

DETENTION FOR PROBATION VIOLATORS:
CHARACTERISTICS OF YOUTH LOCKED UP FOR VIOLATING PROBATION

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The following faculty members have examined the final copy of this thesis for form and content, and recommended that it be accepted in partial fulfillment of the requirement of the degree of Master of Arts with a major in Criminal Justice.

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DEDICATION

This project is dedicated to my husband, for his selfless support of my educational and career pursuits. Also to my parents, for encouraging and inspiring me to take on new challenges

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ABSTRACT

This study examined the population of juvenile offenders admitted to a juvenile detention facility in one county in Kansas for a probation violation between July 1, 2010 and December 31, 2010. This descriptive study was exploratory in nature and identified characteristics of this population including demographics, risk of reoffending, case information, and outcomes. A total of 147 admissions were included in this study, involving 109 different youth, some of whom violated standard probation, and some of whom violated intensive supervision probation. This study also looked at the role of zero-tolerance language in sentencing orders and its role in the use of detention as a sanction for probation violations.

For the majority of probation violation related detention admissions, the most serious offense in the case was a misdemeanor (71% of admissions) and a minor crime (65% of admissions). Nearly 50% of the admissions in this study were related to a single probation violation, and only 17% were related to an arrest or new charge. Of the 122 admissions for technical probation violations, 49% were related to a violation of zero-tolerance language in a sentencing order. Most of the admissions in this study resulted in a stay in detention that was less than one week, with 45% of admissions resulting in less than three days in detention. The vast majority (71%) of admissions for zero tolerance violations resulted in less than three days in detention. The results of this study indicate that nonviolent youth who have not committed serious crimes are serving time in detention due to technical probation violations. Additionally, zero tolerance language, particularly zero tolerance regarding school attendance, is related to multiple short stays in detention.

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CHAPTER 1

INTRODUCTION

In the early years of the juvenile justice system, juvenile detention centers were one of the few tools available to address juvenile crime. There were few, if any alternatives to detention that held youth accountable for their actions and protected the public while allowing youth to remain in the community. By the early 1990s, many juvenile detention facilities were dangerously overcrowded. This posed a safety and health risk to the youth in custody as well as the staff, and led to a number of lawsuits in response to what were seen as unconstitutional punishment conditions (Feldman & Kubrin, 2002). Rather than building more juvenile detention facilities to address the overcrowding, officials began to explore options for detention alternatives that could meet the needs of the juvenile justice system while protecting the public. By 1995, most professional standards and many state statutes suggested that, “secure detention should be used only to ensure that alleged delinquents appear in court...and to protect the community by minimizing serious delinquent acts...” (Steinhart, 2001, p. 7). According to a Justice Policy Institute report, “detention centers...serve a role by temporarily supervising the most at-risk youth” (Holman & Ziedenberg, 2006, p. 3). This more clearly defined mission of juvenile detention centers was brought to fruition with the development of community based supervision programs. Community based supervision programs, like probation, allow juvenile offenders to continue to pursue their education, maintain employment, and reside with their family, in their community, while under court supervision and restrictions.

With the increasing utilization of community based supervision for juveniles came the development of evidence based programming and risk assessment tools. Evidence suggests that juveniles who are deemed low risk to reoffend should be allowed to remain in the community,

receive minimal interventions, and not be unnecessarily exposed to higher risk juveniles. Evidence suggests that little is gained in terms of protecting public safety and reducing recidivism by detaining low risk juveniles (Bonta & Andrews, 2007).

Although the primary purpose of detention centers today is the containment of high risk, dangerous offenders who are a threat to the community and youth who are likely to abscond if released prior to a court hearing, some low risk nonviolent youth are still being locked up in juvenile detention facilities. The majority of these youth are status offenders and offenders who are being punished for violating probation. According to a report by the Annie E. Casey Foundation, in 2005, nearly 30% of the juveniles in detention centers nationwide were there because they committed a status offense, violated court orders, or committed a technical probation violation (Lubow, 2005). According to the report, “these were youths who had frustrated or angered an adult, not juveniles whom adults were necessarily afraid of” (Lubow, 2005, p. 67). Despite other accomplishments in detention reform, the use of detention for status offenders and probation violators has remained virtually unchanged. It has even been said that these types of cases “resist reform” (Steinhart, 2001, p. 10).

In order to enact reform, the juvenile justice community must develop a better understanding of the youth and cases sanctioned to detention for violating probation. Officials must also examine the purpose and intent motivating their use of detention for probation violators. This understanding starts with an examination of the characteristics of the juveniles who make up this population. According to an Annie E. Casey Foundation report on special detention cases, in 1996, youth who had committed a technical probation violation accounted for almost 25% of the total number of admissions to the detention centers examined (Steinhart, 2001). Authors suggested that these findings could probably be generalized to other detention

centers across the country. That same report indicated that for the sites examined, there was an absence of descriptive data on probation violators. Authors suggested that this too was likely to be the norm nationwide.

According to a report from the Office of Juvenile Justice and Delinquency Prevention (OJJDP), in 2007, 327,400 adjudicated juvenile offender cases nationwide had a disposition of probation. Of those, 101,800 served time in detention. OJJDP offers minimal information about this population, limited to age, gender and race. There is no information available about how the offenders who were on probation ended up in detention. According to the Juvenile Justice Authority (JJA), in the state of Kansas in 2005, a total of 1,916 juvenile offenders were processed through Juvenile Intake and Assessment Centers (JIAC) for “other” offenses. The report lists categories for different felony and misdemeanor offense types, as well as various status offenses, so the population left in the “other” category presumably includes juveniles sanctioned to detention for violating probation. While JJA does offer aggregate age, gender, and race information for the entire population of juveniles processed through JIAC, it does not parse out any information about the specific population of juveniles processed for “other” reasons.

Many jurisdictions do not have easily accessible information on youth detained for violating probation. Of the jurisdictions that do track information on this population, most do not distinguish whether the violation was related to a new crime or a technical violation (Steinhart, 2001). A review of the literature regarding probation and detention reveals a deficit regarding this population. Without accurate data, reform efforts can only be based on anecdotes and generalizations. Policy will not change until there is a basis on which to suggest options. The need for information on this population is the basis for this exploratory study.

1.1 Current Study

This study examines the population of juvenile offenders on traditional or intensive supervision probation admitted to detention for a probation violation. Variables examined include individual factors like race, gender, age, and risk level; and system factors such as whether sentencing orders contained zero tolerance language, the length of time spent in detention, the nature of original charges and the nature of the probation violation. Previous and subsequent probation violations were tracked, as well as the specifics of each violation. The purpose of this study is to create a picture of not only *who* was sanctioned to detention, but also *how* they got there.

Gathering information on this population will contribute to Sedgwick County Department of Corrections' overall strategy for dealing with juvenile delinquency. According to the Comprehensive Plan for Juvenile Delinquency Prevention for the 18th Judicial District, approved on October 1, 2010, the Risk-Need-Responsivity (RNR) model frames the strategy for responding to the risk of delinquency in Sedgwick County. There are two parts to the RNR risk principle. The first is identification of risk factors. Sedgwick County utilizes an assessment tool to screen and determine risk for recidivism for all juveniles who enter the system. A juvenile's overall risk level is determined by the calculating the sum of their numerical scores in each of eight risk domains. The second part of the risk principle involves matching the juvenile's risk level to the appropriate type of intervention and level of supervision. Higher risk juveniles require more intensive intervention and supervision for a longer period of time. This part of the risk principle also states that placing a low risk offender into an intensive treatment program, or under too much supervision, may increase their risk to reoffend. According to the Comprehensive Plan, programs for addressing delinquency that receive funding from the state of

Kansas or Sedgwick County must take this part of the risk principle into account. The Comprehensive Plan states, “youth assessed at a low risk for future delinquency should, as a general rule, be served by minimally invasive means” (Comprehensive Plan, 2010, p. 6). This is one way that Sedgwick County is working to adhere to the RNR model. This study looks at how current policies for addressing probation violations fit with the RNR model.

1.2 Research Setting

Sedgwick County, Kansas is the location of the juvenile court and detention facility that is the focus of this study. According to 2010 U.S. Census Bureau estimates, the population of Sedgwick County is 76.3% Caucasian, 9.3% African American and 13% Hispanic. About 27.2% of the Sedgwick County population is under 18 years of age, the age of majority in Kansas. The most recent information on poverty rates from the US Census Bureau is from 2009. In 2009, the poverty rate in Sedgwick County was 13.5%. The city of Wichita is the largest city in Sedgwick County and is the site of the 18th Judicial District Court, Juvenile Intake and Assessment Center (JIAC) and Juvenile Detention Facility (JDF).

In State Fiscal Year 2010, 3,712 juveniles were processed through the Sedgwick County Juvenile Intake and Assessment Center, 3,236 of those were classified as Juvenile Offenders (Benchmark 5 Report Update, 2011, p. 99). The two most frequent reasons for referral of a juvenile offender to JIAC in SFY 2010 were misdemeanor property offenses (69.6% of referrals) and misdemeanor person offenses (13.4% of referrals) (Benchmark 5 Report Update, 2011, p. 69). In SFY 2010, 1,502 juvenile offender cases were filed in the 18th Judicial District, and there were 1,354 admissions to the detention facility for the same period (Benchmark 5 Report Update, 2011, p. 71 & 81). In calendar year 2010, 678 new cases were assigned to Juvenile Court Services Probation and 165 juveniles were assigned to Juvenile Intensive Supervision Probation

(Benchmark 5 Report Update, 2011, p. 80 - 81). The Sedgwick County Juvenile Detention Center (JDF) experienced an average daily population of 67 in SFY 2010 (Benchmark 5 Report Update, 2011, p. 77). JDF reported service costs of \$233 per day per youth in detention (Benchmark 5 Report Update, 2011, p. 79).

Sedgwick County Court Services has used the Youthful Level of Service / Case Management Inventory (YLS/CMI), a criminogenic risk factor assessment tool, to objectively assess juveniles' risk to recidivate since 2008. The YLS/CMI is administered upon request of the court for use in sentencing, or as deemed necessary by the Court Services Officer when there is a probation violation and the officer is recommending Juvenile Intensive Supervision Probation (JISP) or state Juvenile Justice Authority (JJA) custody. The YLS/CMI is used to develop individualized case plans that target juveniles' specific areas of risk. In 2010, 15.6% of juveniles assessed in Sedgwick County using the YLS/CMI were deemed to be high risk, 60.1% moderate risk, and 24.3% low risk (Benchmark 5 Report Update, 2011, p. 17).

Sedgwick County utilizes another objective risk assessment tool, the Sedgwick County Department of Corrections Juvenile Risk Assessment Instrument, commonly referred to as the Brief Screen, to assess juveniles' risk of recidivism. The Brief Screen provides preliminary risk levels related to the same eight domains as the YLS/CMI. These domains include: history of antisocial behavior, school and/or work situations, peer relations, family circumstances, leisure and recreation activities, antisocial personality traits, antisocial thinking, and substance abuse issues. Risk levels for all youth processed through the Juvenile Intake and Assessment Center (JIAC) are assessed using the Brief Screen, except youth passing through to detention.

Sedgwick County also uses a detention screening assessment. This screening tool, called the Sedgwick County Juvenile Detention Risk Assessment Instrument (JDRAI) was

implemented in 1997. It is administered as part of the intake process when a juvenile is arrested. The tool provides a numeric score based on information about the nature of the arrest, the juvenile's legal status, plus aggravating and mitigating factors. It is designed to predict the likelihood of future arrests and the likelihood that the juvenile will not appear for court. The numeric score it produces suggests whether detention, release on Own Recognizance (OR) bond with conditions, or release without restrictions is the most appropriate option for the juvenile and community (Benchmark 5 Report Update, April 2011). Only youth participating in an arrest related intake are assessed using this tool. Juvenile offenders who are at JIAC being processed into JDF for a probation violation do not receive this screening.

In times of limited funding and shrinking corrections budgets, communities must make decisions about the best way to maximize available dollars. Funds must be applied in the most efficient ways; with the goal of promoting the greatest change in offending behavior in the most economically viable way. Since detention is one of the most expensive options for dealing with juvenile offenders, it is increasingly important to examine the various ways that juveniles arrive in detention to ensure appropriate allocation of scarce resources. This study explores the population of juvenile offenders sanctioned to detention for violating probation in Sedgwick County with the goal of discovering common characteristics that might suggest improvements in the utilization of detention resources.

CHAPTER 2

LITERATURE REVIEW

This study examines the use of detention for juvenile probation violators. A review of the literature reveals that there is a deficit in existing literature about this specific population. To understand the need to explore this population, it is important to understand the nature of probation and the intent of detention. This chapter discusses the use of probation in the juvenile justice system, including current practices for dealing with probation violations, and criticisms of the current probation system. Additionally, there is discussion on detention and the history of juvenile detention reform. One of the variables explored in this study was the impact of zero tolerance or sanctions language in probation orders. A review of the literature on zero tolerance philosophies and policies is presented here. Finally, this chapter presents a summary of the literature regarding “what works” for changing juvenile offenders’ behavior, and discusses evidence-based detention alternatives that are already in existence. The chapter concludes with an overview of the history of detention reform efforts in the county where the study was conducted and summaries of specific probation programs there.

