNTEERS

Recruitment and screening of citizen volunteers are the keys to the success of the Home Detention Program. In Hennepin County, volunteers supervise two-thirds of the youths assigned to the Home Detention Program. Without a cadre of well-trained, capable volunteers, the program could not maintain the capacity necessary to meet the needs of the Juvenile Court.

Recruitment can be accomplished in a variety of ways—speaking engagements with community service groups, university and college classes, radio and television announcements, and newspaper ads and announcements in company, community, and church newsletters. As the program expands, active volunteers become an excellent resource for the recruitment of new volunteers.

The following techniques are useful in recruitment:

- Emphasize the rehabilitative efforts of the agency and the program.
- Demonstrate that the agency has something to offer the volunteer, stressing the importance of using individual skills.
- Introduce crime and corrections as social problems and characterize the

typical offender as a youth who can benefit from a close interpersonal relationship.

- Maximize the use of audiovisual materials—filmstrips, slide presentations, and brochures.
- Keep lectures short and allow time for questions and answers.
- Enlist current volunteers to help in the presentation.
- During the presentation, clarify baseline requirements for the Home Detention Program—six-month commitment, attendance at training sessions, daily personal contacts with the client, and need for a car.

It also is useful to distribute brochures with application materials attached and provide phone numbers for later contacts. Some people choose to “think about it” before deciding to become volunteers and send in their applications at a later date.

APPLICATIONS AND SCREENING

Prospective volunteers are asked to complete an application form that provides basic information about the volunteer and serves as an initial screening device. A screening interview is conducted with all

applicants to determine the feasibility of using the volunteer in the Home Detention Program. The skills and interests of the potential volunteer must be matched with the needs of the program. The screening interview should be a mutual exchange of information as well as a personal introduction to the Volunteer Program.

The program administrator assesses the appropriateness of the applicant at the interview. A thorough discussion of the expectations of the volunteer in the role and an inventory of the skills and attitudes of the volunteer provide the basis for this decision.* Prospective volunteers may screen themselves out, feeling the program is not what they are seeking. The administrator may suggest another volunteer role or program more appropriate for the volunteer's skills and interests. Whatever the outcome of the interview, the interviewer should attempt to be as candid as possible with the volunteer in the assessment of skills and interests.

An applicant for the Home Detention Program should possess the following:

*Application and screening materials may be obtained from Hennepin County Court Services Department, A 506 Government Center, Minneapolis, Minnesota 55487

- An ability to work within the guidelines of the criminal justice system.
- Maturity, self-confidence, and an ability to relate to youths and their families.
- An ability to hold youths accountable and use the authority vested in this role in a fair and reasonable manner.
- An acceptance of the limitations of the role—short-term “monitoring” as opposed to long-term “treatment.”
- Sufficient time to devote to intensive supervision and daily contacts.
- The means, preferably a car, for transporting youths and making daily contacts.
- A willingness to make a six-month commitment to the program.

Applicants should be screened out if:

- Their personal philosophy differs drastically from that of the criminal justice system.
- They are perceived as being unable to hold clients accountable.
- They appear to be overwhelmed by their own problems and have not found appropriate ways to handle them.
- They do not have the time or flexibility to meet the baseline requirements.

- They cannot make a six-month commitment to the program.

If the decision is made to pursue volunteer involvement, the applicant is given a copy of the training manual and asked to study it before the upcoming

training sessions. A routine criminal record check is made on all new volunteers before any training begins. Upon completion of training, a follow-up interview may be required to clarify issues raised in the training sessions or the initial interview.



APPENDIX

HOME DETENTION ORDER

I, _____, will obey the rules of this Home Detention Order that are checked below. I further agree to obey the laws of this community, keep appointments on time, and cooperate with my parent(s), Home Detention worker, and probation officer or social worker as part of this order. I understand that breaking any of these rules could cause me to return to the Juvenile Detention Center.

Residence

- _____ 1. I will remain at my place of residence at all times of the day and night.
- _____ 2. I will leave my residence only during school hours, _____ to _____, and come directly home after school.
- _____ 3. I will leave my residence only during work hours, _____ to _____, and come directly home after work.
- _____ 4. I will leave my residence only when my parent(s), Home Detention worker, or probation officer is with me.
- _____ 5. I will leave my residence only on weekends and only with the permission of my parent(s) and Home Detention worker.
- _____ 6. I will leave my place of residence only with the permission of my parent(s) and Home Detention worker.

