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JUVENILE DETENTION SCREENING PROJECT

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This report, the second in a series of monthly reports prepared by the Vera Institute, describes and analyzes data on the Juvenile Detention Screening Project for September 1978. Screening was conducted by the Admissions staff at Spofford Juvenile Center, and the overnight and weekend holding facilities were made available by the Nonsecure Detention Program of the Office of Direct Child Care Services. Without the dedicated performance of staff at Spofford and at the two NSD holding facilities, this alternative to secure detention for arrested juveniles would not be possible. The data presented in this report were gathered from the screening forms completed at Spofford.

In September, two hundred and sixty-seven<sup>1</sup> police arrests<sup>2</sup> were processed at Spofford Juvenile Center and screened for release or nonsecure detention. The number of police arrests declined nearly one fifth from August (331) to September, which suggests the impact of the Juvenile Offender Law. Juveniles arrested as juvenile offenders are processed initially in criminal court and, if detained, are held at Rikers Island rather than Spofford.<sup>3</sup>

During September, 37 children were screened out of Spofford to nonsecure detention: 28 boys to Beach Avenue group home and 9 girls to Ashford group residence. An additional 8 children — 7 boys and one girl — were released from Spofford to parents or guardians. This constitutes a diversion rate of 17 percent (see Table I). The screening workers considered another 13 children (5 percent) eligible for NSD, but these cases were not screened out owing to lack of transportation after 5:00 A.M.

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<sup>1</sup>Data are available for 266 cases — one could not be located at Spofford.

<sup>2</sup>Not all the children taken into custody and brought to Spofford were actually arrested. Runaways from outside New York City — 33 in September — are not technically arrested. The term "police arrest," however, is used to cover all of the cases processed at Spofford.

<sup>3</sup>In September there were 128 arrests on juvenile offender charges.

The diversion rate of 17 percent for September dropped considerably from that of August, in which it was 33 percent (a decline of nearly one-half). The difference cannot be attributed to an increase in the proportion of cases indicating secure detention on the rating scale used by Spofford screening staff: in August 27 percent of the cases scored 11 or more points as compared with 29 percent for September. Sixty percent of the September cases scored 0-4 points, indicating release or NSD; and of these, less than 30 percent were diverted (see Tables XI and XII).

After some cases of children absconding from the NSD holding facilities, directives were issued during late August by the Executive Director of Spofford instructing the screening staff not to screen out runaways from outside New York City and PINS cases with a history of running away from home. These were both rescinded in mid-September, but undoubtedly contributed to the decline in the diversion rate. Planning is now underway to experiment with more flexible screening, and it is anticipated that the diversion rate could safely climb to 50 percent or more.

The typical child screened at Spofford during September was male (77 percent), aged 14 to 15 years old (75 percent), and living in Brooklyn or Bronx (55 percent) — see Tables II and III. The data indicate significant differences between male and female police arrests processed at Spofford. Seventy-seven percent of the boys but only 29 percent of the girls were arrested on criminal charges. Boys were arrested on violent charges in 20 percent of the cases, as compared to 7 percent for girls (see Table VI). Girls were much more likely to be arrested on PINS warrants, as Table VII illustrates. In spite of arrest on less serious charges, girls were considered to require detention at Spofford in a slightly higher percentage of cases (see Table I).

Children considered eligible for NSD were somewhat younger than children considered to require secure detention. Twenty-eight percent of the former as compared with 18 percent of the latter were 13 years of age or less. Most of the NSD-eligible children (84 percent) had no previous record at Spofford, whereas over 60 percent of the children considered to require secure detention had been admitted previously to Spofford (the relationships between detention status and age and previous record are illustrated in Tables IV and V).

The immediate disposition in court of the September police arrests according to detention status is shown in Table VIII. Diverted cases were released at court — through probation intake or after a preliminary hearing — in a considerably larger proportion than those considered by Spofford screening workers to require secure detention. All of the children "recogged" from Spofford and 65 percent of the NSD-eligible children were released at court, in contrast to 31 percent of the children considered to require secure detention. Twenty-five percent of the children diverted to NSD were remanded to detention, but more than three-fourths of these children were specifically remanded to the regular NSD program.