2.1 Probation

Probation is intended to provide supervision of an offender in a way that protects public safety, promotes offender rehabilitation, and provides consequences to the offender. It is intended to allow the offender to prove that although s/he committed a crime, s/he deserves to be free of supervision. It is a preferable alternative to other forms of correctional control for a number of reasons. First, probation is less expensive than confinement. Per person probation costs are typically a fraction of per person incarceration costs (Stickels, 2007). Second, probation allows offenders to remain in the community, avoiding exposure to other offenders

who promote criminal attitudes and behaviors, as can occur in secure confinement. It is intended to offer an opportunity for convicted persons to develop skills that will help them avoid future criminal activity. Probation allows offenders to continue to participate in constructive activities in the community, such as employment, that contribute to their rehabilitation. Incarceration carries a stigma that can be harmful to juveniles hoping to someday be productive members of society. Finally, probation for non-violent offenders allows for precious juvenile detention center and correctional facility resources to be reserved for only the most violent offenders; that is, those who pose the greatest threat to public safety.

The general purpose of probation is to protect the public while carrying out justice. Probation programs seek to rehabilitate, supervise and promote accountability. The juvenile court issues the order of probation, which outlines the conditions by which the juvenile offender must abide. Standard conditions of probation include: obeying all laws, reporting regularly to the probation officer, refraining from association with known offenders, observing curfew hours, abiding by parent/guardian's house rules, and paying fees. Offender-specific conditions of probation can include participation in family or individual counseling, substance abuse treatment, community service work, and educational or job training programs. Case law has established that the court may impose any condition of probation as long as it is "constitutional, reasonable, clear, and related to some definable correctional goal, such as rehabilitation or public safety" (Corrections in the Community, 2007, p. 78).

Probation is sometimes referred to as "the cornerstone of the juvenile justice system" because it is the most common disposition in juvenile offender cases and because it offers a balance between the interests of the juvenile and the interests of the community (Bilchik, S., 1999, p. 2). While there is a limit to the number of juveniles that can be sanctioned to detention

due to occupancy limits in detention facilities, there is no limit to the number of juveniles who can be placed on probation. Although exact definitions of probation can vary, two types of probation are fairly common. The less restrictive of the two types is traditional community supervision. Commonly referred to as Standard Probation or Court-Supervised Probation, it is typically used for non-violent offenders and offenders who require only a moderate level of supervision. Intensive Supervision Probation (ISP) typically refers to a program with a greater level of supervision, a more “intense” version of standard probation, which offers a supervision option between standard probation and incarceration. ISP officers typically carry lower caseloads and have more frequent surveillance and monitoring contacts with each juvenile they supervise than standard probation officers. According to Lowe, et al. (2008) ISP programs usually implement “...stringent rules and conditions...on offenders, in combination with heightened surveillance” (p. 139).

Once assigned to standard probation or ISP, a juvenile offender is supervised by a probation officer who reports to the court concerning the juvenile’s progress. Probation officers are tasked with both contributing to the rehabilitation of offenders and monitoring offenders’ compliance with probation conditions. Some literature suggests that probation officers serve dual roles and must strike a balance between their roles as enforcer and counselor (Lowe, et al., 2008, Kurlychek, Torbet, & Bozynski, 1999). If the offender follows all probation conditions, probation is terminated at the request of the probation officer or at the expiration of the sentence, whichever comes first. The majority of offenders placed on probation complete it successfully.

2.2 Probation Violations

In every probation program there are some offenders who are unsuccessful and fail to abide by probation conditions. For some juveniles, certain probation conditions can be

“unrealistic, difficult to attain, and unenforceable” (Lowe, et al., 2008, p. 140). Offenders with severe drug or alcohol problems may relapse, causing a probation violation. Other offenders may struggle to pay restitution, or have difficulty obtaining and maintaining employment, which would also constitute a probation violation. Probation officers typically have some leeway when a juvenile offender is not 100% compliant with conditions of probation. Officers are typically encouraged to consider the individual circumstances of the offender and the severity of the violation before taking any action. Interviews with juvenile probation officers in Travis County, TX, suggested that “nearly all probationers violate the terms of their supervision but only the second and subsequent violations result in [action]” (Travis County, 2006, p. 6). Actions taken by the probation officer can range from a stern verbal warning to requesting that the court revoke the offender’s probation. If the officer believes that probation should be revoked, a court hearing is held to determine whether to revoke the offender’s probation. At the revocation hearing, the court can modify the probation agreement and impose additional probation conditions, revoke probation and require the offender to serve time in a detention facility, or place the offender in the custody of the state youth authority. Probation revocation hearings are very serious as they can result in incarceration or out of home placement for the juvenile.

When the probation officer and the court are considering revocation of an offender’s probation, there are certain legal procedures that must be followed. Once an offender is placed on probation, that offender has an interest in remaining on probation, known as “entitlement.” In *Gagnon v. Scarpelli* (1972), the US Supreme Court ruled that offenders have the right to due process at a probation revocation hearing. Probation cannot be revoked without a hearing before the court. The offender must be notified of the hearing, and has the right to be present. The

offender has the right to counsel at the hearing, and also has the right to contest the alleged violation (Latessa & Smith, 2007).

Probation violations fall into two distinct categories: new crime violations and technical violations. Committing a crime while on probation is a major violation. Juvenile probationers who are arrested for a new crime almost always face probation revocation. Technical probation violations are not so black and white. According to *Corrections in the Community*, a technical violation is a non-criminal act that violates the conditions of a juvenile's probation. Examples of technical violations include: failure to meet with the probation officer as scheduled, failure to participate in court ordered counseling or a job-training program, and failure to abide by a probation-imposed curfew. Technical violations are the most frequent, and often result in incarceration (Stickels, 2007; Gray, et al., 2001). Probation officers generally have greater discretion when handling technical violations than new crime violations. In response to a technical violation, the probation officer has the option to modify the details of the probation by increasing surveillance, adding community service, or imposing house arrest; or they may take the case to court to request detention or probation revocation. Because there is more discretion involved in dealing with technical probation violations, different jurisdictions, different judges, and even different probation officers may use different criteria for determining when a probation revocation hearing is appropriate.

Gray, Fields and Maxwell's study on adult probation violators (2001) found that technical probation violations are much more common than new crime violations. Common sense suggests that there are likely more probationers who participate in deviant behavior that, while in violation of their probation agreement, is not illegal, compared with the number of probationers who commit crimes while under court supervision. Researchers suggested another

possible explanation, one that gets to the nature of being on supervision. The suggestion is that “less serious violations are more easily detected by probation officers...” because “probation officers in the course of routine supervision are in a better position to detect technical violations...” (Gray, et al., 2001, p. 550). Stickels (2007) suggested that the high rate of technical violations resulting in revocation may be a result of the fact that technical violations are easier to prove than new crimes.

2.3 Criticisms of Probation

Some critics of the probation system believe that probation does not provide enough supervision to ensure adequate public safety. Probation is sometimes called a “revolving door” because a significant number of juveniles are arrested for new crimes while they are on probation. The notion is that these crimes could not have occurred if the juvenile had been locked up. Some critics suggest that probation’s focus on rehabilitation means that juveniles do not receive enough punishment or learn accountability. They believe that probation does not provide sufficient deterrence. Probation officers often carry very large caseloads, which limit the amount of time they can commit to monitoring and working with each juvenile. Advocates of rehabilitation for juvenile offenders are sometimes critical of the probation system because of officers’ large caseloads. Many juvenile probationers only have contact with their assigned probation officer one time per month (Kurlychek, Torbet, & Bozynski, 1999). This is hardly enough contact to allow the probation officer to build rapport with the juvenile, let alone achieve any type of rehabilitation through interacting and influencing the juvenile’s attitudes and behaviors. In 1992, probation officers’ caseloads nationwide averaged 41 juveniles, nearly double the 25 recommended by the National Advisory Committee for Juvenile Justice and Delinquency Prevention and the National Advisory Committee on Criminal Justice Standards

and Goals (Thomas, 1993). At that time, the highest caseload reported was 200 juvenile offenders being supervised by one probation officer.

2.4 Need for Detention Reform

According to a 2009 report from the Annie E. Casey Foundation, approximately 400,000 juveniles per year are admitted to detention facilities nationwide, and on any given night roughly 26,000 youth are sleeping in a detention facility. This report also noted that the average length of stay for youth in detention nationwide is approximately 20 days (Mendel, 2009). Research suggests that for juveniles, serving time in detention is associated with negative long-term outcomes. It can impact relationships with family members, friends, and other community members. Juvenile offenders who serve time in a detention facility are less likely to complete high school, less likely to obtain employment, more likely to abuse drugs and alcohol, and more likely to be arrested for another crime than juvenile offenders who do not spend time in detention (Lubow, 2005; Holman & Ziedenberg, 2006; Mendel, 2009). A significant number of youth in detention, roughly 40%, have a learning disability and face increased educational challenges when they return to school (Holman & Ziedenberg, 2006). Detention can stigmatize juveniles, labeling them as having “done time.” One study found that even 15 years after serving time in a juvenile detention facility, offenders tend to have lower rates of employment and earn lower wages than peers who did not serve time in detention (Lubow, 2005).

Behavioral psychologists suggest that exposing youth to other delinquents increases the chances that they will continue to exhibit delinquent behavior (Andrews, Bonta, & Hodge, 1990). Studies in Wisconsin and Arkansas found that prior commitment in a detention facility was by far the most significant factor in predicting future recidivism, regardless of the crime for which the youth was originally arrested (Holman & Ziedenberg, 2006).

In the 1990s, detention seemed to be the preferred consequence. This, coupled with rising crime rates, caused juvenile detention facilities across the country to become overcrowded. In 1995, 62% of detained juveniles were held in overcrowded facilities (Lubow, 2005). While juvenile crime rates increased during this period, juvenile detention facility populations increased faster, out of proportion with crime rates. When crime rates declined, juvenile detention facility populations reduced at a slower rate. Between 1997 and 2006, juvenile arrest rates declined by 43%, but detention populations only declined by 12% (Mendel, 2009). According to the Justice Policy Institute, “there is little observed relationship between the increased use of detention and crime” (Holman & Ziedenberg, 2006, p. 7).

Juvenile detention is quite expensive and is funded primarily by tax dollars. According to the Annie E. Casey Foundation, it costs an average of \$48,000 per bed per year to maintain a juvenile detention facility (Mendel, 2009). The National Juvenile Detention Association reported that the average cost per bed in a detention facility ranges from roughly \$87 per day to \$178 per day (Holman & Ziedenberg, 2006). Detention is disproportionately costly to the juvenile justice system. According to the Washington State Institute for Public Policy, in 1995, only 5% of all youth involved in the Washington State juvenile court system were in detention, while the cost to run the detention facilities made up 38% of all juvenile court expenditures (Burley & Barnoski, 1997).

Addressing disproportionate minority contact (DMC) is an on-going focus of many juvenile corrections departments, and is an issue in detention facilities because minority youth tend to be overrepresented. In 2003, African-American youth were detained at a rate 4.5 times that of Caucasian youth nationwide, and Hispanic youth were detained at a rate twice that of Caucasian youth (Holman & Ziedenberg, 2006). In 2006, minority youth comprised 69% of all

youth in detention facilities, while minority youth represented only 39% of the total U.S. youth population that year (Mendel, 2009). This disparity cannot be explained simply by racial differences in arrest rates. A study in Pennsylvania showed that in the 1990s, overrepresentation of minority youth actually increased as youth moved deeper into the juvenile justice system (Feldman & Kubrin, 2002). In other words, there were racial disparities at every decision point from arrest to incarceration, but disparities at the point of sanctioning were greater than those at arrest. According to the Justice Policy Institute, the greatest racial disparity with regard to the use of detention is seen in the least serious offense categories. Part of this stems from the fact that although Caucasian youth and minority youth commit many types of crimes at about the same rate, minority youth are more likely to be arrested. This is where minority overrepresentation starts. Disparities are perpetuated at the point of detention, where minorities are increasingly overrepresented. In categories like using and selling drugs, where Caucasians are arrested at about the same rate as minorities, minority youth are more than twice as likely to serve time detention (Holman & Ziedenberg, 2006).

The first goal of juvenile detention reform is increased efficiency, achieved by directing resources and tax dollars to have the greatest impact on reducing recidivism and increasing public safety. The second is ensuring that all youth are treated equally at every detention related decision point. To guide decision-making regarding detention, many jurisdictions utilize a detention screening instrument. These screening instruments take into account such factors as criminal history, the nature of the current offense and risk of absconding. Additionally, they often consider stability factors such as school attendance and family structure. These instruments produce a point total, which guides decision makers in determining the

appropriateness of detention. Screening instruments promote objective decision-making regarding the use of detention.

2.5 Detention as a Sanction for Probation Violations

Detention reform efforts have led to specification of the intent of detention utilization. The standard adopted by many jurisdictions is that secure detention should be used only to “ensure that alleged delinquents appear in court...and to protect the community by minimizing serious delinquent acts” (Steinhart, 2001, p. 7). This statement makes no mention of using detention to punish youth who violate probation. However, this continues to be a common practice. According to the Annie E. Casey Foundation, in 2006, 28% of juvenile detention intakes were for technical probation violations or status offenses (Mendel, 2009). One study of a detention facility in New Mexico revealed that during an 11 month period, youth referred for technical probation violations made up 44% of all bookings (Bond-Maupin & Maupin, 2009). These offenders did not commit a new crime or display violent tendencies, but were simply being punished for violating court orders. In the New Mexico study, the length of stay in detention for youth who violated probation tended to be short (about four days), confirming that these youth were not considered a danger to the community.

