

# Evaluation of Florida's

# Evaluation Of Intake Detention Practices And Detention Services



DEPARTMENT  
OF  
HEALTH  
AND  
REHABILITATIVE  
SERVICES

## Youth Services Program

PLANNING  
COORDINATION  
UNIT



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**EVALUATION OF INTAKE DETENTION  
PRACTICES AND DETENTION SERVICES**

**PREPARED BY:**

**DEPARTMENT OF HEALTH AND  
REHABILITATIVE SERVICES  
YOUTH SERVICES PROGRAM OFFICE  
PLANNING COORDINATION UNIT**

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TABLE OF CONTENTS

A.	INTRODUCTION . . . . .	1
B.	DATA SOURCES . . . . .	3
C.	HOW CHILDREN COME TO DETENTION . . . . .	4
D.	POPULATION DESCRIPTIONS . . . . .	8
E.	UTILIZATION OF SECURE & NON-SECURE DETENTION . . . . .	13
F.	COSTS OF DETENTION . . . . .	23
G.	DETENTION POPULATIONS . . . . .	27
H.	BEHAVIORAL INCIDENTS DURING DETENTION . . . . .	30
I.	DETENTIONS BY ADMINISTRATIVE ORDER . . . . .	32
J.	CONCLUSIONS . . . . .	33
K.	FOOTNOTES . . . . .	37

LIST OF TABLES

Table 1:	Detention Admissions & Referrals . . . . .	4
Table 2:	Detention Requested by a variety of sources - July-December 1977 . . . . .	5
Table 3:	Reasons for detention - July-December 1977.	6
Table 4:	Original Detention Authority - July-December 1977 . . . . .	7
Table 5:	Sex Breakdowns of Detention Screenings and Children Detained - July-December 1977 . . .	8
Table 6:	Racial Breakdowns of Children Screened and Children Detained - July-December 1977 . .	9
Table 7:	Age Breakdowns of Children Screened and Children Detained - July-December 1977 . .	10
Table 8:	School Grade of Detained Children - July-December 1977 . . . . .	11
Table 9:	Number of youth in each school grade by age for Detained Children - July-December 1977 . . . . .	12
Table 10:	Status of Non-Secure Program in each district . . . . .	14
Table 11:	Reasons listed for not placing detained children in non-secure program - July-December 1977 . . . . .	15
Table 12:	Distribution of Lengths of Stay in Secure Detention prior to transfer to Non-Secure . . . . .	16
Table 13:	Total Length of Detention . . . . .	18
Table 14:	Distribution of Resident Days in Detention	19
Table 15:	Proportion of Resident Days in Non-Secure Detention for each program-1977 . .	20
Table 16:	Detention Placement by Age - July-December 1977 . . . . .	22
Table 17:	Average Cost Breakdowns for Detained Cases . . . . .	23

<b>Table 18:</b>	<b>Detention cost per case by number of days in secure custody prior to transfer to non-secure . . . . .</b>	<b>24</b>
<b>Table 19:</b>	<b>Total Detention costs by number of days in secure custody prior to transfer to non-secure . . . . .</b>	<b>25</b>
<b>Table 20:</b>	<b>Average Daily Detention Populations . . .</b>	<b>28</b>
	<b>Figure 1: Average Daily Detention Population by Month - January 1977-May 1978 . . . . .</b>	<b>28</b>
<b>Table 21:</b>	<b>Change in Number of Florida Juvenile Arrests - December 31, 1975-December 31, 1977 . . . . .</b>	<b>29</b>
<b>Table 22:</b>	<b>Assaultive Behavior in Detention . . . . .</b>	<b>30</b>
<b>Table 23:</b>	<b>Referrals to Intake for New Law Violations of Children in Detention Status - July-December 1977 . . . . .</b>	<b>31</b>
<b>Table 24:</b>	<b>Escapes While in Detention Status - July-December 1977 . . . . .</b>	<b>31</b>
<b>Table 25:</b>	<b>Dispositions of Cases Detained by Administrative Order - July-December 1977 . . . . .</b>	<b>32</b>

## DETENTION EVALUATION

### A. INTRODUCTION

Each month in Florida, HRS children and youth Intake staff determine that over 2000 children charged with delinquent acts require temporary custody in a state operated secure detention facility. Youth are brought to detention under various circumstances. The most common cause is a law violation. They are also brought to detention for violations of their court ordered probation or aftercare. Approximately three percent of youth being served on probation and seven percent of youth being served on aftercare are detained each month.<sup>1</sup> In addition children in Community Residential facilities may be detained for new law violations, running away, or for severe behavioral problems. Apprehended escapees from Training Schools are also detained. Many children are ordered detained by court order, and children may also be held in secure detention for other states and for federal authorities. Detention is the program area charged with the responsibility of caring for these children until their release or disposition by the court. Detention personnel themselves do not decide who is to be detained or when they are to be released.

Ideally, detention should provide each child with the least secure custody that is consistent with the safety and welfare of the child and the protection of the community. The stated goals of detention include efforts to reduce the use of secure detention by limiting it to children who are actually a threat to themselves or others, or where reason exists to believe that unless detained they will not be present at their court hearing. Establishment of alternatives to secure detention has long been an objective of the program, keeping children in secure custody as a last resort.

The Non-Secure Detention program has been developed to provide alternatives to custody in secure detention for children who may not require it. The cost to the state of supervising a child in

the non-secure program is less than 25 percent of the cost of keeping a child in secure detention. In addition, many children are spared the trauma associated with a lengthy stay in a secure detention facility. These children are also given a chance to demonstrate prior to their case dispositions that they can remain law abiding.

This study will examine how youth come to detention and the characteristics of such youth. The study will evaluate the extent to which alternatives to secure detention have been utilized. Lengths of stay in detention and transfers between secure and non-secure detention will also be examined. The high cost of providing detention services requires close quality control, monitoring and cost-effectiveness assessment. The primary purpose of this study is to assist management in examining current procedures and policies to insure that the legislative intent with regard to detention is carried out.

Based upon the data coming in from the statistical monitoring systems in operation during the time period covered by this study it became evident to administrative and planning staff at the state level that strong measures were required to remedy the alarming rise in detention of juveniles. The Operational Plan for Relief of Overcrowding in Juvenile Detention was developed and implemented on February 1, 1978. Substantial reductions in average secure detention populations have been evident since that date.

