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**CLASSIFICATION IN THE JUVENILE JUSTICE SYSTEM:
A PROJECT TO DECREASE DETENTION
IN THE
FOURTH JUDICIAL DISTRICT
OF MONTANA**

By

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B.A., University of Montana, 1986

Presented in partial fulfillment of the requirements for the
degree of Master of Arts

UNIVERSITY OF MONTANA

1991

The Use of Risk and Needs Instruments:
Decreasing Detention in the Fourth Judicial District

The research project was funded by a grant from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) through the Montana Board of Crime Control. The award amount was \$5,000 which included equipment purchases and a research component. The grant was from 3-2-87 through 8-29-87. The equipment component was a computer and software packages to aid the Fourth Judicial District Youth Court in record keeping and to automate the instrument chosen as a result of the research to insure ready access by the juvenile probation officers. The purpose of the research component was to evaluate, choose, and implement a risk and a needs instrument that would aid juvenile probation officers in their case management and planning. Another purpose was to provide objective criteria for supervision decisions, partially eliminating the discretion found at all levels of the juvenile justice system.

A primary goal of the OJJDP is to remove juveniles from detention in adult facilities and to find alternatives to detention, along with a focus on prevention. Properly tested instruments work towards the goal of prevention by classifying youth according to their supervision and intervention needs.

Various risk and needs assessments were reviewed and a selection was made for the project. After pretesting the instruments, modifications were made appropriate to the district under study. While the data were being gathered, the instruments were applied to past cases, including a random sample and specific cases in which detention occurred, to determine if use of the instruments would have predicted the detention outcome. While the findings regarding the use of the instruments for detention prevention are inconclusive without further research, definite benefits and uses were apparent.

Juvenile detention in general and specifically in Montana, classification in the criminal justice system, and the juvenile classification system chosen for the project, as developed by the National Institute of Corrections, are presented and discussed.

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INTRODUCTION

In 1974 the U.S. Congress passed the Juvenile Justice and Delinquency Prevention Act (JJDP Act). The Office of Juvenile Justice and Delinquency Prevention (OJJDP) was created within the Department of Justice. At the Federal level directives were set forth and grant funding mechanisms established. The purpose was to increase the capacity of state and local government and public and private agencies to conduct preventive and rehabilitative programs for juveniles. Minor amendments were made to the JJDP Act in 1976, and substantial revisions enacted in 1977 and 1980.

Some major goals of the JJDP Act were to deinstitutionalize status offenders and non-offenders and to separate detained juvenile offenders from jailed adults. In 1977, the Montana Legislature responded to the JJDP Act by passing legislation that mandated the separation of adults from juveniles and the deinstitutionalization of status offenders. General detention criteria for juveniles were also established, including criteria for determining which juveniles should be placed in shelter care and which could be placed in secure detention.

Originally, the JJDP Act allowed for juveniles and adults to be held in the same facility, as long as they were separated by sight and sound. However, definitions of "separation" differed widely. Also, it was often architecturally impossible and/or impractical to completely

separate juveniles from adults in the same facility. Efforts to comply often led to completely isolating juveniles and risking their psychological well being. In June, 1988, a sixteen year old male was placed in detention in a large jurisdiction in New Jersey. To accommodate the sight and sound separation requirement, he was placed in a rarely used isolation cell. So complete was the separation that he was forgotten until a janitor discovered him 36 hours later.

In response to the difficulty of separating adults and juveniles by sight and sound within the same facility, the JJDP Act was amended in 1980 to mandate the removal of all juveniles from adult jails. However, to allow the time necessary to make changes and in recognition of the difficulties those changes presented, the JJDP Act amendments allowed for a three step program in the removal process: 1) deinstitutionalize all status offenders immediately, 2) separate juveniles and adults by sight and sound, 3) by 1989 move from a 75% removal of juveniles from adult facilities to 100% compliance.

An exception was made for states with low population density to continue detaining juveniles in adult facilities when no acceptable alternatives were available. Nevertheless, the states were encouraged to move toward compliance with the act by exploring alternatives, modifying facilities and making acceptable plans for the 1989 deadline of complete removal of juveniles from adult facilities. Failure to comply with or

submit acceptable plans for removal of juveniles could result in the loss of Federal funding for individual states' juvenile services. The state of Montana would lose approximately \$36,000 per year if compliance is not achieved.

Additionally, a variety of court cases provided more impetus for the states to comply with the intent of the JJDP Act. In particular, the court ruled in Tewksbury (1982) that detention of any juvenile in an adult correctional facility violated the juvenile's constitutional rights and was illegal under the guidelines of the JJDP Act. The ambiguities of the different rulings and acts and the need for change were highlighted by two recent cases in Kalispell, MT.

In January of 1988 a Kalispell mother called the police because her 14 year old son was out of control. Officers arrived and took him to the Flathead County Jail. They reported trouble in restraining the boy, who was finally placed in a "soft" cell. He was later transferred to the hospital after becoming ill. He died approximately an hour later. The parents have filed claims of \$5 million each for compensatory and punitive damages with the County. If the claims are denied, a civil suit will be filed against the County.

Subsequently, the Kalispell Sheriff refused to house a juvenile in his jail, although ordered to do so by the court, citing possible illegality and liability issues for his refusal. The Judge consequently fined the Sheriff \$500 for

contempt-of-court, and agreed to suspended a five day jail sentence on the condition the Sheriff accept court ordered juveniles in his facility. The Judge also agreed to keep the case open while discussion of the Sheriff's concerns continued. The issues behind the refusal-lack of facility, staff and budget to meet the requirements of juvenile detention in a safe and secure manner-are a major concern of many rural counties.

In response to the JJDP Act and to the court cases, the 1987 Montana Legislature passed Senate Bill 226, which amended the Montana Youth Court Act (MYCA) by setting a deadline of July 1, 1989, for bringing Montana into compliance with the JJDP Act. This bill also provided for the establishment of regional detention centers and granted licensing control of those centers to the Department of Family Services (DFS). Provision for a probable cause hearing within 24 hours of detention was also added. The amendments and new sections, for the most part, addressed the rights of juveniles and detention issues. Appendix A provides a summary of the bill.

Because rural states such as Montana, with relatively small numbers of juveniles in need of secure detention, were initially allowed to detain juveniles in adult facilities, they did not work to immediately develop alternatives to the use of adult facilities. However, because of deadlines set by legislation, these states, and in particular the counties, which are legally and financially responsible for the secure

detention of their youth, must have alternatives to short and long term detention of juveniles in adult facilities.

The MYCA does allow youths to be held in adult facilities for 24 hours, prior to a probable cause hearing. This means that when sight and sound separation is possible, youth may be locally detained until the probable cause hearing. However, there must be new solutions for the small number of youths who need to be held past the probable cause hearing and prior to final disposition, as well as those post-dispositional youth who are awaiting transportation or commitment to other facilities.

Statewide efforts to address this problem have been continuing in the form of grants from the OJJDP to the Montana Board of Crime Control (MBCC). The MBCC has funded various local, regional, and state projects in an effort to meet the mandates of the JJDP Act and the MYCA. In addition to funding various projects, the MBCC committees continue to address the youth detention issue and to coordinate local and statewide efforts.

One such effort resulted in the preparation of proposals to be presented to the 1989 Montana Legislature to specifically address the removal of juveniles from adult facilities. Appendix B provides a summary of the proposals that were presented for legislative action as HB 568. The bill represents a combined effort to pragmatically and fairly implement into law the intent of the MYCA and the JJDP Act.

The 1989 Legislature passed HB 568. In addition to incorporating the proposals, HB 568 provides an additional two year period in which juveniles may be housed in adult facilities under specifically delineated circumstances. Appendix C summarizes HB 568.

The immediate problem of removing juveniles from adult facilities has three possible solutions: 1) build or modify facilities specifically for short and long term juvenile detainees, 2) develop alternatives that adequately protect the rights of the juvenile as well as address the safety of the community, 3) prevent detention by early detection and intervention.

Ideally, the answer to the juvenile detention problem lies in a combination of these solutions. Long term detention could be handled by local or regional juvenile detention centers and short term detention by local alternatives. Prevention would appreciably diminish the number of youth who need detention. Each solution is distinct enough in implementation and in the population served to be examined separately.

The first solution is extremely costly and in low population rural areas of the state impractical. Based on detention numbers in these areas, a local facility would receive only occasional use. Use of a regional facility would require staff time and money for transportation, as well as the expense of using the facility. Additionally, most youth

are released within 48 hours (Crime in Montana, 1987) to a parent or other guardian, making it impractical to transport the youth long distances. The cost of building a regional facility, without the assurance of multi-county use or the existence of other youth services, is prohibitive for most counties. Regional or local facilities would serve the small number of youth who need long term detention prior to or after adjudication. These facilities would not be correctional, and therefore not used dispositionally, unless efforts and resources were combined and the scope considerably broadened to make the facility financially feasible. Counties are facing tightening budgets, which hardly allows for costly transportation of juveniles to a regional facility or the remodeling or building of new facilities, even on a regional basis. Conversely, counties can ill afford the financial burden of a successful lawsuit that challenges their detention procedures or facilities. As cited earlier, \$10 million in claims have been filed against Flathead County by the parents of a 14 year old boy who died after being held in the Flathead County Jail.

The second solution, the development of alternatives, is attractive because it proposes low cost, need based services. Various projects have been implemented throughout the country that are viewed as model programs. The Michigan Holdover Program, which serves an isolated low-population multi-county area of Northern Michigan, is particularly instructive

(Community Research Associates, 1987).

Locally, Ravalli County has received funding for "Project Motel." This project uses trained volunteers and a video monitoring system in a motel room for short term detention. The development of local alternatives is the most feasible solution to the juvenile detention problem in Montana because of the rural nature of the state, the small number of youth requiring detention, and the short average length of stay (ALOS) for most detainees.

The MBCC, through funds provided by the OJJDP, is highly supportive of efforts at the local level to develop alternatives. The plan presented to the 1989 legislature, while encouraging cooperation for the use and development of regional detention centers, stressed the development of community based alternatives. This solution would serve the majority of youth requiring short term detention, who, in fact, constitute the vast majority of all juveniles requiring detention.

The third possible solution, prevention and intervention, approaches the problem of separating juveniles from adults by reducing the need for detention. This solution calls for programs of education and early detection and intervention on a national and local level.

A large number of youth who eventually face detention are already known to the juvenile justice system through prior contact with the Youth Court. It is this population--youth

who are in contact with the juvenile justice system--that the following research project addresses. Those youth who are detained on behalf of other counties or those who first encounter Youth Court as a result of being detained are excluded from study. An exception to the latter group is, of course, those youth who, after detention, have continued contact with Youth Court and are at risk for future detention.

The primary question behind this research project asks if the use of risk and needs assessment instruments by juvenile probation officers would help identify and classify those youth who are at risk for first time or further detention. Once the youth is identified, based on his or her level of risk and need, appropriate preventive supervision could occur. Case planning could focus upon addressing the youth's identified needs, thus reducing further the potential for future problems resulting in possible detention.

Whether or not the use of risk and needs assessment instruments can provide useful information for early preventive supervision of youth is a complex question. This paper discusses the local juvenile detention situation, presents the theory underlying the construction and use of classification, and risk and needs assessment instruments, and then describes a project that was implemented in Montana's 4th Judicial District using risk and needs instruments.

JUVENILE DETENTION

OVERVIEW

Detention is the temporary holding of a juvenile pending adjudication for specific delinquent or status offenses, or for conditions such as dependency, neglect or abuse. A juvenile who has already been adjudicated and is awaiting a disposition of a transfer to a placement facility is also considered detained (Spiers, 1981). The detention is either secure or nonsecure, and the place of detention can vary from foster or shelter care to an adult jail. The decision for the type of detention depends on availability of facilities and the reason for detention.

Detention is defined in the Montana Codes Annotated (MCA) as the temporary substitute care of youth in a physically restrictive facility. Detention may take place prior to a probable cause hearing, pre and post adjudication, as a hold for another jurisdiction, for an alleged After Care probation violation, or as part of a disposition. When detention is part of a disposition, the youth is transferred to a properly secured facility which usually includes a treatment component. While there are restrictions and requirements to be met, all too often youth are held in adult facilities for lack of secure or available local alternatives.

Montana has one facility, the Youth Services Center, located in Billings, that is multipurpose, providing both

secure and nonsecure detention, and shelter care. The shelter care unit provides nonsecure detention for abused or neglected youth and some youth in need of supervision (YINS). The secure detention portion has four beds, which usually run at 50% occupancy. Because of the great distance from many population centers and rural areas, and the fact that most juveniles are not held very long, it is impractical for many jurisdictions to take advantage of the secure detention option offered by the Youth Services Center. Local alternatives, often including the county jail, are employed instead.

Detention of juveniles in adult jails is controversial. Rationales for the use of adult facilities include protection of the public, protection of juveniles from themselves and their environment, and a lack of suitable alternatives. The role of punishment confuses and informs the debate. Law enforcement, juvenile justice officials and even the public may view the placement of juveniles in jail as appropriate punishment or as the opportunity to "teach them a lesson." Traditional beliefs of punishment have been tempered with models that include treatment. Recently, however, there has been a renewed interest in the punishment aspect, as juvenile justice follows the trends of the adult criminal justice system (Alexander, 1986).

While the use of punishment and treatment both have strong supporters and debate is lively, it is generally agreed that the use of an adult facility to hold juveniles is not

appropriate for either goal. For some youth, detention constitutes their first contact with the juvenile justice system. Current literature indicates that behavior modification and treatment of socially deviant youth is best achieved when the youth are diverted from the adult criminal justice system, its jails, and the implicit intention of punishment. Restraint of youth, when necessary for the protection of society or of the youth, is best carried out through diversion programs, shelter care, crisis or emergency centers, or through counseling and monitoring. If, as a last resort, youth need secure confinement, they should be held in juvenile detention centers which are geared to meet their needs and are staffed by specifically trained personnel (Tewksbury, 1982).

Many county jails are in poor physical condition, employ extreme measures for security, have very harsh architecture which creates a disconcerting environment, and provide the circumstances for physical and emotional abuse of the juvenile by incarcerated adults. These circumstances also increase anti-social behaviors, such as the use of violence, physical abuse and perpetration of sexual abuse, by the youth. The staff is usually not trained to deal with the special needs of juveniles or the problems that arise from incarcerating juveniles in adult facilities.

Detention in an adult jail interferes with the youths' relationship with their families, schools and communities. It

stigmatizes them as criminal. It also contributes to feelings of anxiety, depression, anger, and potential loss of self esteem. Suicides among incarcerated youth occur at alarming rates and rates for those confined in adult facilities are higher than those of youth held in separate secure juvenile detention centers (Jenson, 1983). Even the most avid defender of the punishment model would agree that detention, when in an inappropriate facility, is drastically at odds with the goals of the juvenile justice system.

Early codes and standards developed for the purpose of decision making in cases of juvenile detention used general and imprecise language that granted broad discretion to local officials. Standards emphasized protection of self and community as reasons for detention and intimated that local officials had the best understanding of what was necessary in each case.

Such broad discretion is partially the result of the principle of *parens patriae* that underlies the juvenile justice system. Under the principle of *parens patriae* the state takes over the parental role for youth whose birth parents or guardians can not or will not provide them with "proper" guidance and care. This includes youth in conflict with the law. Inherent in *parens patriae* is the assumption that youth are products of environment and insufficient parental skill. *Parens patriae* thus provides a broad and discretionary base from which the juvenile justice system has

been operating. This has, traditionally, resulted in youth with similar charges and problems being treated quite differently, based on various social and economic attributes. The recent development and implementation of restrictive detention criteria is at odds with *parens patriae*. Objective and specific criteria are being applied to the detention decision process, as opposed to each case being decided on a myriad of situational factors informed by the bias of the participants.

The 1959 "Standards Juvenile Court Act" reflected the bias for decision making at the local level. A 1972 study introduced the concept of stricter detention criteria to the juvenile justice system. A 1975 report by California's Department of Youth Authority refuted the concept that detention somehow protects the youth from his or her own irresponsibility and addressed the issue of community protection. Since 1975, the trend towards developing precise, objective criteria has continued and is seen at the national, state and local level (Jenson, 1983).

The JJDP Act set forth mandates concerning the removal of juveniles from adult facilities. In particular, the 1980 amendments addressed the issue and began to allocate funding dependent on a state's effort to comply. Criteria developed by national organizations such as the National Council on Crime and Delinquency, National Advisory Committee, and the American Bar Association strongly influenced state and local criteria development.

JUVENILE DETENTION IN MONTANA

The state of Montana, until 1981, had no official or even widely accepted and used set of criteria for detention decisions. In 1981, the Montana Jail Standards were established. The standards allowed for a great deal of individual discretion even while setting out specific conditions under which detention was allowable.

In 1983, the Missoula County Juvenile Probation Office developed and implemented juvenile detention criteria for the 4th Judicial District. The Missoula County criteria satisfy the language and intent of the JJDP Act and are influenced greatly by national criteria. The Detention/Shelter Procedure and Policy Guidelines were updated in 1987 to reflect the changes made by the legislative session (Appendix A) and in response to the JJDP Act amendments. While there is still considerable flexibility allowed local officials, the requirement for documentation and to meet the standards of the guidelines is intended to offset the potential for inappropriate placement.

Currently, youth who are alleged to be delinquent or YINS may be kept in an adult facility which meets state requirements prior to the mandated probable cause hearing. A delinquent youth is defined as a youth who has committed an offense which, if committed by an adult, would be a criminal offense. A YINS is defined as a youth who commits an offense prohibited by law, which if committed by an adult, would not

constitute a criminal offense. These offenses are generally referred to as status offenses. Youth Court, using discretion, may define a youth who has committed delinquent acts as a YINS.

Delinquency, however, when alleged, must be shown to exist. When proven, an adjudicated delinquent may be kept in an adult facility while awaiting transfer or placement. A youth designated as a YINS may not, after the probable cause hearing establishing criteria for YINS status, be held in an adult facility after July 1, 1991. Nonsecure detention, foster home placement or shelter care are among the preferred and eventually the only allowed alternatives. Even after July 1, 1991, youth adjudicated delinquent may be held in adult facilities provided certain criteria are present and met. These youth are usually awaiting transfer to state correctional facilities. Youth in need of care, who are youth suffering abuse or neglect or are dependent, may never be placed in an adult facility under any circumstances.

Detention most often occurs between the initial pick up of the youth and the probable cause hearing. This decision is often made by the citing officer and then modified or concurred with by a juvenile probation officer. Many jurisdictions have their own detention criteria as well as following state and federal guidelines. The broad criteria is usually based on the perceived likelihood of the youth to reoffend or not to appear for a hearing, as well as the nature

of the offense. Holds, transfers and pick ups for other jurisdictions comprise the rest of the youth found in adult facilities and present less opportunity for discretion in decision making.

While many question the wisdom of youth held in adult facilities under any circumstances, the youth of interest in this study are those already involved in the local Youth Court system and those whose first involvement occurred during the period of this study. These youth are at risk for detention. Prevention of the detention that occurs as a result of the violation of formal or informal probationary agreements, and in particular those occurring due to reoffending, is the goal of the use of the instruments under study. The instruments being tested were used to assess the level of individual need and the level of risk of the youth to offend or reoffend. Concentration of resources on high need and high risk individuals may prevent or significantly decrease the number of short and long term detentions.

The tables below indicate the complexity of the problem for a basically rural area dealing with small numbers for short periods of time. The data presented is from the MBCC's Annual Crime Report and the Missoula County Data Processing Department.

Table 1.

Total Number of Secure Detention Statewide
By Year 1983-1987

| <u>Year</u> | <u>Status Offender</u> | <u>Delinquent</u> | <u>Total</u> |
|-------------|------------------------|-------------------|--------------|
| 1983 | 159 | 395 | 554 |
| 1984 | 59 | 299 | 358 |
| 1985 | 50 | 321 | 371 |
| 1986 | 63 | 273 | 336 |
| 1987 | 57 | 266 | 323 |

With the exception of 1985, Table 1 indicates a steady decline in the number of secure detentions each year. The sharp drop in the number of status offenders held in secure detention from 159 in 1983 to an average of 57 per year for the next four years is indicative of the effort to comply with the 1984 mandate of the OJJDP to not detain status offenders.