Tables IX and X suggest the impact of outstanding warrants and charges involving possession of dangerous weapons on the detention decision making of probation officers and judges. None of the children arrested on a juvenile delinquency warrant were released at intake and 60 percent were remanded for detention to the Juvenile Center.<sup>4</sup> PINS warrant cases are treated differently by judges. These cases were paroled more frequently and remanded for detention to the Juvenile Center in a much smaller proportion. Cases involving possession of a dangerous weapon — 12 percent — were remanded for detention nearly as often as JD warrant cases. Eight of the twelve cases involving guns were remanded to the Juvenile Center. (See Table X for the disposition of other weapons cases.)

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<sup>4</sup>For the disposition of the other 40 percent of these cases, see Table IX.

A comparison between the rating point system and court outcomes is illustrated in Table XIII. There is a rough correspondence between the rating score level and the release/detention decisions of probation officers and family court judges. Forty-seven percent of the cases scoring 0-4 points -- indicating release or NSD -- were released at court, as compared with 31 percent of those scoring 11 or more points -- indicating secure detention. The difference is greater with regard to remands to detention; 18 percent of the 0-4 point cases and 50 percent of the 11 or more point cases were remanded to the Juvenile Center. Since ten of the 74 cases scoring 11 or more points were not sent to court,<sup>5</sup> the proportion remanded to J.C. was 58 percent of those processed at Family Court. Adjustments are being considered in the rating system so that the proportion of cases in which it diverges from judicial decisions are reduced to a minimum.<sup>6</sup>

The most accurate test of the detention screening system consists of the rate of failure to appear (FTA) in court and rearrest on criminal charges. No data are available on the re-arrest rate, but none of the 37 cases diverted to NSD in September failed to appear in court (the FTA rate in August was five percent). The FTA rate is bound to increase as a higher proportion of children are screened from secure detention. It is anticipated, however, that nearly all

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<sup>5</sup>Of these ten, eight were held on DFY warrants and two were runaways held for other authorities (FOA).

<sup>6</sup>If the rating point system should be no more restrictive than the practice of judges, then it clearly failed in only 11 percent of the cases. Of the 64 cases scoring 11 or more points that were sent to court, 27 were not remanded to J.C.; this constitutes 11 percent of the 256 police arrests that received rating scores.

the cases scoring 0-4 points -- 60 percent in September -- could be diverted from Spofford without causing an intolerable FTA rate.<sup>6</sup>

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<sup>6</sup>The FTA rate for arrested juveniles released by the police would offer an approximate benchmark against which the performance of the screening project could be judged. City-wide data are not available, however. In a non-random sample of 348 cases drawn from Vera's Family Court Disposition Study, 10 percent of the juveniles released at arrest failed to appear at intake in Family Court. In the absence of better data, 10 percent might be considered a tolerable FTA rate for juveniles screened at Spofford.

Table I  
Detention Status by Sex  
(in percent)

Detention Status	Male	Female	Total
Secure Detention	77	80	78
Recog	4	2	3
Nonsecure Detention	14	15	14
NSD-eligible, not transferred	<u>6</u>	<u>3</u>	<u>5</u>
Totals	101 (201)	100 (61)	100 (262)*

\* Data missing in four cases.

Table II  
Age by Sex, Police Arrests  
(in percent)

Age	Male	Female	Total
Under 13	9	3	8
13	14	8	13
14	23	31	25
15	50	50	50
Over 15	<u>5</u>	<u>8</u>	<u>5</u>
Totals	101 (202)	100 (62)	101 (264)*

\*Data missing in two cases.

Table III

## Residence

	<u>Percent</u>
Manhattan	16
Brooklyn	30
Queens	13
Bronx	25
Staten Island	3
Outside New York City	<u>14</u>
Totals	101
	(264)*

\*Data missing in two cases.

Table IV

Detention Status by Previous Record at J.C.\*  
(in percent)

<u>Detention Status</u>	<u>Previous Record</u>	<u>No Previous Record</u>
Secure Detention	92	63
Recog	2	4
NSD-eligible**	<u>6</u>	<u>33</u>
Totals	100	100
	(135)	(127)

\*Data missing in four cases.

\*\* Includes those children sent to NSD plus those judged eligible but not sent.



Table V  
Detention Status by Age  
(in percent)

	<u>Age</u>				
	<u>Under 13</u>	<u>13</u>	<u>14</u>	<u>15</u>	<u>over 15</u>
Secure detention	48	84	74	81	100
Recog	5	3	6	2	0
NSD-eligible	<u>48</u>	<u>13</u>	<u>20</u>	<u>18</u>	<u>0</u>
Totals	101	100	100	101	100
	(21)	(32)	(66)	(130)	(13)

Table VI  
Criminal Charge by Sex  
(in percent)

	<u>Male</u>	<u>Female</u>	<u>Total</u>
Criminal charge	77	29	66
Violent*	(20)	(7)	(17)
No criminal charge	<u>23</u>	<u>71</u>	<u>34</u>
Totals	100	100	100
	(203)	(62)	(265)**

\* Violent charges include all charges of homicide, rape, assault, robbery, and attempts at any of these.