## B. DATA SOURCES

The primary sources of data for this report are the Detention Population Analyses, the Intake Data Card, and the Detention Data Card. Information is reported daily by each detention facility to the Youth Services Program Office. Secure and non-secure detention populations, admissions, releases and transfers are reported by phone. This information is compiled into the monthly Detention Population Analysis.

An Intake Data Card is completed on each referral received by Intake. On this form is collected detailed information on the child, source of and reasons for referral, initial action taken if the child was screened for detention, case processing dates and disposition of the case. The form is submitted for data processing upon final disposition of each case. The identification and detention screening information is carbon copied onto the attached Detention Data Card. This card is separated from the Intake Card and becomes the official authorization to detain if the child is taken into custody. Dates of admission, release and transfers are reported on the form. Incidents of assaultive behavior, subsequent law violations or escapes are also recorded, along with certain other detention information. These cards are sent to the Youth Services Planning Unit for processing upon release of the child from detention. The two data cards provide a considerable amount of detailed information on the processing and outcome of each case. The current versions of these forms went into use in July of 1977. The reporting percentage for the Intake Data Card was 71 percent during July through December. The figure for the Detention Data Card was 73 percent. The data for these months are thus not complete, but does provide a sizeable sample. Reporting percentages improved as staff became accustomed to the new forms.

### C. HOW CHILDREN COME TO DETENTION

In 1977 there were 105,821 delinquency cases referred to Intake statewide. During the year 25,682 admissions to detention were logged. The percent these admissions were of total delinquency referrals provides a rough index of practices with respect to detention. The average for the year was 24.3 percent. Table 1 gives this index for each quarter since July of 1975. An increasing trend in the use of detention is clearly evident through the first quarter of 1977. The rate began to drop off through the remainder of the year, but then was up again for the first two quarters of 1978.

Table 1

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	<u>Total Detention<sup>2</sup></u> <u>Admissions</u>	<u>Total Delinquency<sup>3</sup></u> <u>Referrals</u>	<u>Percent</u>
<u>1975</u>			
July-Sept	5042	25617	19.7
Oct-Dec	5459	25730	21.2
<u>1976</u>			
Jan-March	6116	26899	22.7
April-June	6132	27369	22.4
July-Sept	5873	25116	23.4
Oct-Dec	5908	24159	24.5
<u>1977</u>			
Jan-March	6591	24234	27.2
April-June	6549	27676	23.7
July-Sept	6195	26138	23.7
Oct-Dec	6347	27773	22.9
<u>1978</u>			
Jan-March	6482	26892	24.1
April-June	6743	27114	24.9

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Requests to Intake that a child be detained may come from a variety of sources. Table 2 presents a distribution for children initially detained by percent of requests coming from each listed source. Almost three quarters of detention admissions are based upon requests by law enforcement. The remaining admissions are based upon court orders and other Intake decisions. All admissions to detention are first screened by Intake staff.

Table 2

(July - December<sup>4</sup>1977)

<u>Detention Requested By :</u>	<u>Percentage</u>
Law Enforcement	73.1
Children and Youth Intake Counselors	9.4
Court	8.7
Youth Services Counselors	5.4
Parents	1.1
Social & Economic Services	.5
Other	<u>1.9</u>
	100.0%

Detention screening takes place for every child physically delivered to Intake. This consists of a review of the case circumstances by an Intake Detention Screener who makes the determination of whether or not the child is to be detained. Florida Statutes 39.03(3)(c) permits detention of a child for protection of the person or property of the child or others, to secure the child's presence at court hearing, or if there is no one into whose custody the child can be released. It is the policy of Intake

that efforts be made to use volunteers, private agencies or local community programs for children who otherwise would be detained for this latter reason. In addition, the statutes require detention of all twice previously adjudicated delinquents who are referred for an offense which would be a felony if the child were an adult. Table 3 presents a breakdown of the reasons given for detention of children for the months of July through December, 1977.

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Table 3

(July - December 1977)

Reasons for Detention<sup>5</sup>

	<u>Percent of Detentions</u>
Protection of the child	10.2
Protection of the person or property of others	46.2
No one to provide supervision or care	9.8
To secure presence at hearing	28.6
Felony referral twice previously adjudicated delinquent	<u>5.2</u>
	100.0%

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If the decision is made not to release the child, detention may originally be ordered by Intake on its own authority or upon the request of another agency. Table 4 gives a percentage breakdown of original authority for detentions.

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Table 4

(July - December 1977)

Original Detention Authority<sup>6</sup>

	<u>Percent of Detentions</u>
Intake on own authority	81.7
Court order requested by HRS	7.3
Court order not requested by HRS	6.4
Community non-residential administrative order	1.4
Community residential administrative order	1.6
Training Schools administrative order	.2
Other	<u>1.4</u>
	100.0%

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D. POPULATION DESCRIPTIONS

Sex, race, and age variables were examined for biases in the detention processes. School grade data should be useful in assessing the levels of educational programs needed for detained children. These data are presented below.

Of those children considered for detention (screened), 74.0 percent were male and 26.0 percent were female. Of those actually detained, 77.2 percent were male, 22.8 percent female. These data are presented in Table 5. Thus females were slightly more likely to be released.

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Table 5

(July - December 1977)

Sex Breakdowns of Detention Screenings  
and Children Detained

	<u>Screened</u> <sup>7</sup>	<u>Detained</u> <sup>8</sup>
Male	74.0	77.2
Female	<u>26.0</u>	<u>22.8</u>
	100.0%	100.0%

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Racial breakdowns of children screened and those actually detained are given in Table 6, indicating that black children are slightly more likely to be detained, representing approximately three percent more of the detention admissions than they did of screened cases.

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Table 6

(July - December 1977)

Racial Breakdowns of Children Screened  
and Children Detained

	<u>Screened</u> <sup>9</sup>	<u>Detained</u> <sup>10</sup>
White	71.3	68.4
Black	27.6	30.9
Other	<u>1.1</u>	<u>.7</u>
Total	100.0%	100.0%

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Table 7 presents the age breakdowns for children screened and for those who were detained. All ages below 14 made up greater proportions of the screened population than of the detained group. For ages 14 and above, the reverse was true, except for 16 year olds. Thus likelihood of detention increases slightly as a function of age. This is understandable since older children are more likely to be referred for serious offenses, and they are likely to have had more extensive previous involvement with the juvenile justice system.