The MBCC data indicate an average daily population (ADP) of fifteen juveniles in detention statewide. An estimated 350 juveniles annually require detention in Montana. However, 58% of those 350 are held less than 24 hours, and 75% less than 48 hours. For the years 1985-1987 approximately two-thirds of the total time accumulated in detention is accounted for by a small number of youth held over five days. The ADP of a long term (over five days) detainee for 1985-1987 is approximately two. This peculiar distribution of time accumulated has helped define efforts to provide alternative means of detention for the large number of youth who spend less than

two days detained and to examine ways to provide long term detention services when needed.

Table 2.

Total Number of Secure Detention
for Fourth Judicial District
and Average Length of Stay
By Year 1986-1988

| <u>Year</u> | <u>Male</u> | <u>Female</u> | <u>Total</u> | <u>Average Length of Stay</u> |
|-------------|-------------|---------------|--------------|-----------------------------------|
| 1986 | 60 | 10 | 70 | 3.8 days |
| 1987 | 101 | 17 | 118 | 2.4 days |
| 1988 | 106 | 22 | 128 | 2.7 days |

Unlike the statewide data, Missoula County shows an increase in the number of juveniles detained over the three years for which specific data were available. While the average length of stay (ALOS) appears moderate, only 51% are released within 48 hours, unlike the 75% statewide. Missoula, as a population and service center in a sparsely populated state, not only has more detention per capita but additionally is burdened with other counties' secure detention needs. Despite the use of Missoula County Jail for secure detention, it can not, when fully populated with adult prisoners, provide the sight and sound separation required by law. The 1989 Legislature has mandated that beginning July 1, 1991 no juveniles may be held in adult facilities past the probable cause hearing. The needs for developing detention

alternatives and detention prevention locally are obvious. Long term detention needs will mesh with those statewide and most likely will be met on a regional basis.

CLASSIFICATION AND PREDICTION

OVERVIEW

Prediction and classification occupy central positions in the behavioral sciences, criminological research and criminal justice decision making. Prediction and classification are fundamental to the application of scientific methods to problems of crime and justice and to the formulating and testing of theories. Prediction and classification form the basis for decision making about individuals in the criminal justice system. These decisions are basic to efforts to crime prevention and control efforts and to criminal justice policy making (Gottfredson,1987).

Classification is the assignment of persons to categories so that those classified exhibit less variable characteristics than the total variance in the population. Classification is usually the grouping of individuals in to initially undefined classes so that they are similar to each other based on prediction variables and consequently the criterion variable. These variables should be selected on theoretical grounds rather than on the information available in records (Barnett,1987). The data available are usually problematic because information collected in the criminal justice system is often randomly and incompletely collected and varies greatly among jurisdictions. The same is true of definitions used. Classification systems have gradually evolved and

changed based on a combination of available data, expected use, societal and community emphasis, and theoretical research.

Prediction refers to an assessment of some expected future state or behavior by a person. The central assumption of prediction is that previously observed relations between predictors and criterion classification permit estimates of the most probable outcomes for each category or group (Smith, 1979). An important distinction, however, must be made between individual and group outcomes.

The ecological fallacy has the potential to present problems and needs to be avoided. The ecological fallacy refers to the attempt to predict individual behavior from aggregate data. There are many contingencies that impinge on individuals' decisions to act in certain ways, making it impossible to reach concrete conclusions about individuals from the group. Practitioners must be cautioned to think not in terms of the individual but rather that members of particular groups are more likely to behave in certain ways than are nonmembers or members of other groups. In risk classification, for example, the group rated as high risk is likely to have more reoffenses than the group rated as low risk. It is not possible, however, to predict which individuals in that high rated group will reoffend. It is especially important with juvenile offenders not to fall into the ecological fallacy, as juveniles are less set in

behavioral patterns, and therefore less predictable, than adults (Baird, 1985).

Prediction, the basis for all decisions in the criminal justice system, begins with the initial decision whether or not to detain or arrest an individual. It continues throughout the process and after sentencing, ending finally at the point where an individual exits the system. Prediction is used to decide whether or not a person may be free in the community, and if so, what level of supervision is advisable. If not, prediction determines levels of supervision in prison or correctional settings and guides release, dismissal and discharge decisions.

At various stages throughout the criminal justice process, prediction focuses on dangerousness, probability to reoffend, probability of absconding, and amenability to treatment. These predictions are based on classification of the offender into categories that represent different levels of the probability to behave in ways typical of that group. The behaviors are predicted by various attributes of the individual that, when weighted and scored, place them into categories with others that have similar attributes. Thus the placement of an offender into a category suggests that they are more or less likely to behave in a way that is representative of that category's usual outcome. This prediction then determines various levels of supervision and informs other critical decisions regarding the offender's

future treatment in the system.

Classification, especially for the purpose of prediction, always occurs and directs decision making. Whether it is formal or informal, conscious or unconscious, articulated or not, classification for the purpose of prediction is employed constantly. Since classification is such an integral part of the criminal justice process, can have such extreme diversity from one jurisdiction to another, and has such a profound direct impact on an offender's future, the important question becomes: How does classification take place?

The classification process is accomplished either by a formal classification instrument or informally, based on the experience, intuition, perception, bias and discretion of those making the decisions. The criteria used to make decisions in the latter manner is often not articulated, acknowledged or even fully realized or understood by the decision makers. The arbitrariness of such decision making argues strongly for the development of a fairer, more consistent process. Hopefully, a more standardized system for classification built upon a scientifically based approach developed by those doing the line work would produce such a result (Lerner, 1986). The resulting instrument would take offender rights into account along with the goal of the prevention and control of crime.

The use of a scientifically constructed and consistently applied instrument offers the promise of an objective system

by which decisions are made, therefore helping to assure that participants will be equally and fairly treated with regard to their individual management and treatment needs. Obviously not all offenders need to be treated the same but rather differentially based upon their classification attributes. The use of scientifically constructed instruments also produces consistent, explained, documented decisions based on empirical data. A decision arrived at through an instrument is more defensible than one informally arrived at (Alexander, 1986).

In 1954 psychologist Paul Meehl conducted and published a study entitled "Clinical vs Statistical Predictions." This study was a landmark case for the preference of statistical over clinical prediction. Meehl summarized 20 empirical tests of one method against the other in predictions of human conduct made by both methods for large samples of cases that were followed up to see which prediction was correct. The studies were very diverse and included predicting psychiatric disorders in mental patients, performance of armed-forces personnel receiving various types of technical training, and the recidivism of prisoners. In 16 of the tests the statistical predictions proved correct much more often than did the predictions made from case studies, in three somewhat more often, and in one less often, but the evidence in this one case was somewhat ambiguous (Gottfredson and Tonry, 1987).

Studies have continued to show, with repeated regularity,

that scientifically derived instruments are more accurate in predicting behavior than are clinically based predictions (Gottfredson, 1987, Solomon and Baird, 1981, Alexander, 1986, Austin, 1986, Wright, Clear and Dickson, 1984, Wolfgang, 1985). The use of scientifically derived instruments results in actuarial predictions. Actuarial predictions are based on risks associated with individuals who fit certain statistical categories; clinical predictions are based on analysis of available information and professional judgement (Walker, 1989). The use of an instrument results in generally more accurate predictions of behavior and also makes explicit, verifiable and justifiable decisions that, if clinically made, based on implicit bias and discretion, would be difficult to defend.

Most systems, however, including the more sophisticated are, at best, moderately more accurate than already employed methods. The more sophisticated systems may rely on complicated means of construction and are often difficult to administer. Research suggests there is no clear advantage in any given scientific method of construction over another and that all techniques result in virtually the same degree of predictive efficiency (Gottfredson and Gottfredson, 1979).

Human behavior is notoriously unpredictable and does not always conform to scientific prediction devices (Walker, 1989). The value of a scientifically devised classification instrument goes beyond the predictive use and is fully

realized if applied as part of a complete classification management system. The structure and uses of a complete classification system are discussed later in this section. The accuracy gained by the use of an instrument for prediction, while moderate, is not negligible and supplies justifiable and clear guidelines for decisions regarding the offender's future.

In summary, classification and prediction are the backbone of the criminal justice system. Classification and prediction are fundamental to the goals of the criminal justice system, which are the prevention and control of crime. Specifically in the case of prediction and classification, prevention and control of crime is attempted through intervention with the offender at whatever level of supervision and service is defined as appropriate for the group to which they are assigned through the classification process.

All decisions and actions regarding an offender, from entrance to exit in and from the system, are based on some prediction of the offender's future behavior. In order to make predictions, there must be classification of individuals in to varied categories with predicted and expected outcomes. This classification for prediction purposes is done either formally or informally, but it always exists, whether it is acknowledged and formalized or not. Scientifically derived and formally applied classification instruments offer more

accurate predictions, as well as justification for decisions, and protect offender's rights against unfair judgement based on bias and discretion.

Classification and prediction, which obviously permeate the criminal justice system, have been prominent since the inception of legal or justice systems. The next section will discuss the history of classification in the criminal justice system and the development of formalized classification over the last century.

HISTORY

The prison and parole systems have historically shown the most interest in classification for prediction purposes. Prediction of behavior was a crucial part of making decisions regarding parole, community supervision, and levels of confinement while imprisoned. The formalization of classification procedures began and developed within these components of the criminal justice system.

Decisions concerning offenders were traditionally made by subjective deliberation of each case. Sentimentality, prejudice, and unbridled discretion ruled criminal justice decision making. Intuitive, or clinical, methods were prevalent well into the 1950's.

Lombroso theorized that criminal types were identifiable by skull configurations. His contribution, made in the 1870's, was called phrenology. In 1913, Charles Goring

published "The English Convict: A Statistical Study." His study was inspired by Lombroso's work and concentrated on a physical criminal type. The resulting types were thought to have characteristics that would point to the prisoner's amenability to treatment and whether future criminality was likely to occur. Interest then expanded to include treatment outcome possibilities and offense types.

Classification models were developed using a variety of theories and empirical observations. Much of the work had a predictive aim. An objective approach, which involved the compiling of statistics that showed the risk of dangerousness of various categories of offenders, as opposed to the subjective approach, which consisted of classifying individuals with others about whom an assumption of dangerousness had been made, was pioneered just after World War I. This was inspired by a renewed interest in the power of science. It wasn't, however, until after WW II that objective methods were reconceptualized and began to gain wide acceptance within the field.

In 1923, Professor Sam Werner compared 300 successful with 300 unsuccessful parolees. The only difference between the groups large enough to provide any guidance resulted in subclassifications of offenders who were either accidental, recidivist or feeble minded. During this period there were numerous other theoretical and empirical classification systems developed. While interesting and leading to

discussion and speculation, they had little predictive value or explanatory power. The empirically driven classifications were often oversimplified, and the other classification systems were often a result of the cross classification of a few favored variables.

Sociologist Hornell Hart was a strong proponent for the scientific use of data in order to make recommendations that were of value to practitioners regarding the probability of recidivism. Hart believed that statistical tabulations could be used to provide identification of the relative risk to recidivate from past experience, as opposed to clinical methods. With this goal in mind, Professor Burgess, in 1928, conducted a study of 3,000 parolees. He identified 21 differentiating factors relating to recidivism and assigned one point for each factor. From this he developed categories, based on the total scores, that indicated the likelihood to reoffend for those in each category. His model was an unweighted linear additive model. It was adopted for use in some prisons to make parole decisions, and much later to make community supervisory decisions. While there have been variations resulting from improved statistical methods, line worker input and more sophisticated data gathering, his model has remained the basis for most currently used classification systems. Many instruments today have weighted variables, but the use of a single score to assign levels of supervision and resources remains prevalent.

During the same time period, but independently, Professors Eleanor and Sheldon Glueck were also conducting a series of studies to identify differentiating variables that would result in classification categories indicating the propensity to reoffend. They arrived at seven factors that were predictive of recidivism. The Gluecks pursued their research for 30 years, from the early 1920's to the 1950's. Like Professor Burgess's work, their predictions were based on percentages who fail within each category. An offender assigned to a certain category, based on their systems, is more or less likely to reoffend than those in other categories. It does not mean that recidivism will occur with that individual. The resulting categories indicated differing levels of preventive supervision for individuals, and was intended to result in an efficient use of resources.

During the ensuing 30 years prediction studies were continued by a variety of researchers. The research and resulting instruments were more methodologically sophisticated but still remained, except for the parole system, relatively unused by those in the field. Professors Hart, Burgess, and Gluecks had very high expectations regarding the performance and use of their instruments. Nevertheless, practitioners were slow to endorse and accept systems that seemed, in their estimation, not much better at prediction than their own, yet seemed to strip them of professional discretion, and to treat their clients as if they were nothing but the end result of a

numerical tabulation, ignoring personal considerations.

In 1940, the Illinois Board of Parole appointed a sociologist-actuary to each prison. The duty of this appointee was to apply Professor Burgess's point system to every prisoner up for parole. The score, which placed the potential parolee in a category that had a certain percentage of failure, was used to help make parole decisions. Illinois remained, until the 1970's, the only state to routinely apply a risk instrument to every parolee, despite continued research that indicated the superiority of statistical over clinical methods of decision making.

Psychologist Paul Meehl's 1954 study, "Clinical vs. Statistical Prediction", discussed earlier, made a landmark case for the preference of statistical methods. Despite this and other similarly affirming findings, little impact was felt in the broader criminal justice system (outside of the use in prison and for parole) of objective methods for decision making. Practitioners continued to be skeptical. Additionally, they felt threatened and insulted on a professional level by the possibility of an enforced statistical classification system for decision making. It became apparent that in order for a classification system to be used and useful, both practitioners and researchers needed to be involved in its development and implementation.

In the early 1970's there was renewed interest in and acceptance of statistical methods for prediction in the

criminal justice system. The impetus for this interest came from several sources, and was enhanced by a change in the stance of the researchers. They began to present their findings as advisory information, and to include those who would use the scales and instruments as associates in the construction process.

Two sources for increased acceptance of objective methods for decision making were the prison and parole systems. Both had continued to do research and to use statistical methods in decision making at various points in the system. Parole board members, practitioners and researchers were brought together for training and workshops by the National Parole Institute and the National Council on Crime and Delinquency (NCCD). Additional funding was provided by various Federal grants. Over a four year period, nearly all members of parole boards from every state were included.

The Uniform Parole Reports Program was one result of the training and the networking accomplished by the workshops. The program helped practitioners to compile uniform statistics from throughout the nation. The statistics were used to refine and inform decision making instruments, test and develop theories, and in general upgraded the quality and quantity of the available data. This compilation continues today through the U.S. Department of Justice. It provides a quality data base for use by agencies and researchers.

In the early 1970's, a Federal court decision, which

ordered the Parole Board to articulate its policy for granting parole, prompted a study to develop a statistical table to aid in making case decisions. The study produced the Parole Guidelines, which responded to the Board's concern for consistent penalties for similar crimes and concern for risk classification, of offenders. The result was a wide range of confinement times based on severity of the crime and risk to reoffend, which continue to be used today. If there is deviation from the guidelines, a written justification has to be presented. This provides a portion of the information used in the review process. The guidelines are reviewed every six months and altered if appropriate, based on input from the field and researchers. Since implementation, the risk component has remained a stable predictor, while confinement time has frequently been adjusted.

The development and subsequent adoption of the Federal Parole Guidelines was a turning point in the acceptance and use of objective and articulated criteria for decision making within the criminal justice system. The 1970's and 1980's saw adoption of a wide variety of decision making guidelines by many different branches of the system.

The insistence at the Federal level on objective decision making guidelines was only one of the factors prompting intensified interest in classification throughout the criminal justice system. Decreasing funds, more offenders, more serious crimes, less resources, and an increase in the public

interest in punishment and protection, as opposed to a rehabilitation model for offenders, accounted for much of the emphasis on the use of objective measures. Robert Martinson's 1974 study "What Works? Questions and Answers about Prison Reform," which suggested that treatment had little effect on recidivism, was a major factor in producing the movement away from rehabilitation and towards retribution, thus emphasizing just deserts, and detention and incapacitation.

On a larger scale, this interest in objective methods reflected a pervasive trend in modern history that Max Weber called rationalization. It is a trend that is accelerating in nearly every field of human activity due to the advancement and proliferation of technology, the growth of science, and the upgrading of the average level of education.

As interest increased, there was a rapid change in the design and use of instruments. Researchers and users were working closely together, applying sound scientific statistical methods with input from the field. The decade from 1975 to 1985 saw an explosion in the development and adaptation of objective methods in all facets of the criminal justice system, and an increased emphasis on classification as a tool to improve case management (Clear and Gallagher, 1985).

Community supervision was a major area impacted by the changes in the type and number of offenders, as well as the change in emphasis from treatment to punishment. Community supervision numbers increased as more offenders entered the

system, the prisons became overcrowded, and length of sentences increased. Interest in both assigning appropriate levels of supervision to protect the community, and in classification as a management tool to increase efficiency, accountability, and make maximum use of resources, grew. Local, state and federal agencies encouraged this interest by funding projects and providing dollars, support and training to agencies that employed objective, efficient methods for determination of the allocation of resources.

The Law Enforcement Assistance Administration (LEAA), in 1975, funded a four year project in Wisconsin to develop a scoring system and forms to standardize classification of cases for differential amounts of community supervision, and to help determine case planning. Extensive meetings were held, involving practitioners from all branches of the Wisconsin Department of Corrections, and including independent researchers. The result of these meetings was two instruments, one measuring risk to reoffend, and the other identifying the needs of the client. These two standardized instruments, indicating risk and need, based on research and practitioner input, were implemented in 1977 throughout Wisconsin.

The National Institute of Corrections (NIC) endorsed the Wisconsin system and supported more research to validate the instruments for other jurisdiction, and to help agencies either adopted the system for their use or develop one of

their own. Despite all the sophisticated ways to arrive at factors and weighing and scoring systems, and the many methods to develop instruments, research indicates no particular advantage of one method over another, and continues to support the superiority of most instruments over clinical methods for predictive accuracy (Clear and Gallagher, 1985, Gottfredson and Gottfredson, 1979). The Wisconsin instrument, despite all alternative possibilities, remains the prototype that is most often copied or used as a basis from which to develop a local system that is valid for the existing population.

The risk and needs instruments have become the basis for community supervision throughout the nation. Wisconsin also developed a reassessment of risk and of need to be administered every six months. The purpose was to allow room for changes in supervisory levels and case plans that were determined by changes in the behavior and progress of the client. These, too, were endorsed by NIC and were incorporated by most jurisdiction as part of the classification process.

NIC supported the adaptation of standardized classification for many reasons. Standardized classification systems were of benefit to offenders because they replaced discretion and subjectivity with fairness and equity, as well as a measurable way to determine change. Agency management benefitted because they provided a means for accountability of workers to supervisors and the agency to the community,

protection from lawsuits, and a way to effectively distribute resources, plan for budgets and to justify requests for more resources and services. In addition to supporting adaptation of the classification risk and needs instruments, NIC pursued research and subsequently developed a Case Management System to aid in case planning and direction, a Management Information System to use and store data, and a Workload Deployment System that distributes cases based on workload involved rather than numbers of clients only.

The history of classification in corrections has been extensive and turbulent. Subjectivity in decision making was, after much resistance, replaced by objectivity, exemplified by standardized classification and decision making instruments. The trend towards objectivity has been influenced by larger trends towards rationalization and increased emphasis on science, and by specific conditions within the criminal justice field, such as larger numbers of offenders committing more dangerous crimes, decreasing resources, and increased interest in protection for the community as opposed to treatment and rehabilitation of the offender. The interest and trends of the adult field of criminal justice have been closely followed by the juvenile justice system. The next section briefly explores the history and development of classification methods in the juvenile justice system, as they parallel and differ from the historical development in the adult criminal justice system.

JUVENILE CLASSIFICATION

The child welfare and juvenile justice systems were conceived of and operated under the parameters and philosophy of *parens patriae*. *Parens patriae* assumes the state, or a representative agency, will offer to wayward juveniles and children help, nurturance and guidance that the birth parents can or will not provide. Implicit in *parens patriae* is the attitude that what children need is a strict and loving parent, that problems are a result of improper home instruction and environment, and that the state or agency, in the role of parent, will act "in the best interest" of the child.