The body of literature on the use of detention as a sanction for probation violations is limited. Available literature indicates an on-going need for evaluation and reform in this area. Studies on adult probationers who violate probation focus on deterrence theory as a justification for harsh punishment of violations. Deterrence theory is a derivative of the Classical School of Criminology and suggests that individuals choose whether to abide by laws by making rational calculations weighing the potential benefits against the potential consequences (Maxwell & Gray, 2000). Theorists suggest three components of deterrence theory that work together to

increase the probability that a rational individual will decide not to commit a crime: celerity, immediacy with which punishment is applied; certainty, the likelihood that the punishment will be applied; and severity, the amount of harm inflicted by the punishment (Williams & McShane, 2010). Theorists have suggested that punishment is most likely to deter crime when it is most certain and delivered swiftly. The severity of the punishment is proposed to have less of an impact on deterrence (Williams & McShane, 2010; Becarria, 2004). More recent studies suggest that certainty of punishment has the greatest impact on deterrence (Maxwell & Gray, 2000; Grasmick & Bryjack, 1980; Erickson et al., 1977).

Detention reform regarding sanctioning for technical probation violations has proven particularly difficult. Reasons for this include a lack of accurate and timely data on the characteristics of probation violators, a lack of clarity about the purpose of detention, and a systemic culture that has historically favored the use detention over alternatives in response to probation violations (Lubow, 2005; Steinhart, 2001). Many judges and probation officers believe that the justice system should take a hard stance regarding misconduct by youth who are living at home while under court supervision (Steinhart, 2001). Stickels (2007) suggested that, “judges...may not view...a continuum of sanctions as punishment (p. 59). If justice system personnel view probation as a “second chance” to avoid detention, they may be more inclined to feel that detention is the only option when probation is violated. Without adequate detention policies or viable alternatives, this attitude of strict enforcement can lead to the use of detention as a response to even trivial misconduct.

Because juveniles on probation are already involved in the system, they typically are not assessed using the detention screening instrument. This leads to juveniles entering detention through a “back door” without passing through the gatekeeper of an assessment that might

otherwise suggest a less restrictive placement (Steinhart, 2001, p. 22). According to the Annie E. Casey Foundation's "Special Detention Cases" report, failure to screen probation violators before detaining them "creates, in effect, a 'hole in the dike' that allows detention beds to be filled by children whose conduct does not justify secure confinement" (Steinhart, 2001, p. 24).

Another issue that makes reform in this area difficult is poor interagency coordination. Detention administrators may adopt a policy of screening all juveniles to determine their appropriateness for detention, but a judge in the same jurisdiction may take a zero-tolerance stance and sanction a juvenile to detention regardless of the result of the screen (Steinhart, 2001). Alternatively, well-intentioned judges may sanction a juvenile to detention because they do not fully understand the available alternatives. If judges are not familiar enough with available detention alternative programs to easily recognize youth who are appropriate for such programs, they may default to using detention as the primary sanction.

The lack of data in this area has also made reform difficult. There have been few studies specifically looking at the use of detention for youth who commit a technical probation violation. One study conducted by the juvenile probation department in Travis County, TX, found that this population of juveniles was predominantly at medium risk to reoffend. This study also found that juveniles who were detained for a probation violation had typically violated probation within the first 3 months of starting probation (Travis County, 2006). Travis County researchers also noted that over the course of the decade preceding their analysis, not only had the number of youth detained for probation violations risen but so had their share of the total detention population. In 100 juvenile offender case files that were examined during the course of the Travis County study, there were a total of 296 probation violations, indicating that many juveniles violated probation more than once. Of these 296 probation violations, the most

common violation was truancy, followed by curfew violations and substance abuse (Travis County, 2006).

2.6 Impact of Zero Tolerance Language

Zero tolerance philosophy has roots in the criminal justice system in the 1980s and 90s, as part of the push to be tougher on crime. Zero tolerance language was first associated with the public policy crack down on drug crime, and then youth crime (Stinchcomb, et al., 2006). Zero tolerance policies in schools started with national initiatives regarding violence prevention, gun control, and punitive discipline that were implemented in the 1990s. These initiatives included the Gun Free Schools Act of 1990, the Safe Schools Act and the Safe and Drug Free Schools Act, both of 1994 (Fries & DeMitchell, 2007; Casella, 2003).

The US Department of Education defines zero tolerance in a school as “a policy that mandates predetermined and severe consequences or punishment for specific offenses” (Heaviside et. al., 1997 p. 18). Zero tolerance is a punishment orientated policy, intended to offer swift and severe consequences. It is also intended to provide an element of prevention through deterrence as the fear of harsh punishment will prevent some youth from violating policies. Zero tolerance language is intended to convey a simple, direct message that certain behavior will not be tolerated and will be met with immediate and significant consequences (Fries & DeMitchell, 2007).

Zero tolerance mandates harsh punishments for both major and minor offenses in an attempt to deter misconduct. In this way, zero tolerance is intended to provide both general and specific deterrence. Specific deterrence is the idea that an individual will change their behavior when they experience consequences that they dislike. General deterrence refers to other individuals ceasing or avoiding rule breaking because they were made aware of consequences

that they would dislike (Maxwell & Gray, 2000). The notion of general and specific deterrence is historically rooted in the Classical School of criminology. Williams and McShane (2010) suggest that deterrence experienced a recent revival in the justice system for two reasons: first, because of public sentiment that tougher sentences will scare would-be criminals into abiding by the law and second, to encourage those caught committing crimes to reform. Zero tolerance policies can be seen as part of this revival.

Zero tolerance policies are also intended to hold youth accountable for their actions. On the surface, zero tolerance policies seem to simplify the administration of justice by offering a set of predetermined consequences in response to a behavior or violation. However, according to Stinchcomb, Bazemore and Riestenberg (2006), zero tolerance should be seen as “a composite of perspectives related to deterrence, incapacitation, and retribution” (p. 124). In the years since the original tough on crime initiatives, the scope of zero tolerance has expanded, both in schools and in the criminal justice system. School and justice administrators can take a zero tolerance stance against any number of behaviors, including drug use, inappropriate but non-dangerous behavior, and school attendance. In some instances, like Florida in 2003, an entire state has even taken a zero tolerance stance on probation violations. In this case, probation officers were required to report any violation to the court, no matter how minor the violation (OPPAGA Report, 2010).

Research suggests that wide-reaching zero tolerance policies can have many unintended consequences. Systemic consequences include increased caseloads, workloads, and large probation violation dockets, as well as increased detention populations (OPPAGA Report, 2010). The net widening of zero tolerance has created a culture of over-punishment while at the same time diminishing in impact (Stinchcomb, et al., 2006). Stinchcomb, et al. (2006) also suggest that zero tolerance policies create an environment where young people work harder to conceal

their behaviors instead of seeking help to address underlying issues causing the behavior. “Like aggressive policing strategies whose proponents claim success on the basis of ‘sweeping the streets of criminals’ and managing disorder, zero tolerance policies may be viewed by some as successful simply because they provide a quick fix to problems that ultimately require more complex and long term solutions” (Stinchcomb, et al., 2006, p. 129).

Zero tolerance policies in schools were originally intended to be one part of a comprehensive discipline philosophy that also included violence prevention programs and techniques (Casella, 2003; Fries & DeMitchell, 2007). Zero tolerance policies have historically been implemented with the intention of creating an atmosphere of fairness and equality. The idea is that if there is zero tolerance regarding certain behaviors, individual characteristics cannot play into discipline decisions (Casella, 2003; Fries & DeMitchell, 2007). Zero tolerance policies can seem to be a way to eliminate racism or classism in punishments. Realistically though, zero tolerance policies may actually harm certain groups more than others. Zero tolerance can eliminate the ability to make decisions on a case-by-case basis, considering the mitigating factors of a situation and potential consequences to the individual (Stinchcomb, et al., 2006; Casella, 2003; Sousa, 2010). This may actually result in punishment of some groups more than others. Certain groups, like members of lower socioeconomic classes, members of minority groups, and students with special needs may disproportionately feel the impacts of zero tolerance policies (Fries & DeMitchell, 2007, Stinchcomb, et al., 2006; Casella, 2003). Basically, zero tolerance policies may “negatively affect those who are already negatively affected by poverty, racism, academic failure, and other realities” (Casella, 2003, p. 6). When behaviors are responded to in a universal manner, without regard for individual or mitigating circumstances, there is the appearance of consistency in the execution of punishment. However, all situations are not the

same. All reasons for committing an act are not the same. “Sameness is not always fair” (Fries & DeMitchell, 2007, pg 2). Decisions based on strict adherence to consistency will not necessarily result in a fair outcome.

Zero tolerance policies may have additional unintended consequences for youth on probation. The execution of harsh punishments for minor probation violations may decrease a juvenile’s trust in the system or probation officer. Counter-aggression may occur when a juvenile feels that they are being dealt unreasonably harsh punishment. An offender may escalate their misconduct when he or she gets caught committing a minor infraction and realizes that they are going to receive the same harsh punishment whether they cooperate and comply or are disrespectful and continue to act out (Skiba, 2000).

Although zero tolerance language seems straightforward, “if this then that,” in practice zero tolerance language policies and judicial orders can lead to confusion. One study, investigating New York City police officers’ implementation of Order Maintenance / Zero Tolerance Policing policies found that officers actually exercised a great deal of discretion in their interpretation and implementation of the policy (Sousa, 2010). This study found that officers understood zero tolerance to mean that they should “pay attention to minor offenses and not ignore them,” but that “paying attention” and addressing a minor offense did not necessarily require an arrest (Sousa, 2010, p. 54). Officers understood the ultimate goal was to reduce crime and that the best means for accomplishing this goal did not always include arrest. Fries and DeMitchell (2007) presented a similar finding regarding teachers’ implementation of zero tolerance policies in schools. Interviews with teachers suggested that teachers exercised a certain amount of discretion in determining how to handle what they deemed to be minor zero tolerance infractions. In both of these scenarios, zero tolerance actually involved a significant amount of

discretion and consideration of available options by persons on the front line, who were actually implementing the policy.

2.7 Matching Sanctions with Needs and the RNR Model

Many in the juvenile justice system are turning to evidence-based strategies for addressing juvenile delinquency and allocating resources. One such strategy is the Risk-Need-Responsivity model. “Risk” in this context refers to the probability that an offender will commit another crime (Lowenkamp & Latessa, 2004). Juveniles’ risk is typically assessed using a structured interview tool and scoring guide. Research has revealed that evidence-based assessment tools are better at predicting criminal behavior than the judgment of even experienced juvenile justice professionals (Bonta & Andrews, 2007). The tools remove bias that professionals might have, even subconsciously, and allow for objective assessment. There are many evidence-based risk assessment tools in use across the country. The majority examine certain factors, called domains, which research suggests are good indicators of whether a juvenile will re-offend. Criminal history is always scored, and is usually the only static risk factor examined. The other risk factors are dynamic, meaning that they can change over time. Dynamic risk factors are personal characteristics and individual circumstances that are indicative of future criminal behavior (Andrews, et al., 1990). Dynamic risk factors typically include substance abuse, peer relationships, family circumstances, education and employment situation, recreational activities, and attitudes about criminal behavior (Bonta & Andrews, 2007). Scores are typically assessed by domain, indicating particular areas of elevated risk. Domain scores are totaled to obtain an overall numerical risk score which correlates with a risk level of low, moderate or high. Offenders’ risks and needs are assessed at various points during the justice

process. Juveniles are typically assessed when they are arrested, prior to sentencing, and/or when they are assigned to supervision.

A ranking of low risk indicates that without any type of intervention, the juvenile is not likely to reoffend. Juveniles assessed to be high risk are considered more likely to reoffend. High risk juveniles also have a greater probability of becoming chronic offenders. For these reasons, high risk juveniles should be assigned to programs with more strict supervision and more intensive treatment (Lowenkamp & Latessa, 2004; Andrews, et al., 1990).

According to Andrews, et al., (1990) programs aimed at reducing recidivism should adhere to certain principles and apply rehabilitative services in a way that maximizes the effectiveness of service. In this case the term “effectiveness” refers to reducing recidivism, and “services” include supervision, counseling, training, and treatment (p. 19). This idea that offenders should receive treatment and supervision that is commensurate with their risk level is known as the risk principle (Bonta & Andrews, 2007). High risk juveniles experience greater reductions in the likelihood of recidivism when they receive intensive services than lower risk juveniles do. Juveniles assessed to be low risk do not require the treatment or supervision that moderate and high risk juveniles do. A number of studies indicate that providing treatment to low risk juveniles has no effect on recidivism (Lowenkamp & Latessa, 2004; Andrews, et al., 1990; Bonta & Andrews, 2007). Some studies suggest that it may actually increase risk of recidivism (Bonta, et. al., 2000; Bonta, Wallace-Capretta, & Rooney, 2000).

The other components of the Risk-Needs-Responsivity (RNR) model are the need and responsivity principles. Andrews, Bonta, and Hodge, (1990) explain that the need principle suggests that effective programs target only criminogenic needs, that is, needs that are related to criminal behavior. The responsivity principle states that the treatment should be matched to the

ability level, motivation, and learning style of the offender for maximum effectiveness (Andrews, et al., 1990).

In addition to violating the RNR model, incarcerating low risk youth has other harmful effects. According to Lowenkamp and Latessa, (2004) incarceration often removes juveniles from an environment of protective factors such as employment, family support, pro-social peers and school, while simultaneously exposing them to anti-social peers. This can lead to changes in attitudes regarding crime and criminal behavior, allowing pro-social attitudes to be replaced with anti-social attitudes. Lowenkamp and Latessa (2004) emphasized that corrections programming needs to identify low risk juveniles and exclude them from higher-end correctional interventions.