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Table 7

(July - December 1977)

Age Breakdowns of Children Screened  
and Children Detained

<u>Age</u>	<u>Screened</u> <sup>11</sup>	<u>Detained</u> <sup>12</sup>
7-10	3.5	.4
11	2.1	.7
12	3.9	2.2
13	7.4	6.8
14	13.5	14.2
15	18.4	21.6
16	26.7	25.9
17	23.6	26.2
18*	.7	1.9
19*	.1	.2
	<u>100.0%</u>	<u>100.0%</u>

\* Persons of age 18 and above would only be considered for detention for reasons of a technical violation of their probation or aftercare, or for having absconded from a commitment program.

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Table 8 gives the school grades of detained children. Of these children who were in regular schools, 83.6 percent were in grades eight through eleven. Of the total detained youth 3.2 percent were in special schools, while 32.5 percent were not enrolled in school. Table 9 shows the age distribution by grade for children in school on whom the data were available for July-December 1977.

Only for children over 14 does there appear to be a substantial number who are below the expected grade level for their age.

Table 8

(July - December 1977)

School Grade of Detained Children<sup>13</sup>

<u>Grade</u>	<u>Percent of Total</u>	<u>Percent of those in Regular School</u>
1 - 4	.2	.3
5	.3	.5
6	1.2	1.9
7	5.1	8.0
8	10.5	16.4
9	17.0	26.5
10	16.6	25.8
11	9.7	15.0
12	3.6	5.6
Special School	3.2	-
Not in School	<u>32.5</u>	<u>-</u>
	100.0%	100.0%

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Table 9

Number of Youth in Each School Grade by Age, for Detained Children<sup>14</sup>

(July - December 1977)

		<u>AGE</u>								
		<u>10</u>	<u>11</u>	<u>12</u>	<u>13</u>	<u>14</u>	<u>15</u>	<u>16</u>	<u>17</u>	<u>18</u>
<u>GRADE</u>	4	4	2	2	1	1	1	-	-	-
	5	12	9	4	1	-	1	1	-	-
	6	1	27	43	20	8	5	1	3	-
	7	-	11	78	174	110	46	15	11	2
	8	-	2	37	235	337	209	69	35	1
	9	-	-	4	62	436	534	298	148	11
	10	-	-	1	14	107	511	511	288	26
	11	-	-	-	-	11	109	387	313	21
	12	-	-	-	-	-	7	50	236	20
Special School		1	2	8	16	27	66	79	77	3
Not in School		6	10	18	74	208	412	871	1190	83

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**E. UTILIZATION OF SECURE AND NON-SECURE PROGRAM**

The Youth Services Detention Program consists of two components, secure and non-secure detention. Secure custody is the traditional concept of continuous surveillance in locked, high security facilities. There are actually two different programs subsumed under non-secure detention: Attention Homes and Home Detention. Attention Homes are run by persons under contract with HRS to provide a temporary home for detained children who do not require secure custody. Home Detention consists of intensive supervision by a Community Youth Leader of children in detention status who are living in their own homes. The Community Youth Leader's caseload is normally limited to a maximum of five children. The current distribution of non-secure detention resources is uneven among the HRS districts. Table 10 gives the status of the non-secure program for each HRS district, as of April 1978. Youth Services is currently funded for 105 Attention Home beds, with a budgeted occupancy rate of 80 percent. The Home Detention program has a maximum of 185 slots available for detained children through utilization of HRS staff. Due to constant caseload turnover, this is not a realistic capacity. A good Community Youth Leader will average a caseload of four (80% of capacity). Additional placements are available through utilization of staff funded under CETA (Comprehensive Employment Training Act) and WIN (Work Incentive) federal programs. Such positions have at times provided as many as 155 additional Home Detention slots. There are, however, considerable problems with this segment of the non-secure program which make it very difficult to administer. The positions are available only in certain geographical areas, not necessarily where they are needed. The number of CETA workers may fluctuate from month to month, with positions subject to arbitrary elimination at any time.

During 1977 there were 25,682 admissions to detention. Of all children detained, direct admissions to secure detention accounted for 99.4 percent, while only .6 percent were directly admitted to a non-secure program.<sup>15</sup> Direct admissions to non-secure are discouraged to help preclude detention in that program of children who would otherwise not be detained at all.

TABLE 10

STATUS OF NON-SECURE PROGRAM IN EACH DISTRICT

<u>District</u>	<u>Status of Non-Secure Program</u>
I	Fully implemented.
II	Fully implemented in sub-district II-A. Implemented only in Leon County in sub-district II-B. No program in the other seven counties.
III	Temporarily implemented in Marion and Alachua Counties through CETA workers. Temporarily implemented in Lake County with one Career Service employee. No program in other thirteen counties.
IV	Four positions in Duval County, CETA. Temporarily implemented in Volusia County through CETA. No program in the other five counties.
V	Fully implemented.
VI	Fully implemented in Hillsborough County and Manatee County.
VII	Temporarily implemented in Seminole County through CETA workers. Partially implemented in Orange County through CETA workers. No program in Brevard and Osceola Counties.
VIII	Fully implemented through combination of Career Service and CETA workers.
IX	Partially implemented in Palm Beach County through CETA workers. No program in the other four counties.
X	Phasing-in transferred Career Service positions.
XI	Fully implemented in Dade and Monroe Counties.

Table 11 gives breakdowns of the percentages of children not placed in non-secure detention, for the reasons given. Not having a non-secure placement available was the most common reason, followed by court orders. These court orders can often be modified to allow release of the child to a non-secure program. With the few exceptions where the court order is left open, permission of the judge must be obtained before a child can be placed in a non-secure program. Many children cannot, of course, even be considered for non-secure placement either because they are released from secure detention soon after being detained or because they are held in areas where there is no non-secure program.

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TABLE 11

Reasons listed for not placing detained children in a non-secure program 16

(July-December 1977)

	<u>Number</u>	<u>Percent</u>
No placement available	2289	29.4
Court order	1641	21.1
Multiple prior referrals	533	6.9
Administrative order	472	6.1
Child's attitude	419	5.4
Seriousness of offense	405	5.2
Other	<u>2015</u>	<u>25.9</u>
	7774	100.0%

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Of the detainees initially placed in secure custody, 16.5 percent are subsequently transferred to a non-secure program. The average length of stay in secure detention prior to such transfer is 7.1 days. These children then spend an average of 17.9 days in non-secure status, except for the 22.7 percent who are returned to secure custody after an average of 15 days in non-secure.<sup>17</sup>

The 7.1 day average length of stay in secure detention prior to transfer to non-secure has considerable impact in terms of the high cost of this intensive care and its contribution to overall high secure detention populations. Table 12 presents a breakdown for 1145 cases on which the data were reported for children transferred to non-secure during July-December 1977. As shown in the chart, over half of the children are transferred from secure custody within five days after admission. About thirteen percent are not transferred until they have spent over two weeks in secure detention. These are often cases where the court would not allow early placement in non-secure, but later permitted it. The 6.8 percent of cases held first in secure for over three weeks have a considerable effect on the 7.1 day average.