The result, in the juvenile justice system, of these guidelines was that offending juveniles were considered to need treatment more than punishment. Since the system was guided by "best interest of the child," the treatment of juvenile offenders was ruled by a discretion that far exceeded the usual ambiguity found in other branches of the legal system (Weiner and Willie, 1971). The intent was to provide treatment and accomplish rehabilitation through a case plan unique to the offender's specific needs and circumstances. Instead, the absence of written policy and procedure, and the use of very broad discretion, led to many inconsistencies in the labeling and classifying of juveniles for treatment modalities and supervisory levels, and intervention that was extraordinarily intrusive (Smith, 1979).

Classification of juveniles has always been prominent within the system. Classification was usually for the purpose of determining a mode of treatment. Along with the choice of treatment, decisions were made regarding the need for supervision. As in the adult system, classification systems for juveniles evolved and changed based on research, popularity of theories, and input from practitioners and the public.

Juvenile classification history is one of high expectations and disappointing results, with the goal of rehabilitation rarely satisfactorily realized. Most systems were based on treatment models and similar in their construction and outcomes. The California Youth Authority developed the I-Level System, the best known of the clinically based typology systems. The I-Level System classified youth into groups, such as manipulators and cultural conformists, based on psychological factors and ego development. Specific counseling strategies were developed for each group. Initially, classification was based on data obtained during interviews. The Jessness Inventory, a multiple choice questionnaire, was later developed and derived basically the same categories. The Quay System is similar to the I-Level System, but derived classifications from checklists which presupposed considerable information about and experience with each offender. Both systems had major weaknesses. The I-Level required six weeks of training, an impossibility for

most agencies, and both suffered from weak inter-rater reliability (Baird, n.d.). Despite the drawbacks and ineffectiveness of the various classification systems, many juvenile justice agencies and correctional institutions continued to base supervisory and treatment decisions on a favored, currently popular, or available system.

However, even the agencies which had systems in place relied very heavily on officer discretion. Decisions based on discretion are quite varied and often result in differential treatment for individuals in very similar circumstances. Because of the philosophy based on "best interest," the goal of rehabilitation, the lack of legal rights protection, and the fact that juvenile offenders present a very heterogeneous population, the juvenile system was more greatly influenced by discretion than the adult system.

In the late 60's and early 70's the emphasis in juvenile corrections began to shift. A major change was the gradual adoption of the adult correctional system's dominant philosophy of punishment and control, as opposed to treatment and rehabilitation. Several factors influenced the move towards treating juvenile offenders, in and out of the community, more like adult offenders. A major influence was "due process" reform within the juvenile system. Court cases resulted in juvenile offenders being granted much of the same procedural protection and rights as adults (Baird, 1981). As the juvenile and criminal courts became more closely aligned,

the need for consistent, rational and justifiable decision making became more apparent in the juvenile system.

The Federal government, through funding control, began to insist on the deinstitutionalization of status offenders. Consequently, the institutions were increasingly populated by hard core chronic offenders who were less amenable to treatment. Community supervision programs overflowed with offenders who were beyond control but not criminal. As in the adult system, numbers were rapidly increasing, and higher levels of violence were exhibited. The juvenile system was faced with the problem of more and increasingly violent offenders, while resources remained limited.

The research of Marvin Wolfgang (1972) and Robert Martinson (1974) impacted the direction the juvenile justice field was taking. Wolfgang found that a small number of the juveniles in the system accounted for a large number of the delinquent acts committed. His research also indicated that these chronic offenders tended to pursue criminal careers as adults. This information led to an interest in identifying the chronic offenders and targeting them for increased intervention at an early stage. Martinson's "nothing works" indictment of adult treatment modalities was applied to juvenile treatment programs, and helped to confirm the disappointment with the juvenile system and the loss of faith in rehabilitation as a realistic goal.

The pressure and influence of these factors was felt in

the juvenile justice system. Underfunded and overburdened, the system was challenged to carry out a difficult mission, involving an increasing number of offenders, and diminishing resources-less dollars, facilities and staff. Changes in law and philosophy added additional strain to the system. The need to develop an appropriate and consistent classification system, with the goal of directing supervisory decisions and rationally deploying staff and resources, was recognized and ultimately pursued.

The change from the medical model of rehabilitation to an emphasis on control altered the purpose of classification. The concerns of the adult and juvenile system had converged. Juvenile offenders were viewed and treated more like adult offenders. The emphasis on control and punishment, while more dominant in the adult field, also permeated the juvenile justice system. Despite the similarity in purpose, adult and juvenile offenders present distinct populations that preclude the transference of the adult classification system to the juvenile population.

Juveniles are more volatile, their needs and circumstances change rapidly, and they generally are on supervision for shorter periods of time than adults. Their habits, lifestyles and patterns are less established than those of adults. They exhibit little specialization with regard to criminal behavior (Cohn, 1987).

Within the juvenile population itself, there is great

diversity in need, emotional, social and psychological functioning, academic and vocational skill, involvement with chemicals, and family situations. (These factors make juvenile prediction particularly applicable to the aggregate as opposed to the individual.) Therefore, while the concepts of the risk and needs assessment that form the classification system for adults were obviously applicable to juvenile corrections, the instruments themselves were not transferable.

A classification system that would serve as a major management tool, while enhancing consistency and equity in decision making, was needed. The model developed by the NIC combined the elements of control and case management in an integrated approach. The dominant model, as earlier described, had been adopted by the majority of adult probation and parole agencies. Advocates of that model lobbied for the development of a parallel process for juveniles (Baird, n.d.).

The National Council on Crime and Delinquency (NCCD), through the Office of Juvenile Justice and Delinquency Prevention (OJJDP), responded by funding research, supporting projects and offering technical assistance to the NIC for the development of a juvenile classification system based on risk and need assessment instruments. The next chapter will discuss the NIC juvenile classification system and its two main components--the risk and the needs assessment instruments.

NIC JUVENILE CLASSIFICATION SYSTEM

OVERVIEW

Juvenile classification has three purposes: the traditional objective of treatment for rehabilitation, the assignment of equitable supervisory levels, which is the most visible goal, and the efficient allocation of resources, both in and out of the agency. The model classification system, as developed by the NIC, addresses these three purposes.

The NIC system consists of two main components. These are the risk assessment instrument and the needs assessment instrument. These two instruments determine the level of supervision for each offender and the personal and social areas to be targeted in individual case planning. The result is a client management plan that addresses the risk to, and therefore protection of, the community, and the client's individual treatment needs and general well being. The information from both directs the emphasis and use of resources. Thus the agency, the community and the individual are served.

The use of the NIC risk and needs instruments structure the allocation of resources within and without the agency. Supervision requirements are translated into hours of contact required; estimates can be made for additional time necessary to address the varying level and number of needs. Once supervisory levels are determined, and treatment needs are

identified, workloads can be fairly distributed, rather than relying only on a number total.

Needs assessment directs the referral process to interagency and community resources, and risk assessment directs client contact hours. Although the juvenile system has followed the general trend of the adult system towards an emphasis on punishment and control, there remains more of an interest and faith in rehabilitation for juveniles (Bemus, 1986).

In the juvenile classification system the needs component is considered vital. It provides the information for the provision of services, and contributes to the reduction of risk by addressing treatment issues. When a system is fully implemented and tracked, agencies have clear data to back up requests for more personnel and increases in budget. The data also provides documentation for requesting more resources, or the development of unavailable services. It makes a defensible addition to community presentations that show how time, money and resources are allocated within the agency, thus increasing community understanding and possibly support.

The risk assessment sets the levels of supervision deemed necessary to protect the community. The assigned levels of high, medium and low risk determine the amount of time and effort thought necessary to prevent the offender from reoffending or violating their probationary conditions. By use of this objective system, both the community and the

offender may be assured, that equal protection and control are applied. Decisions can be justified to the community, the offender, the agency, and the legal system.

The NIC classification system is useful to management. It provides accountability through the ability to monitor and distribute workload. An objective classification system is a tool for producing consistent, explained decisions based on relevant data. In addition to the consistency produced, and the superiority of objective over subjective decision making, the emphasis on juvenile's rights, exemplified by recent trends in court decisions, demands that agencies be able to explain and defend their decisions. The power to explain and defend is inherent in the use of the NIC model system, as the criteria for decision making is clearly defined.

The NIC classification system provides the officer with the means to appropriately supervise and deliver services to the offender. It offers protection from case overload, the means to justify decisions and referrals, and the framework for case planning and management. Basic expectations are clearly defined and supervisory levels set. Through the use of reassessment instruments, success and progress can be measured through behavioral changes, and supervisory levels adjusted, also behavioral based. Initial resistance to the perceived loss of autonomy and professional judgement is usually overcome by the benefits of using consistent, explainable, and operationally flexible instruments.

The NIC model is simple in scoring, requires minimal training, and the rationale is readily apparent to the practitioner. Jurisdictions make minor adjustments to the model based on their individual populations, community priorities and resources, and input from line workers. Most agencies allow for officer discretion through the addition or subtraction of points, or an override option, both of which are based on the subjective opinion of the officer. These factors contribute to the minimization of resistance and ease the transition from the traditional to the objective approach (Fowler, 1981, Lawrence, 1969).

The offender also benefits from the use of the NIC classification system. One of the objections to the implementation of an objective system is that it dehumanizes the process. That is not necessarily the case. If the system is perceived as fair, stable, and reasonable, and the offender knows they must live and work with the resulting decisions, they are more likely to accept their status and work accordingly within the guidelines. The officer is an agent of implementation; not an unpredictable controlling force (Alexander, 1986). In fact, for a variety of reasons, officers tend to classify juveniles, through subjective methods, to higher levels of supervision than if an objective instrument is used (Baird, 1985). The "wide net" of juvenile justice is decreased, not increased, by the use of the NIC system.

In addition to protection from bias, discretion and perhaps

too much control, the offender knows clearly what the expectations are and what is necessary to affect change in their status. The use of periodic reassessment, based on behavioral changes, allows the offender to have some measure of control over their involvement in the system.

The need instrument is not changed for use in reassessment. The resulting information is compared to the past assessment. Both the offender and the officer have a clear picture of what has and has not been accomplished. Adjustments are accordingly made in the case plan.

A separate assessment instrument was developed for reassessment of supervisory levels. The emphasis is on change and adjustment rather than the predictive factors in the original assessment. The focus is not on previous but current behavior and attitudes, thus allowing for performance based shifts in supervision. Within the NIC system the recommendation is that reassessment of both risk and needs take place every six months. Due to the quickly changing circumstances of juveniles, some jurisdictions prefer to reassess more often.

The NIC system was developed in order to meet the changing needs of the juvenile system. Some jurisdictions had developed their own instruments, others had haphazardly adopted the adult instruments. The adult probation model was successful and widely adopted, but appropriate only conceptually for the juvenile population.

A survey of current instruments, literature in the field of juvenile delinquency and corrections, classification and prediction in general, and research specific to the development of the juvenile classification, resulted in the NIC system. The NIC recommends that jurisdictions adopt its instruments as opposed to developing their own. Although the wisdom of generalization has been questioned, the benefits of adoption prevail.

One rationale for adoption is that the NIC model is well researched, scientifically sound, and easily implemented and understood. The cost in time, dollars and other resources needed to develop a sound local system, is prohibitive to many agencies. Many local agencies do not possess the necessary expertise. Additionally, most instruments were found to predict fairly equally on various populations, and they employed similar if not identical variables (Wright, Clear and Dickson, 1984).

The NIC recommends that each jurisdiction validate the instruments on its local population, and adjust for concerns of the community and incorporate input from the line workers. Validation should be an ongoing process, as juvenile populations can quickly change in their profile. For example, some jurisdictions may want to emphasize certain crimes that seem to be increasing in frequency and perhaps violence. In order to do that, they may have a separate category with additional points, or may adjust the weight of certain items.

Also, a mechanism is usually incorporated locally to allow an officer to override a classification when necessary.

While the risk and needs instruments provide a basis for the juvenile classification system, many decisions are made locally in response to the juvenile population and agency needs and resources. Some agencies chose to assign supervisory levels according to the risk instrument; others assign a high level of supervision if the needs are great. The operative assumption is that a high level of need is indicative of a possibly high level of risk (Bemus, 1983). Each agency decides the importance attached to either for supervisory level decisions.

Standards and cut off points are set locally for the levels of supervision. The NIC recommends that cut off points for three levels of supervision be established, and that approximately one third of the population falls into each category. While the contact hours and frequency are set for each level, the content of that contact time is left to the discretion and style of the officer. The cut off points in the supervisory scheme may change because the population changes.

The NIC classification system for juveniles is not static. It is meant to be flexible, and responsive to current research, and local data and input. The NIC continues research in the area of juvenile classification, and is available to jurisdictions for consultation and aid in

development and implementation. The next two sections of this chapter discuss the two main components--the risk and the needs instruments--of the NIC model classification system currently recommended for adoption.

THE RISK INSTRUMENT

The purpose of the risk instrument is to determine the probability that an individual will repeat unlawful or destructive behavior. The prediction is not for the individual but rather for the group to which their score assigns them. The actuarial method aggregates individual experiences to predict and plan for risk. The probability of reoffending increases as the score does; the aggregate characteristics are represented by the total score.

The assignment to a category will produce levels of supervision as decided on by the individual agency. The policy generally includes a minimum number of contacts per week or month. The style and content of those contacts is left to the officer. The NIC model risk instrument produces a score; not a set standard, nor does it advise on cut off points for the three classifications. While prediction for the individual is not possible, the agency has a rational basis for allocating staff, funds, services and other resources.

The NIC collected data on 743 youth from five states, and gathered risk instruments in use from various agencies and

institutions in a number of states. The results were combined with the findings of prior and present research efforts to form the basis for development of the model risk instrument. These three steps were employed to determine the elements most commonly used, the degree of validity of each, and the weighting of each item.

The review of various risk instruments indicated considerable commonality. All involved assessed substance abuse, prior criminal involvement, and emotional stability. Some included analysis of juvenile characteristics thought to point to success or failure of probation, such as school and home problems, and learning disabilities. Other items were clearly adopted from adult instruments and thus were of questionable validity. Accuracy and validity was difficult to determine, as the use of the instruments was generally fairly new, and agencies often did not collect follow up data in a fashion conducive to the assessment of validity.

Many prior research efforts concentrated on parole, or aftercare populations. However, the results were instructive for risk scale development. Studies conducted in Illinois, California, and Wisconsin indicated that prior criminal involvement indices, such as age at first contact, number of prior adjudications, and number of prior commitments, were the most accurate predictors of future behavior available.

Further data were collected from five agencies serving various populations within the juvenile criminal justice

system. The data varied greatly in quality and quantity, and was collected at differing points in the correctional intervention process. Since it could not be merged into a single data set, each was individually analyzed, and found to be valuable in the construction of the model risk instrument.

Additional data were collected from three other states, representing youth already incarcerated. These populations were fairly homogeneous compared to the probation samples, reflecting characteristics common to those incarcerated. Despite the lack of variance in characteristics, the data reinforced several points noted from the analysis of the other data. Drug and alcohol use, age at first adjudication, and emotional stability were all found to be predictive of continued criminal behavior.

Findings from all of the information reviewed indicated the following elements as universally predictive of continued criminal involvement for juveniles: age at first adjudication, prior criminal behavior, number of prior commitments, drug/chemical abuse, alcohol abuse, family relationships (parental control), school problems and peer relationships. These items were given scoring weights based on research findings and input from potential users.

The resulting scale (see Appendix D) provides a basic foundation upon which agencies can build a scale specific to their needs. Agencies are encouraged to adopt the instrument as presented, and over a period of time adjust for local

input, relevancy and juvenile population. The data gathered and generated should be routinely evaluated and revised to improve both reliability and validity.

Reclassification needs to occur relatively frequently because the situations of juveniles change rapidly. A reclassification instrument was developed that emphasized changes in behavior and adjustment. The emphasis on actual behavior allows the offender to be moved to lower or higher supervisory levels based not on attitude or the subjective judgement of the officer, but rather on actual behavior. All staff are thus required to consider the same criteria when assessing progress, and the offender clearly sees consequences of actions.

The reclassification instrument is presented in Appendix D. The first three items, which are historical and not subject to change are retained, but the weighting is adjusted. The items following those are assessed based on behavior since the last rating, thus allowing for objective measures of change within each area. While each agency may set its own period of time between reclassification, the NIC recommends that reclassification occur at least every six months. The risk instrument is one of the two vital components of the juvenile classification system. Risk directly addresses the goals of control, protection and supervision. The other component, the needs instrument, addresses treatment and rehabilitation, which are also goals of the juvenile justice system.

NEEDS INSTRUMENT

The needs assessment instrument provides valuable information about the youth for agency program and individual case planning, and directs resource allocation and community referrals. The information from the needs assessment addresses the rehabilitative needs of the juvenile, which are connected directly to continued criminal behavior. There is considerable evidence linking environmental and learning problems to criminal behavior (Baird, 1985).

The needs instrument, however, is not predictive. Some agencies, though, do assign a high level of supervision to juveniles with high needs, based on the correlation of high need levels and criminal behavior. Other agencies use it as an initial planning and screening device, and to assess and monitor progress. Most agencies use a combination of the information from the needs assessment and the risk assessment to direct agency involvement with the offender.

In order to develop a model needs assessment instrument, the NIC studied the process employed in Wisconsin for the development of their needs instrument, and reviewed juvenile needs assessment instruments constructed in California, Montana, Illinois and Wisconsin. The process for the development of the needs instrument in Wisconsin began with the establishment of a task force.

The task force consisted of juvenile probation officers, supervisors, and representatives from clinical services and

the research and evaluation unit. The juvenile probation officers were asked to construct a "laundry list" of need categories. The task force then prioritized the list, based on need for officer intervention. Specific categories were then selected for inclusion based on task force input. Each need was then further subdivided into categories reflecting seriousness of the problem. Short definitions were developed for each category to enhance inter-rater reliability, and the task force rank ordered the need scale items based on estimate of officer time required to deal with the problem. A weighting system was devised based on the rank ordering process, with values assigned to each category of need. Finally, a format sensitive to the principle of parsimony was developed. The juvenile probation officers and supervisors then helped construct a use manual which described how to implement the instrument and provided information about local resources and treatment possibilities.

The other instruments reviewed were developed by a similar, if not so detailed, process. Most needs instruments were constructed by a task force that reached consensus on the elements included. As with the review conducted of risk assessment instruments, the needs assessments reviewed were fairly consistent in format and content. This reflects universal consensus of problem areas, although the weighting of items varied, depending on the process used and prioritization by local emphasis.

The model needs instrument, presented in Appendix D, reflects a cumulative rank ordering of the heaviest weighted items on the needs scales from California, Montana, Illinois and Wisconsin, as well as the items with less or equal weight but identified as important in comprehensive case planning. The format is based on the best features of the scales reviewed, and selected for simplicity in understanding, and ease of administration.

The needs assessment results in a total score, which some agencies use, in combination with the risk assessment, to assign levels of supervision. Of more use, however, is the detailed information regarding specific areas in which the offender has problems of a personal, emotional or social nature that need intervention. These are prioritized and form the basis for the case plan for the offender.

The officer uses the information generated to set clear goals, objectives and tasks for the offender, and identifies the resources available for use. Both the offender and the officer are then aware of what is being targeted and how it is being measured. The needs instrument is administered periodically, usually in conjunction with risk reclassification, to objectively determine progress, outcomes and effectiveness of case planning and management.

The same instrument is used to reassess needs, as the instrument reflects behavior, not history, and changes are readily noted. Inherent is the assumption that the offender

can change and that appropriate services will be delivered in measurable ways.

The needs assessment component adds treatment and rehabilitation to the control and supervisory function of the juvenile classification system. When information from both instruments is considered and used, a balanced approach to the legitimate goals of both control and treatment is possible.

