

Pennsylvania Detention Risk Assessment Instrument Revalidation Study



RESEARCH BRIEF

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INTRODUCTION

Detaining a youth is one of the most serious decisions that can be made when they have been alleged to have committed a delinquent offense. This decision must be completed with fundamental fairness and transparency in mind. To that end, the Pennsylvania Detention Risk Assessment Instrument (PaDRAI) provides juvenile justice professionals with objective criteria to assist in determining whether to securely detain a youth, release a youth to an alternative to detention (ATD), or release a youth to the custody of a parent or responsible adult while the youth awaits a juvenile court hearing. The tool bases the detention decision on the youth's likelihood to:

- Reoffend while awaiting their first formal court appearance (i.e., public safety risk)
- Fail to appear (FTA) at their first formal court appearance (i.e., flight risk).

Dr. Carrie Maloney conducted the original validation of the PaDRAI in 2014. Nearly 10 years later, in partnership with the Pennsylvania Council of Chief Juvenile Probation Officers' Detention Committee and the Juvenile Court Judges' Commission (JCJC), she re-validated the tool.

Dr. Maloney's work reconfirmed the tool's validity and generated the following five findings.

FINDINGS

Finding #1: When used as designed, the PaDRAI is a valid tool.

When used as designed (i.e., not overridden), the PaDRAI is a valid tool for predicting a youth's likelihood of re-offending while awaiting their first formal court appearance or failing to appear at their first formal court hearing.

The overall PaDRAI score and categorical recommendation for release, ATD, or secure detention were statistically significantly related to a youth's likelihood of failure, in that the higher the PaDRAI score, the more likely the youth was to be unsuccessful.

The overall success rate for all non-detained youth (release and ATD youth) was 89.5%, with just 2.3% of youth experiencing an FTA for court, and 8.5% experiencing a new delinquency allegation.

Revalidation Study by the Numbers

Timeframe: January 1, 2020 through
December 31, 2022

Unit of Count: New Allegation
PaDRAIs

Number of:

- **New Allegation PaDRAIs:**
14,222
- **ATD or Release PaDRAIs:**
9,886
- **Counties Using PaDRAI:** 41

Data Source: Pennsylvania Juvenile
Case Management System (PaJCMS)

Finding #2: Proper use of the PaDRAI promotes fundamental fairness and reduces bias.

PaDRAI use ensures that the same objective criteria are used to appropriately screen youth for release, ATD, and detention. It was determined that the odds of a detention recommendation from the tool were nearly equally as likely for youth regardless of race, ethnicity, and gender, indicating the tool promotes fundamental fairness and the reduction of bias. However, due to discretionary overrides, whether aggravating or mitigating, non-White youth were more likely to be detained than White youth. Specifically, aggravating overrides were disproportionately applied to Black and Multiracial/Other Non-White youth. Overall, Black youth were up to three times more likely to be detained, irrespective of their PaDRAI score/recommendation, than White youth.

To address this, counties should review override PaDRAs and related policies, paying particular attention to race and ethnicity of youth experiencing overrides. Additionally, clear and specific override policies/guidance should be documented and provided.

Finding #3: Case processing timeliness is also critical for non-detained youth.

Given that secure detention is intended to be a short-term, pre-adjudication placement while a youth is awaiting a decision-maker to decide the outcome of their case, youth released directly to the community, and especially youth with an ATD placement, should be treated similarly. Research has shown that youth who spend significant time with open/pending charges in the community, irrespective of the conditions of their release, are at an increased risk of failure, and the current study confirmed this. Youth failure tended to increase as their time on the ATD or in the community increased, with the highest failure rate occurring after the 30-day mark. For both groups of youth, approximately 41% of those youth who failed committed a new offense that resulted in a written allegation at about the 30-day mark or later.

These rates suggest continual monitoring of the time that youth spend with pending charges as well as consideration for graduated stepping down of their supervision status while they await their adjudication/disposition. Counties should consider policies, particularly for ATD youth, that include opportunities for frequent review and step-up/step-down opportunities and procedures. Counties could also apply the same expedited case processing times (time to first hearing and case resolution) used for detained youth to youth on ATDs.

Finding #4: ATD continuums should be realistic, well defined, and include a graduated level of supervision.

The revalidation study found that youth who scored for ATDs were significantly more likely to be overridden either to detention or release, and that youth placed on alternatives to detention had the highest failure rate at 13.5%.

These findings indicate a possible lack of supported or reliable detention alternative continuums throughout the counties. ATDs should be selected based on the youth's needs rather than on availability. Policies should link PaDRAI scores to the most effective level of supervision provided by ATD options.

Finding #5: Mandatory detentions and discretionary overrides should be continuously evaluated.

Mandatory detention consists of categories of offenses or specific circumstances that require that the youth be detained, regardless of the score on the PaDRAI. Each county determines its own mandatory detention criteria, such as firearm offenses. Eight percent of PaDRAIs analyzed in the revalidation study were identified as being mandatory detentions. Of these, 65% were scored for release or ATD placements, meaning the tool would have recommended the youth not actually be detained. Because mandatory detention removes any discretion, counties should minimize its need by identifying case types that would score for detention in any event.

Additionally, and as previously noted, frequent use of discretionary overrides results in bias in detention decisions, with non-White youth being more likely to be detained than White youth. The revalidation study determined that the aggravating override rate to detention was 13%, and the mitigating override rate for youth scoring for detention was 6%, though aggravating overrides to detention were disproportionately used for non-White youth.

Counties should review override PaDRAIs and related policies, paying particular attention to those instances when a PaDRAI was overridden citing factors already incorporated in the tool, such as the seriousness of the alleged offense or posing a significant threat of failure to appear. Additionally, counties should monitor their override justifications to ensure that the override reasons are not related to circumstances unrelated to a youth's behavior and/or potential risk to the community, such as parental refusal or unavailability.

Determining the PaDRAI's Validity

Population: This analysis was limited to the 9,886 new allegation PaDRAIs that resulted in the youth's release or placement in an alternative to detention (ATD). These youth had the opportunity to reoffend or fail to appear at a hearing, unlike youth in detention.

Time at Risk: This was defined as the time between the PaDRAI assessment date and either: 1.) the first formal court appearance on the new allegation or 2.) 60 days – whichever occurred first. These parameters were selected for a few reasons. First, the timeframe reflects the period during which the tool and intake "control" the release decision. Once the court more formally takes over the case, typically at the first formal court appearance on the screened allegation, the tool is no longer the primary driver of the detention/release decision. In addition, detention is a pre-adjudicatory placement, and, as such, existing statewide agreement reflects that youth should spend a maximum of 60 days in detention, which requires that an adjudicatory hearing also take place within that 60-day window. Time at risk was individualized for each youth.

Failure to Appear: The youth was considered to have failed to appear if the corresponding question in PaJCMS was answered "Yes" and/or if a bench warrant was issued for non-appearance for the youth's first hearing.

Reoffending: Reoffending was measured by new allegations filed for a youth in the same juvenile court that administered the PaDRAI.