TABLE 12

Distribution of Lengths of Stay  
in Secure Detention 18  
Prior to Transfer to Non-Secure

(July-December 1977)

<u>Time Until Transfer</u>	<u>Number of Transfers</u>	<u>Percent of Total</u>	<u>Cumulative Total Percentage</u>
0-1 days	330	28.8%	28.8%
2-3 days	178	15.5%	44.3%
4-5 days	143	12.5%	56.8%
6-7 days	143	12.5%	69.3%
8-14 days	206	18.0%	87.3%
15-21 days	67	5.9%	93.2%
22-28 days	33	2.9%	96.1%
Over 28 days	<u>45</u>	<u>3.9%</u>	100.0%
	1145	100.0%	

Those who successfully remain in a non-secure program stay in detention status an average total of 25.0 days. Those children held entirely in secure status (never admitted to non-secure) had an average length of stay of 10.3 days.<sup>19</sup> Thus, children transferred into a non-secure program remain in detention status about 15 days longer than children who remain in secure custody. Children held in secure custody are much more likely to be released soon after detention than those who are admitted to a non-secure program. This is partially due to selection of children for non-secure admission from those who have been in secure custody. Table 13 presents a breakdown of total lengths of stay in detention based on whether the children remained in secure custody or were admitted to a non-secure program. The large proportion of secure cases released within the first three days would seem to indicate that many of these children need not have been detained at all. It can be seen that while a large number of children handled exclusively in secure custody was released within a few days, this was not the case for youth admitted to non-secure. This tends to exaggerate the difference in overall average lengths of detention. To eliminate the variance in length of detention due to this factor, comparisons can be made for youth held in detention until court disposition. Children held in secure custody until released by the court at final disposition remained in detention an average of 15.1 days, while cases admitted to non-secure were released from detention status at final court disposition after an average of 33.0 days (11.3 days in secure plus 21.7 additional days in non-secure).<sup>20</sup> This difference of eighteen days indicates that placement of a detained child in a non-secure program tends to increase the case processing time.

By way of illustration, of every 1000 children detained, 994 go into secure custody, while 6 are directly admitted to a non-secure program. Of the 994, 164 children are transferred to non-secure detention. One of the 6 originally admitted to non-secure is subsequently transferred to secure status, and 37 of the 164 later placed in non-secure are returned to secure detention.<sup>21</sup>

TABLE 13

Total Length of Detention <sup>22</sup>  
(All Cases Reported)

		<u>0-1</u> <u>days</u>	<u>2-3</u> <u>days</u>	<u>4-5</u> <u>days</u>	<u>6-7</u> <u>days</u>	<u>8-14</u> <u>days</u>	<u>15-21</u> <u>days</u>	<u>22-28</u> <u>days</u>	<u>over 28</u> <u>days</u>	<u>Total</u>	<u>Mean</u>
Secure Detention Only	No. %	1761 23.0	1080 14.1	682 8.9	684 8.9	1650 21.5	749 9.8	411 5.4	644 8.4	7661 100.0	10.3 days
Admitted to Non- Secure	NO. %	84 5.3	45 2.8	41 2.6	51 3.2	355 22.3	239 15.0	194 12.2	584 36.7	1593 100.0	25.8 days

---

TABLE 14

Distribution of Resident Days in Detention 23

	<u>Secure</u>	<u>Non-Secure</u>	<u>Total</u>	<u>% of Total in Non-Secure</u>
1974 July-September	63,568	9,921	73,489	13.5
October-December	66,333	10,328	76,661	13.5
1975 January-March	78,223	13,099	91,322	14.3
April-June	68,908	16,551	85,459	19.4
July-September	57,489	15,574	73,063	21.3
October-December	61,979	18,458	80,437	22.9
1976 January-March	68,583	20,575	89,158	23.1
April-June	70,836	18,792	89,628	21.0
July-September	68,693	20,203	88,896	22.7
October-December	74,944	22,024	96,968	22.7
1977 January-March	77,546	21,489	99,035	21.7
April-June	86,418	25,339	111,757	22.7
July-September	80,593	22,615	103,208	21.9
October-December	77,784	25,749	103,533	24.9
1978 January-March	71,576	24,053	95,629	25.2

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**TABLE 15**

**Proportion of Resident Days in  
Non-Secure Detention for Each Program<sup>24</sup>  
(1977)**

<u>District</u>	<u>Program</u>	<u>Total Resident Days</u>	<u>Resident Days in Non-Secure</u>	<u>Percent of Total in Non-Secure</u>
I	Escambia	20913	8297	39.7
II	Bay Leon	13013 7905	5754 2858	44.2 36.2
III	Alachua Lake Marion	8732 3005 7303	717 0 1551	8.2 0 21.2
IV	Duval Volusia	45914 10109	3593 1178	7.8 11.7
V	Pinellas	38793	10018	25.8
VI	Hillsborough Manatee	32634 5907	8649 690	26.5 11.7
VII	Orange Seminole Brevard	22715 9753 11851	4460 2808 0	19.6 28.8 0
VIII	Polk Sarasota Lee	17674 7529 23015	6184 1758 7111	35.0 23.3 30.9
IX	West Palm Beach St. Lucie	30825 7118	8705 0	28.2 0
X	Broward	24373	0	0
XI	Dade Monroe	65651 3801	20861 0	31.8 0
<b>STATEWIDE TOTAL</b>		<b>417533</b>	<b>95192</b>	<b>22.8%</b>
<b>Areas where non-secure operates</b>		<b>367385</b>	<b>95192</b>	<b>25.9%</b>

Since average stays in non-secure exceed those in secure detention, the proportion of children in the non-secure program during a given month will exceed the proportion of children admitted to the non-secure program that month. The best measure of the proportion of detainees handled by non-secure during a given time period is a comparison of resident days. Table 14 gives the distribution of resident days between secure and non-secure detention for each of the last fifteen quarters. From late 1974 through early 1975, there was a continuous rise in the proportion of resident days in non-secure programs. The proportion then stabilized at around 22 percent. Then during the quarter ending March 1978, the proportion rose to the highest point yet achieved, to 25.2 percent.