Hours

- _____ 7. I will obey the hours set for me on a daily basis by my parent(s) and Home Detention worker.
- _____ 8. If given the permission of my parent(s) and Home Detention worker to leave my residence, I will return to my residence no later than the following curfew:
 Sunday through Thursday _____
 Friday and Saturday _____

School/Work

- _____ 9. I will attend school and all my classes every day. I will do my work and not misbehave or interfere with the education of others while there. I will attend school every day unless my parent(s) and Home Detention worker give me permission to remain at home because of illness.
- _____ 10. I will have school slips signed daily and turn them in to my Home Detention worker.

(_____) 11. I will be at work every day and not misbehave or interfere with other workers or customers while there. I will be at work every day unless my parent(s) and Home Detention worker give me permission to remain at home because of illness.

Driving

_____ 12. I will not drive a car or other motorized vehicle.
_____ 13. I will drive a car or other motorized vehicle only when my parent(s) or Home Detention worker is with me.
_____ 14. I will drive a car or other motorized vehicle only when given permission by my parent(s) and Home Detention worker.

Associates

_____ 15. I will participate in activities with other persons only if given prior permission by my parent(s) and Home Detention worker.
_____ 16. I will not associate with persons whom my parent(s) and Home Detention worker prohibit me from seeing.
_____ 17. Specifically, I will not associate with the following persons:

Activities

_____ 18. I will not ingest mood-altering chemicals of any type unless ordered by a physician.
_____ 19. As part of this order, I will obey the following conditions:

The order will be in effect from _____ through _____

Place of residence: _____

_____ Juvenile _____ Probation Officer/Social Worker

As the parent guardian, I understand the conditions of this order and agree to cooperate with the Home Detention worker in its enforcement. I understand that if I fail to report any violation of this order known to me I may be found in contempt of court.

_____ Home Detention Worker

_____ Judge/Referee

_____ Parent(s)/Guardian

The Home Detention worker assigned to this case is:

NAME: _____

PHONE: _____
(home/work)

DAILY CONTACT LOG

CHILD'S NAME: _____ HOME DETENTION
 WORKER'S NAME: _____

Date	Contact	Time Start	Time Finish	Comments
	Personal			
	School phone			
	Random phone			
	Personal			
	School phone			
	Random phone			
	Personal			
	School phone			
	Random phone			
	Personal			
	School phone			
	Random phone			
	Personal			
	School phone			
	Random phone			
	Personal			
	School phone			
	Random phone			
	Personal			
	School phone			
	Random phone			

WORKER'S SUMMARY

CHILD'S NAME: _____ HOME DETENTION WORKER'S NAME: _____

DATES OF HOME DETENTION: FROM _____ TO _____

Number of face-to-face contacts: _____ Average length: _____
 Number of phone contacts: _____ Number of other contacts: _____

Comments: _____

	Excellent	Good	Fair	Poor	Not Applicable
Attitude of child to mother	_____	_____	_____	_____	_____
child to father	_____	_____	_____	_____	_____
child to siblings	_____	_____	_____	_____	_____
Attitude of mother to child	_____	_____	_____	_____	_____
father to child	_____	_____	_____	_____	_____
siblings to child	_____	_____	_____	_____	_____
Attitude toward Home Detention worker	_____	_____	_____	_____	_____
Comments:	_____				

	Excellent	Good	Fair	Poor	Not Applicable
Attitude of child toward school	_____	_____	_____	_____	_____
Behavior at school	_____	_____	_____	_____	_____
Attendance at school	_____	_____	_____	_____	_____
Comments:	_____				

Fulfillment/violation of Home Detention Order conditions: _____

Overall behavior: _____

Evaluation recommendation: _____

Date of report: _____ Submitted by: _____

MODELS

Alternatives to Imprisoning or Jailing Young People

Program Name(s) MENTOR I PROGRAM (DARE, Inc.)

5-7 Cpl. McTernan St. Cambridge, MA 02138 (617) 547-6112
Street City State Zip Telephone