The following chapter presents the search for, and subsequent testing, modification, and use of, risk and needs instruments in the 4th Judicial District of Missoula, Montana. The project is presented from the proposal for funding through the final summary report, as it was submitted to the Montana Board of Crime Control.

THE PROJECT

OVERVIEW

The project was conducted from March 2, 1987 to August 29, 1987. As research assistant, I spent 15 hours per week throughout the six month time period. The months of March and April were spent reviewing the literature, and contacting agencies using classification systems, and individuals knowledgeable in the field. Biweekly meetings were held with the local juvenile probation officers, and several trips were made to Helena to consult with the Board of Crime Control.

Based on a review of the literature, phone conversations with personnel at the National Institute of Corrections and the National Council on Crime and Delinquency, and input from the officers, the decision was made to use the classification instruments developed by the NIC. The instruments were used for two weeks, at the end of April, for the purpose of pretesting. Several minor changes were made in format to accommodate the officers' suggestions and to simplify data gathering and input. Client name, officer name, case number, gender and date of intake were included on the form. One change was made in the content of the risk instrument. The change eliminated gang membership in the section referring to peer relations, as gangs are not a local phenomena. After much discussion, definitions were decided on by the officers to enhance reliability.

Data were gathered on every juvenile coming in contact with the system in Ravalli and Missoula counties from May 4th through July 31st. A total of 243 individuals are represented, with 153 of those being from Missoula county. While the data collection was occurring, past cases were pulled for comparison and analysis, meetings continued, and research and interviews were conducted. August was spent analyzing the data, reporting on the findings, meeting with the officers and the MBCC, and writing the report.

The risk and needs instruments were not formally adopted by the juvenile probation office. The officers found the data interesting, but were resistant to the concept of a formalized "numbers" system and to the change implied, and resented the perceived loss of autonomy. The chief probation officer, while aware of the advantages offered to offenders, management, and the community, was too overworked by daily proceedings to commit to the tasks necessary to implement a new system.

Interviews with individual officers and group discussions revealed an interest in equal distribution of case loads, which is one of the major attributes of the system. However, without ongoing support and resources from outside the agency, consistent use of the instruments was discontinued at the end of the project period. The project was viewed more as data gathering than as a first step towards a major change. Several officers indicated they would use the instruments on

occasion as part of general case information. The needs instrument was viewed as quite useful for case planning, and was kept as part of the intake process by several of the officers.

The value of having a consistent, fair and objective system seems obvious. The project represents only the first stage of the process for implementation of such a system. The value of the project, in my estimation, was identification of the state-of-the-art system, and of the process necessary for sound development and implementation. When it becomes necessary to adopt an objective classification system, this project will provide the background information and necessary resources to do so in a timely and scientifically sound manner. Additionally, the data gathered will provide a base for comparison and follow up, thus being crucial to validity and reliability efforts, as well as being a base for measuring change in the population over time.

The next section presents the project from the grant application through the final summary report. In addition to the written documentation, a verbal presentation was made to the MBCC in September, 1987.

MONTANA BOARD OF CRIME CONTROL
RISK AND NEEDS PROJECT

STATE OF MONTANA
BOARD OF CRIME CONTROL
AND YOUTH JUSTICE COUNCIL

SUBGRANT APPLICATION

APPLICANT AGENCY:

Name: Fourth Judicial District Youth Court
Address: Missoula County Courthouse Phone: 721-5700
City: Missoula County: Missoula Zip: 59802

PRIVATE NON-PROFIT: _____

PROJECT DIRECTOR:

Name: Richard Vandiver Title: Court Operations Officer Phone: 549-9626
Address: Missoula Cty. Courthouse City: Missoula Zip: 59802

PROJECT TITLE:

Research of Screening Procedures for Youth

PROJECT DURATION:

Start: March / 2 / 1987 Finish: August / 29 / 1987
Month Day Year Month Day Year

OTHER FEDERAL SUPPORT:

If other Federal Support will be used for any part of this project, identify and explain:

* MDCC USE ONLY *

| | |
|-----------------|---------------|
| Fund Year _____ | Federal _____ |
| Grant No. _____ | State _____ |
| Program _____ | Local _____ |
| Agy. Code _____ | Total _____ |

PROJECT BUDGET

| | | |
|---|------------|-------------|
| A. PERSONNEL - Provided by Youth Court Personnel | | |
| Estimated at \$6-8,000 | | |
| Employee Fringe Benefits | | |
| | Total | \$ |
| B. CONTRACTED SERVICES | | |
| | \$ 1200.00 | |
| One research assistant for 15 hours per week | | |
| @ \$5.00 per hour = \$1950. \$750 will be provided | | |
| through Youth Court budget | | |
| | Total | \$ 1,200.00 |
| C. TRAVEL & PER DIEM | | |
| | \$ | |
| | Total | \$ |
| D. EQUIPMENT | | |
| | \$ 2500.00 | |
| 1 - 286 Computer IBM AT or clone plus additional | | |
| set up equipment, (e.g. surge protector-computer | | |
| stand). | | |
| | Total | \$ 3,500.00 |
| E. OPERATING EXPENSE | | |
| | \$ 200.00 | |
| Postage - office supplies - telephone expense | | |
| | Total | \$ 300.00 |
| F. Total Project Budget (Combine totals of A,B,C,D,E above) | | 5,000.00 |
| | | \$ 5,000.00 |
| G. MBCC Share of Project Budget | | \$ 5,000.00 |
| H. Your Share of Project Budget | | \$ 0 |

BUDGET NARRATIVE

What is proposed here is a research project well beyond the scope of the \$5,000 available. The Fourth Judicial District Youth Court will provide personnel to conduct the study with the exception of partial support from the grant funds for a research assistant.

Personnel will include:

Richard Vandiver, Ph.D., Court Operations Officer
Pat Gaydos, Data Management Specialist
Youth Court Probation Officers
Patti Kahler, Secretary

Research Assistant will be recruited from advanced undergraduate or graduate students in social sciences. Research methods courses and writing ability will be required.

No travel is anticipated.

Equipment -

The bulk of the funds for this project will go for the purchase of a computer for data analysis. Youth Court in Missoula County lacks an adequate computer to handle SPSSPC and similar software. The WANG PC can't be made into a true PCDOS or MSDOS compatible machine. Purchase of an AT or clone with a 286 chip will provide us with the capability to analyze the data from this research project.

Software will be purchased with the Youth Court budget. MSDOS, WordPerfect, R Base V are currently available for use or will be purchased.

Operating Expense -

Office supplies, postage, telephone calls, letterhead, and printing of final instrument and research report.

SUBGRANT NARRATIVE
(please use additional pages if necessary)

SEE ATTACHED

RESEARCH ON SCREENING PROCEDURES FOR YOUTH

Placing youth in jails is an alternative which needs to be the last possible one used by probation officers. This statement, while not profound, is a goal toward which the nation, the state and this judicial district is striving. This goal can only be achieved if there are adequate alternative placements for youths who come into contact with law enforcement and Youth Court officers.

Even with a variety of alternatives for placement available, difficult decisions must be made, often in a hurry, about which youths should be placed in which placements. Given the sensitivity of the Youth Court probation officers to the balance between the needs of the youth and the concern for protecting the community these decisions are particularly difficult. This sensitivity produces a natural tendency to take action which will be "safest".

In order to balance the needs of youths and the community Youth Court probation officers need at their disposal whatever tools are available to make their decisions about detention and other placement. In order to discover these tools the Fourth Judicial District Youth court proposes to undertake a research project on Risk and Needs Assessment instruments. This research will provide information on the adequacy of past decisions and the efficacy of their use in actual decisions by officers in intakes over a four month period.

A research report will be produced evaluating the instruments found, the application of the instruments to past cases and the use of the instruments in current decisions. Presumably this report will be of value to other Youth Court Probation Offices in the state.

THE PROBLEM

M.A. Bortner, in Inside A Juvenile Court: The Tarnished Ideal of Individualized Justice, (New York: New York Universal Press, 1982) says:

Court decisions are based on a multitude of considerations: the more identifiable factors such as alleged offense, a child's age, or number of prior referrals to court; decision-makers' evaluations of the juvenile's individual character and family situation; and the decision-makers' personal propensities and professional orientation. The manner in which decision-makers arrive at final decisions is a combination of the "facts" surrounding a case, an assessment of the family stability, a feeling for the juvenile's attitude, and intuitive knowledge. Much of the research suggests that the more subjective

considerations frequently outweigh the more objective factors. (p.243)

This research study of decisions in a juvenile court raises many important questions about the way detention decisions are made. Standards have been proposed for detention decisions (Standards for the Administration of Juvenile Justice. U.S. Department of Justice. July 1980. See esp. Standards 3.143, 3.152 & 3.153) but are seldom systematically used.

Reasons for the lack of use of formalized criteria include lack of availability of instruments for systematic collection of information. Youth Court officer must try to remember the criteria and use them in their decisions. If they had readily available forms for the collection of data on youths their decisions could be made much more systematic and less subjective.

Attempts have been made at developing Risk and Needs Assessment Instruments in Youth Courts in the U.S., Santa Clara County, California has one set of forms used for that purpose. to the best of our knowledge there is no Judicial district in Montana which systematically uses such forms.

During 1986 the Youth Court in Missoula County handled 1397 cases in intakes. Of these 108 or 8% resulted in detention decisions. In addition several youths were sent to Pine Hills or Mt. View. Obviously some youths should have gone earlier to detention placements and some should not have gone at all based on standard criteria. Sorely needed is a set of criteria which would assist us in improving those decisions.

The Fourth Judicial District Court Youth Court proposed to conduct a research study with the following goals:

1. Identify available risk and needs assessment instruments at use in the country.
2. Obtain and evaluate research reports assessing the use of those instruments.
3. Selection of the best instrument for us in the testing of its appropriateness in this district.
4. Application of the instrument to a selected group of cases decided in the past year.
5. Application of the instrument to cases in intake during a four month period.
6. Statistical analysis of the use of the instrument.
7. Development of automated, rapid response assessment to collection of information and processing the instruments for guidelines.

The research project will entail a thorough literature search including automated data search through the National Institute of Justice. Letters to juvenile correctional resource agencies such as the National Council of Crime and Delinquency, etc... and to recognized juvenile corrections researchers and practitioners. This search will attempt to identify the risk and needs assessment instruments and the research reports on the use of them.

Selection of the best instrument will be made on the basis of analysis the information received. Criteria for selection will include: demonstrated accuracy, ease of use, and possibility for automated analysis.

Once the best instrument is selected it will be used in application to a selected group of 40 cases from calendar year 1986 in Missoula County. The purpose will be to determine from the record and interviews with intake officer whether or not the instrument would have improved decision making.

The next phase of the research will involve Youth court Probation officers using the instrument in their actual intakes. Statistical analysis of these instruments will be made using SPSS PC to determine variations and standards for scores to be used in the detention decisions.

The final phase of the research will include the development of an automated version to allow for rapid analysis of the results of the instrument use and application to the officer's decisions about placement.

A report of all these results will be written for use by other offices in the state.

TIME LINES

Upon receipt of the grant a concerted effort will be made to collect all available literature and instruments. Approximately one month will be required to send letters make phone calls and collect the necessary information analysis of this information should take no more than two additional weeks. So that in six weeks form receipt to the grant an instrument will have been selected for testing.

Data collection on the past and current cases will occur simultaneously. Past case research will take an estimated one month and the current use research will go for four months as officers actually use the instruments.

Statistical analysis of the information collected will follow the end of data collection on past cases and on current use. It is anticipated that no more than a month will be required for statistical analysis and report writing.

| | | | |
|------|----|-------------|----------------------------------|
| Week | 1 | March 2-6 | Literature Search |
| | 2 | | " |
| | 3 | | " |
| | 4 | | " |
| | 5 | | Analysis of Research |
| | 6 | | Selection of Instrument |
| | 7 | April 20-24 | Data Collection Past & Current |
| | 8 | | " |
| | 9 | | " |
| | 10 | | " |
| | 11 | | Data Collection Current Analysis |
| | 12 | | of Past Cases |
| | 13 | | " |
| | 14 | | " |
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| | 21 | | " |
| | 22 | | Data Collection Current ends |
| | 23 | | Analysis of Current Cases |
| | 24 | | " |
| | 25 | | Development of Automated |
| | 26 | Aug. 24-28 | System & Report Writing |

SPECIAL ASSURANCES and CONDITIONS

ASSURANCES OF COMPLIANCE WITH CIVIL RIGHTS ACT OF 1964: The applicant hereby agrees that it will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and all requirements imposed by or pursuant to Regulations of the Department of Justice (28CFR Part 42) issued pursuant to that title, to the end that no person shall, on the ground of race, color, creed, sex, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant received Federal financial assistance.

NON-SUPPLANTING REQUIREMENT: Funds or other resources of the applicant normally devoted to programs and activities designed to meet the needs of criminal justice will not be diminished in any way as a result of a grant award of Federal funds.

The project for which assistance is being requested will be in addition to, and not a substitute for, criminal justice services previously provided without Federal assistance.

AUDIT REQUIREMENT: Acceptance of this grant award requires the subgrantee organization or governmental entity to include this subgrant in the scope of their regularly scheduled annual or biennial audit. The audit must be conducted in accordance with the United States Office of Management and Budget Circular A-128 "Audits of State and Local Governments."

APPLICANTS AGREEMENT: It is understood and agreed by the Applicant: that any grant received as a result of this application shall be subject to the Grant Conditions and other policies, regulations, and rules issued by the Department of Justice for the administration of grant projects under (P.L. 90-351) including, but not limited to, the following:

- (1) competitive bids must be obtained for all equipment, construction, and contracted services applications, as required by applicable local, state or federal law or regulations. Accepting other than the lowest bid requires prior approval of the Board of Crime Control;
- (2) that the grant may be terminated in whole or in part by the Board of Crime Control at any time;
- (3) that appropriate grant records and accounts will be maintained and made available to the Montana Board of Crime Control, Office of the Legislative Auditor, or the Legislative Fiscal Analyst upon request;
- (4) that the grantee shall assume the costs of improvements funded after a reasonable period of Federal assistance;
- (5) if an agency other than the applicant is to contribute matching funds, that agency must document their contribution;
- (6) any funds awarded under one subgrant cannot be used in another;

- (7) expenditures for items not listed on the original budget are subject to refund and/or penalty. Variances from the approved subgrant will require an amendment approved in advance by the Board of Crime Control;
- (8) all applicants are subject to federal, state and local laws and regulations;
- (9) that the subgrantee shall not obligate any funds until subgrant is formally awarded by the Board of Crime Control; and
- (10) Draw down of funds is contingent upon submission of quarterly financial reports and quarterly progress reports.

SUBGRANT CERTIFICATION

The officials who certify this document agree to adhere to all terms and conditions relating to this application.

Official Agency Representative: JAMES B. Wheelis
(Type or Print Name)

Signed: [Signature] Title: District Judge
Address: MISSOULA CO Courthouse City: MISSOULA Zip: 59802

Signed: [Signature] Title: Court Operations Officer
Project Director

Address: Missoula County Courthouse City: Missoula Zip: 59802
Date: 1-30-87 Phone: 549-9626

Signed: [Signature] Title: Budget/Accounting Officer
Financial Officer

Address: Missoula County Courthouse City: Missoula Zip: 59802
Date: 1-30-87 Phone: 721-5700

Signed: [Signature] Title: Clerk & Recorder / Treasurer
Clerk or Clerk & Recorder
Cities & Counties Only

Address: Missoula County Courthouse City: Missoula Zip: 59802
Date: 1-30-87 Phone: 721-5700

Duplication of responsibilities by one individual for the positions listed above is not acceptable.

Only original signatures are acceptable.



BOARD OF CRIME CONTROL

203 NORTH ROBERTS
SCOTT HART BUILDING
HELENA, MONTANA 59620
TELEPHONE NO. 444-3804

February 9, 1987

Richard Vandiver
Court Operations Officer
Missoula County Courthouse
Missoula, MT 59802

Dear Dick:

Congratulations, your application for the Research Screening Procedures For Youth was awarded by the Youth Justice Council Executive Committee on February 6, 1987. The formal papers for signature and award of funds will be forthcoming.

The application hit the target area of jail removal perfectly and the Youth Justice Council is hoping the impact of the award can be felt statewide when the project is completed. As I noted on the phone, I have had a long interest in the area of risk and needs screening and instruments. When the program is underway, please feel free to contact me regarding prior research (some in Montana, by the way) and resources I know of around the nation.

Montana has a soon to appear deadline from the Office of Juvenile Justice and Delinquency Prevention to meet 'substantial' compliance with the removal requirements. This means a 75% elimination of youth from detention in adult jails. Your project, we hope, will help us meet this requirement.

Please keep in touch and, again, the formal papers will soon be in the mail.

Sincerely,

EL

Edwin L. Hall
Management Analyst

ELH:jd

**BOARD OF CRIME CONTROL**

303 NORTH ROBERTS
SCOTT HART BUILDING
HELENA, MONTANA 59820
TELEPHONE NO. 444-3804

February 20, 1987

Richard Vandiver
Court Operations Officer
Missoula County Courthouse
Missoula, MT 59802

Re: Subgrant No. J85-15604

Dear Richard:

Congratulations on the approval of your subgrant application by the Board of Crime Control.

Enclosed is your award packet. Please have Judge Wheelis sign the original award letter and special condition page and return them to our office.

Upon receiving the signed award letter we will advance your agency 30% of MBCC's share of the funds. We will reimburse your agency quarterly based on the receipt of your financial report and a brief narrative report.

Should you have any questions regarding your grant please give us a call.

Sincerely,

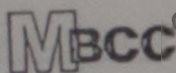
A handwritten signature in cursive script that reads "Don Merritt".

Don Merritt
Accountant

DM:mbg

Enclosure
cc: file

QUARTERLY REPORT I



FINANCIAL REPORT FOR QUARTER ENDING 1/31 6/30 9/30 12/31
 (Reports Due 25 days following end of quarter) (Circle one)

SUBGRANT NUMBER 85-15604 AGENCY NAME Missoula County
 PROJECT TITLE Research of Screening Procedures for Youth

SUBGRANT FUND REPORT

| | MBCC FUNDS | APPLICANT AGENCY FUNDS | TOTAL |
|--|------------|------------------------|----------|
| 1. Amount of Subgrant Award | 5,000.00 | - | 5,000.00 |
| 2. Total Advances Received to Date | 4,000.00 | - | 4,000.00 |
| 3. Amount Expended to Beginning of Quarter | 0 | - | 0 |
| 4. Amount Expended During Quarter | 206.11 | - | 206.11 |
| 5. Total Amount Expended to Date (lines 3 & 4) | 206.11 | - | 206.11 |
| 6. Unexpended Cash Balance (line 2 minus 5) | 3,793.89 | - | 3,793.89 |

FOR MBCC USE ONLY: F \$ _____ S \$ _____ I \$ _____ T \$ _____

SUBGRANT EXPENDITURE REPORT

| BUDGET CATEGORY | BUDGET AMOUNT | PRIOR EXPENDITURES | EXPENDITURES THIS QUARTER | TOTAL EXPENDITURES TO DATE |
|-----------------------------|--------------------|--------------------|---------------------------|----------------------------|
| Personnel | 1,200.00 | - | 170.50 | 170.50 |
| Consultant Service POSTAGE | 20.00 | - | 4.44 | 4.44 |
| Travel & Per Diem PHONE | 50.00 | - | 31.17 | 31.17 |
| Equipment | 3,500.00 | - | 0 | 0 |
| Operating Expense OFF. SUP. | 230.00 | - | 0 | 0 |
| TOTAL | \$ 5,000.00 | \$ - | \$ 206.11 | \$ 206.11 |

PROJECT INCOME: Did this project have income other than amounts budgeted? Yes No
 Amount \$ _____ How will project income be used? _____

ENCUMBRANCES: Please show obligations that are not included in expenditure report:
 Amount \$ _____ Purpose: _____

CERTIFICATION: I certify that the above information is correct, based on the accounting system and records, and that expenditures shown have been made for purposes of, and in accordance with, applicable subgrant terms and conditions.