A more precise representation of non-secure detention can be obtained by looking at the proportion of resident days spent in non-secure for each of the programs in the state. These figures are presented for 1977 in Table 15. It can be seen in the table that an adequately staffed non-secure program can handle as many as 44 percent of total resident days in detention.

In the revised 1976-77 LEAA Non-Secure Detention Grant, the Department established as a measurable objective the placement of 30 percent of detainees in non-secure in those areas with an LEAA funded non-secure program. Statewide data for July through December 1977, indicate that 20.1 percent of detained intake delinquency referrals were admitted to a non-secure program.<sup>25</sup> This is an improvement over the 18.0 percent figure for August-November 1976.<sup>26</sup> The areas are District I, II, V, VI, VIIIC and XI. In Table 15 it can be seen that non-secure has done well in meeting this objective.

Using the 1977 information reported on the Detention Data Cards,<sup>27</sup> racial groupings of detainees were obtained for children handled exclusively by secure detention and those who were at some point assigned to a non-secure program

The figures appear below:

	<u>White</u>	<u>Black</u>	<u>Other</u>
Secure Detention Only	84.0%	82.3%	88.4%
Admitted to Non-Secure	<u>16.0%</u>	<u>17.7%</u>	<u>11.6%</u>
Total	100.0%	100.0%	100.0%

It appears that there is no significant relationship between race and assignment to the non-secure program.

A grouping of data by sex for the same time period yields the following percentages: <sup>28</sup>

	<u>Male</u>	<u>Female</u>
Secure Detention Only	81.9%	89.1%
Admitted to Non-Secure	18.1%	10.9%

Females are less likely to be admitted to a non-secure program. Information presented in Table 16 shows the relationship between the age of detainees and the probability of admission to the non-secure program. There is no apparent significance.

TABLE 16

Detention Placement by Age <sup>29</sup>

(July-December 1977)

<u>Age</u>	<u>Secure Only</u>	<u>Admitted to Non-Secure</u>	<u>N</u>
12 and under	82.6	17.4	322
13	81.8	18.2	632
14	84.0	16.0	1327
15	83.9	16.1	2018
16	84.1	15.9	2414
17	81.8	18.2	2525
18	86.2	13.8	181

F. COSTS OF DETENTION

Based on the most recent figures available (July 1977-March 1978), the cost per day of secure detention custody is \$30.95,<sup>30</sup> while the cost to the state of non-secure placement is \$7.63 per day.<sup>31</sup> This latter figure does not, however, include the cost of CETA funded Community Youth Leader positions which supervise cases in non-secure custody. There were 41 of these positions as of April, 1978. There are 35 Community Youth Leader positions funded as regular HRS staff.

Children who remain in secure custody had an average stay in detention of 10.3 days,<sup>32</sup> for an average cost of \$318.79 per case. Those children initially detained securely and then transferred to a non-secure program spent an average of 7.1 days in secure and then 17.9 days<sup>33</sup> in non-secure. This gives us a secure custody cost of \$219.75 plus \$136.58 non-secure cost, or a total of \$356.33 per case.

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TABLE 17

Average Cost Breakdowns  
for Detained Cases

a. Children placed in secure and not transferred:

$$\$30.95/\text{day} \times 10.3 \text{ days} = \$318.79 \text{ per case}$$

b. Children placed in secure and later transferred to non-secure:

$$\text{Secure Cost: } \$30.95/\text{day} \times 7.1 \text{ days} = \$219.75$$

$$\text{Non-Secure Cost: } \$7.63/\text{day} \times 17.9 \text{ days} = \underline{136.58}$$

\$356.33

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The high total detention cost for children in this last category merits closer examination. The data presented in Table 18 will be useful for this purpose. Sufficient information is available for July-December 1977 on 1124 of these cases to develop

comparative cost data. The table gives the average costs in each category for these children's stays in secure custody, non-secure detention, and the totals. The great expense of lengthy prior stays in secure detention is quite evident.

TABLE 18

Detention Cost Per Case by Number of  
Days in Secure Custody  
Prior to Transfer to Non-Secure <sup>34</sup>

<u>Number of Days in Secure Prior to Transfer to Non-Secure</u>	<u>Average Stay in Secure (days)</u>	<u>Secure Stay X \$30.95</u>	<u>Average in Non-Secure (days)</u>	<u>Non-Secure Stay X \$7.63</u>	<u>Total Cost Per Case: Secure + Non-Secure</u>
0-1	.47	\$ 14.55	19.26	\$146.95	\$161.50
2-3	2.54	78.61	16.86	128.64	207.25
4-5	4.48	138.66	16.30	124.37	263.03
6-7	6.50	201.18	16.77	127.96	329.14
8-14	10.67	330.24	17.10	130.47	460.71
15-21	17.34	536.67	16.56	126.35	663.02
22-28	34.77	766.63	14.87	113.46	880.09
Over 28	39.45	1220.98	11.55	88.13	1309.11
	<u>6.92</u>	<u>\$214.17</u>	<u>17.25</u>	<u>\$131.62</u>	<u>\$345.79</u>

Table 19 presents this average cost data multiplied by the number of cases in each category and expressed as a proportion of total detention expenditures on cases transferred into non-secure detention. While only 22.9 percent of the total costs were accounted for by the 44.6 percent of cases transferred within three days, the 12.1 percent who first spent over two weeks in secure detention accounted for 31.4 percent of the total expenditures. For those children held in secure custody for over three weeks prior to transfer to non-secure, less than seven percent of the cases accounted for over twenty percent of the cost.<sup>35</sup>

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Table 19

Total Detention Costs by Number of Days in Secure Custody Prior to  
Transfer to Non-Secure<sup>36</sup>

<u>Number of days in secure prior to transfer to non-secure</u>	<u>N (%)</u>	<u>Total detention cost per case (secure + non-secure)</u>	<u>N X Cost per case</u>	<u>Percent of total cost</u>
0-1	325 (28.9%)	\$161.50	\$52488	13.5%
2-3	177 (15.7%)	\$207.25	\$36683	9.4%
4-5	143 (12.7%)	\$263.03	\$37613	9.7%
6-7	141 (12.5%)	\$329.14	\$46409	11.9%
8-14	203 (18.1%)	\$460.71	\$93524	24.1%
15-21	64 ( 5.7%)	\$663.02	\$42433	10.9%
22-28	31 ( 2.8%)	\$880.09	\$27283	7.0%
Over 28	40 ( 3.6%)	\$1309.11	\$52364	13.5%