MODELS PROGRAM TYPE(S): <table border="0"> <tr> <td>Nonresidential</td> <td>Residential</td> <td>Other</td> </tr> <tr> <td> <input type="checkbox"/> 1. Job/career programs <input type="checkbox"/> 2. After school or evening programs <input type="checkbox"/> 3. Alternative school <input checked="" type="checkbox"/> 4. Advocacy <input type="checkbox"/> 5. Counseling <input type="checkbox"/> 6. Mediation/arbitration <input type="checkbox"/> 7. Restitution <input type="checkbox"/> 8. Intensive services to families </td> <td> <input type="checkbox"/> 1. Wilderness <input type="checkbox"/> 2. Preparation for independent living <input type="checkbox"/> 3. Foster family care <input checked="" type="checkbox"/> 4. Intensive foster care <input type="checkbox"/> 5. Group home <input type="checkbox"/> 6. Highly structured group care <input checked="" type="checkbox"/> 7. Secure group care </td> <td> (see below in additional information section) </td> </tr> </table>		Nonresidential	Residential	Other	<input type="checkbox"/> 1. Job/career programs <input type="checkbox"/> 2. After school or evening programs <input type="checkbox"/> 3. Alternative school <input checked="" type="checkbox"/> 4. Advocacy <input type="checkbox"/> 5. Counseling <input type="checkbox"/> 6. Mediation/arbitration <input type="checkbox"/> 7. Restitution <input type="checkbox"/> 8. Intensive services to families	<input type="checkbox"/> 1. Wilderness <input type="checkbox"/> 2. Preparation for independent living <input type="checkbox"/> 3. Foster family care <input checked="" type="checkbox"/> 4. Intensive foster care <input type="checkbox"/> 5. Group home <input type="checkbox"/> 6. Highly structured group care <input checked="" type="checkbox"/> 7. Secure group care	(see below in additional information section)	PROGRAM IS ALTERNATIVE TO: <input checked="" type="checkbox"/> Detention <input type="checkbox"/> Correctional Institution <input type="checkbox"/> Judicial processing OR IS A: <input type="checkbox"/> Supportive service
Nonresidential	Residential	Other						
<input type="checkbox"/> 1. Job/career programs <input type="checkbox"/> 2. After school or evening programs <input type="checkbox"/> 3. Alternative school <input checked="" type="checkbox"/> 4. Advocacy <input type="checkbox"/> 5. Counseling <input type="checkbox"/> 6. Mediation/arbitration <input type="checkbox"/> 7. Restitution <input type="checkbox"/> 8. Intensive services to families	<input type="checkbox"/> 1. Wilderness <input type="checkbox"/> 2. Preparation for independent living <input type="checkbox"/> 3. Foster family care <input checked="" type="checkbox"/> 4. Intensive foster care <input type="checkbox"/> 5. Group home <input type="checkbox"/> 6. Highly structured group care <input checked="" type="checkbox"/> 7. Secure group care	(see below in additional information section)						
		THIS PROGRAM EMPHASIZES SERVICES TO YOUTH IN THE FOLLOWING CATEGORIES: <input type="checkbox"/> Black <input type="checkbox"/> Spanish speaking <input type="checkbox"/> Female <input checked="" type="checkbox"/> Violent						
CLIENT CHARACTERISTICS: <input checked="" type="checkbox"/> Males <input type="checkbox"/> Females <input type="checkbox"/> Under 12 years <input checked="" type="checkbox"/> 12-15 years <input checked="" type="checkbox"/> 16-18 years <input type="checkbox"/> Over 18 years <input type="checkbox"/> Abused/neglected/dependent <input type="checkbox"/> Status offenders <input checked="" type="checkbox"/> Delinquent <input type="checkbox"/> Any youth	AGENCY INDICATED THAT THEY ACCEPT: <input type="checkbox"/> Alcohol abusers <input type="checkbox"/> Drug abusers <input type="checkbox"/> Emotionally disturbed <input type="checkbox"/> Retarded/developmentally disabled <input checked="" type="checkbox"/> Violent <input type="checkbox"/> Sexual minorities <input type="checkbox"/> Physically handicapped <input checked="" type="checkbox"/> Arsonists <input type="checkbox"/> Rapists <input type="checkbox"/> Non-English speaking	ANNUAL BUDGET: \$ <u>124,000</u> AGENCY STATUS: <input type="checkbox"/> Religious <input type="checkbox"/> Private profit <input checked="" type="checkbox"/> Private nonprofit <input type="checkbox"/> Governmental or quasigovernmental AVERAGE DAILY/ANNUAL POPULATION: <u>14</u> STAFF SIZE: Number of full time <u>17</u> Number of part time _____ Number of volunteers <u>4</u>						

ADDITIONAL PROGRAM INFORMATION:

The Mentor I Program (a component of DARE, Inc., a multiservice agency) offers intensive foster care and traditional group shelter care as alternatives to secure detention for young people pending adjudicatory and dispositional hearings. The program serves male youths aged 7-17 from the Cambridge, Massachusetts, area who have been charged with offenses which range from destruction of personal property to armed robbery, arson, and rape.