2.8 Evidence-Based Programs

Even when directed at the appropriate population (moderate and high risk offenders) some forms of treatment are more effective than others. The notion of research-based programs for addressing juvenile delinquency started in Washington, in 1997, when the Washington State Legislature passed the Community Juvenile Accountability Act (CJAA). The purpose of the CJAA was to “reduce juvenile crime, cost effectively, by establishing ‘research-based’ programs in the state’s juvenile courts” (Barnoski & Aos, 2004, p. 1). This was the start of a nationwide movement to use research and evidence to guide policy and programming for juvenile offenders. It was a response to the realization that traditional methods of rehabilitating juvenile offenders such as shock incarceration and scared straight techniques were ineffective at reducing recidivism (Henggeler & Schoenwald, 2011). Research suggests that treatment is much more effective for reducing recidivism than the scared straight programs that were part of the get-tough movement (Aos, 2002; Bonta, et al., 2000; Bonta & Andrews, 2006). Lipsey’s 1992 meta-analysis suggested that programs that focused on behavior and skills while addressing multiple

areas had the largest effect sizes. This meta-analysis also found that a brief period of detention for the purpose of “shocking” was more likely to produce negative effects. Effective programs target specific risk areas. In other words, programming should be individualized; juveniles who are not high risk in certain domains do not need to participate in programming targeting those domains. Evidence-based programs usually include a cognitive behavioral treatment (CBT) component, meaning that they target behavior change through attitude change (Aos, et al., 2006). A meta-analysis of programs for juveniles and adults by WSIPP found that CBT produced a 6.3% greater reduction in recidivism than non-CBT programs (Aos, et al., 2006).

While detention and confinement can impact recidivism, many studies have demonstrated that treatment and alternatives to detention are as effective, if not more effective at reducing recidivism (Austin, et al., 2005; Aos, 2002). In 2005, OJJDP offered some characteristics of effective community-based programs that provide alternatives to detention. Effective recidivism reducing programs contain the following four characteristics: intensive supervision, sustained supervision, a holistic approach to rehabilitation, and connection to serious rehabilitative services (Austin, et al., 2005). Intensive supervision refers to the amount and frequency of contact with the juvenile. Sustained supervision refers to the length of time that the juvenile is involved in the program. Successful programs engage juveniles for “substantial” periods of time (Austin, et al., 2005, p. 21). Basically, the amount of treatment provided is positively correlated with intensity of results. Effective programs are holistic or comprehensive, meaning that they address many aspects of the juvenile’s life. Meta-analysis has revealed that successful programs are “multimodal,” meaning that they address multiple life areas (Lipsey, 1992). This is particularly important for juveniles with elevated risk in multiple domains. Evidence-based interventions typically address not only behavior, but also emotional needs and functional problems

(Henggeler & Schoenwald, 2011). Finally, effective programs ensure that juveniles are receiving appropriate rehabilitative services. Treatment is what really sets these programs apart from detention and providing treatment is a component of programs that effectively reduce recidivism.

2.9 Alternatives to Detention: Graduated Sanctions

The juvenile justice system tends to rely upon only the options of probation or detention. However, there can be options between these two extremes, for use when community supervision is not enough but detention is too much (Stickels, 2007). Alternatives to detention can provide supervision and evidence based rehabilitative services while allowing juveniles to reside in the community. Juveniles can continue to receive support from family and community members and to continue with educational and employment pursuits. Detention alternatives should be part of a continuum of sanctioning options. This continuum provides the judicial system a range of options, allowing the response to be tailored to the youth and the type of violation committed (Stickels, 2007). Detention alternatives can reduce recidivism more cost-effectively than detention. In New York City in 2001, detention alternatives were provided at one-fifteenth the cost of detention (Holman & Ziedenberg, 2006). Tarrant County, TX, reported that in 2004, detention was three and a half times more expensive per youth per day than the detention alternative program, which included the use of electronic monitoring devices (Holman & Ziedenberg, 2006).

The Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative (JDAI) was launched in 1992 with the goal of reducing detention populations by utilizing "... non-secure detention alternatives..." (Mendel, 2009, p. 8). One JDAI initiative was to develop new ways of dealing with "special" detention populations, including probation violators by offering some

alternatives to detention. One suggested alternative is intensive home supervision. This program allows juveniles to live at home under strict guidelines and with frequent home visits by a probation officer. Electronic monitoring can be used to further enhance supervision (Steinhart, 2001). Another suggested alternative is referred to as Day and Evening Reporting. Some of these programs require juveniles to attend classes and rehabilitation programs during the day, and then put them on house arrest in the evening. Other programs require juveniles to report to an evening reporting center for structured programs five nights per week (Austin, et al., 2005). Juveniles participate in programming that is focused on preventing delinquent behavior. Programming can include counseling, life development workshops, and educational or vocational programs (Austin, et al., 2005). Finally, weekend detention programs offer an alternative whereby juveniles can serve a sanction in detention on consecutive weekends so they don't miss school. This option is often used to sanction high risk juveniles or juveniles who commit a serious violation. There are some juveniles whose conduct does not warrant secure detention, but for whom living at home is not a viable option. Residential facilities offer a non-secure option for housing such juveniles (Austin, et al., 2005).

Some jurisdictions have developed alternative methods of addressing probation violations. One such method allows officers to handle technical probation violations in-house. New York City implemented an administrative review process within the juvenile probation department for dealing with technical violations. This allows most violations to be handled within the department, meaning it is rarely necessary for juveniles to go back to court because of technical probation violations (Steinhart, 2001). In 1995, the Illinois State Legislature authorized a system of "structured intermediate sanctions" for dealing with technical probation violations. The Cook County, IL process now includes a review of the facts of the violation, an

assessment of the juvenile's risk level and violation severity, and an administrative conference with the juvenile and their parent or guardian. Sanctions for probation violations are based on a grid called a "sanction severity table" that accounts for risk level and violation severity (Steinhart, 2001, p. 26-7). This grid reduces subjectivity in sanctioning and offers a range of options for addressing technical probation violations.

Detention and secure confinement are much more costly than alternative programs, and do not produce better outcomes. Detention alternatives have proven to be a better use of resources in terms of effectiveness and "benefits" provided per dollar spent compared to detention. The Washington State Institute for Public Policy (WSIPP) found that every dollar spent on detention systems produces less than two dollars worth of gain to the community. Graduated sanctions programs that utilize evidence-based treatment are much more cost-effective. In a recent study, WSIPP found that every dollar spent on aggression replacement training produced to \$10 worth of benefits, and multi-systemic therapy produced \$13 in benefits for every dollar spent (Homan & Ziedenberg, 2006). These figures illustrate that treatment not only has a greater impact than punishment, but it is also a better value to the community.

Because community based programs are cheaper and more effective than secure detention, as the demand for detention decreases, funds previously budgeted for detention can be reallocated to programs that provide detention alternatives. When Pierce County, Washington closed a 50-bed juvenile detention facility, it was able to reallocate \$800,000 per year to fund multiple detention alternative programs (Mendel, 2009). Personnel can also be reassigned from detention facilities to detention alternative programs. This way, the jurisdiction does not incur any additional cost in training, salary, benefits, etc. for staffing the detention alternative programs.

2.10 Local Efforts

Sedgwick County built its first juvenile detention facility and adjoining juvenile court in the mid-1970s. It was built in a residential neighborhood, separate from the adult jail and courthouse. Initially called the Evaluation and Referral Center, the 33-bed facility allowed for compliance with the National Juvenile Justice and Delinquency Prevention Act, which required that youth be removed from adult jails. The facility's focus was rehabilitation. By 1990, demand for secure detention in Sedgwick County exceeded the capacity of the facility. Rather than simply expanding the facility, local planners explored options for detention alternatives. In 1990, Home Based Supervision (HBS) was introduced as an alternative to secure detention. Youth placed on HBS were allowed to remain in their own homes while being monitored by a supervision officer and adhering to strict conditions. In 1994, HBS monitoring capacity was expanded with the introduction of electronic monitoring. In 2010, HBS served approximately 200 youth, with an average daily caseload of 26, at a cost of about \$17 per day.

The Juvenile Residential Facility (JRF) opened in 1994 as another alternative to secure detention. The JRF offers a staff-secure placement for youth who are not considered a public safety threat but cannot go home either because of a situation at home or the nature of their alleged offense. Youth housed at the JRF continue to pursue their education. About half of the JRF population is bussed to a school in the community while the other half is taught at the facility. The current capacity of the JRF is 24. It serves about 300 youth annually, with an average daily population of 20 and an average cost per day of \$178.

Despite the implementation and utilization of alternatives, the demand for secure detention continued to rise in the 1990s, primarily as a result of increased gang activity in the community. In 1996, the detention facility was cited for overcrowding by the Kansas

Department of Health and Environment. In response, Sedgwick County entered into a voluntary consent agreement with the state to place limits on the number of youth detained and to develop a comprehensive planning and decision making process to address detention needs. This led to the establishment of the Detention Utilization Committee that meets monthly, and an Operations Committee that meets weekly. One of the first improvements resulting from the agreement was the implementation of a detention screening instrument. The Juvenile Detention Risk Assessment Instrument (JDRA) was implemented in 1997 and reduces subjectivity in detention-related decision making.

In 2006, Sedgwick County replaced the original 33-bed juvenile detention facility with a 108-bed facility. Anytime locked facilities are expanded, there is concern that use of the facility will also increase because of the newly available space. This was not the case in Sedgwick County. According to the Benchmark 5 Report Update, “the staff and Policy Team has continued to employ the same population management practices and philosophy of limiting use of locked detention...” (p. 141).

There are four main categories of supervision for adjudicated juvenile offenders in Sedgwick County. Juvenile Court Services provides Standard Probation, which is the least intensive. This option is utilized for juveniles adjudicated of offenses that do not warrant placement in a correctional facility. Court Services Officers monitor juveniles’ compliance with court orders using random drug testing, personal contact, and electronic monitoring. Contact hours are based on individual risk and needs of each juvenile (Benchmark 5, 2011).

Juvenile Field Services provides the other three categories of supervision in Sedgwick County. Juvenile Intensive Supervision Probation (JISP) is utilized for offenders who are at risk of being placed in the custody of the state Juvenile Justice Authority (JJA). JISP typically

includes frequent contact with offenders, as well as frequent collateral contacts with employers, school personnel, and treatment providers. JISP monitoring includes random drug testing, electronic monitoring, and various types of surveillance. Juvenile Field Services also provides Juvenile Case Management (JCM) and Conditional Release (CR). JCM is supervision for offenders who are in JJA custody and living in the community, including residential treatment facilities, as well as offenders who are committed to state juvenile correctional facilities. CR provides case management for youth who are returning to the community upon release from a juvenile correctional facility. Supervision components of JCM and CR are similar to those of JISP, with the primary difference being the population served (Prevention and Graduated Sanctions Programs Report, 2010).

Sedgwick County has two programs that specifically target detention-use reduction: the Detention Advocacy Service and the Weekend Alternative Detention Program. The Detention Advocacy Service, which was implemented in 2000, provides legal representation to juveniles at detention hearings and case management services to juvenile offenders and their families. Case managers provide supervision and intervention services that promote expedited release of juveniles from detention. The primary goals of the Detention Advocacy Service are to reduce admissions of minority and low-income youth to secure detention, and to reduce the length of stay for minority and low-income youth in secure detention. The legal defense counsel and case managers work together as a team to advocate for detained youth to be released on bond or placed in one of the available alternatives. In state fiscal year 2010, 393 youth were served by this program. Because this program has a direct impact on average length of stay and the number of youth in the detention facility, Sedgwick County recognizes that the cost of the

program is offset at least in part by the savings gained from reducing the use of detention (Program Evaluation Report, 2010).

The Department of Corrections Weekend Alternative Detention Program (WADP) is Sedgwick County's primary alternative to secure detention. This program is intended to be a sanction for juveniles who have violated court orders, including probation conditions, in lieu of confinement at the Juvenile Detention Facility (JDF). Juveniles report to JDF for two days of programming but do not spend the night and are not exposed to the general population. WADP curriculum focuses on accountability and skill building techniques geared at preventing re-offense and/or subsequent probation violations (Sedgwick County Prevention and Graduated Sanctions Programs Report, 2010). WADP targets low to moderate risk youth with the goal of increasing the likelihood that these youth will be successful on probation without the need for detention.

CHAPTER 3

METHODS

Since the purpose of this study was to explore the population of juvenile offenders admitted to detention for violating probation, the study utilized a descriptive approach. The descriptive research approach is useful when description and explanation are desired, rather than prediction based on cause and effect (Merriam, 1988). According to Gay (1996) a descriptive study should collect and report on data with the intent of answering questions about the status of subjects in the study. Descriptive studies are often exploratory in nature, with the goal of exploring variables and ascertaining their relevance to the subject of the study.

This study examined detention admissions for probation violations during a six-month period, between July 1, 2010 and December 31, 2010. Numerous variables were explored, including demographic information, information related to the charge the juvenile was on probation for, and information about the probation violation that led to detention. This study also collected data on probation violations and sanctions prior to and after the admission during the study period. In keeping with the tradition of exploratory and descriptive research, this study used detailed numerical descriptions and comparisons to develop general characteristics of the youth in this population.

3.1 Sample

In Sedgwick County, all youth who are admitted to the Juvenile Detention Facility (JDF) are first processed through the Juvenile Intake and Assessment Center (JIAC). JIAC maintains a database of all intakes, as does JDF, however these databases are not linked. In both databases, detention admissions related to probation violations are classified as “writ to detain” in the

admission reason field. To obtain a sample of youth admitted to JDF because of a probation violation, it was necessary to obtain lists from both databases of youth admitted to JDF on a writ to detain between July 1, 2010 and December 31, 2010. The lists yielded different numbers of youth, and upon comparison it was clear that both lists contained some admissions that the other did not. It was immediately clear that some of the variance was due to data entry errors such as hyphenate last names or misspellings. After resolving those discrepancies, the two lists were combined to create a master list of unduplicated admissions. There were 397 admissions on this list.