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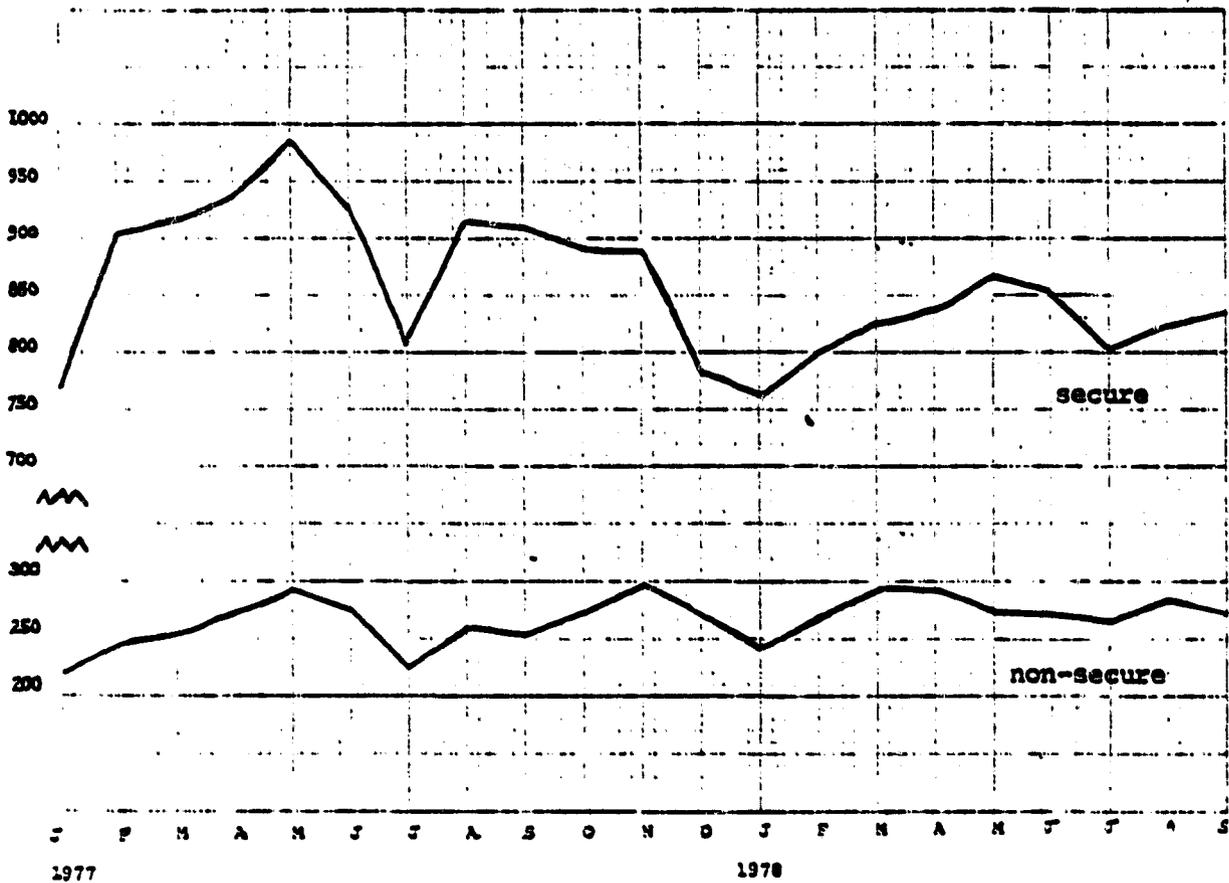
Some additional interpretive information will give a truer picture of the data for cost comparison purposes. Secure cases are often released within a day or two, and, therefore, are not admitted to a non-secure program. These and other cases where children are released after a short stay have the effect of lowering the average length of stay for secure detention, while having little impact on non-secure averages. In fact, admissions to non-secure themselves result in a decrease in the secure average length of stay. Examining only those cases who remained exclusively in secure custody until their cases were disposed of by the court, the average length of stay is found to be 15.1 days.<sup>37</sup> The average cost per child is then \$467.35 for these secure detainees, compared with a total detention cost (secure plus non-secure) of \$515.31 for children who remained in non-secure custody until they were released by the court at final disposition. This figure is based on their average stay of 11.3 days in secure detention prior to transfer to non-secure, where they spent an average of 21.7 days<sup>38</sup> (\$349.74 + \$165.57).

The costs just for handling a child in a non-secure program is relatively small. Factors often beyond the control of the non-secure program result in increased cost for most of these cases due to prior stays in secure facilities. Restrictions placed on the child's custody by the court may result in many cases remaining in secure detention for weeks before permission can be obtained to admit the child to a non-secure program. These cases have considerable impact on the average length of stay in secure prior to transfer to non-secure status. As we have seen, forty-four percent of the children's transfers to non-secure have taken place within three days of admission to detention. Sixty-nine percent of such transfers occur within a week of admission to secure custody.

## G. DETENTION POPULATIONS

One of the stated objectives of the Non-Secure Detention Services Grant is "to reduce the populations in the secure detention facilities to a level consistent with the maintenance of safety and control." Figure 1 charts the average daily population for each month of 1977.

Figure 1  
Average Daily Detention Population by Month<sup>39</sup>  
(January 1977-September 1978)



While the non-secure detention program has experienced some growth, secure detention populations continue to remain high.

As is evident from data presented in Table 20, the increase in utilization of non-secure programs has not

occasioned a drop in secure populations, but has instead been accompanied by concomitant increases in the number of children held in secure custody. The obvious result has been an increase in the overall number of children in detention status.