\*\* Data missing in one case.

Table VII  
 Outstanding Warrant by Sex  
 (in percent)

	<u>Male</u>	<u>Female</u>	<u>Total</u>
JD	14	5	11
PINS	11	39	18
DFY	6	3	5
No Warrant	<u>70</u>	<u>52</u>	<u>66</u>
Totals	101 (200)	99 (61)	100 (261)*

\* Data missing in five cases.

Table VIII  
 Disposition by Detention Status  
 (in percent)

<u>Disposition</u>	<u>Secure Detention</u>	<u>Recog</u>	<u>NSD</u>	<u>NSD-eligible at J.C.</u>	<u>Total</u>
Released at intake	15	63	25	31	19
No court action	0	0	19	0	3
Paroled	16	38	22	31	18
Remand Shelter	10	0	6	0	9
Remand Detention-J.C.	34	0	6	31	29
Remand Detention-NSD	1	0	19	8	4
DFY, no court appearance	5	0	0	0	4
FOA, no court appearance	16	0	0	0	12
Other*	<u>3</u>	<u>0</u>	<u>3</u>	<u>0</u>	<u>3</u>
Totals	100 (205)	101 (8)	100 (36)	101 (13)	101 (262)**

\* These seven cases include one remanded for psychiatric observation one overage, and two 7-5 orders.

\*\* Data missing in four cases.

Table IX

Disposition by Outstanding Warrant (JD and PINS)  
(in percent)

Disposition	No Warrant	JD	PINS
Released at intake	29	0	4
No court action	4	0	0
Paroled	13	27	36
Remand shelter	4	7	32
Remand detention-J.C.	28	60	11
Remand detention-NSD	2	3	13
FOA, no court appearance	18	3	0
Other	<u>3</u>	<u>0</u>	<u>4</u>
Totals	101 (171)	100 (30)	100 (47)

Table X

## Remand Detention-J.C. by Possession of a Dangerous Weapon

	No Weapon	Weapon	Gun	Knife	Other Weapon
Percent Remanded	27	52	67	38	46
	(224)	(31)	(12)	(8)	(11)

Table XI

Rating Score Level by Sex  
(in percent)

Score level	Male	Female	Total
0-4 points	56	74	60
5-10 points	12	7	11
11 or more points	<u>32</u>	<u>20</u>	<u>29</u>
Totals	100 (195)	101 (61)	100 (256)*

\*Data missing for 11 cases

Table IX

Disposition by Outstanding Warrant (JD and PINS)  
(in percent)

Disposition	No Warrant	JD	PINS
Released at intake	29	0	4
No court action	4	0	0
Paroled	13	27	36
Remand shelter	4	7	32
Remand detention-J.C.	28	60	11
Remand detention-NSD	2	3	13
FOA, no court appearance	18	3	0
Other	<u>3</u>	<u>0</u>	<u>4</u>
Totals	101 (171)	100 (30)	100 (47)

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11 or more points	<u>32</u>	<u>20</u>	<u>29</u>
Totals	100 (195)	101 (61)	100 (256)*

\*Data missing in ten cases (screening not performed in nine cases).

Table XII

Detention Status by Rating Score  
(in percent )

Detention Status	<u>Score Level</u>		
	0-4 points	5-10 points	11 or more points
Secure Detention	63	96	100
Recog	5	0	0
NSD	24	0	0
NSD-eligible, not transferred	<u>8</u>	<u>4</u>	<u>0</u>
Totals	100 (154)	100 (28)	100 (74)

Table XIII

Disposition by Rating Score Level  
(in percent )

Disposition	<u>Score Level</u>		
	0-4 points	5-10 points	11 or more points
Released at intake	20	25	16
No court action	5	0	0
Paroled	22	7	15
Remand shelter	8	25	3
Remand Detention-J.C.	18	39	50
Remand Detention-NSD	6	0	1
DFY, no court appearance	0	4	11
FOA, no court appearance	19	0	3
Other	<u>3</u>	<u>0</u>	<u>1</u>
Totals	101 (154)	100 (28)	100 (74)