Neither database offers a way to query youth by admission reason with more specificity than the general “writ to detain.” Writ to detain is used not only for admissions related to probation violations, but also for a variety of admission types including status offenders who violate court orders and youth who are found to be in contempt of court. Both systems allow for a single youth or single admission inquiry, which yields more detailed information about the nature of the admission. Since this study was limited to youth admitted to JDF for a probation violation, admissions of other types had to be removed. Any youth labeled as a Status Offender (SO) was immediately removed from the list because probation violators are all labeled as Juvenile Offenders (JO). This reduced the number of admissions on the list to 326. Youth by youth, admission by admission inquiry was conducted to gain the information necessary to determine the reason for the admission. A significant number of admissions were removed because it was determined that the youth were in the custody of the State Juvenile Justice Authority (JJA), in out of home placement, and they were admitted to JDF as they moved from one placement to another. Other admissions were removed because youth were admitted to JDF when they were transported from a facility in another jurisdiction to Sedgwick County for court,

or were required as witnesses and detained at the request of the District Attorney. After removing these admissions, 246 admissions remained.

Full Court, the district court database, was used to obtain additional information on the nature of each of these remaining admissions. This investigation revealed that there were still some admissions that were not related to probation violations. It was determined that several of the admissions actually occurred prior to the youth being sentenced, meaning that they could not have been on probation at the time of the admission. These names were removed from the list. There were some admissions with no associated documentation in Full Court, and no discernable information about the nature of the admission. Due to a lack of available data, these admissions were removed from the list.

The resulting list contained only admissions to JDF because of a probation violation between July 1, 2010 and December 31, 2010. During the six months of the study, some youth were admitted to JDF multiple times. Multiple admissions for a single youth were maintained on the list as long as the admissions were related to separate probation violations. Any re-admit or situation where the youth served a sanction over multiple weekends was removed, with all time served related to a single violation counted as part of the sanction for the original violation. Some multiple admission situations involved youth who were admitted to JDF upon the filing of a probation violation then released, who then returned to JDF later on a sanction ordered at the sentencing hearing for the probation violation. These were considered re-admits related to the original violation and the duplicate admissions were removed.

Once all of the multiple admission situations had been addressed, the final sample contained 147 admissions to detention for separate probation violations. There were still a number of youth on the list for multiple admissions as they had been sanctioned to detention for

multiple unrelated probation violations. An unduplicated count revealed that the 147 admissions involved 109 different youth.

3.2 Variables

Once the sample population was established, demographic information for each youth was collected from the JIAC and JDF databases. Demographic information collected for this study included gender, race and ethnicity, and age. Risk level information was gathered for each youth either from JIAC (most recent Brief Screen results) or from court documents associated with the probation violation (either Brief Screen YLS/CMI results). Full Court was used to obtain information about each case. Case information for this study included the nature of the original charge(s), and the total number of charges for all cases related to the admission. The classification (misdemeanor or felony) of the most serious offense (MSO) of the original charges was determined, as was the severity level (Violent, Serious, Serious Drug, Mid-level, Minor and Minor Drug). Severity level was determined using the Sedgwick County Benchmark 5 Report, which bases severity rankings on the category of offense (misdemeanor or felony) and whether the offense was a person crime or a non-person crime. The MSO of the original charge(s) for each case was determined first by classification (misdemeanor or felony) then by offense type (violent, serious, serious drug, mid-level, minor and minor drug). See Chart 1 for all MSO offenses in this study and the corresponding severity levels. There were some cases with multiple charges of the same classification and severity level. If one of the charges was drug related, the drug charge was listed as the MSO.

Full Court Imaging (a viewer for scanned court documents) was used to view documents associated with each case. Information was gathered from the Journal Entry of Sentencing that included the date of sentencing, the presiding judge, the length of the probation term ordered,

and whether any zero tolerance or sanctions language was used. For this study, sanctions language included zero tolerance orders like, “the court informs the respondent that there will be zero tolerance regarding...” as well as orders indicating that the youth would serve a one day sanction in detention if s/he committed some behavior. Specifics of sanctions language were documented and were classified as relating to school attendance, drugs and/or alcohol, school behavior and/or suspension, substance abuse treatment requirements, or probation conditions. For this study, a sanctions language order could have been entered at the sentencing hearing, or in response to a previous probation violation. A case was considered under a sanctions language order if such an order had been entered at any point prior to the violation that resulted in admission to JDF. Some cases contained multiple sanctions language orders, all of which were documented.

Information was collected for all probation violations in each case associated with an admission in the sample. This included probation violations that occurred prior to the violation associated with the current admission, the current violation, and any violations that occurred after the admission in this study. Prior and subsequent probation violations and prior and subsequent detention were determined using Full Court records. Records were checked six months after the end of the study period, giving cases six months to one year to show subsequent violations.

Information about probation violations was obtained from Full Court, by viewing images of court documents. Reviewing court records instead of probation files ensured that only probation violations that were significant enough to be filed with the court would be included. If a probation officer did not request immediate detention, a Probation Violation Report or an Affidavit of Probation Violation was available. If the officer requested immediate detention,

there was typically one of the previously mentioned documents, along with a Request for Commitment, an Order Approving Removal from Home, or an Order Authorizing Removal of Juvenile. Available documents were used to determine the nature of the violation, and the amount of time that had passed between the sentencing date and the first probation violation report.

Unfortunately, the correct documentation was not available for every violation. This made it difficult to determine the nature of the violation for some of the admissions. When available documentation did not provide the specific probation violation, the JIAC database was consulted and sometimes provided additional information about the nature of the violation. Details on the nature of the violation were used to determine whether the violation was related to sanctions language. For admissions with an Order Approving Removal that the probation officer had filled out completely, information was gathered regarding efforts to prevent detention. However, this was so rare that it was not useful as a variable and was not used in analysis or reported on in any way.

Specifics about the nature of the probation violations, as well as the type of violation were documented for each admission. Violation type was classified as a new charge or technical violation. Violations that were related to sanctions language were noted as such. A small number of admissions were related to a probation violation that was a new charge and also a violation of sanctions language. For example, if there was sanctions language regarding drug use in the order and the youth was arrested for possession of marijuana, the admission would be noted as a new charge type and a violation of sanctions language.

The JDF database was used to obtain the length of stay related to each admission in the sample. Length of stay was calculated by comparing the date of admission to the date of release

or the date of a move to a Juvenile Correctional Facility (JCF) or to a detention alternative such as Homebased Supervision or the Juvenile Residential Facility (JRF). For the purposes of this study, it was only important to determine the length of stay at the Juvenile Detention Facility related to each admission. “Re-admissions” after release to a detention alternative program (Homebased Supervision or JRF) were included in the total number of days at JDF related to an admission. For example, if a juvenile was at JDF for seven days, then was in the community on Homebased Supervision for 25 days, then was re-admitted to JDF for three days, then placed at the Juvenile Residential Facility, the total length of stay in detention for the admission would be ten days. Because of this method of calculation, the length of stay at JDF may be different than the number of days ordered in a sanction.

3.3 Analysis

In the spirit of exploratory, descriptive research, most of the information in this study is presented in terms of raw data. Information about this population was explored in terms of common characteristics as well as differences. Excel was particularly useful in the exploration of this data, and SPSS was utilized as well. Once the data was entered into Excel, and after a cursory review was conducted to ensure accurate data entry, pivot tables were used to obtain counts for the variables. This information was also analyzed visually using Excel graphs.

Demographic characteristics were explored based on the unduplicated count of youth (109). This method ensured that no outlier (a single youth with several admissions) skewed the information, causing an overrepresentation of one group that was not accurate to the population. Analysis of other variables was based on the admissions sample (147) that contained some youth more than once if the youth had been admitted to detention for probation violations multiple

times during the six-month study period. This allowed for a more descriptive assessment of the specific violation types, sanctions language, and other case or violation related characteristics.

After extensive exploration of the data in Excel, the data was loaded into SPSS. Once the data was in SPSS, chi-square analysis was performed to compare frequencies for categorical variables such as “sanctions language,” “sanctions language related to school attendance” and “multiple probation violation-related detention admissions.” Chi-square analysis made sense for this study because the variables used in this study were primarily categorical, and often dichotomous. According to Field (2009), the chi-square test is an elegant way to examine whether there is a relationship between two categorical variables. Crosstabulation tables are part of the output for chi-square analysis. Crosstabulation tables give the number of cases that are in each combination of the two variables being compared.

Odds ratios were calculated using the results of the chi-square analysis. Fields (2009) indicates that odds ratios are a useful effect size measure for categorical data. Basically, the odds ratio is a way to calculate the odds of a particular level of one variable based on each level of the other variable. Fields (2009) goes on to explain that odds ratios are most interpretable when calculated from chi-square tests comparing only two variables. This two variable limit was adhered to in this study.

| TABLE 1 CATEGORY OF OFFENSE | |
|---|-----------------|
| MSO of Original Charge | Category |
| Abusing Toxic Vapors | Minor Drug |
| Aggravated Assault | Violent |
| Aggravated Battery | Violent |
| Aggravated Burglary | Violent |
| Aggravated Indecent Liberties | Violent |
| Aggravated Robbery | Violent |
| Attempted Aggravated Robbery | Violent |
| Battery | Mid-Level |
| Battery Against a School Employee | Mid-Level |
| Battery Against a Law Enforcement Officer | Mid-Level |
| Burglary | Serious |
| Consumption and/or Possession of Alcohol by a Minor | Minor Drug |
| Criminal Damage to Property | Minor |
| Criminal Deprivation of Property | Mid-Level |
| Criminal Possession of a Firearm | Minor |
| Criminal Threat | Violent |
| Criminal Trespass | Minor |
| Criminal use of Weapons | Minor |
| Disorderly Conduct | Minor |
| Draw a Deadly Weapon | Mid-Level |
| Harassment by Telephone | Mid-Level |
| Indecent Liberties with a Child | Violent |
| Lewd and Lascivious Behavior | Violent |
| Possession of Controlled Substances | Minor Drug |
| Possession of Marijuana | Minor Drug |
| Possession of Paraphernalia | Minor Drug |
| Sexual Exploitation of a Child | Violent |
| Theft | Minor |
| Unlawful Discharge of a BB Gun Within the City | Minor |
| Unlawful Discharge of a Firearm Within the City | Minor |
| Unlawful Possession of Drug Paraphernalia | Minor Drug |

CHAPTER 4

RESULTS

The first part of this chapter provides demographic information about the youth admitted to JDF for violating probation between July 1, 2010 and December 31, 2010. These results are based on an unduplicated count of the youth involved. Some general demographic information for Court Services Probation and Juvenile Intensive Supervision Probation in Sedgwick County for 2010 is provided alongside demographic information for the youth in this study. This allows for comparisons, and provides a context for the results of this study.

Other results presented in this chapter are reported based on admissions and include some duplicate youth. Case related information is presented, including the nature of the original charge in the case and the length of time between sentencing and the first probation violation in the case. Information about the nature of the violation that led to the detention admission is presented, including whether the violation was a new charge or technical violation, and whether the violation was a violation of sanctions language. Finally, this chapter provides information about the number of days that the youth spent in detention when admitted for a probation violation. Comparisons between these variables are provided as appropriate.

4.1 Demographic and Descriptive Information

Table 2 shows demographic characteristics for the 109 youth admitted to detention for a probation violation in this study. The majority of these youth (about 65%) were 16 or older at the time of the admission, and most were male (80%). There were no youth under the age of 13 in this study, but about 35% were under the age of 16 at the time of admission.

TABLE 2
DEMOGRAPHIC INFORMATION

| Demographic Information | Count | Percentage |
|-------------------------|------------|-------------|
| 1. Gender | | |
| a. Male | 87 | 80% |
| b. Female | 22 | 20% |
| Total | 109 | 100% |
| 2. Race/Ethnicity | | |
| a. Caucasian | 39 | 35.8% |
| b. African American | 40 | 36.7% |
| c. Hispanic | 29 | 26.6% |
| d. Asian | 1 | .9% |
| e. Native American | 0 | 0% |
| Total | 109 | 100% |
| 3. Age | | |
| a. 12 and younger | 0 | 0% |
| b. 13 | 8 | 7.3% |
| c. 14 | 11 | 10.1% |
| d. 15 | 19 | 17.4% |
| e. 16 and older | 71 | 65.2% |
| Total | 109 | 100% |

Females made up a smaller percentage of this population which is in line with arrest data indicating that females are arrested much less frequently than males in Sedgwick County. Only 33% of all Juvenile Offender JIAC intakes in 2010 were for females. The racial and ethnic make-up of this population is also similar to the racial and ethnic make-up of Juvenile Offender JIAC intakes in 2010, which was 43% Caucasian, 33% African American, 22% Hispanic, 2% Asian and .1% Native American (Benchmark 5 Report Update, 2011). In terms of examining whether detaining youth for probation violations is a decision point that disproportionately impacts minorities, it may be more meaningful to compare the racial/ethnic make-up of this population to the racial/ethnic make-up of youth on Court Services Probation and JISP in 2010. This comparison is illustrated in Tables 3 and 4.

TABLE 3
COURT SERVICES PROBATION

| | PV related admissions (N=85) | CY 2010 Probation Caseload |
|-----------------|-------------------------------------|-----------------------------------|
| White | 40% | 45% |
| Black | 28% | 30% |
| Asian | 1% | 2% |
| Hispanic | 31% | 22% |

TABLE 4
INTENSIVE SUPERVISION PROBATION

| | PV related admissions (N=62) | CY 2010 JISP Admits |
|-----------------|-------------------------------------|----------------------------|
| White | 32% | 37% |
| Black | 47% | 41% |
| Asian | 0% | 1% |
| Hispanic | 21% | 22% |

Of the 147 admissions in this study, 85 were for violating Court Services Probation and 62 were for violating Juvenile Intensive Supervision Probation. The racial/ethnic make-up of youth admitted to detention for violating probation was similar to the make-up of the probation types of origin for both types of probation. The group with the greatest disparity between overall caseloads and admissions in this study is the Hispanic population of probation violators from Court Services Probation. A comparison of the risk level breakdown for each group suggests that this disparity may be due to the small sample size of this study. Admissions for Hispanic youth from Court Services Probation were predominantly moderate risk, indicating that this decision point is not causing an overrepresentation of low risk Hispanic youth in detention.