In the intensive foster care component, youths are placed in a one-to-one living situation in the homes of adults known as "Mentors." Each Mentor provides 24-hour-a-day care and supervision to a child until his court appearance. Mentors act as advocates for the youth in his/her charge. The program can provide reality counseling. All other needed services are purchased from other agencies. Mentors may not hold another job.

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M#0170
Page 2

Mentor I serves an average of 14 boys at a time--9 in the intensive foster care program and 5 in their group shelter facility. Each boy spends an average of 2 weeks in the program; the maximum stay is 45 days. All referrals come from the courts, and funding is provided by the Massachusetts Department of Youth Services--\$124,000 in 1978.

APPENDIX C



**Court of Common Pleas
RICHLAND COUNTY**

DIVISION OF DOMESTIC RELATIONS
COUNTY ADMINISTRATION BUILDING • MANSFIELD, OHIO 44902

DIVISION OF JUVENILE COURT & ATTENTION CENTER
275 HEDGES STREET • MANSFIELD, OHIO 44903

DAVID R. ARBAUGH, Judge

ANTHONY S. CAPPADONNA, Court Administrator
EDWARD HUFF, Director of Court Services • Chief Probation Officer

In the Matter of

: NOTICE OF DETENTION

TO THE RICHLAND COUNTY JUVENILE COURT:

We are requesting to detain _____ at the Richland
County Juvenile Attention Center.

Said child would be detained for the following reason(s):

- Detention is required to protect said child's person.
- Detention is required to protect the person or property of others.
- Said child may abscond or be removed from jurisdiction of the Court.
- Said child has no parent, guardian or custodian able to provide supervision, care, and return to the Court.

ALLEGED OFFENSE

- Status
- Delinquent
- Non-Offence

SAID CHILD WOULD BE DETAINED:
(check more than one if applicable)

- Pending Detention Hearing
- Pending filing of charges
- Adjudicatory Hearing
- Dispositional Hearing
- Transportation to OYC (Temporary)
- Transportation to OYC (Permanent)
- Pending transportation elsewhere
- Pending referral to another agency
- Other:

Do you wish a written statement of child's behavior
while in Detention?

Yes No

PERSONAL INFORMATION:

County _____

Name: _____
Last First Middle

Address: _____
Number Street City State Zip

Place of Birth: _____ Age: _____

Date of Birth: _____ Sex: _____ Race: _____

School: _____ Height: _____ Weight _____ lbs.

Hair Color: _____ Eye Color: _____

Distinguishing Marks: _____

Father's Name: _____ Father's Address: _____
Last First (if different than above)

Mother's Name: _____ Mother's Address: _____
Last First (if different than above)

Guardian's Name: _____ Guardian's Address: _____
Last First

Who has been notified about child being placed in Detention? Father Mother Guardian

Are Parents aware of visiting regulations? Yes No

MEDICAL INFORMATION:

Is the child under the present care of a doctor? Yes No - see note attached.

Is medication now being taken? Yes No If yes, please explain: _____

Do any of the following now apply? _____ Other (explain) _____

epilepsy hay fever

asthma venereal disease

diabetes nervous disorders

fainting headaches

Is there now or has there recently been a drug related problem? Yes No

Is there any medical information that we should now be aware of? _____

GENERAL INFORMATION:

Probation Officer: _____

Court personnel to contact in case of emergency: _____
Last First

Does this child have a history of being a runaway? Yes No

_____ Home Phone _____
Office Phone

Does this child have a history of violence? Yes No

Is there any special precaution we should take or any recommendation that you would like to make? _____

DETENTION/SHELTER CARE CONTROL FORM

CD _____ JINS _____

Date: _____ Time: _____ A.M. P.M.

Intake Officer's Name: _____

Complainant: _____

Title or Relationship: _____

Address: _____

Telephone Number: _____

Juvenile's Name: _____

Address: _____

Telephone Number: _____

D.O.B.: _____ Sex: M F

Name of Parent or Guardian: _____

Address: _____

Telephone Number: _____

Charge: _____

Circumstances of Charge: _____

Names of other juveniles involved: _____

Decision: Detention _____ Shelter Care _____

Reasons:

() Necessary to secure presence of juvenile (D or SC)

() Safety of community seriously threatened (D)

() Protect health or safety of the juvenile (SC)

() Physical/mental condition of juvenile (SC)

() No adult custodian/summons not appropriate (SC)

On an attached sheet, explain why this Detention/Shelter Care decision was made. Include the factual analysis which led to this decision and the alternatives to Detention/Shelter Care which were considered.

Temporary Holding _____ for whom: _____

Release _____ to whom: _____

(signed) _____ (title) _____ (date) _____

END