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Table 20

Average Daily Detention Populations<sup>40</sup>

	<u>Secure</u>	<u>Non-Secure</u>	<u>Total</u>
1974-75	759.2	166.1	925.3
1975-76	707.2	200.5	907.7
1976-77	840.9	245.2	1086.1
1977-78	842.3	267.9	1110.2

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The revision of Chapter 39 of the Florida Statutes, effective July 1, 1975, changed the definition of dependent and delinquent children, thus restricting the use of detention to delinquent children and those twice previously adjudicated ungovernable. Therefore, status offenders (runaways, truants, and ungovernables) should not be placed in detention unless they have also been charged with a delinquent offense or have twice previously been adjudicated ungovernable. Status offenders now comprise a small number of detention admissions. Prior to July, 1975, approximately half of all admissions and a third of average daily detention populations were comprised of status offenders. Their exclusion from the system might have been expected to occasion a drop in detention populations. The data presented in Table 20 shows that after an initial slight drop for 1975-76, detention populations escalated above their previous levels. This is particularly alarming in view of the drop in juvenile arrests for 1976 and 1977. While juvenile arrests for serious crimes against persons dropped by over 25 percent and those for serious crimes against property dropped by over 17 percent, average detention populations

actually increased by approximately 20 percent.

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Table 21

Change in Number of Florida Juvenile Arrests<sup>41</sup>

December 31, 1975 through December 31, 1977

	<u>Part I Crimes*</u> <u>Against Persons</u>	<u>Part I Crimes**</u> <u>Against Property</u>	<u>All Crimes</u>
1975 to 1976	-713 (-13.5%)	-5365 (-12.2%)	-11921(-11.2%)
1976 to 1977	<u>-639 (-14.0%)</u>	<u>-2404 (- 6.2%)</u>	<u>- 4627(- 4.9%)</u>
1975 to 1977	-1352 (-25.6%)	-7769 (-17.6%)	-16548(-15.6%)

\*Murder, manslaughter, forcible rape, robbery, aggravated assault

\*\*Burglary, larceny, motor vehicle theft

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## H. BEHAVIORAL INCIDENTS DURING DETENTION

In this section incidence of assaultive behavior, law violations and escapes of children in detention status will be examined, based on data collected for children released from detention during the last half of 1977. Table 22 presents the number and percent of detained children who exhibited assaultive behavior against other children or detention employees. Most such behavior was directed towards other children, with reports showing 4.6 percent of detained children to have committed assaultive acts against other children. Such acts against staff were reported for 1.7 percent of those detained. These incidents involved only about 5 percent of all children detained.

Just over one percent of children detained were reported referred to Intake for committing new law violations while they were in detention status. Most of these offenses were committed by children in secure custody. The data are summarized in Table 23.

Table 24 presents the data on the 2.5 percent of detained children who escaped or absconded while in detention status. The escape rate from secure detention was only 0.8 percent of total admissions to detention. The rate of absconders from Non-Secure was 0.9 percent of total admissions or 5.5 percent of Non-Secure admissions. Just under one percent of detention cases, which means 4 out of 10 total escapees, escape while they are outside of a detention facility, usually for a court appearance or medical treatment.

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42  
Table 22

### Assaultive Behavior in Detention \*

	<u>Number</u>	<u>Percent</u>
Against Staff	72	.8
Against Other Child	314	3.7
Against Staff and Other Child	77	.9
No Assaultive Behavior	<u>8050</u>	<u>94.6</u>
	8513	100.0%

\*Reported July-December 1977

Table 23<sup>43</sup>

Referrals to Intake for New Law Violations of Children  
in Detention Status\*

	<u>Number</u>	<u>Percent</u>
While in Secure	56	.7
While in Non-Secure	31	.4
While on Escape	18	.2
No law violation referral	<u>8359</u>	<u>98.8</u>
	8464	100.0%

\*Reported July-December 1977

Table 24<sup>44</sup>

Escapes While in Detention Status\*

	<u>Number</u>	<u>Percent of Total</u>
Escape from Secure Facility	65	.8
Absconded from Attention Home	37	.4
Absconded from Home Detention	43	.5
Escape from Detention staff custody while outside of facility	16	.2
Escape from custody of other Youth Services staff while outside of facility	34	.4
Escape from Non-Youth Services custody while outside of facility	15	.2
No escape	<u>8271</u>	<u>97.5</u>
	8481	100.0%

\*Reported July-December 1977

I. Detentions by Administrative Order

Data reported for the last half of 1977 indicate that 16.4 percent<sup>45</sup> of admissions were detained under Youth Services Administrative orders. Administrative orders authorize the detention of children already under supervision, either in a commitment program or on aftercare. Table 25 summarizes the dispositions of these cases. Transfers to Training Schools accounted for over 38 percent of these dispositions, while 30.7 percent were returned to the same program from which they came to detention. About 21 percent of these children came from Community Residential commitment programs and were transferred to similar other programs.

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Table 25<sup>46</sup>

Dispositions of Cases Detained by Administrative Order\*

	<u>Number</u>	<u>Percent</u>
Returned to same program or facility	487	30.7
Aftercare revoked	72	4.5
Transferred to another community residential facility	335	21.1
Transferred to another community non-residential facility	83	5.2
Transferred to Training School	<u>608</u>	<u>38.4</u>
	1585	100.0%

\*Reported July-December 1977

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## J. CONCLUSIONS

Despite significant decreases in the number of juvenile arrests, particularly for serious offenses for which children might be expected to be detained, detention populations remain very high. While an average of over 2000 children per month are admitted to secure detention, less than 400 children per month enter Youth Services commitment programs or adult prisons. This means that five times as many children are locked up before their day in court than are confined after adjudication. This raises a serious question of the necessity for detaining so many children.

Detention is not intended for use as punishment or therapy. In most cases the reason given for detention is the protection of the child or protection of the person or property of others. Since 31.8 percent of children admitted to detention are released within three days,<sup>47</sup> it would appear that there is an assumption the child's propensity for delinquent behavior will diminish with the passage of a short time in detention. Such an assumption provides a questionable basis for depriving a child of liberty. There may, of course, be other reasons. The validity of assuming such a high level of preventive detention will preclude possible future criminal behavior can be examined by looking at what happens with children who are referred for delinquent offenses but released prior to disposition of their cases. Data on over 13,000 such cases handled during the last quarter of 1977 reveal that only 5.6 percent<sup>48</sup> actually do commit a subsequent delinquent offense between release and disposition. Since over 94 percent of children released (including thousands who had initially been detained) do not commit delinquent offenses while awaiting disposition, it would seem that far too many children are in fact being unnecessarily detained. Detention can be an extremely traumatic event in the life of a child, and national and state standards dictate that its use should be limited to juveniles accused of very serious or violent felony offenses where a past record of similar offenses exists and to those who have proven to be flight risks in the past.<sup>49</sup>

Prior to February 1, 1978, detention screening operated with a great deal of latitude allowing considerable subjective judgment. In 28.6 percent of the cases the reason reported for detention of the child was to insure his presence in court.<sup>50</sup> Actual

data available on 9413 delinquent cases released prior to disposition during the last quarter of 1977 reveal that only 5 percent failed to show up for court hearing.<sup>51</sup> This would hardly seem to justify the detention of over seven thousand children during 1977 to insure their presence in court. As Wald has pointed out in her excellent examination of "Pretrial Detention for Juveniles", "Probably the greatest hope for reducing detention lies in placing limits on the kinds of juveniles who can be detained."<sup>52</sup> Adherence to specific, objective criteria was badly needed and led to the development of an Operational Plan for Relief of Overcrowding in Juvenile Detention.