Table 5 and Figure 1 show the risk level breakdown for the study population. Risk level information is provided by admission (not by youth) to give a general idea of the risk level breakdown for the population of probation violators in detention at any given time.

TABLE 5
RISK LEVEL

| Risk Level | Count | Percentage |
|-------------------|--------------|-------------------|
| Low | 22 | 15% |
| Moderate | 81 | 55% |
| High | 31 | 21% |
| Very High | 11 | 8% |

Note: Risk level information was not available for 2 admissions.

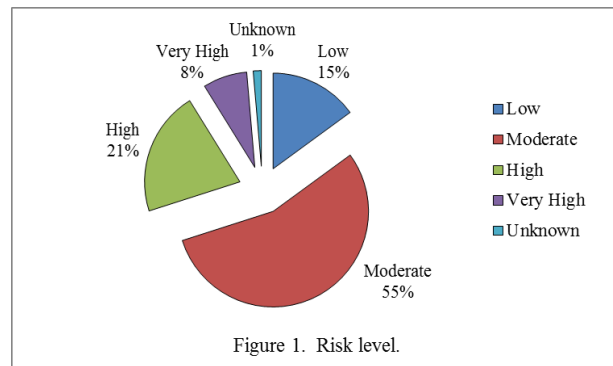
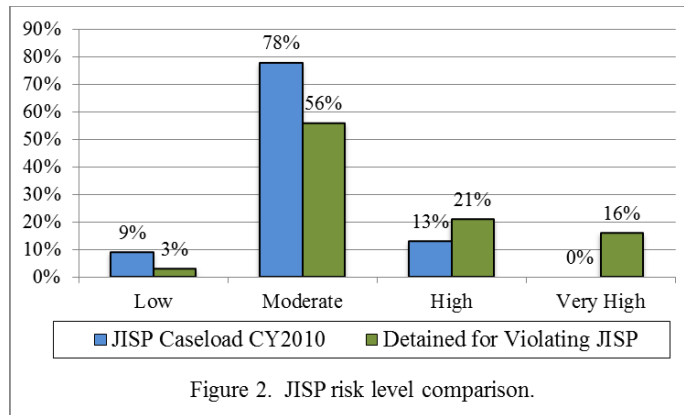


Figure 1. Risk level.

The percentage of detention admissions for probation violations for low risk youth (15%) is much lower than the percentage of overall JIAC intakes in 2010 for low risk youth (39%) (Benchmark 5 Report Update, 2011). Also, the percentage of detention admissions for probation violations for high and very high risk youth (21% high risk and 8% very high risk) was much higher than for 2010 JIAC intakes (9% high risk and 1% very high risk).

While comparing risk levels for this population to risk levels of JIAC intakes is important, it is more meaningful to compare the risk level breakdown for this population to its nearest point of origin, the probation caseloads. Figure 2 illustrates the risk level breakdown for admissions in this study from JISP compared to the risk level breakdown for all youth placed on JISP in 2010.

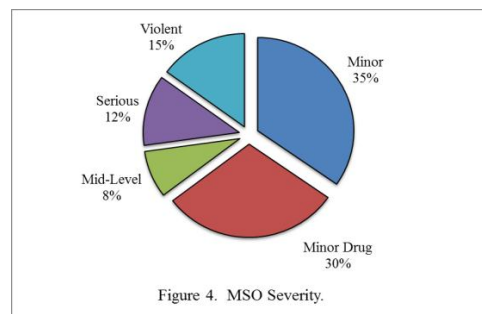
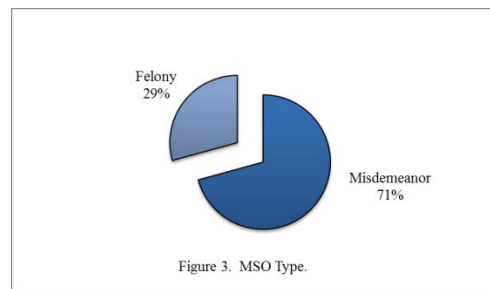


As Figure 2 indicates, smaller percentages of low and moderate risk youth were detained for violating JISP compared to overall JISP caseload. This suggests that either the lower risk youth on JISP are not violating as often or as seriously as higher risk youth, or that detention is less frequently used as a consequence for lower risk youth who violate JISP. (Note: Risk level information was not readily available for Court Services Probation caseloads).

4.2 Information on Original Charges and Sentencing

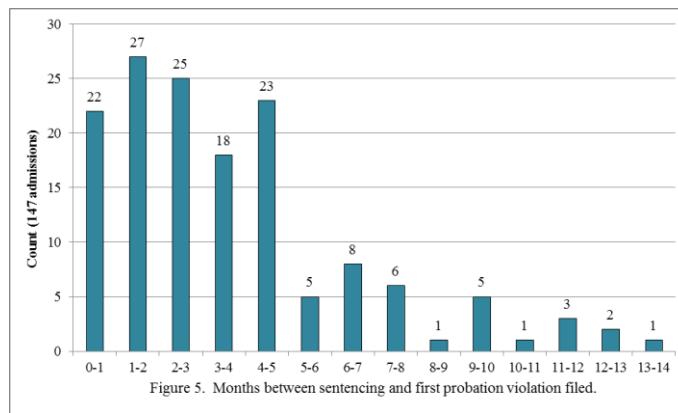
Table 6 and Figures 3 and 4 show information on the charges for which the youth in this study were on probation. This information is provided by admission to explore the most common charge types associated with detention for a probation violation. Results are reported in terms of the most serious offense (MSO) of the original charge. The three most common MSOs for this population were Possession of Marijuana (19.7%), followed by Theft < \$1,000 (13.6%) and Burglary (10.2%). Of the 147 admissions in this study, 65% were for cases where the MSO was a minor or minor drug crime.

| TABLE 6 MSO INFORMATION | | |
|----------------------------|-------|------------|
| MSO Information | Count | Percentage |
| 1. Classification | | |
| a. Misdemeanor | 104 | 71% |
| b. Felony | 43 | 29% |
| 2. Severity Level | | |
| a. Minor | 51 | 35% |
| b. Minor Drug | 44 | 30% |
| c. Mid-Level | 12 | 8% |
| d. Serious | 18 | 12% |
| e. Violent | 22 | 15% |



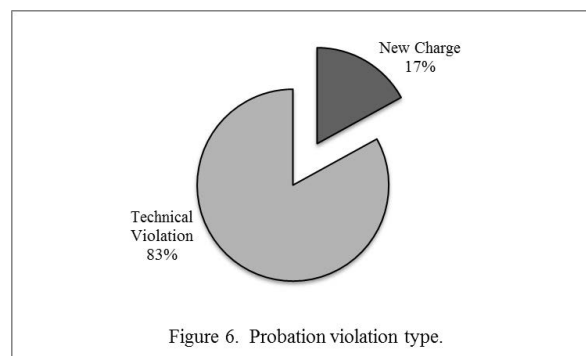
The vast majority of probation violation detention admissions in this study were for youth whose most serious original charge was a misdemeanor (71%). Only 27% of probation violation detention admissions were for youth who were on probation for a serious or violent crime. This suggests that the majority of probation violation admissions were for youth whose criminal history did not suggest that they should be considered a major threat to public safety.

Figure 5 shows a frequency distribution of probation violation detention admissions by the number of months between the sentencing date (date that probation started) and the filing date of the first probation violation. For about half of the admissions in this study (49%), a probation violation was filed in the case within the first three months of probation. Most youth in this study were originally sentenced to a probation term of six, nine or twelve months. Some, who were placed in custody of the state Juvenile Justice Authority, were put on JISP with an unspecified term length. That was the case in the admission whose first probation violation was over filed 13 months after sentencing.



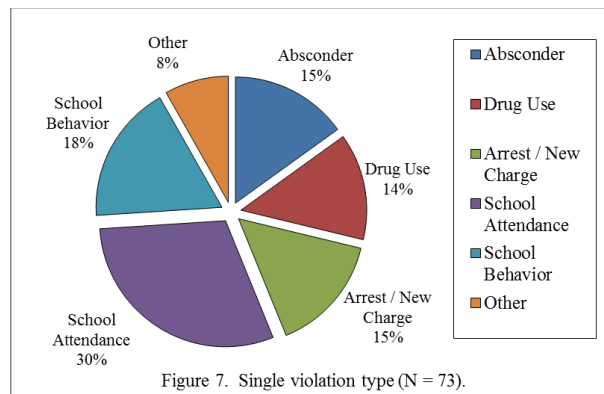
4.3 Violation Information

Figure 6 illustrates the breakdown of probation violation types that led to the admissions in this study. Of the 147 admissions, 25 were for a probation violation related to an arrest or new charge, the other 122 admissions were for technical violations.



In most of the arrest or new charge violations, the offense was a misdemeanor, minor crime. The 25 admissions related to an arrest or new charge violation included eight for Theft < \$1,000, three for Disorderly Conduct (a misdemeanor), three for misdemeanor drug charges, three for misdemeanor battery, and eight for various other offenses. Of the 122 admissions for technical probation violations, 50 were related to drug use and 65 were related to school attendance or behavior (46 were related to school attendance only).

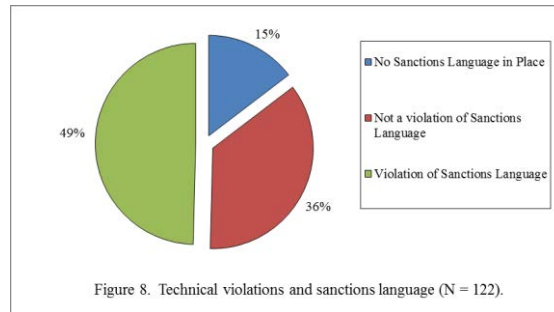
Of the 147 admissions, 73 were related to a single probation violation. Only 11 of these single violation admissions (15%) were related to an arrest or new charge. The other 62 (85%) single violation admissions were for technical violations. Figure 7 shows the breakdown of violation types for the 73 single violation admissions.



Of these 62 admissions for single technical violations, 35 (56%) were related to school (either attendance or behavior/suspension), 10 (16%) were related to drug use, 11 (18%) were for absconding, and six (10%) were various other violations.

Of the 147 probation violation admissions, 61 (41%) were for a violation of sanctions language (language in an order that provided detention as an immediate consequence or indicated that there would be “zero tolerance” regarding a particular behavior). Of the 122 admissions for technical violations 49% were for a violation of sanctions language. This suggests that detention admissions for technical probation violations are often related to

sanctions language. Figure 8 shows the breakdown of technical violations by whether they were related to sanctions language, not related to sanctions language, or from cases where no sanctions language orders were in place.



Only 34 (23%) of the 147 admissions represented the only probation violation detention admission during the life of the case. In other words, only 23% of detention admissions in this study were not preceded by or followed by a separate admission to detention for a probation violation. This suggests that when a juvenile is admitted to detention for a probation violation, they are likely to return to detention for a subsequent probation violation. Figure 9 shows the percentage of cases from this sample by the number of probation violation related detention admissions in the case. Results of this study suggest that there is about a 75% chance that a youth detained for a probation violation will be detained again for a subsequent probation violation.

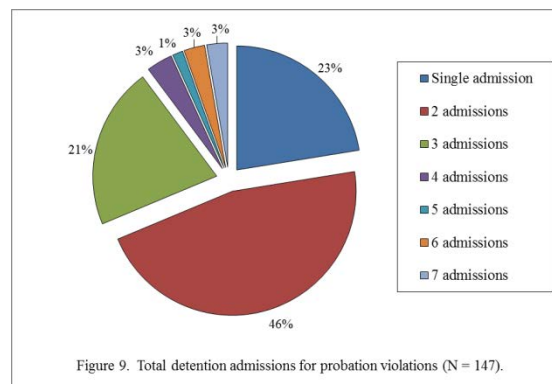
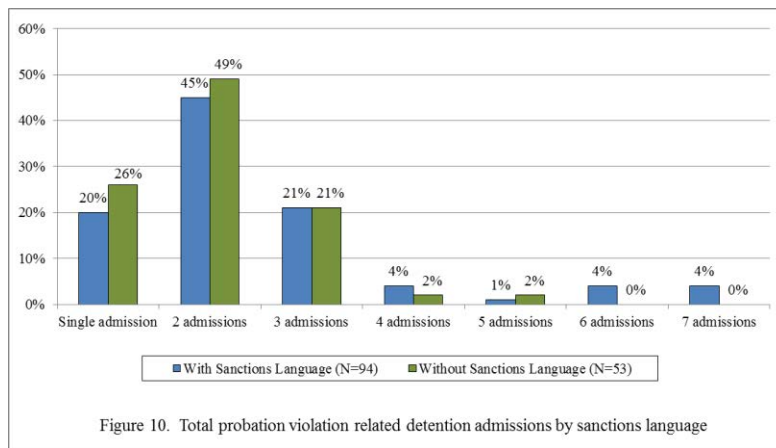


Figure 10 illustrates a comparison of the number of probation violation detention admissions for cases that contained sanctions language and cases that did not. In this study, the cases with the greatest number of probation violation related detention admissions were cases with sanctions language orders in place. More of the cases without sanctions language orders had only a single probation violation related admission or only two probation violation related admissions compared to cases with sanctions language. In this study, cases with sanctions language orders were more frequently admitted to detention for violating probation four or more times than cases without sanctions language orders.