SIGNATURE: *Richard Anderson* TITLE Court Op. Officer DATE 5/18/87

RECEIPTS FOR QUARTER ENDING 3/31/87

SECTION I. BUDGETED CASH FROM MBCC AND APPLICANT AGENCY

| DATE RECEIVED | SOURCE | RECEIPT NUMBER | MBCC FUNDS | APPLICANT AGENCY FUNDS |
|---------------|--------|----------------|-------------|------------------------|
| 3/16/87 | MBCC | | \$ 4,000.00 | \$ |
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| TOTAL | | | \$ 4,000.00 | \$ |

SECTION II. PROJECT INCOME OTHER THAN AMOUNTS BUDGETED

| DATE RECEIVED | SOURCE | RECEIPT NUMBER | AMOUNT |
|---------------|--------|----------------|--------|
| | | | \$ |
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EXPENDITURES FOR QUARTER ENDING 3/31/87

| CLAIM OR WARRANT NUMBER | DATE | TO WHOM PAID | AMOUNT | PERSONNEL | POSTAGE CONSULTANT SERVICES | PHONE TRAVEL | EQUIPMENT | OPERATING EXPENSE |
|----------------------------------|------|--------------|-----------|-----------|-----------------------------------|-----------------|-----------|----------------------|
| | | | | | | | | |
| 158411 | 3/10 | Beth Miller | \$ 126.50 | \$ 126.50 | \$ | \$ | \$ | \$ |
| 159292 | 3/26 | Beth Miller | 44.00 | 44.00 | | | | |
| | | Phone | 31.17 | | | 31.17 | | |
| | | Postage | 4.44 | | 4.44 | | | |
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| TOTAL THIS PAGE | | | \$ 206.11 | \$ 170.50 | \$ 4.44 | \$ 31.17 | \$ | \$ |

EXPENDITURES FOR QUARTER ENDING 3/31/87

| CLAIM or WARRANT NUMBER | DATE | TO WHOM PAID | AMOUNT | PERSONNEL | CONSULTANT SERVICES | TRAVEL | EQUIPMENT | OPERATING EXPENSES |
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| | | | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ | \$ |
| | | | \$ 206.11 | \$ 170.50 | \$ 4.44 | \$ 31.17 | \$ | \$ |

TOTAL THIS PAGE
TOTAL ALL PAGES

FOURTH JUDICIAL DISTRICT

MISSOULA COUNTY COURTHOUSE

MISSOULA, MONTANA 59802 (406) 549-9626

COURT OPERATIONS

Judges: Jack L. Green Douglas G. Martin John S. Henness James B. Wheeler

Richard D. Vamberger Court Reporter Ellen

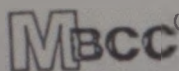
Research on Screening Procedure for Youth Grant Report
(Report Period Ending March 31, 1987)

Grant 85-15604

This report covers the quarter beginning January 1, 1987 and ending March 31, 1987. The following is brief out of necessity, as Grant 85-15604 was begun on March 2, 1987. During the month of March the following activities were accomplished:

- 1) Library and literature research was conducted to provide resource material for the project.
- 2) Institutions and individuals regarded as primary sources of information were contacted by phone and through the mail.
- 3) A trip was made to Helena to discuss the project with Ed Hall and Steve Nelson, as well as to bring back helpful material.
- 4) Time was spent with the Youth Court Supervisor and the juvenile probation officers exploring the project and its implications for their time and energy and the benefit anticipated upon completion.
- 5) Materials were read, catalogued and put to use as they began to arrive from the various sources contacted.
- 6) By the end of March the most useful and pertinent resources were identified and efforts made to integrate the material they provided and to begin further research into the areas they suggested.

QUARTERLY REPORT II



 FINANCIAL REPORT FOR QUARTER ENDING 3/31 6/30 9/30 12/31
 (Reports Due 25 days following end of quarter) (Circle one)

 SUBGRANT NUMBER 85-15604 AGENCY NAME Missoula County

 PROJECT TITLE Research of Screening Procedures for Youth

SUBGRANT FUND REPORT

| | MBCC FUNDS | APPLICANT AGENCY FUNDS | TOTAL |
|--|------------|------------------------|----------|
| 1. Amount of Subgrant Award | 5,000.00 | - | 5,000.00 |
| 2. Total Advances Received to Date | 4,000.00 | - | 4,000.00 |
| 3. Amount Expended to Beginning of Quarter | 206.11 | - | 206.11 |
| 4. Amount Expended During Quarter | 4,250.96 | - | 4,250.96 |
| 5. Total Amount Expended to Date (lines 3 & 4) | 4,457.07 | - | 4,457.07 |
| 6. Unexpended Cash Balance (line 2 minus 5) | <457.07> | - | <457.07> |

FOR MBCC USE ONLY: F \$ _____ S \$ _____ I. \$ _____ T \$ _____

SUBGRANT EXPENDITURE REPORT

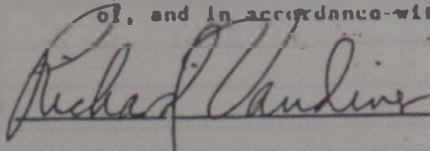
| BUDGET CATEGORY | BUDGET AMOUNT | PRIOR EXPENDITURES | EXPENDITURES THIS QUARTER | TOTAL EXPENDITURES TO DATE |
|--------------------|---------------|--------------------|---------------------------|----------------------------|
| Personnel | 1,700.00 | 170.50 | 767.25 | 937.75 |
| Consultant Service | 20.00 | - | - | 0.00 |
| Travel & Per Diem | 50.00 | - | - | 0.00 |
| Equipment | 3,500.00 | - | 3,331.45 | 3,331.45 |
| Operating Expense | 230.00 | 35.61 | 152.25 | 187.87 |
| TOTAL | \$5,000.00 | \$ 206.11 | \$ 4,250.96 | \$ 4,457.07 |

 PROJECT INCOME: Did this project have income other than amounts budgeted? Yes No
 Amount \$ _____ How will project income be used? _____

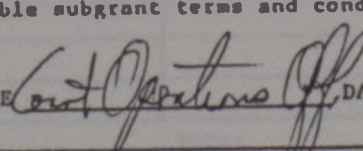
 ENCUMBRANCES: Please show obligations that are not included in expenditure report:
 Amount \$ _____ Purpose: _____

CERTIFICATION: I certify that the above information is correct, based on the accounting system and records, and that expenditures shown have been made for purposes of, and in accordance with, applicable subgrant terms and conditions.

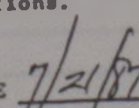
SIGNATURE:



TITLE



DATE



RECEIPTS FOR QUARTER ENDING June 30 1987

SECTION I. BUDGETED CASH FROM MBCC AND APPLICANT AGENCY

| DATE RECEIVED | SOURCE | RECEIPT NUMBER | MBCC FUNDS | APPLICANT AGENCY FUNDS |
|---------------|--------|----------------|-------------|------------------------|
| 3/16/87 | MBCC | | \$ 4,000.00 | \$ |
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| TOTAL | | | \$ 4,000.00 | \$ |

SECTION II. PROJECT INCOME OTHER THAN AMOUNTS BUDGETED

| DATE RECEIVED | SOURCE | RECEIPT NUMBER | AMOUNT |
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| TOTAL | | | \$ |

EXPENDITURES FOR QUARTER ENDING June 30, 1987

| CLAIM or WARRANT NUMBER | DATE | TO WHOM PAID | AMOUNT | PERSONNEL | CONSULTANT SERVICES | TRAVEL | EQUIPMENT | OPERATING EXPENSE |
|-------------------------|------|--|-------------|-----------|---------------------|--------|------------|-------------------|
| 159885 | 4/7 | Beth Miller | \$ 44.00 | \$ 44.00 | \$ | \$ | \$ | \$ |
| 160396 | 4/22 | Beth Miller | 220.00 | 220.00 | | | | |
| 161031 | 4/30 | Beth Miller | 148.50 | 148.50 | | | | |
| 161417 | 5/19 | Soft Warehouse | 563.00 | | | | 563.00 | |
| 161680 | 5/20 | MSD Computer | 154.95 | | | | 154.95 | |
| 161714 | 5/20 | National Criminal Justice Reference Center | 49.95 | | | | | 49.95 |
| 161670 | 5/20 | Beth Miller | 88.00 | 88.00 | | | | |
| 161700 | 5/21 | DC Source | 2,346.00 | | | | 2,346.00 | |
| 162001 | 6/1 | Beth Miller | 159.50 | 159.50 | | | | |
| 162059 | 6/1 | Computer Distributors | 267.50 | | | | 267.50 | |
| | 6/9 | Litho Services (Mesa Cty) | 21.77 | | | | | 21.77 |
| 162584 | 6/17 | Beth Miller | 107.25 | 107.25 | | | | |
| | | Postage | 4.50 | | | | | 4.50 |
| | | Xerox | 25.55 | | | | | 25.55 |
| | | Phone | 50.40 | | | | | 50.40 |
| TOTAL THIS PAGE | | | \$ 4,250.96 | \$ 767.25 | \$ | \$ | \$3,331.45 | \$ 152.26 |

EXPENDITURES FOR QUARTER ENDING June 30, 1987

| CLAIM OR WARRANT NUMBER | DATE | TO WHOM PAID | AMOUNT | PERSONNEL | CONSULTANT SERVICES | TRAVEL | EQUIPMENT | OPERATING EXPENSES |
|----------------------------------|------|--------------|------------|-----------|------------------------|--------|------------|-----------------------|
| | | | \$ | \$ | \$ | \$ | \$ | \$ |
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| TOTAL THIS PAGE | | | \$ | \$ | \$ | \$ | \$ | \$ |
| TOTAL ALL PAGES | | | \$4,250.96 | \$ 767.25 | \$ | \$ | \$8,331.45 | \$ 152.26 |

FOURTH JUDICIAL DISTRICT

MISSOULA COUNTY COURTHOUSE

MISSOULA, MONTANA 59802 (406) 549-9626

COURT OPERATIONS

Judges Jack L. Green Douglas G. Markin John S. Merson James B. Wheelis

Richard D. Vandiver Court Operations Clerk

Research on Screening Procedure for Youth Grant Report
(Report Period Ending June 30, 1987)

Grant 85-15604

The following activities were carried out during the quarter beginning April 1, 1987 and ending June 30, 1987:

- 1) The research on risk/needs instruments led to the choice of an instrument developed by the National Council on Crime and Delinquency. The instrument was pretested and several meetings were held with the juvenile probation officers to train them on use of the instrument and to get their input on the items. The resulting instrument is attached (see Appendix A).
- 2) Data collection began on May 4th and will continue through July 31st. While this data is being gathered, past cases that resulted in jail detention are being analyzed and current cases are being prepared for analysis using SPSS/PC.
- 3) After data collection began two meetings were held with the juvenile probation officers and two were held with their supervisor to exchange information concerning the use of the instrument.
- 4) The computer equipment purchased through this grant includes a Standard 286 processor with one megabyte of memory and a seventy megabyte hard disk, Amdek amber monochrome monitor, sheetfeeder for an existing NEC Spinwriter printer and a surge protector. Software purchased for the system includes DOS 3.2, Word Perfect 4.2 and Lotus 123 2.01.

APPENDIX A

ASSESSMENT OF RISK

Client Name: _____ Case #: _____

Select the highest point total applicable for each category.

AGE AT FIRST CONTACT WITH YOUTH COURT

0 - 16 or older _____

3 - 14 or 15 _____

5 - 13 or younger _____

PRIOR CRIMINAL BEHAVIOR

0 - No prior arrests _____

2 - Prior arrest record, no formal sanctions _____

3 - Prior delinquency petitions sustained;
no offense classified as assaultive5 - Prior delinquency petitions sustained;
at least one assaultive offense recorded

INSTITUTIONAL COMMITMENTS OR PLACEMENTS OF 30 DAYS OR MORE

0 - None _____

2 - One _____

4 - Two or more _____

DRUG/CHEMICAL ABUSE

0 - No known use or no interference with functioning _____

2 - Some disruption of functioning _____

5 - Chronic abuse or dependency _____

ALCOHOL ABUSE

0 - No known use or no interference with functioning _____

1 - Occasional abuse, some disruption of functioning _____

3 - Chronic abuse, serious disruption of functioning _____

PARENTAL CONTROL

0 - Generally effective _____

2 - Inconsistent and/or ineffective _____

4 - Little or none _____

SCHOOL DISCIPLINARY PROBLEMS

0 - Attending, graduated, GED equivalence _____

1 - Problems handled at school level _____

3 - Severe truancy or behavioral problems _____

5 - Not attending/expelled _____

PEER RELATIONS

0 - Good support and influence _____

2 - Peer influence not clearly identified _____

4 - Negative influence, companions involved in
delinquent behavior _____

TOTAL _____

REASSESSMENT OF RISK

Client Name: _____ Case #: _____

Select the highest point total applicable for each category.

AGE AT FIRST CONTACT WITH YOUTH COURT _____

- 0 - 16 or older
- 2 - 14 or 15
- 3 - 13 or younger

PRIOR CRIMINAL BEHAVIOR _____

- 0 - No prior arrests
- 1 - Prior arrest record, no formal sanctions
- 2 - Prior delinquency petitions sustained;
no offense classified as assaultive
- 4 - Prior delinquency petitions sustained;
at least one assaultive offense recorded

INSTITUTIONAL COMMITMENTS OR PLACEMENTS OF 30 DAYS OR MORE _____

- 0 - None
- 1 - One
- 3 - Two or more

Rate the following based on experience since last assessment:

DRUG/ALCOHOL ABUSE _____

- 0 - No known use or no interference with functioning
- 2 - Some disruption of functioning
- 5 - Chronic abuse or dependency

PARENTAL CONTROL (include foster or group home experience) _____

- 0 - Generally effective
- 2 - Inconsistent and/or ineffective
- 5 - Little or none

SCHOOL DISCIPLINARY PROBLEMS _____

- 0 - Attending, graduated, GED equivalence
- 1 - Problems handled at school level
- 3 - Severe truancy or behavioral problems
- 5 - Not attending/expelled

RESPONSE TO SUPERVISION REQUIREMENTS _____

- 0 - No problems of consequence
- 2 - Moderate compliance problems (e.g. missed appointments, some resistance to authority)
- 5 - Major compliance problems, totally uncooperative

USE OF COMMUNITY RESOURCES/TREATMENT PROGRAMS _____

- 0 - Not needed OR productively used
- 2 - Needed but not available
- 3 - Used but not beneficial
- 5 - Available but rejected

TOTAL _____

NEEDS ASSESSMENT

Client Name: _____ Case #: _____

For each item below select the single appropriate answer and enter the associated number in the adjacent blank.

DRUG/CHEMICAL ABUSE

- 0 No interference with functioning, no known use _____
 4 Occasional abuse, some disruption of functioning, unwilling to participate in treatment program
 6 Frequent abuse, serious disruption, needs immediate treatment

ALCOHOL ABUSE

- 0 No known use, no interference with functioning _____
 4 Occasional abuse, some disruption of functioning, unwilling to participate in treatment program
 6 Frequent abuse, serious disruption, needs immediate treatment

PRIMARY FAMILY RELATIONSHIPS

- 0 Relatively stable relationships or not applicable _____
 3 Some disorganization or stress but potential for improvement
 5 Major disorganization or stress

ALTERNATIVE FAMILY RELATIONSHIPS

- 0 Relatively stable relationships or not applicable _____
 3 Some disorganization or stress but potential for improvement
 5 Major disorganization or stress, unwilling to comply with family rules

LEARNING DISABILITY

- 0 None _____
 3 Mild disability, able to function in classroom
 5 Serious disability, interferes with social functioning

EMOTIONAL STABILITY

- 0 Appropriate adolescent responses _____
 3 Exaggerated periodic or sporadic response, e.g. aggressive acting out or depressive withdrawal
 6 Excessive responses; prohibits or limits adequate functioning

INTELLECTUAL ABILITY

- 0 Able to function independently _____
 3 Some need for assistance, potential for adequate adjustment; mild retardation
 5 Deficiencies severely limit independent functioning, moderate retardation

EMPLOYMENT

- 0 Not needed or currently employed _____
 3 Currently employed but poor work habits
 4 Needs employment

NEEDS ASSESSMENT
Page 2

Client #: _____

VOCATIONAL/TECHNICAL SKILLS

- 0 Currently developing marketable skills or not applicable _____
- 3 Needs to develop marketable skills _____

Enter the value 1 for each characteristic which applies to this case, then total each subject area and enter the score in the adjacent blank.

EDUCATIONAL ADJUSTMENT

- Not working to potential..... _____
- Poor attendance record..... _____
- Refusal to participate in any educational program..... _____
- Program not appropriate for needs, age and/or ability..... _____
- Disruptive school behavior..... _____

TOTAL _____

PEER RELATIONSHIPS

- Socially inept..... _____
- Loner behavior..... _____
- Receives basically negative influence from peers..... _____
- Dependent on others..... _____
- Exploits and/or manipulates others..... _____

TOTAL _____

HEALTH AND HYGIENE

- Medical or Dental referral needed..... _____
- Needs health or hygiene education..... _____
- Handicap or illness limits functioning.. _____

TOTAL _____

SEXUAL ADJUSTMENT

- Lacks knowledge (sex education)..... _____
- Avoidance of the opposite sex..... _____
- Promiscuity (not prostitution)..... _____
- Sexual deviant (not prostitution)..... _____
- Unwed parent..... _____
- Prostitution..... _____

TOTAL _____

TOTAL NEEDS SCORE _____

QUARTERLY REPORT - FINAL

FOURTH JUDICIAL DISTRICT

MISSOULA COUNTY COURTHOUSE

MISSOULA, MONTANA 59802 (406) 549-9626

COURT OPERATIONS

Judges Jack L. Green Douglas G. Markin John S. Henson James B. Wheeler

Richard D. Vandiver (Court Administrator)

October 7, 1987

Mike Lavin
Montana Board of Crime Control
Scott Hart Building
303 North Roberts
Helena, MT 59620

Dear Mike,

Please find enclosed the final report for grant Number 85-15604, Research and Screening Procedures for Youth, which went from March through August of 1987. You will notice that in the financial section the monies picked up by Missoula County Youth Court, as was indicated in the original proposal, are shown and designated as such.

The lines of consultant service and travel and per diem were not used, so we transferred the \$70.00 total to the personnel line. Please indicate if this causes a problem.

Also enclosed is the narrative covering the period from Sept. through August as well as a summarization of the project. The appendix includes the instrument chosen and used and print outs based on the baseline data gathered.

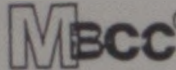
Missoula County Youth Court is appreciative of the opportunity offered by the grant and we look forward to a continuing relationship with the Board of Crime Control. Significant progress was made in the area of risks and needs and detention issues. The hardware and software purchased, which constituted the bulk of the grant money, will aid in the computerization of Youth Court and will facilitate record keeping and consequently decision making. If you have any questions, please feel free to call me at 721-5700, ext. 435. Thank you for the opportunity to work with Youth Court on such a vital project.

Sincerely,

Beth Miller

Beth Miller
Research Assistant
Court Operations Office

FINANCIAL REPORT FOR QUARTER ENDING 3/31 6/30 9/30 12/31
 (Reports Due 25 days following end of quarter) (Circle one)



SUBGRANT NUMBER 85-15604 AGENCY NAME Missoula County
 PROJECT TITLE Research of Screening Procedures for Youth

SUBGRANT FUND REPORT

| | MBCC FUNDS | APPLICANT AGENCY FUNDS | TOTAL |
|--|------------|------------------------|----------|
| 1. Amount of Subgrant Award | 5,000.00 | - | 5,000.00 |
| 2. Total Advances Received to Date | 4,800.00 | - | 4,800.00 |
| 3. Amount Expended to Beginning of Quarter | 4,457.07 | - | 4,457.07 |
| 4. Amount Expended During Quarter | 542.93 | - | 542.93 |
| 5. Total Amount Expended to Date (lines 3 & 4) | 5,000.00 | - | 5,000.00 |
| 6. Unexpended Cash Balance (line 2 minus 5) | <200.00> | | <200.00> |

FOR MBCC USE ONLY: F \$ _____ S \$ _____ I. \$ _____ T \$ _____

SUBGRANT EXPENDITURE REPORT

| BUDGET CATEGORY | BUDGET AMOUNT | PRIOR EXPENDITURES | EXPENDITURES THIS QUARTER | TOTAL EXPENDITURES TO DATE |
|--------------------|---------------|--------------------|---------------------------|----------------------------|
| Personnel | 1,200.00 | 937.75 | 332.25 | 1,270.00 |
| Consultant Service | 20.00 | -0- | -0- | -0- |
| Travel & Per Diem | 50.00 | -0- | -0- | -0- |
| Equipment | 3,500.00 | 3,331.45 | 168.55 | 3,500.00 |
| Operating Expense | 230.00 | 187.87 | 42.13 | 230.00 |
| TOTAL | \$5,000.00 | \$4,457.00 | \$542.93 | \$5,000.00 |

PROJECT INCOME: Did this project have income other than amounts budgeted? Yes No
 Amount \$ _____ How will project income be used? _____

ENCUMBRANCES: Please show obligations that are not included in expenditure report:
 Amount \$ _____ Purpose: _____

CERTIFICATION: I certify that the above information is correct, based on the accounting system and records, and that expenditures shown have been made for purposes of, and in accordance with, applicable subgrant terms and conditions.