Over 16 percent of detention admissions were reported based on administrative orders. This contributes substantially to detention populations. Since over 30 percent of these children are returned to the same program and over 20 percent are transferred to another Community Residential facility, it would appear that the number of such detainees could be reduced considerably by enforcement of policies restricting the use of detention by other Youth Services programs.

The data above suggest several areas of concern. The non-secure program allows a child who has been locked up to be restored a measure of liberty, while providing necessary supervision. Certainly that is beneficial to the child. It is of concern that secure detention populations have risen in the last few years in spite of the existence of the non-secure program. Many observers of the juvenile justice system believe that when placements are newly created children will be found to fill them. This would be true for detention as well, without objective detention criteria and staff compliance. Only when stringent criteria limit the types of children who are detained can the non-secure program be expected to actually accomplish a reduction in secure detention populations.

Efforts are needed at the local level to facilitate earlier admission of children into non-secure programs. Lengthy prior stays in secure custody defeat in part the purpose of the non-secure program. Children do not become better risks for a non-secure program because they have been held for some time in secure custody, and such bad practices greatly increase the cost of handling these detained children, offsetting the considerable savings which could be realized by proper utilization of less expensive non-secure custody. Proper utilization of non-secure detention does offer an opportunity for lower cost care for children who would otherwise be confined in secure detention.

Through the availability of positions funded through CETA and WIN, non-secure supervision operates at a much lower cost to the state per child day. The cost per case is only lower, however, when children are transferred from secure custody expeditiously and not kept in non-secure detention status for inordinately long periods.

The Youth Services Program Office has prepared an Operational Plan for Relief of Overcrowding in Juvenile Detention. This plan addresses many of the concerns explicated above. Specific detention criteria are spelled out to ensure consistent, less subjective decisions. Strict regulations are put forth limiting the use of Administrative Hold Orders by Youth Services commitment and Aftercare programs. Use of a case control form is mandated to improve monitoring of case processing times. Steps are required to reduce the number of detainees whose cases are then handled non-judicially. Limits are placed on detention of children once they have been committed. Expanded and improved utilization of non-secure programs is required. Implementation of statewide detention screening training for Intake workers is called for, and a training package developed specifically for this purpose will go into use in January of 1979. The operational plan was approved by the Department of Health and Rehabilitative Services and its implementation date was February 1, 1978. Figures for February through September of 1978 indicate that utilization of non-secure programs has, in fact, increased, and average secure populations are running considerably below figures for the same months last year.

K. FOOTNOTES

- <sup>1</sup>Caseload Review Form, January-December, 1977
- <sup>2</sup>Detention Population Analysis, July, 1975-June, 1978.
- <sup>3</sup>Intake Recapitulation Reports, July, 1975-March, 1978.
- <sup>4</sup>Intake Data Card, July-December, 1977.
- <sup>5</sup>Ibid.
- <sup>6</sup>Ibid.
- <sup>7</sup>Ibid.
- <sup>8</sup>Detention Data Card, July-December, 1977.
- <sup>9</sup>Intake Data Card, op. cit.
- <sup>10</sup>Detention Data Card, op. cit.
- <sup>11</sup>Intake Data Card, op. cit.
- <sup>12</sup>Detention Data Card, op. cit.
- <sup>13</sup>Ibid.
- <sup>14</sup>Ibid.
- <sup>15</sup>Detention Population Analysis, January-December, 1977.
- <sup>16</sup>Detention Data Card, op. cit.
- <sup>17</sup>Ibid.
- <sup>18</sup>Ibid.
- <sup>19</sup>Ibid.
- <sup>20</sup>Ibid.

- <sup>21</sup>Ibid.
- <sup>22</sup>Ibid.
- <sup>23</sup>Detention Population Analysis, July, 1974-March, 1978.
- <sup>24</sup>Detention Population Analysis, January-December, 1977.
- <sup>25</sup>Detention Data Card, op. cit.
- <sup>26</sup>Detention Screening Form, August-November, 1976.
- <sup>27</sup>Detention Data Card, op. cit.
- <sup>28</sup>Ibid.
- <sup>29</sup>Ibid.
- <sup>30</sup>Three quarters of total 1977-78 Youth Services Secure Detention budget (.75 x \$9,489,952) divided by the total number of resident days in secure for the first nine months of the fiscal year.
- <sup>31</sup>Youth Services Non-Secure Detention actual budget expenditures for July 1, 1977-March 31, 1978 (\$552,706) divided by the total number of resident days in non-secure for the same period (72,417).
- <sup>32</sup>Detention Data Card, op. cit.
- <sup>33</sup>Ibid.
- <sup>34</sup>Ibid.
- <sup>35</sup>Ibid.
- <sup>36</sup>Ibid.
- <sup>37</sup>Ibid.
- <sup>38</sup>Ibid.

- <sup>39</sup>Detention Population Analysis, January 1977-September 1978.
- <sup>40</sup>Detention Population Analysis, July, 1974-June, 1978.
- <sup>41</sup>Crime in Florida, Florida Department of Criminal Law Enforcement 1977 Annual Report.
- <sup>42</sup>Detention Data Card, op. cit.
- <sup>43</sup>Ibid.
- <sup>44</sup>Ibid.
- <sup>45</sup>Ibid.
- <sup>46</sup>Ibid.
- <sup>47</sup>Ibid.
- <sup>48</sup>Intake Data Card, October-December, 1977.
- <sup>49</sup>Wald, Patricia M., "Pretrial Detention for Juveniles," Pursuing Justice for the Child, Chicago: University of Chicago Press, 1976.
- <sup>50</sup>Intake Data Card, July-December, 1977.
- <sup>51</sup>Intake Data Card, October-December, 1977.
- <sup>52</sup>Wald, op. cit.
- <sup>53</sup>Detention Population Analysis, February-September 1978.