4.3.1 Chi-Square Analysis: Sanctions Language and Multiple Admissions

Table 7 shows a crosstabulation of sanctions language and whether the case or origin had multiple probation violation related detention admissions. Table 8 shows a chi-square test for the same two variables. There was not a statistically significant relationship between the presence of sanctions language and single versus multiple probation violation detention admissions.

TABLE 7
CROSSTABULATION OF SANCTIONS LANGUAGE AND MULTIPLE ADMISSONS

| | | | Multiple PV related detentions | | Total |
|--------------------------------|---|---|--------------------------------|--------|--------|
| | | | N | Y | |
| Presence of Sanctions Language | N | Count | 14 | 39 | 53 |
| | | % within Presence of Sanctions Language | 26.4% | 73.6% | 100.0% |
| | | % within Multiple_PV_related_detentions | 41.2% | 34.5% | 36.1% |
| | Y | Count | 20 | 74 | 94 |
| | | % within Presence of Sanctions Language | 21.3% | 78.7% | 100.0% |
| | | % within Multiple_PV_related_detentions | 58.8% | 65.5% | 63.9% |
| Total | Count | 34 | 113 | 147 | |
| | % within Presence of Sanctions Language | 23.1% | 76.9% | 100.0% | |
| | % within Multiple_PV_related_detentions | 100.0% | 100.0% | 100.0% | |
| | % of Total | 23.1% | 76.9% | 100.0% | |

TABLE 8
CHI-SQUARE TESTS FOR SANCTIONS LANGUAGE AND MULTIPLE ADMISSONS

| | Value | df | Asymp. Sig. (2-sided) | Exact Sig. (2-sided) | Exact Sig. (1-sided) |
|------------------------------------|-------------------|----|-----------------------|----------------------|----------------------|
| Pearson Chi-Square | .503 ^a | 1 | .478 | .543 | .304 |
| Continuity Correction ^b | .256 | 1 | .613 | | |
| Likelihood Ratio | .497 | 1 | .481 | | |
| Fisher's Exact Test | | | | | |
| Linear-by-Linear Association | .500 | 1 | .480 | | |
| N of Valid Cases | 147 | | | | |

- a. 0 cells (.0%) have expected count less than 5. The minimum expected count is 12.26.
b. Computed only for a 2x2 table

Table 9 shows a crosstabulation for school attendance sanctions language and whether the admission was one of multiple probation violation detention admissions. Table 10 shows a chi-square test for the same two variables. There was a significant relationship between school attendance sanctions language and multiple probation violation related detention admissions, $X^2(1) = 4.37, p < .05$. When sanctions language is related to school, 85% of probation violation related detention admissions will be followed by at least one more separate probation violation detention admission. Based on the odds ratio, the odds of multiple probation violation related detention admissions were 2.89 times higher if sanctions language was related to school attendance than if it was related to something else.

TABLE 9
CROSSTABULATION OF ZERO TOLERANCE SCHOOL ATTENDANCE AND MULTIPLE PV
RELATED DETENTION ADMISSIONS

| | | | Multiple PV related detentions | | Total |
|---|--|--|--------------------------------|--------|--------|
| | | | N | Y | |
| Sanctions Language Related to School Attendance | No | Count | 10 | 19 | 29 |
| | | % within Sanctions Language Related to School Attendance | 34.5% | 65.5% | 100.0% |
| | | % within Multiple_PV_related_detentions | 50.0% | 25.7% | 30.9% |
| | Yes | % of Total | 10.6% | 20.2% | 30.9% |
| | | Count | 10 | 55 | 65 |
| | | % within Sanctions Language Related to School Attendance | 15.4% | 84.6% | 100.0% |
| Total | % within Multiple_PV_related_detentions | 50.0% | 74.3% | 69.1% | |
| | % of Total | 10.6% | 58.5% | 69.1% | |
| | Count | 20 | 74 | 94 | |
| | % within Sanctions Language Related to School Attendance | 21.3% | 78.7% | 100.0% | |
| | % within Multiple_PV_related_detentions | 100.0% | 100.0% | 100.0% | |
| | % of Total | 21.3% | 78.7% | 100.0% | |

TABLE 10
CHI-SQUARE TESTS FOR ZERO TOLERANCE SCHOOL ATTENDANCE AND MULTIPLE PV
RELATED DETENTION ADMISSIONS

| | Value | df | Asymp. Sig. (2-sided) | Exact Sig. (2-sided) | Exact Sig. (1-sided) |
|------------------------------------|--------------------|----|-----------------------|----------------------|----------------------|
| Pearson Chi-Square | 4.367 ^a | 1 | .037 | | |
| Continuity Correction ^b | 3.301 | 1 | .069 | | |
| Likelihood Ratio | 4.134 | 1 | .042 | | |
| Fisher's Exact Test | | | | .055 | .037 |
| Linear-by-Linear Association | 4.320 | 1 | .038 | | |
| N of Valid Cases | 94 | | | | |

a. 0 cells (.0%) have expected count less than 5. The minimum expected count is 6.17.

b. Computed only for a 2x2 table

4.4 Length of Stay Information

The probation violation detention admissions in this study resulted in a total of 1,548 detention days. Table 11 shows the breakdown of detention days by risk level (from Brief Screen or YLS/CMI risk assessments) and MSO classification of the original charge, as well as the average number of days served, and the total cost incurred by the Sedgwick County Juvenile Detention Facility.

TABLE 11
ADMISSIONS BY RISK LEVEL & MSO, WITH DAYS AND COST

| Risk Level | Admissions | Org. Charge MSO Misd. | Org. Charge MSO Felony | Total Days* | Average Days | Total Cost** |
|------------------|------------|-----------------------|------------------------|--------------|--------------|------------------|
| Low | 22 | 19 | 3 | 146 | 7 | \$34,018 |
| Moderate | 81 | 53 | 28 | 807 | 10 | \$188,031 |
| High | 31 | 21 | 10 | 507 | 16 | \$118,131 |
| Very High | 11 | 10 | 1 | 68 | 7 | \$15,844 |
| TOTAL | 145 | 103 | 42 | 1,528 | 10.5 | \$356,024 |

* Total number of days in detention related to the probation violation that triggered the first detention event including days served after the study period.

** Based on 2010 JDF per day cost of \$233 as reported in the 2011 Benchmark 5 Report, page 79.

Note: Risk level information was unavailable for 2 admissions.

Most admissions in this study resulted in a length of stay less than one week, with 45% of admissions resulting in less than three days in detention. Admissions that resulted in a moderate length of stay in detention (8 to 30 days) tended to be situations where the youth was sanctioned to detention by a judge for the probation violation, or situations where a youth was held in detention while awaiting a hearing on the probation violation. Admissions with extended length of stays in detention (more than one month) were commonly situations where a youth was being held in detention awaiting a hearing on the probation violation experienced one or more continuances or postponements of that hearing. Figure 11 shows the number and percentage of admissions associated with various lengths of stay.

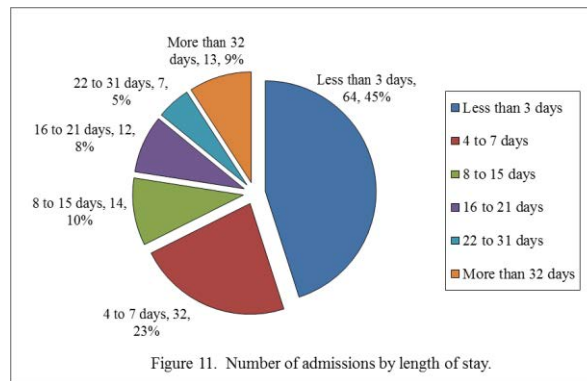
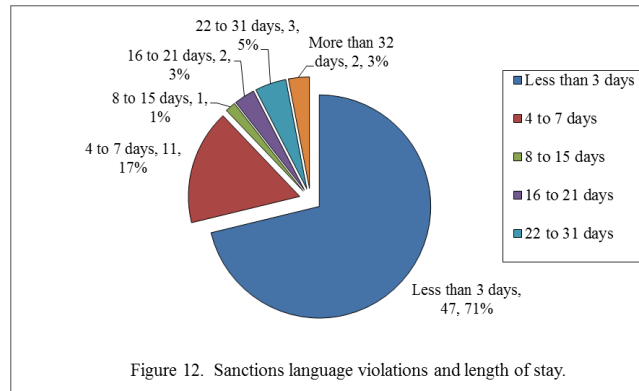


Figure 12 illustrates the length of stay for admissions for violations of sanctions language. Of the 66 sanctions language admissions, 47 (71%) resulted in less than 3 detention days. The sanctions language in orders frequently specifies a length of stay. For example,

sanctions language related to school attendance often states that youth will serve, “...one day in detention for every 6 hours of unexcused absence.” This may explain why violations of sanctions language tended to result in short stays in detention.



4.4.1 Chi-Square Analysis for Sanctions Language and Length of Stay

Table 12 shows a crosstabulation of the presence of sanctions language and whether length of stay was 3 days or less or more than 3 days. Table 13 shows a chi-square test for the same two variables. There was a significant relationship between the presence of sanctions language and length of stay (3 or fewer days or more than 3 days) $X^2(1) = 9.34, p < .01$. An odds ratio calculation suggests that the odds of a short stay in detention (less than 3 days) were 3 times greater when there was sanctions language in sentencing orders.

TABLE 12
CROSSTABULATION FOR PRESENCE OF SANCTIONS LANGUAGE AND LENGTH OF STAY
THREE DAYS OR LESS

| | | | LOS 3 days or Less | | Total |
|-------------------------------------|---|---|--------------------|----------|--------|
| | | | 3 days or less | > 3 days | |
| Presence of Zero Tolerance Language | N | Count | 16 | 37 | 53 |
| | | % within Presence of Sanctions Language | 30.2% | 69.8% | 100.0% |
| | Y | % within LOS_3_days_or_Less | 23.2% | 47.4% | 36.1% |
| | | % of Total | 10.9% | 25.2% | 36.1% |
| Total | Y | Count | 53 | 41 | 94 |
| | | % within Presence of Sanctions Language | 56.4% | 43.6% | 100.0% |
| | N | % within LOS_3_days_or_Less | 76.8% | 52.6% | 63.9% |
| | | % of Total | 36.1% | 27.9% | 63.9% |
| Total | Y | Count | 69 | 78 | 147 |
| | | % within Presence of Sanctions Language | 46.9% | 53.1% | 100.0% |
| | N | % within LOS_3_days_or_Less | 100.0% | 100.0% | 100.0% |
| | | % of Total | 46.9% | 53.1% | 100.0% |

TABLE 13
CHI-SQUARE TESTS FOR PRESENCE OF SANCTIONS LANGUAGE AND LENGTH OF STAY
THREE DAYS OR LESS

| | Value | df | Asymp. Sig. (2-sided) | Exact Sig. (2-sided) | Exact Sig. (1-sided) |
|------------------------------------|--------------------|----|-----------------------|----------------------|----------------------|
| Pearson Chi-Square | 9.337 ^a | 1 | .002 | | |
| Continuity Correction ^b | 8.315 | 1 | .004 | | |
| Likelihood Ratio | 9.538 | 1 | .002 | | |
| Fisher's Exact Test | | | | .003 | .002 |
| Linear-by-Linear Association | 9.273 | 1 | .002 | | |
| N of Valid Cases | 147 | | | | |

a. 0 cells (.0%) have expected count less than 5. The minimum expected count is 24.88.

b. Computed only for a 2x2 table

The results of this study provide a great deal of information about the youth admitted to detention for violating probation. Demographic information and risk level information were presented and compared to broader populations of youth in the system. Also, information was provided about the original offense(s) that youth in this study were on probation for. The types of violations that youth tended to be detained for was discussed. Information about the presence of zero tolerance or sanctions language in sentencing orders was presented and compared with outcomes including length of stay in detention. Discussion and interpretation of these findings, as well as connections between this study and existing literature, and policy implications are offered in Chapter 5.

CHAPTER 5

DISCUSSION

The purpose of this study was to explore the characteristics of juveniles admitted to detention for violating probation. This study was relevant to both Sedgwick County Department of Corrections and the juvenile justice community as this is a detention population that has not been explored extensively. Findings of this study suggest the demographic characteristics of youth admitted to detention for probation violations resemble those of youth arrested and youth on probation. The use of detention as a response to probation violations does not appear to be causing greater disproportionate minority contact (DMC) than exists at the time of sentencing (assignment of probation).

Findings of this study indicate that most probation violation related detention admissions are for youth who were assessed (using an objective risk assessment) to be moderate risk to reoffend (55%), although several were low risk (15%). Most of the detention admissions for probation violations were for youth whose most serious original charge was a misdemeanor (71%) and a minor or minor drug crime (65%). Information about the type of probation violations that led to detention indicated that only 17% of the admissions were related to an arrest or new charge; while the rest (83%) were for a technical violation. This suggests that the majority of youth admitted to detention for violating probation were probably not a threat to public safety.

This study found that the majority of cases with a probation violation detention admission, that admission was one of multiple admissions to detention for violating probation. In this study, only 23% of the 147 admissions were the only probation violation detention

admission over the life of the case. The presence of school attendance sanctions language has a significant impact on the likelihood that the case will have multiple probation violation related detention admissions. The presence of sanctions language was also significantly related to the admission resulting in a short stay in detention (three days or less). Basically, sanctions language appears linked to multiple, short stays in detention.

This chapter will connect the results of this study to the literature and attempt to discern what it all means. Practical and policy implications and suggestions will be discussed, including a look at what some other jurisdictions have done to reduce the use of detention as a response to probation violations. This chapter will also discuss what has been done locally, in relation to the findings of this study. Finally, the findings of this study and resulting recommendations raise questions that should be explored with future research. Some of these questions will be presented and discussed in this chapter.