SIGNATURE: [Signature] TITLE Admin. Officer DATE 10/14/87

RECEIPTS FOR QUARTER ENDING 9-30-87

SECTION I. BUDGETED CASH FROM MBCC AND APPLICANT AGENCY

| DATE RECEIVED | SOURCE | RECEIPT NUMBER | MBCC FUNDS | APPLICANT AGENCY FUNDS |
|---------------|--------|----------------|------------|------------------------|
| 8-6-87 | MBCC | | \$ 800.00 | \$ |
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| TOTAL | | | \$ 800.00 | \$ |

SECTION II. PROJECT INCOME OTHER THAN AMOUNTS BUDGETED

| DATE RECEIVED | SOURCE | RECEIPT NUMBER | AMOUNT |
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| TOTAL | | | \$ |

EXPENDITURES FOR QUARTER ENDING 9-30-87

| CLAIM OR WARRANT NUMBER | DATE | TO WHOM PAID | AMOUNT | PERSONNEL | CONSULTANT SERVICES | TRAVEL | EQUIPMENT | OPERATING EXPENSE |
|----------------------------------|------|-------------------|----------|-----------|---------------------------------|--------|---------------------------------------|----------------------|
| 163261 | 7-2 | Beth Miller | \$70.50 | \$170.50 | \$ | \$ | \$ | |
| 163776 | 7-17 | Beth Miller | 148.50 | 148.50 | | | | |
| 164207 | 7-29 | Beth Miller | 165.00 | 13.25 | (151.75 charged to Youth Court) | | | |
| 164609 | 8-5 | Beth Miller | 187.00 | | (charged to Youth Court) | | | |
| 165123 | 8-25 | Beth Miller | 220.00 | | (charged to Youth Court) | | | |
| 165447 | 8-8 | Beth Miller | 154.00 | | (charged to Youth Court) | | | |
| 162957 | 6-23 | VLM Electronics | 134.00 | | | 34.00 | | |
| 163332 | 7-6 | Quill Corporation | 148.41 | | | | 34.55 (113.68 charged to Youth Court) | |
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| TOTAL THIS PAGE | | | \$369.54 | \$32.25 | \$ | \$ | \$168.55 | \$42.13 |

(\$826.61 charged to Youth Court, \$542.93 charged to grant)

EXPENDITURES FOR QUARTER ENDING 9-30

| CLAIM OR WARRANT NUMBER | DATE | TO WHOM PAID | AMOUNT | PERSONNEL | CONSULTANT SERVICES | TRAVEL | EQUIPMENT | OPERATING EXPENSES |
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| | | | \$ | \$ | \$ | \$ | \$ | \$ |
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| TOTAL THIS PAGE | | | \$ -0- | \$ -0- | \$ -0- | \$ -0- | \$ -0- | \$ -0- |
| TOTAL ALL PAGES | | | \$369.54 | \$32.25 | \$ | \$ | \$168.55 | \$ 42.13 |

(\$826.61 charged to Youth Court, \$542.93 charged to grant)

Research on Screening Procedure for Youth Grant Report

Grant 85-15604

Final Report

The following activities were carried out during the last two months of the grant, July and August, which were not covered in the June 30th quarterly report.

- 1) Continuation of the gathering of current data through July 31st.
- 2) Fast cases were investigated to explore the research question of the use of risk and needs instrument to help prevent detentions.
- 3) Lengthy interviews were conducted with the juvenile probation officers and the chief probation officer to ascertain their assessment of the instrument, its usefulness and any potential problems.
- 4) Steps were taken to alleviate several problems noted by making slight changes in the instrument (addition of case specific information and clarification of several items). See Appendix A.
- 5) In addition to the personal interviews, staff meetings of Youth Court were attended. Presentation of the data (see Appendix B) and general discussion of the use of the instrument and automation of Youth Court records took place.
- 6) A set of policy decisions which will structure the further use of the instrument were presented to Youth Court for discussion and possible action.
- 7) The decision was made to continue use of the instrument as it is helpful in structuring interviews and provides information to the officers which is useful in decision making. Informally, guidelines have been established as to which cases the instrument will be used with, as it is not appropriate for all initial contacts.

Summary of Project

The first two months of the grant were spent on researching current use and construction of risk/needs instruments. The research included a review of the current literature, gathering information from various agencies, and conversations with jurisdictions that now use risk/needs instruments. Examples were gotten from many different youth courts and much literature was sent from various agencies contacted.

After reviewing the information and talking with the local juvenile probation officers, an instrument was decided on for use (see Appendix A). This instrument was constructed by the National Center of Crime and Delinquency in response to the fact that many youth courts, recognizing the usefulness of such a tool, were adopting the adult probation risk/need model. While some of the items were useful with a juvenile population, the instrument itself was not appropriate since there are vast differences in adult and juvenile offender populations. The instrument developed by the NCCD was based on data from four states and validated on different populations in five states. The NCCD recommended adoption of the instrument for pre-testing and testing and provided guidelines for research and implementation at the local level. The instrument was pretested for two weeks in Missoula and Ravalli counties; it was then discussed and several very minor changes were made to reflect the nature of the local communities.

The juvenile probation officers in Missoula and Ravalli counties used the instrument from May 4th through July 31st. The instrument was used on each case that was seen so that baseline data could be collected (see Appendix B). While the data collection was taking place, research was continuing, data was being inputted for future analysis, meetings were held individually and as a group with the juvenile probation officers, and past cases were being looked at for comparison and analysis.

The research question which guided the project--will the use of a risk/needs instrument help in decision making and prevent detections--was explored in several ways. First, a random sample of 40 cases from calendar year 1986 were selected. The instrument was to be applied to these cases and the results used for comparison and validity checking. Because of the lack of extensive record keeping and the fact that only three of the cases selected had been in detention, little information of use was obtained. Next, a random sample of all the cases that had experienced detention in calendar year 1986 were pulled. These cases for the most part resulted in high risk/needs scores, but that was partly a function of the fact that for many of them there was extensive information available. How much of this information would have initially been available is in question.

and would depend on when and how thoroughly the instrument was applied. Finally, all detention cases for the months the instrument was being tested—May through July—were examined. Of the 24 cases detained during the three month period, three had been seen during that period and all three had relatively high risk/needs scores. The other cases were probation violations, holds for transportation and holds for other counties.

The information resulting from the study of these various samples, while not conclusive, is promising for identification of high risk/need clients. Identification of these clients could lead to more intensive supervision and perhaps avoid later detections. The risk and needs information predicts only for categories, not individuals. Clients seen for the first time as a result of detention are outside of the sample, but this is the minority of cases; most detections are known to Youth Court personnel. Further research is needed on the validity of the instrument and time for follow-up is needed to track cases through the system. Decision making is aided by the information provided both in the risks component and the needs component of the instrument.

While not conclusively answering the detention question, many other benefits were realized and predicted for use of the risk and needs instrument. Case management, equal distribution of time consuming cases, equity in decision making, back up for use in court, and general organization of information in case files are all results possible through the consistent use of the risk/needs instrument. Interviews with the officers yielded both positive remarks and areas of concern. The positive remarks were varied and encouraging; the areas of concern were addressed point by point in staff meetings.

Actual implementation of the risk/needs instrument will require further policy decisions and guidance. In the interim, the officers are continuing to use the instrument as it is helpful in gathering information about the case as well as the special needs of the client. The needs component is especially useful in case planning and the risk component points to cases which, when seen as part of an aggregate category, may require more or less supervision than originally thought. The state wide Juvenile Probation Information System which is concurrently being developed will include a risk/needs component. The process which Missoula and Ravalli counties are going through to identify and implement a risk/needs instrument will be instructional for other jurisdictions in the state who will be on the system. The result of the JPIS will be more consistency in decision making throughout the state, more readily accessible information for officers to aid in decision making, and more accurate and timely compilation of statewide statistics.

APPENDIX A

ASSESSMENT OF RISK

Client Name: _____ Case #: _____

M or F? _____ Date: _____ Officer: _____

Select the highest point total applicable for each category.

AGE AT FIRST CONTACT WITH YOUTH COURT

- 0 - 16 or older _____
- 3 - 14 or 15
- 5 - 13 or younger

PRIOR CRIMINAL BEHAVIOR

- 0 - No prior arrests _____
- 2 - Prior arrest record, no formal sanctions
- 3 - Prior delinquency petitions sustained;
no offense classified as assaultive
- 5 - Prior delinquency petitions sustained;
at least one assaultive offense recorded

INSTITUTIONAL COMMITMENTS OR PLACEMENTS OF 30 DAYS OR MORE

- 0 - None _____
- 2 - One
- 4 - Two or more

DRUG ABUSE (other than alcohol)

- 0 - No known use or no interference with functioning _____
- 2 - Some disruption of functioning
- 5 - Chronic abuse or dependency

ALCOHOL ABUSE

- 0 - No known use or no interference with functioning _____
- 1 - Occasional abuse, some disruption of functioning
- 3 - Chronic abuse, serious disruption of functioning

PARENTAL CONTROL

- 0 - Generally effective _____
- 2 - Inconsistent and/or ineffective
- 4 - Little or none

SCHOOL DISCIPLINARY PROBLEMS

- 0 - Attending, graduated, GED equivalence _____
- 1 - Problems handled at school level
- 3 - Severe truancy or behavioral problems
- 5 - Not attending/expelled

PEER RELATIONS

- 0 - Good support and influence _____
- 2 - Peer influence not clearly identified
- 4 - Negative influence, companions involved in
delinquent behavior

TOTAL _____

REASSESSMENT OF RISK

Client Name: _____ Case #: _____

M or F? _____ Date: _____ Officer: _____

Select the highest point total applicable for each category.

AGE AT FIRST CONTACT WITH YOUTH COURT

0 - 16 or older _____

2 - 14 or 15 _____

3 - 13 or younger _____

PRIOR CRIMINAL BEHAVIOR

0 - No prior arrests _____

1 - Prior arrest record, no formal sanctions _____

2 - Prior delinquency petitions sustained;
no offense classified as assaultive _____4 - Prior delinquency petitions sustained;
at least one assaultive offense recorded _____

INSTITUTIONAL COMMITMENTS OR PLACEMENTS OF 30 DAYS OR MORE

0 - None _____

1 - One _____

3 - Two or more _____

Rate the following based on experience since last assessment:

DRUG/ALCOHOL ABUSE

0 - No known use or no interference with functioning _____

2 - Some disruption of functioning _____

5 - Chronic abuse or dependency _____

PARENTAL CONTROL (include foster or group home experience)

0 - Generally effective _____

2 - Inconsistent and/or ineffective _____

5 - Little or none _____

SCHOOL DISCIPLINARY PROBLEMS

0 - Attending, graduated, GED equivalence _____

1 - Problems handled at school level _____

3 - Severe truancy or behavioral problems _____

5 - Not attending/expelled _____

RESPONSE TO SUPERVISION REQUIREMENTS

0 - No problems of consequence _____

2 - Moderate compliance problems (e.g. missed
appointments, some resistance to authority) _____

5 - Major compliance problems, totally uncooperative _____

USE OF COMMUNITY RESOURCES/TREATMENT PROGRAMS

0 - Not needed OR productively used _____

2 - Needed but not available _____

3 - Used but not beneficial _____

5 - Available but rejected _____

TOTAL _____

NEEDS ASSESSMENT

Client Name: _____ Case #: _____

M or F? _____ Date _____ Officer: _____

For each item below select the single appropriate answer and enter the associated number in the adjacent blank.

DRUG ABUSE (other than alcohol)

- 0 No interference with functioning, no known use _____
 4 Occasional abuse, some disruption of functioning, unwilling to participate in treatment program
 6 Frequent abuse, serious disruption, needs immediate treatment

ALCOHOL ABUSE

- 0 No known use, no interference with functioning _____
 4 Occasional abuse, some disruption of functioning, unwilling to participate in treatment program
 6 Frequent abuse, serious disruption, needs immediate treatment

PRIMARY FAMILY RELATIONSHIPS

- 0 Relatively stable relationships or not applicable _____
 3 Some disorganization or stress but potential for improvement
 5 Major disorganization or stress

ALTERNATIVE FAMILY RELATIONSHIPS

- 0 Relatively stable relationships or not applicable _____
 3 Some disorganization or stress but potential for improvement
 5 Major disorganization or stress, unwilling to comply with family rules

LEARNING DISABILITY

- 0 None _____
 3 Mild disability, able to function in classroom
 5 Serious disability, interferes with social functioning

EMOTIONAL STABILITY

- 0 Appropriate adolescent responses _____
 3 Exaggerated periodic or sporadic response, e.g. aggressive acting out or depressive withdrawal
 6 Excessive responses; prohibits or limits adequate functioning

INTELLECTUAL ABILITY

- 0 Able to function independently _____
 3 Some need for assistance, potential for adequate adjustment; mild retardation
 5 Deficiencies severely limit independent functioning, moderate retardation

EMPLOYMENT

- 0 Not needed or currently employed _____
 3 Currently employed but poor work habits
 4 Needs employment

NEEDS ASSESSMENT
Page 2

Case #: _____

VOCATIONAL/TECHNICAL SKILLS _____

- 0 Currently developing marketable skills or not applicable
- 3 Needs to develop marketable skills

Enter the value 1 for each characteristic which applies to this case, then total each subject area and enter the score in the adjacent blank.

EDUCATIONAL ADJUSTMENT

- Not working to potential..... _____
- Poor attendance record..... _____
- Refusal to participate in any educational program..... _____
- Program not appropriate for needs, age and/or ability..... _____
- Disruptive school behavior..... _____

TOTAL _____

PEER RELATIONSHIPS

- Socially inept..... _____
- Loner behavior..... _____
- Receives basically negative influence from peers..... _____
- Dependent on others..... _____
- Exploits and/or manipulates others..... _____

TOTAL _____

HEALTH AND HYGIENE

- Medical or Dental referral needed..... _____
- Needs health or hygiene education..... _____
- Handicap or illness limits functioning.. _____

TOTAL _____

SEXUAL ADJUSTMENT

- Lacks knowledge (sex education)..... _____
- Avoidance of the opposite sex..... _____
- Promiscuity (not prostitution)..... _____
- Sexual deviant (not prostitution)..... _____
- Unwed parent..... _____
- Prostitution..... _____

TOTAL _____

TOTAL NEEDS SCORE _____

APPENDIX B

THE DATA

THE DATA

Data were gathered, using the risk instrument and the needs instrument, on every juvenile that seen throughout the duration of the data gathering phase of the project. If the juvenile was new to the system, information was taken during the intake or referral process. Juveniles who were being seen regularly as a result of prior contact with Youth Court were also evaluated using the instruments. The total of 243 cases does not represent all contacts with juveniles during that period, as some juveniles are asked to check in regularly with their juvenile probation officer. The 243 cases do represent the level of risk and need for the individuals on the officers caseloads during the project.

Figure 1. plots the entire caseload on the full range of possible scores for risk and need. The risk instrument measures from 0-36; the needs instrument from 0-64. The highest risk score is a 28; the highest needs score is a 39. The same individual is not highest on both the risk and the needs score, but both are outside the range of most of the other individuals. Figure 2. depicts the same information, except it is within the range of the highest scores reported for the risk and the needs instruments for the entire population. As can be observed, the majority of the cases fall into fairly low risk and needs areas. However, it must be noted that what is considered high, medium and low risk and needs is an individual decision made by jurisdictions based on their population.

Of the 243 cases, 153 were in Missoula County and 90 in Ravalli County. Figure 3. shows Missoula County, while Figure 4. shows Ravalli County scores. Missoula and Ravalli County together comprise the Fourth Judicial District Youth Court. Ravalli County, at this time, had two juvenile probation officers. Missoula County had four full time officers, and the Chief Probation Officer, who shared his time between the two counties. At several different points throughout the project, data were run for each officer's current caseload. The comparison between officers of their caseloads produced some of the more lively conversation during the regular meetings.

The original assumption was that the totals for the two counties would be used to determine cut off points for high, medium and low risk and need. However, careful examination of the data could change that decision. Perhaps the composition of the juvenile population in the two counties is different enough to require each to use their own data for cut off decisions.

Under the assumption that both counties combined would produce the cut off points, Figures 5 and 7 would be the basis for those decisions. Figures 6 and 8 are histograms that provide a visual representation of the information in Figures 5 and 7. Clearly, most of the cases fall in the lower end of

both the risk and needs areas.

The recommendation from NIC is that approximately one-third of the cases be in each category. Using that recommendation, and the data from both counties, low risk would be from 0-4, medium from 5-8, and high from 9-36. Low need would be from 0-4, medium from 5-11, and high from 12-64. Cut off points need to be periodically reviewed as the caseload shifts and accordingly adjusted to reflect the current situation.

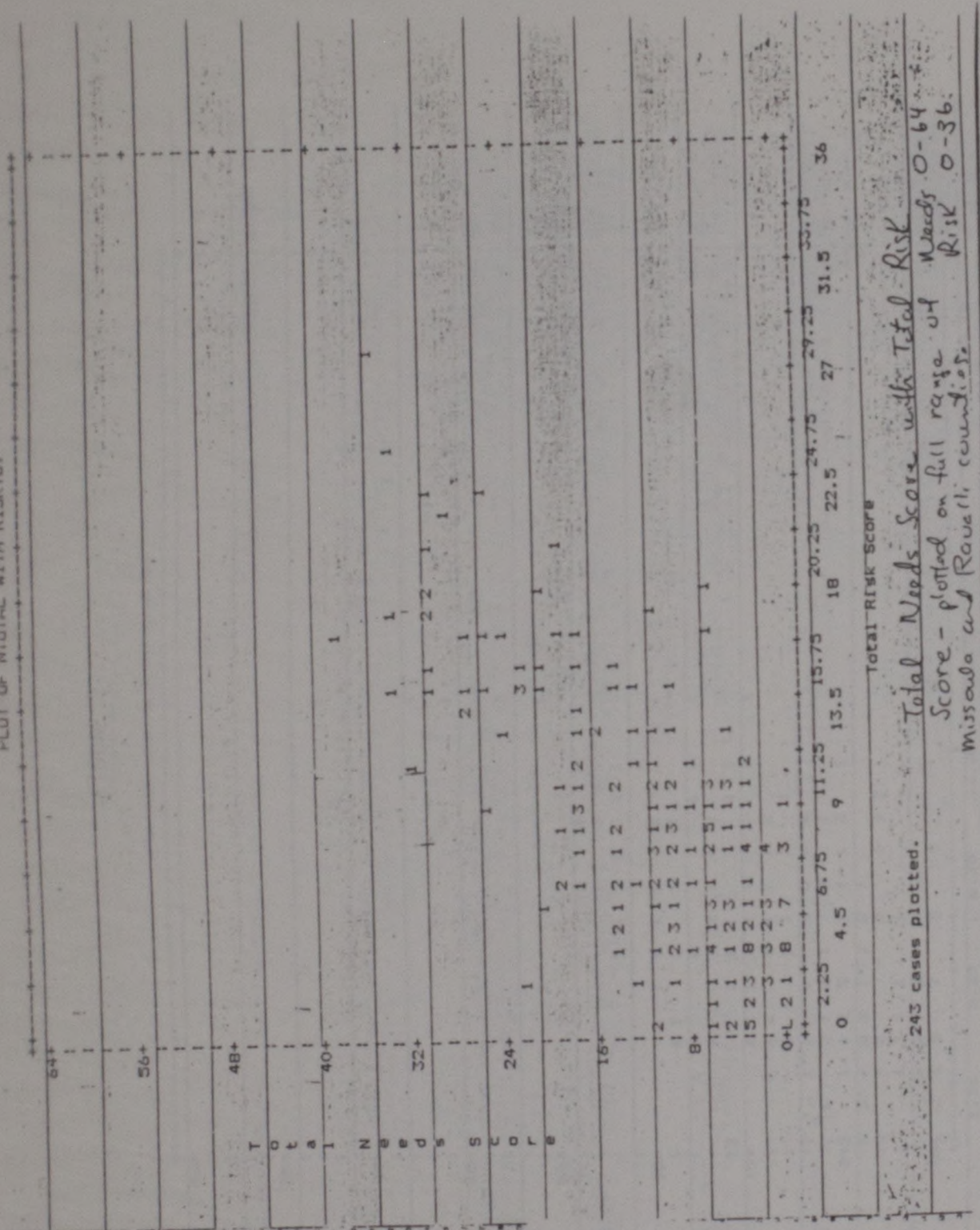
Supervisory and control decisions are usually made based on the amount of risk to reoffend presented by the youth. However, cases high in need are time consuming, as the officer attempts to meet the dual role of enforcement, and prevention and rehabilitation. While information from the risk instrument is the crucial piece of information for supervisory decisions, the needs information provides the basis for case planning. Both need to be taken into account when attempting to fairly distribute cases amongst officers.