5.1 Practical and Policy Implications

In the current climate of shrinking budgets and efforts to maximize every dollar spent in the justice system, ongoing examination of the use of detention dollars is appropriate. Probation violation detention admissions in this study resulted in 1,528 detention days, at a cost of \$356,024. It is worth considering on whom this money was spent. Results of this study reveal that youth sanctioned to detention for violating probation tend to be on probation for a misdemeanor, minor crime. In line with other studies examining the use of detention for probation violators, the majority of youth in this study committed a technical probation violation, not a new crime violation (Gray, et al., 2001; Bond-Maupin & Maupin, 2009). Nearly half of the technical violation detention admissions were a violation of sanctions language. More than half of the technical violations were related to attendance or behavior at school. In short, most of the

\$356,024 was spent to detain youth whose most serious original offense was a misdemeanor, and whose most egregious probation violation was not an illegal act.

5.1.1 Specialized Courts

One way that some jurisdictions have reduced the number of detention days used for probation violators is the utilization of specialized courts. Some jurisdictions utilize probation courts, devoted solely to probation violation hearings. Having a specific court that is devoted only to hearing probation violation cases significantly expedites these hearings. This reduces the number of days that an offender is held in detention waiting for a probation violation hearing. One jurisdiction that implemented this strategy reported that prior to implementation probation violation hearings were set several weeks out. Since implementing the probation court, probation violation hearings are usually held within seven days (OPPAGA, 2010).

Other specialized courts can be used for offenders who demonstrate a need for intervention in a specific area, unrelated to their original offense, which may result in a technical probation violation. Drug courts are a good example. Continued drug use by an offender on probation may indicate a need for substance abuse treatment. Drug related probation violations might be best dealt with in a drug court that is specially equipped to deal with that need. This would be a way to provide specialized intervention, which may be more effective than detention at reducing substance abuse (OPPAGA, 2010).

5.1.2 Detention Assessments

Some jurisdictions have dramatically reduced the number of youth who are detained for violating probation by requiring that only youth who meet certain criteria are admitted to detention. Prior to admission into detention, all youth, including probation violators, are screened using a detention screening instrument. These instruments offer a numerical score

based on a juvenile's history as well as current circumstances. This score indicates the appropriateness of detention versus release. Detention screening instruments are designed to help decision makers ensure that low risk, non-violent youth who are charged with a non-serious crime are not placed in detention (Flores, 2005). Sedgwick County currently has a detention screening instrument that is used to assess the appropriateness of detention for recently arrested youth. It is not currently used for youth sent to detention by the court, including probation violators.

5.1.3 Does Detention Work?

One question that continues to be debated in the juvenile justice community that is of critical importance to determining the most cost-effective response to juvenile crime and to probation violations, is whether detention “works.” Does a stay in detention promote a positive change in behavior? The majority of literature suggests it does not. Some research has found that detention is associated with high rates of recidivism (Flores, 2005; Holman & Ziedenberg, 2006), and that there are negative long-term consequences associated with detention (Lubow, 2005; Mendel, 2009). The Washington State Institute of Public Policy (WSIPP) reported that detention can be an effective tool for reducing criminal behavior, but that it is one of the most expensive and least effective methods, and that the effectiveness of detention as a deterrent has declined as the utilization of detention has increased (Holman & Ziedenberg, 2006). Recently, success at reducing delinquent activity by utilizing detention alternatives has been documented. Juvenile Detention Alternatives Initiatives (JDAI) pilot sites have reported significant decreases in crime rates (Mendel, 2009). JDAI recommendations include: collaboration between the local juvenile court, probation agency, prosecutors, defenders and others; objective detention

admissions screening; collection and utilization of data; and new and enhanced non-secure alternatives to detention (Mendel, 2009).

Almost half of all detention admissions in this study resulted in three or fewer days in detention. For this group, the question is whether a very short stay in detention effectively promotes behavior change. This study found that 77% of cases involved multiple probation violation related detention admissions, suggesting that detention did not effectively change behavior.

5.1.4 If Not Detention, What?

Nearly three quarters of admissions related to violations of sanctions language resulted in three or fewer days in detention. Also, this study found that cases with sanctions language in place were more likely to have multiple probation violation detention admissions than cases without sanctions language. This study suggests that one way to reduce the number of detention admissions for probation violations would be to find alternatives for dealing with sanctions language, or eliminating the use of sanctions language.

The literature suggests that there are some more cost-effective ways to address technical probation violations, including violations of sanctions language. There are alternative options that are cheaper and appear to be more effective at reducing delinquent behavior. A system of graduated sanctions provides sanctions that match the severity of the violation. These sanctions not only provide accountability and punishment but are violation-specific and attempt to promote change targeted at the problem behavior. Graduated sanctions offer a way to provide swift and certain punishment that is of appropriate severity while promoting behavior change. This means that the court could respond to innocuous violations with less severe punishments. The court could hold the offender accountable without bringing out the “big gun” of detention for minor,

technical violations. This would save detention resources for serious and violent offenders who pose a threat to public safety, while addressing juveniles who do not behave appropriately on probation. Another way to reduce detention admissions related to sanctions language violations would be to change the sanctions language itself. If there were adequate alternatives, zero-tolerance language could suggest a consequence that is not necessarily limited to detention.

5.1.5 Addressing Risk Levels

While the percentage of low risk youth admitted to detention for violating probation in this study was significant (15%), this study shows that compared to arrests, it is not an overrepresentation. Hopefully, this is due to fewer low risk youth being charged, placed on probation, and otherwise moving deeper into the system. The detention of 22 low risk youth is not insignificant though. The RNR model suggests that as a high level intervention, detention will have little impact on, and possibly a negative impact on low risk offenders. Therefore, detention resources will be more effective and have greater impact on higher risk youth. Also, those 22 low risk youth were exposed to higher risk youth while in detention, which is cause for concern.

Alternative sanctions for responding to probation violations should allow the system to consider not just the risk level of the juvenile, but also the specific violation. This study revealed that only a small number of probation violations resulting in detention were due to a juvenile breaking a law. Most of the admissions were for probation violations that were due to a juvenile violating an order imposed by the court. While some of these technical violations such as drug use could be considered delinquent acts, many of the technical violations were for acts that the court would not be concerned with if the juvenile were not on probation.

Some jurisdictions have established policies for responding to low risk offenders who commit technical probation violations that require fewer resources and adhere to the risk principle, while ensuring that the offender is held accountable. In 2007, the Florida Legislature authorized judges to allow probation officers to notify the court of technical violations committed by low risk offenders using a Technical Violation Notification Letter. These letters, drafted by probation officers, are intended to keep the court informed of an offender's behavior and of the officer's actions taken to correct it, without requiring an arrest or a court hearing. The court maintains discretion to have offenders arrested, or require a court appearance, but it is not an automatic occurrence (OPPAGA, 2010). With the same piece of legislation, Florida authorized the issuance of Notice to Appear letters for low risk offenders who violate probation. This allows for the scheduling of a court hearing to determine a response to the violation, but does not require that the offender be detained pending that hearing. One Florida jurisdiction reported that it was resolving nearly half of all technical probation violations using these methods (OPPAGA, 2010).

5.1.6 School Related Violations

Many of the violations in this study were related to school attendance or behavior at school. For youth who are not involved in the correctional system, these types of issues are handled by the school. For youth on probation who are suspended from school, there is the additional punishment of detention since the suspension was considered a violation of their probation. Youth who are not on probation do not risk being detained by acting out at school, and risk only punishment from the school. The notion that juvenile probationers are receiving "double" punishments for non-criminal behavior is cause for concern. One possible resolution is for juvenile court and probation departments to collaborate with school districts to develop

policies for sanctioning probationers who act out at school. This might involve school personnel contacting probation officers, who respond by assisting the school in dealing with the juvenile and addressing the behavior immediately. This would expedite the process of addressing the probation violation, and allow for the development of a single response to the behavior.

A similar agreement between schools and juvenile corrections departments might provide more effective ways to deal with the significant number of juvenile probationers in this study who were detained for attendance issues. Saturday school, some other type of supervised tutoring, or some other school-related sanction might be more effective than detention for getting youth to attend school every day. This type of arrangement with the school for sanctioning school-related probation violations would save significant detention resources, and would address the specific nature of the violation. Some of the money saved could be redirected into the agreement with the school, covering the school's cost for offering additional services. The amount money saved, even after some was reallocated for cooperation with the schools, would probably still produce a savings for the corrections department.

All of these policy and system changes require multiple agencies and stakeholders to work together. Judges, probation officers, school personnel, law enforcement, and others must commit to the change. Cooperation and collaboration are keys to implementing effective reform regarding sanctions for probation violations. As recommended by the Office of Juvenile Justice and Delinquency Prevention (OJJDP), "strategically matching youth with needed programming requires a cross-system commitment to the objective assessment, classification, and placement of youth" (Flores, 2005, pg. 3).

5.2 Local Efforts

As detention alternatives are utilized, funding can be reallocated from detention centers to detention alternatives and graduated sanctions programs. Sedgwick County may experience the opportunity for this funding shift through implementation of the Weekend Alternative Detention Program. Future research in Sedgwick County should examine the effectiveness of the WADP as a response to probation violations. Outcomes, including recidivism and success on probation, for youth who completed the program instead of a sanction in detention should be compared with similar youth who were sanctioned to detention for violating probation.

Sedgwick County could also consider diverting detention dollars to expand the use of electronic monitoring. Electronic monitoring along with a house arrest order might provide an appropriate option for probation violators whose misconduct does not rise to the level of requiring detention. This would provide the court with options for responding to probation violations between the status quo (no action) and detention. Judges and probation officers would maintain authority by sanctioning inappropriate behavior, but in a more cost-effective way.

Sedgwick County also has an opportunity to pursue additional alternative sanctions through cooperation with the local school district. Sedgwick County recently hired a Juvenile Justice Education Liaison. The Liaison is tasked with bridging gaps and fostering cooperation between the school district and the juvenile corrections system. Within the first year of her work, the Liaison established a Memorandum of Understanding to Reduce Arrests at USD 259 Schools, between the Wichita Police Department, the Wichita School District, and the Sedgwick County Department of Corrections. The agreement states that first time offenders who commit low level offenses at school can be given an Agreement to Appear instead of being arrested and transported to JIAC. By signing the Agreement to Appear, the student and their parent/guardian

agree to participate in an intake at JIAC within 24 hours. This way, the intake still happens without delay, so that the youth and family can be directed into beneficial programs and services. It provides law enforcement officers and school officials an alternative to arrest and encourages the student's academic success by keeping them in the school. In the future, the Liaison could explore options for facilitating the development of a similar MOU with options for handling probation violations related to school attendance and behavior.

5.3 Suggestions for Future Research

The results of this study indicate that offenders sanctioned to detention for probation violations comprise a unique population of offenders in detention. This subset of detainees should be tracked so that the impacts of implementation of alternative options can be measured. Only after implementation of and experimentation with various graduated sanctions programs will researchers be able to discern whether these alternatives are more or less effective than detention at changing behavior.

Findings of this study indicate that the majority of juveniles sent to detention for violating probation had committed technical violations only, and that many of those technical violations were violations of sanctions language. Future research should investigate this further by examining juvenile probationers who violate probation compared with those who do not, and whether increased violations are correlated with the presence of sanctions language. This research could be quantitative in nature, and examine case characteristics like gender, race/ethnicity, risk level, and probation officer, to determine whether any of these characteristics are significant predictors of probation violations. Research could then examine whether any of these characteristics were significant predictors of detention as a response to the probation violation.

Qualitative methods could be used to investigate juvenile offender and probation officer characteristics that may predict detention as a response to probation violations. Interviews with probation officers might illuminate some currently unknown logic or justification behind the decision to notify the court of a violation and request detention. Interviews with probation officers would also be helpful for examining the practical implementation of zero tolerance or sanctions language. It would be interesting to learn whether officers feel supported or restricted by that type of language.

Interviews with juveniles, as well as in-depth reviewing of case files might suggest characteristics of juveniles who are likely to violate probation, and those who are likely to end up in detention. Interviews with juveniles could also provide juveniles' perceptions of the impact of detention compared with detention alternatives and graduated sanctions. A phenomenological or grounded theory research approach might be appropriate. This type of research into juveniles' perceptions of the experience of probation, detention and other sanctions would allow themes to emerge about how juveniles define punishment. These themes might generate theories. These findings would probably have a significant impact on policy. Many corrections decisions seem to be made based on what the decision makers believe juveniles see as punishment. This is one of the keys to ensuring that punishment provides effective deterrence. If a majority of juvenile probationers do not see a day in detention as enough of a punishment to deter them from some technical violation behavior, an alternative might be more effective.

Interviews with judges and corrections personnel could reveal some of the reasons that this area has been particularly resistant to reform. Questions could explore the preference for using zero tolerance and sanctions language. This phenomenological research might produce themes that indicate whether resistance is based on a lack of available alternatives, a feeling that

everything had already been tried, or maybe a feeling that graduated sanctions do not provide severe enough punishment. These interviews might also provide some alternative points of view that would promote discussion among judges and corrections personnel.

It is clear from this and other studies that the population of juvenile offenders who are in detention for violating probation is different than the population of offenders for whom detention is intended. On-going research is necessary to examine why low risk, non-violent offenders are sanctioned to detention for technical probation violations. Detention alternatives should be developed and explored. Programs should focus on the most effective interventions for different types of offenders. Research in this area should be related to reducing the number low risk non-violent offenders who end up in detention. This research should be used to impact policy.

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