The data set is useful beyond the information presented in the Figures. It could provide comparison with other counties who had adopted the same instruments. Individual variables could be compared and analyzed along with total scores. Scores could be looked at in relation to male and female, as could individual variables. Additionally, the data could be used for validity and reliability testing, and also to modify the instruments. Should the county decided to implement the use of risk and needs instruments, this data set would provide a means of comparison for changes in the population over time.

The data, for this project, answered several questions-what does the population look like during this particular time, what does each officer's caseload consist of, and what cutoff points should be established. There are many research questions that could be asked, and perhaps answered, by creative exploration and use of this data base, beyond what is presented in the Figures.

FIGURE 1

PLLOT UP MULTIPLE WITH NEAR 100



Total Risk Score
 Total Needs Score with Total Risk
 Score - plotted on full range of 0-64
 Missoula and Ravalli counties

243 cases plotted.

FIGURE 2

Plot of Deaths with Risk/100

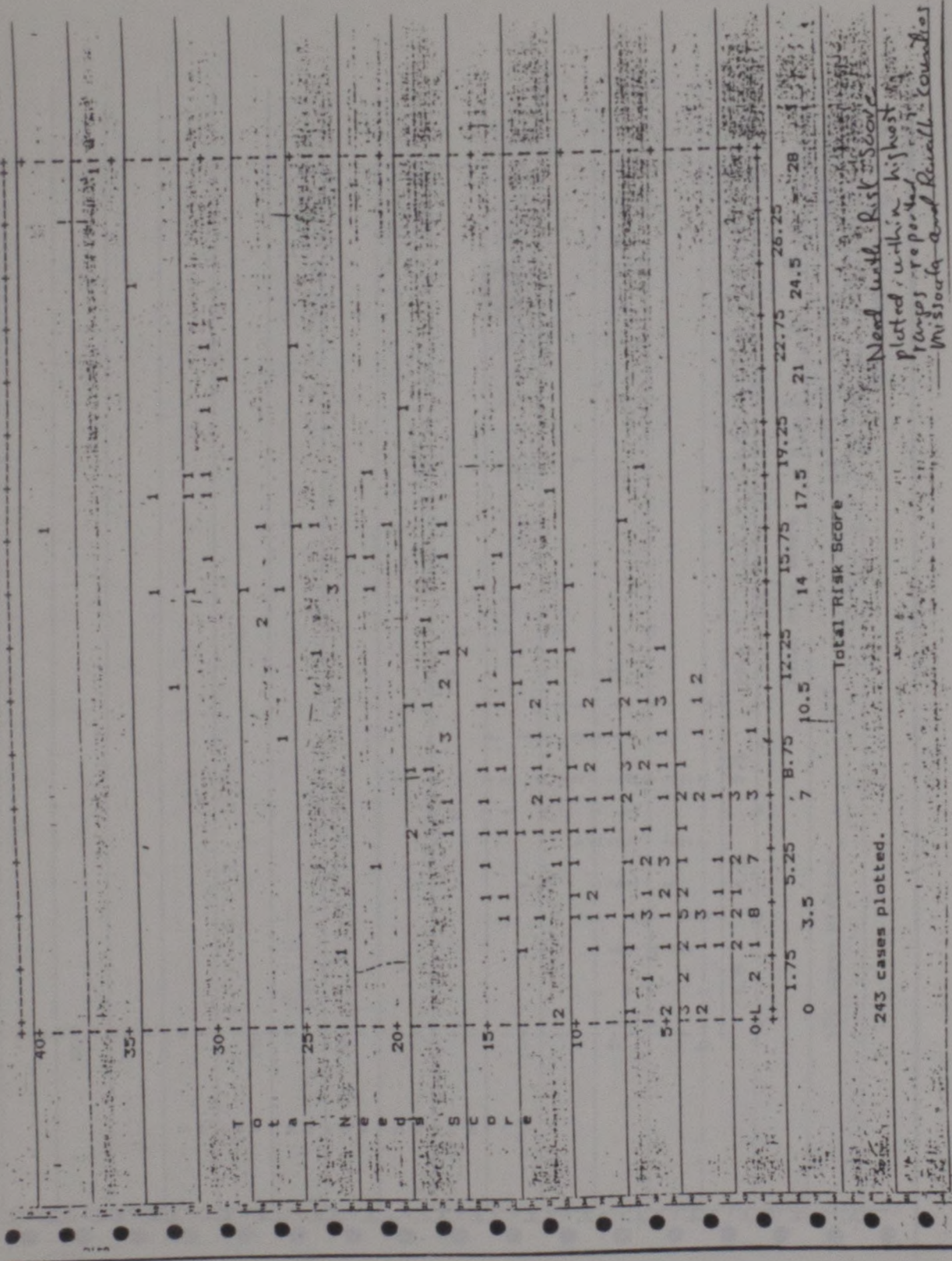


FIGURE 3

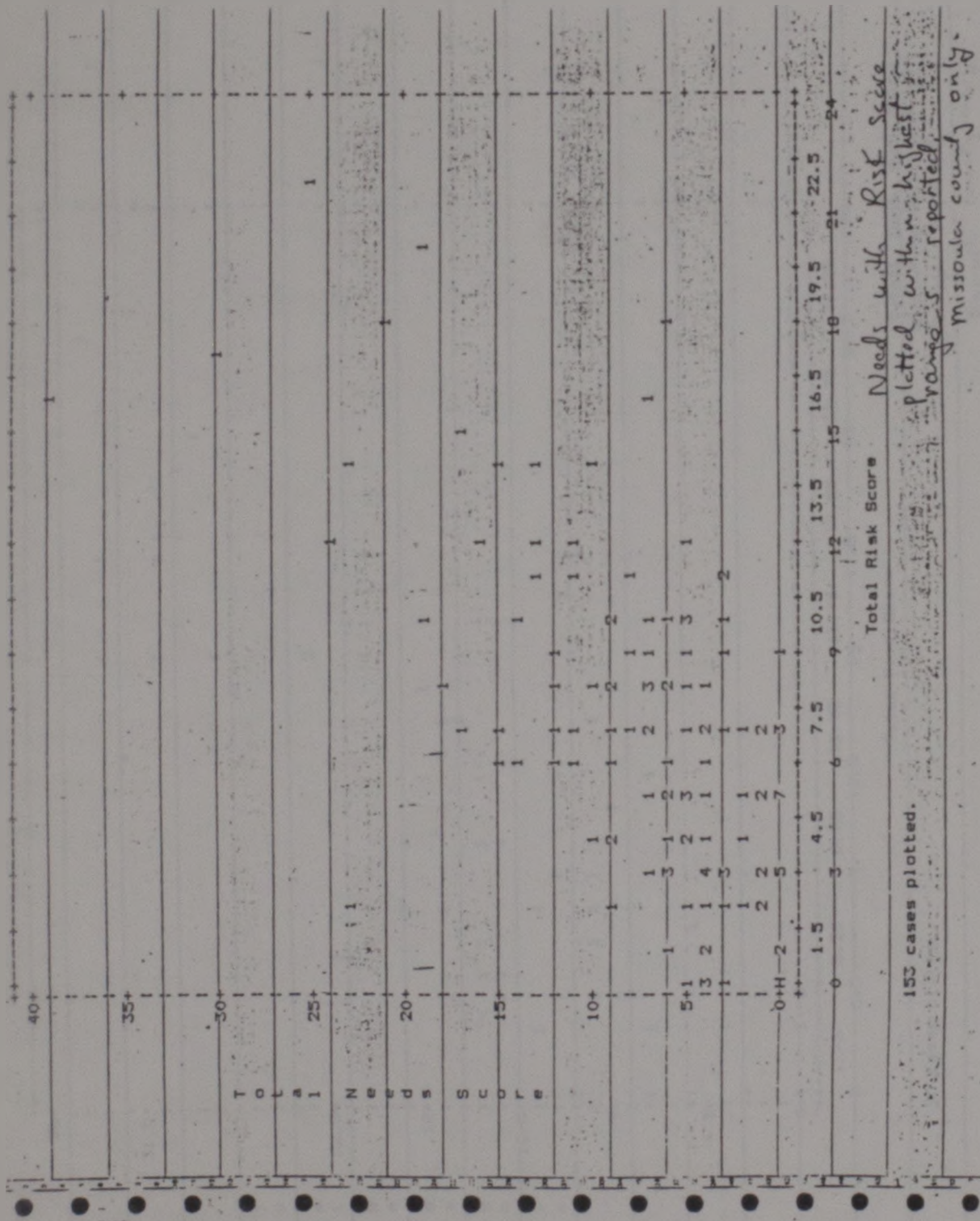


FIGURE 4

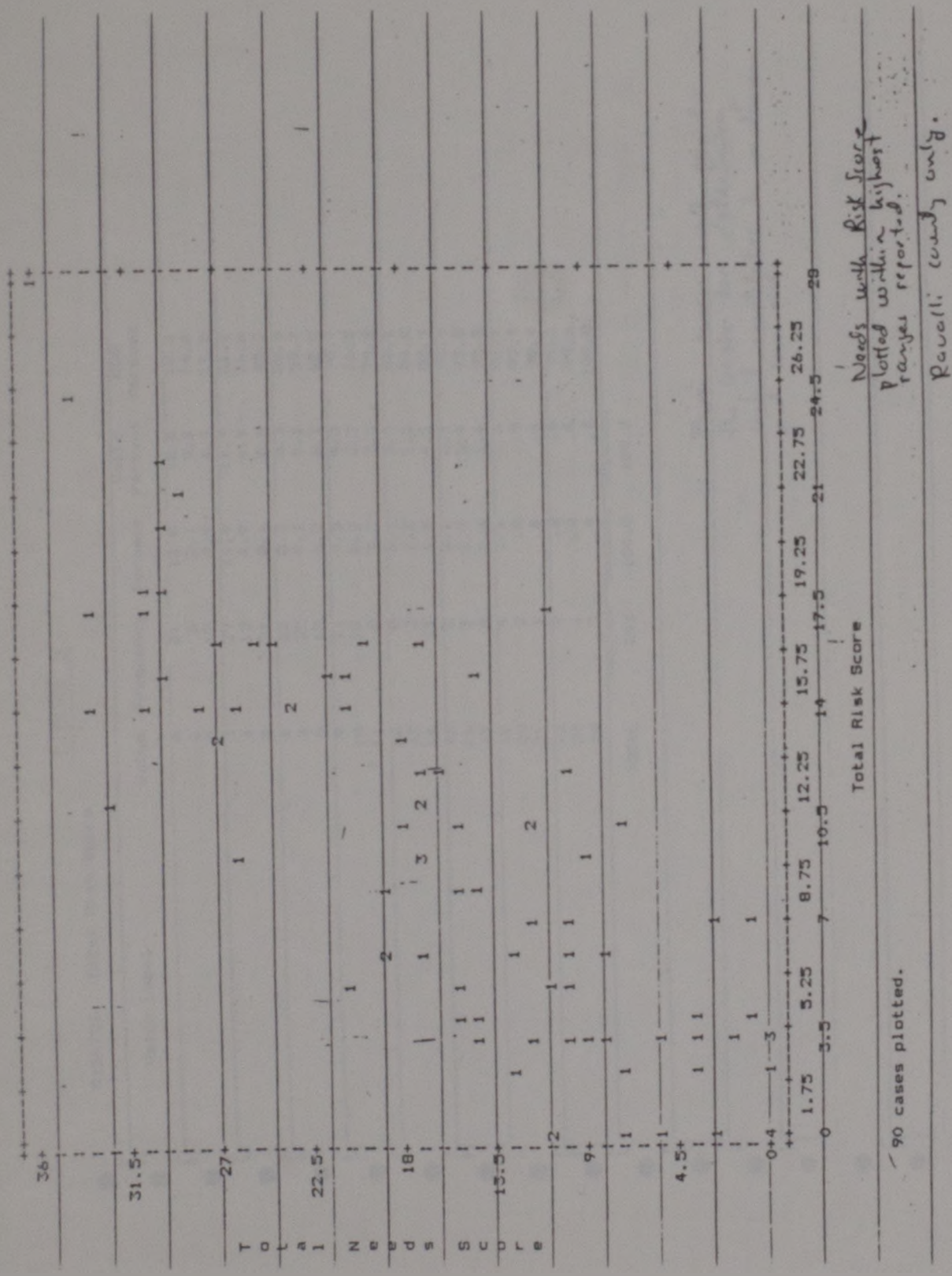


FIGURE 5

RISKTOT Total Risk Score

| Value Label | Value | Frequency | Percent | Valid Percent | Cum Percent |
|-------------|-------|-----------|---------|---------------|-------------|
| 0 | 0 | 31 | 12.8 | 12.8 | 12.8 |
| 1 | 1 | 5 | 2.1 | 2.1 | 14.8 |
| 2 | 2 | 12 | 4.9 | 4.9 | 19.8 |
| 3 | 3 | 29 | 11.9 | 11.9 | 31.7 |
| 4 | 4 | 12 | 4.9 | 4.9 | 36.6 |
| 5 | 5 | 21 | 8.6 | 8.6 | 45.3 |
| 6 | 6 | 15 | 5.3 | 5.3 | 50.6 |
| 7 | 7 | 22 | 9.1 | 9.1 | 59.7 |
| 8 | 8 | 15 | 6.2 | 6.2 | 65.8 |
| 9 | 9 | 11 | 4.5 | 4.5 | 70.4 |
| 10 | 10 | 15 | 6.2 | 6.2 | 76.5 |
| 11 | 11 | 8 | 3.3 | 3.3 | 79.8 |
| 12 | 12 | 8 | 3.3 | 3.3 | 83.1 |
| 13 | 13 | 3 | 1.2 | 1.2 | 84.4 |
| 14 | 14 | 11 | 4.5 | 4.5 | 88.9 |
| 15 | 15 | 5 | 2.1 | 2.1 | 90.9 |
| 16 | 16 | 7 | 2.9 | 2.9 | 93.8 |
| 17 | 17 | 4 | 1.6 | 1.6 | 95.5 |
| 18 | 18 | 4 | 1.6 | 1.6 | 97.1 |
| 20 | 20 | 2 | .8 | .8 | 97.9 |
| 21 | 21 | 1 | .4 | .4 | 98.4 |
| 22 | 22 | 2 | .8 | .8 | 99.2 |
| 24 | 24 | 1 | .4 | .4 | 99.6 |
| 28 | 28 | 1 | .4 | .4 | 100.0 |
| TOTAL | | 243 | 100.0 | 100.0 | |

These scores will provide the basis for determining whether constitutes hi, medium and low risk.

FIGURE 6

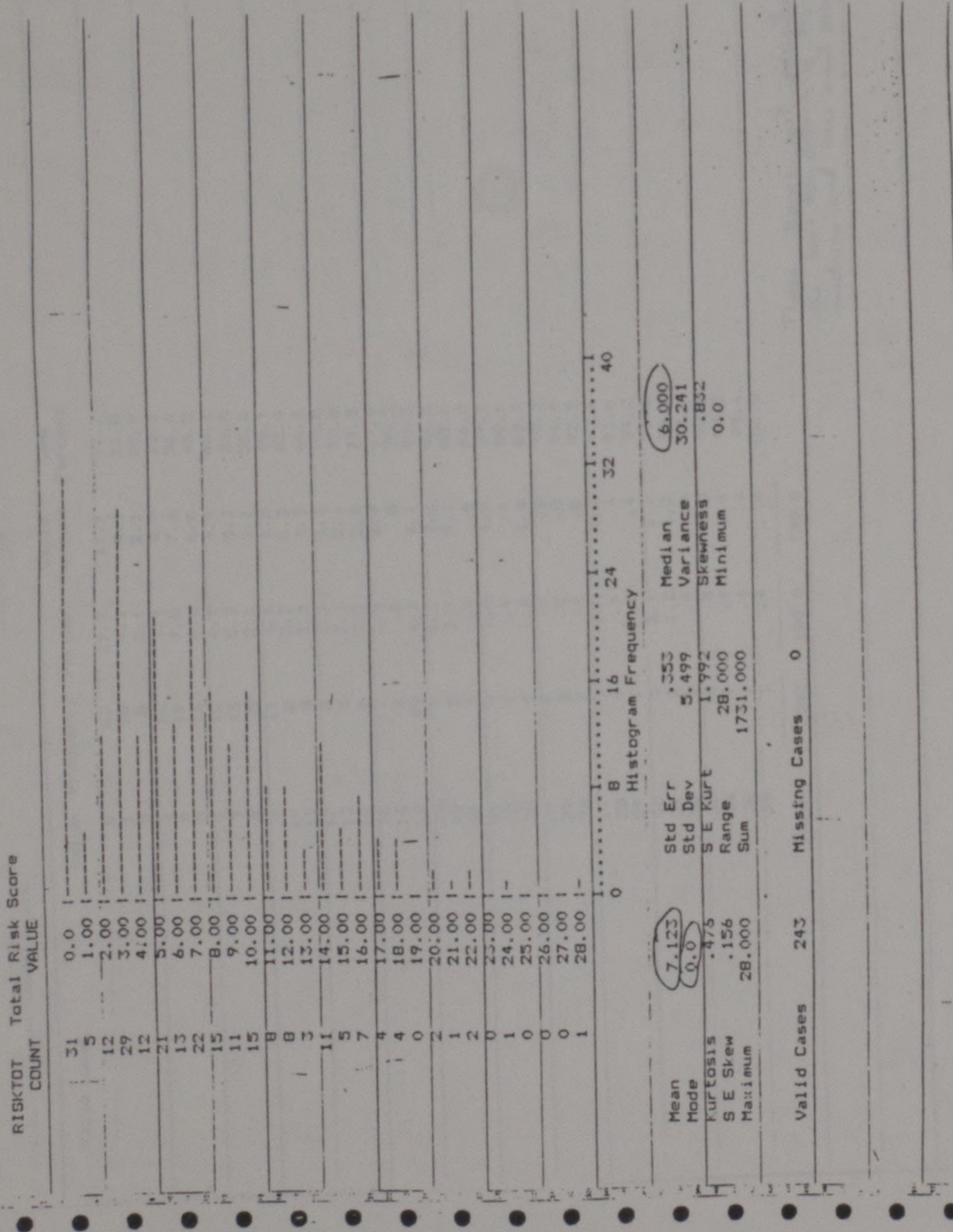
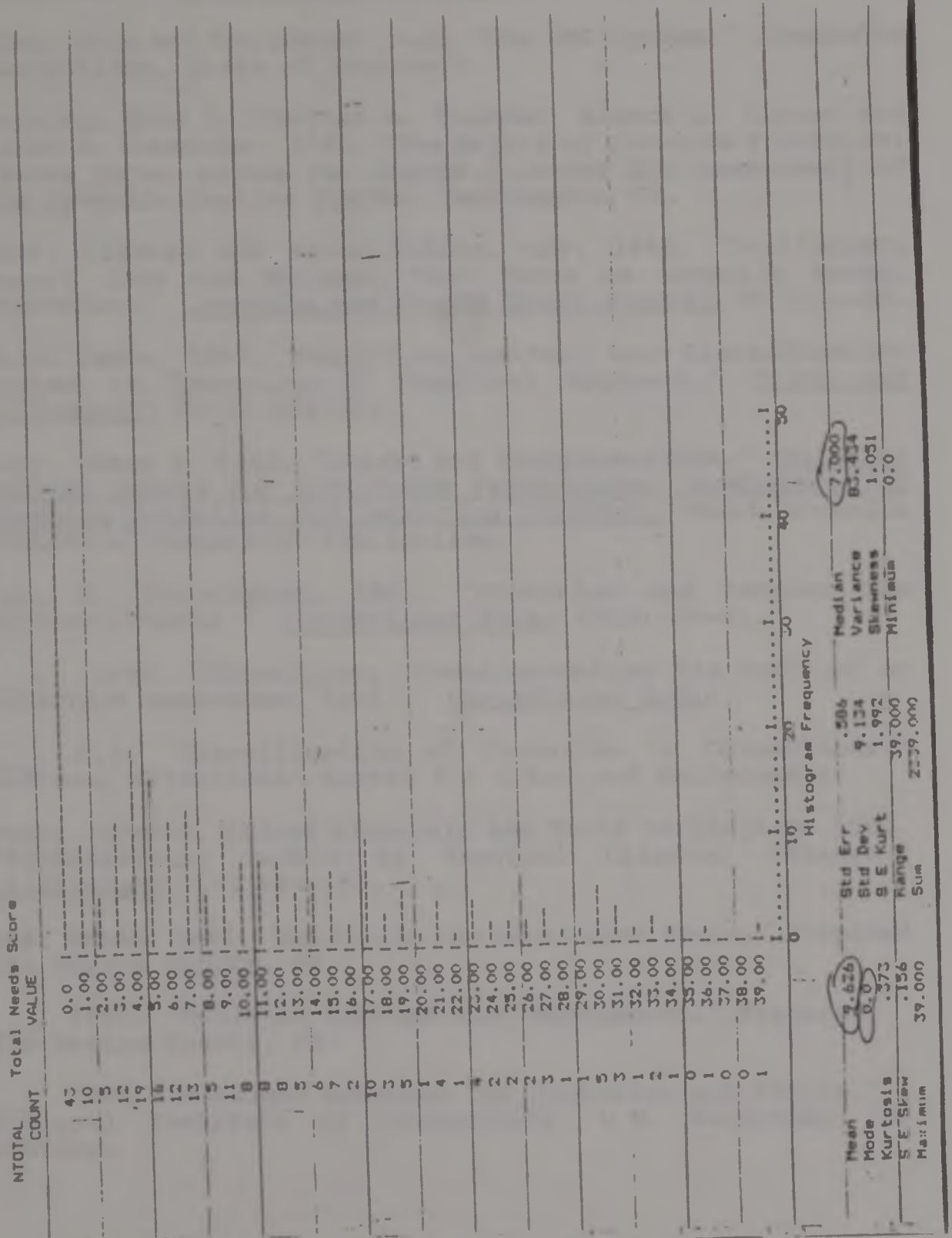


FIGURE 7

| Value Label | Value | Frequency | Percent | Valid Percent | Valid Percent | Sum |
|-------------|-------|-----------|---------|---------------|---------------|-------|
| | 0 | 45 | 17.7 | 17.7 | 17.7 | 17.7 |
| | 1 | 10 | 4.1 | 4.1 | 21.8 | 21.8 |
| | 2 | 5 | 2.1 | 2.1 | 23.9 | 23.9 |
| | 3 | 12 | 4.9 | 4.9 | 28.8 | 28.8 |
| | 4 | 19 | 7.8 | 7.8 | 36.6 | 36.6 |
| | 5 | 16 | 6.6 | 6.6 | 43.2 | 43.2 |
| | 6 | 12 | 4.9 | 4.9 | 48.1 | 48.1 |
| | 7 | 13 | 5.3 | 5.3 | 53.5 | 53.5 |
| | 8 | 5 | 2.1 | 2.1 | 55.6 | 55.6 |
| | 9 | 11 | 4.5 | 4.5 | 60.1 | 60.1 |
| | 10 | 8 | 3.3 | 3.3 | 63.4 | 63.4 |
| | 11 | 8 | 3.3 | 3.3 | 66.7 | 66.7 |
| | 12 | 8 | 3.3 | 3.3 | 70.0 | 70.0 |
| | 13 | 5 | 2.1 | 2.1 | 72.0 | 72.0 |
| | 14 | 6 | 2.5 | 2.5 | 74.5 | 74.5 |
| | 15 | 7 | 2.9 | 2.9 | 77.4 | 77.4 |
| | 16 | 2 | .8 | .8 | 78.2 | 78.2 |
| | 17 | 10 | 4.1 | 4.1 | 82.3 | 82.3 |
| | 18 | 3 | 1.2 | 1.2 | 83.5 | 83.5 |
| | 19 | 3 | 2.1 | 2.1 | 85.6 | 85.6 |
| | 20 | 1 | .4 | .4 | 86.0 | 86.0 |
| | 21 | 4 | 1.6 | 1.6 | 87.7 | 87.7 |
| | 22 | 1 | .4 | .4 | 88.1 | 88.1 |
| | 23 | 4 | 1.6 | 1.6 | 89.7 | 89.7 |
| | 24 | 2 | .8 | .8 | 90.5 | 90.5 |
| | 25 | 2 | .8 | .8 | 91.4 | 91.4 |
| | 26 | 2 | .8 | .8 | 92.2 | 92.2 |
| | 27 | 3 | 1.2 | 1.2 | 93.4 | 93.4 |
| | 28 | 1 | .4 | .4 | 93.8 | 93.8 |
| | 29 | 1 | .4 | .4 | 94.2 | 94.2 |
| | 30 | 3 | 2.1 | 2.1 | 96.3 | 96.3 |
| | 31 | 3 | 1.2 | 1.2 | 97.5 | 97.5 |
| | 32 | 1 | .4 | .4 | 97.9 | 97.9 |
| | 33 | 2 | .8 | .8 | 98.8 | 98.8 |
| | 34 | 1 | .4 | .4 | 99.2 | 99.2 |
| | 35 | 1 | .4 | .4 | 99.6 | 99.6 |
| | 39 | 1 | .4 | .4 | 100.0 | 100.0 |
| TOTAL | | 245 | 100.0 | 100.0 | 100.0 | |

These figures will provide the basis for determining the medium and lower third cases.

FIGURE 8



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 Judy Strothers

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 Washington, DC 20531
 (202)724-5940

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California Youth Authority (Frank L. Cheney)

Contra Costa Probation Office

County of San Bernardino CA

Cuyahoga County Juvenile Court

Delaware County Juvenile Court

Juvenile Probation, Helena MT (Dick Meeker)

Juvenile Court and Division of Youth Corrections-Utah

Juvenile Court Department-Commonwealth of MA

Missoula County Youth Court (All officers, chief juvenile probation officer and support staff were extensively interviewed and the project itself was conducted in this office)

Nevada Youth Parole Bureau

Orange County Probation-Juvenile Division

Santa Clara County Juvenile Probation (Richard Boulett)

State of Utah Juvenile Department

Washington State Juvenile Department

APPENDIX A

Summary of Montana Youth Court Act Amendments 1987-Senate Bill 226

Section 41-5-303 of the Montana Youth Court Act (MYCA) outlines requirements that must be met when a youth is taken into custody for questioning that could result in a petition alleging the youth is delinquent or in need of supervision. It provides for a probable cause hearing to take place within 24 hours of detention, excluding weekends and legal holidays.

If the court determines there is probable cause to believe that a youth is delinquent or in need of supervision, and that the youth meets the criteria of 41-5-305, they may be placed in a shelter care or detention facility, as described in 41-5-306. As of July 1, 1989, this section is replaced with a section that adds "but may not be placed in a jail or other facility for adults."

The importance of this new section is the provision for the 24 hour probable cause hearing and the July 1, 1989 change that states after a probable cause hearing an adult facility cannot be used for placement of youth alleged to be delinquent. A youth alleged to be in need of supervision cannot, after a probable cause hearing, be placed in a detention facility. Alternatives are obviously necessary for counties based on this new law.

Section 41-5-305, as amended, specifies the conditions under which, after a probable cause hearing, a youth may be placed in either detention or shelter care. The detention criteria of the judicial district with jurisdiction over the youth must also be considered (h). This indicates a need for a regional or local detention criteria committee.

As amended, section 41-5-306 describes where, following a probable cause hearing, shelter or detention of a youth may occur. Also, effective July 1, 1989, section 41-5-306 (3) no longer allows detention in an adult facility of a youth found to be delinquent, and it reiterates that any youth alleged to be in need of care is never to be placed in an adult facility.

Section 41-5-802 is a major amendment, since it involves the transfer of power to appropriate personnel, and transfers responsibility for compensation from the court or the judge of jurisdiction to the County Commissioners. The County Commissioners must inspect the facility in use every three months, and the judge must do so annually.

It also allows counties, cities and nonprofit corporations to provide shelter care facilities and receive state appropriation and federal funds for such. These shelter care facilities may be operated in conjunction with a youth detention facility.

Section 41-5-808 is new. It allows for the establishment and maintenance of regional detention centers through cooperative agreements between counties or cities. Each of these facilities must be licensed by the Department of Family Services (DFS). Financial responsibility for detention, including medical expenses incurred during detention, are the responsibility of the county determined by the court to be the residence of the youth. The county will be billed monthly for services provided during the previous month, any may be refused further service if the bill is not paid within 60 days of receipt. This new section provides the counties with the ability to combine resources to provide detention facilities.

Another new section, 41-5-809, gives DFS the authority to make rules which govern the licensing procedures for regional and county detention facilities. While 41-5-802 provides for shelter care and detention to be operated in conjunction with each other, there is not a specific mechanism for DFS to license the shelter care portion of a joint facility. It is clear, however, that the detention population is to be separate from the shelter care population, which may consists of youth in need of supervision and youth in need of care, as well as some youth alleged or adjudicated delinquent.

DFS produced licensing regulations for regional youth detention facilities which became effective in December, 1987. In order for a regional facility to be licensed, it must meet DFS requirements, which are a part of the Administrative Rules of Montana. This implies that a regional facility has no option but to comply; however, county detention and shelter care facilities, as outlined in 41-8-802, are not subject to DFS requirements.

APPENDIX B

Summary of Recommendations to 1989 Legislature by Jail Removal Committee

The Juvenile Jail Removal Committee met on October 5th, 1988 and finalized, except for the source of revenue, recommendations to be made to the 1989 Legislature. Passage of these recommendations will affected counties regarding funding for detention and evaluation services.

1) Juveniles are to be removed from adult jails. Secure detention will be provided on a temporary basis through Mountain View and Pine Hills, which will phase completely out of evaluations and secure detention of nonadjudicated youth by 1992. A fee for service will be charged to the youth's county of residence by these state institutions. It is expected that the fee will encourage communities to cooperate with each other in developing local alternatives for secure and nonsecure detention.

2) Concurrently, counties are expected to develop alternatives appropriate for their locale and cliental, such as holdover and attendant care programs.

3) Counties are encouraged to develop multi-county or regional detention facilities to provide for long term detention.

4) The plan for removal will provide funding to counties for secure and nonsecure detention alternatives.

5) These funds will be distributed through the Department of Family Services. Of the funds appropriated to DFS, 90% will be allocated directly to the requesting counties. The remaining 10% will be retained by DFS for a "grant in aid" program to assist counties experiencing a detention need larger than anticipated.

6) In order to gain access to the funds, each county must develop a plan for the provision of pre-dispositional services. This plan must specifically state what the county intends to do for both secure and nonsecure detention alternatives. The county plan must be submitted to the local Youth Services Advisory Council. If it meet minimal DFS requirements, the funds will be released to the requesting county.

7) A statewide funding source for recommendation has not been identified. Various revenue sources are being been discussed.

Most of these recommendations were incorporated in HB 568 which was passed by the 1989 Legislature. Appendix C summarizes these and other changes made to the Montana Youth Court Act.

APPENDIX C

Summary of Montana Youth Court Act Amendments 1989-House Bill 568

The authority to license facilities was extended to include all detention facilities. The loophole created by SB 226 which allowed a county facility to operate without specific licensing requirements is eliminated.

Adult jails which are used to detain juveniles in the specific situations allowed were required to provide sight and sound separation of adult and juvenile detainees. House Bill 586 requires physical, aural and visual separation.

The deadline for removal of all juveniles from adult facilities, except prior to a probable cause hearing, was extended to July 1, 1991.

The county commissioners are responsible for the cost of 45 day evaluations. They may contract with DFS or other public or private agencies for the evaluation service.

The legislature will appropriate funds to DFS for distribution to counties for detention services. In order to access the funding, counties must submit a written plan of the service to be purchased or created for evaluation. DFS will evaluate the plan, taking into consideration licensing, expected use, cost, and any other standards adopted by rule. DFS, upon approval, will release the funds to the county.

Each fiscal year DFS will reserve 10% of the previous year's allocation from the legislature. This money will be available to counties experiencing financial emergencies in the provision of detention services.

House Bill 586 has clarified some points, extended deadlines and provided the mechanism for juvenile detention funding. It did not, however, identify the funding source. Most significantly, House Bill 586 has extended the deadline for complete compliance to July of 1991, therefore prolonging the problem and delaying the search for practical alternatives.

APPENDIX D

JUVENILE PROBATION AND AFTERCARE
ASSESSMENT OF RISK

Select the highest point total applicable for each category

AGE AT FIRST ADJUDICATION _____

- 0 = 16 or older
- 3 = 14 or 15
- 5 = 13 or younger

PRIOR CRIMINAL BEHAVIOR _____

- 0 = No prior arrests
- 2 = Prior arrest record, no formal sanctions
- 3 = Prior delinquency petitions sustained;
no offenses classified as assaultive
- 5 = Prior delinquency petitions sustained;
at least one assaultive offense recorded

INSTITUTIONAL COMMITMENTS OR PLACEMENTS OF 30 DAYS
OR MORE _____

- 0 = None
- 2 = One
- 4 = Two or more

DRUG/CHEMICAL ABUSE _____

- 0 = No known use or no interference with
functioning
- 2 = Some disruption of functioning
- 5 = Chronic abuse or dependency

ALCOHOL ABUSE _____

- 0 = No known use or no interference with
functioning
- 1 = Occasional abuse, some disruption of
functioning
- 3 = Chronic abuse, serious disruption of
functioning

PARENTAL CONTROL _____

- 0 = Generally effective
- 2 = Inconsistent and/or ineffective
- 4 = Little or none

SCHOOL DISCIPLINARY PROBLEMS _____

- 0 = Attending, graduated, GED equivalence
- 1 = Problems handled at school level
- 3 = Severe truancy or behavioral problems
- 5 = Not attending/expelled

PEER RELATIONSHIPS _____

- 0 = Good support and influence
- 2 = Negative influence, companions involved
in delinquent behavior
- 4 = Gang member

TOTAL _____

REASSESSMENT OF RISK

AGE AT FIRST ADJUDICATION _____

- 0 = 16 or older
- 2 = 14 or 15
- 3 = 13 or younger

PRIOR CRIMINAL BEHAVIOR _____

- 0 = No prior arrests
- 1 = Prior arrest record, no formal sanctions
- 2 = Prior delinquency petitions sustained;
no offenses classified as assaultive
- 4 = Prior delinquency petitions sustained;
at least one assaultive offense recorded

INSTITUTIONAL COMMITMENTS OR PLACEMENTS OF 30 DAYS
OR MORE _____

- 0 = None
- 1 = One
- 3 = Two or more

Rate the following based on experience since last assessment:

DRUG/ALCOHOL ABUSE _____

- 0 = No known use or no interference with
functioning
- 2 = Some disruption of functioning
- 5 = Chronic abuse or dependency, serious
disruption of functioning

PARENTAL CONTROL (Include foster or group home
experience) _____

- 0 = Generally effective
- 2 = Inconsistent and/or ineffective
- 5 = Little or none

SCHOOL DISCIPLINARY PROBLEMS _____

- 0 = Attending, graduated, GED equivalence
- 1 = Problems handled at school level
- 3 = Severe truancy or behavioral problems
- 5 = Not attending/expelled

RESPONSE TO SUPERVISION REQUIREMENTS _____

- 0 = No problems of consequence
- 2 = Moderate compliance problems (e.g. missed
appointments, some resistance to authority)
- 5 = Major compliance problems, totally uncooperative

USE OF COMMUNITY RESOURCES/TREATMENT PROGRAMS _____

- 0 = Not needed
- 0 = Productively utilized
- 2 = Needed but not available
- 3 = Utilized but not beneficial
- 5 = Available but rejected

TOTAL

| Client Name | Last | First | M.I. | Client No. |
|-------------|------|-------|------|------------|
|-------------|------|-------|------|------------|

For each item below, select the single appropriate answer and enter the associated number in the adjacent blank.

DRUG/CHEMICAL ABUSE

- 0 No interference with functioning
- 4 Occasional abuse, some disruption of functioning, unwilling to participate in treatment program
- 6 Frequent abuse, serious disruption, needs immediate treatment

ALCOHOL ABUSE

- 0 No known use
- 4 Occasional abuse, some disruption of functioning, unwilling to participate in treatment program
- 6 Frequent abuse, serious disruption, needs immediate treatment

PRIMARY FAMILY RELATIONSHIPS

- 0 Relatively stable relationships or not applicable
- 2 Some disorganization or stress but potential for improvement
- 3 Major disorganization or stress

ALTERNATIVE FAMILY RELATIONSHIPS

- 0 Relatively stable relationships or not applicable
- 2 Some disorganization or stress but potential for improvement
- 5 Major disorganization or stress, unwilling to comply with family rules

EMOTIONAL STABILITY

- 0 Appropriate adolescent responses
- 2 Exaggerated periodic or sporadic responses e.g., aggressive acting out or depressive withdrawal
- 6 Excessive responses; prohibits or limits adequate functioning

INTELLECTUAL ABILITY

- 0 Able to function independently
- 2 Some need for assistance, potential for adequate adjustment; mild retardation
- 3 Deficiencies severely limit independent functioning, moderate retardation

LEARNING DISABILITY

- 0 None
- 2 Mild disability, able to function in classroom
- 3 Serious disability, interferes with social functioning

EMPLOYMENT

- 0 Not needed or currently employed
- 2 Currently employed but poor work habits
- 4 Needs employment

VOCATIONAL/TECHNICAL SKILLS

- 0 Currently developing marketable skill
- 2 Needs to develop marketable skill

Enter the value 1 for each characteristic which applies to this case.

EDUCATIONAL ADJUSTMENT

- Not working to potential.....
- Poor attendance record.....
- Refusal to participate in any educational program.....
- Program not appropriate for needs, age and/or ability.....
- Disruptive school behavior.....

TOTAL

PEER RELATIONSHIPS

- Socially inept.....
- Leader behavior.....
- Receives basically negative influence from peers.....
- Dependent upon others.....
- Exploits and/or manipulates others.....

TOTAL

HEALTH AND HYGIENE

- Medical or Dental referral needed.....
- Needs health or hygiene education.....
- Handicap or illness limits functioning.....

TOTAL

SEXUAL ADJUSTMENT

- Lacks knowledge (sex education).....
- Avoidance of the opposite sex.....
- Premiscuity (not prostitution).....
- Sexual deviant (not prostitution).....
- Unwed parent.....
- Prostitution.....

TOTAL

