

SOUTH DAKOTA RISK ASSESSMENT INSTRUMENT TRAINING

Angie Collignon
JDAI Statewide Coordinator
Angie.Collignon@UJS.state.sd.us
605-890-0320

WHAT IS A RISK ASSESSMENT INSTRUMENT (RAI)?

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- A point-scale triage device
- Overall score used to guide the Intake Officer in making a decision to detain or release the youth
- Risks measured by the RAI
 - ▣ Re-offending pending court
 - ▣ Failure to Appear (FTA) pending court
- Keys to the RAI
 - ▣ Objectivity
 - ▣ Uniformity
 - ▣ Risk-based

SOUTH DAKOTA RAI

SOUTH DAKOTA JDAI RISK ASSESSMENT INSTRUMENT (RAI) VERSION 1.2

Last Name: _____	First Name: _____	Middle Name: _____
Race/Ethnicity: <input type="checkbox"/> African American <input type="checkbox"/> Asian <input type="checkbox"/> Caucasian <input type="checkbox"/> Hispanic <input type="checkbox"/> Native American <input type="checkbox"/> Other: _____	Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female Name of Tribe (if applicable): _____	DOB: _____ Affiliated: Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know <input type="checkbox"/> Enrolled: Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know <input type="checkbox"/>
Referral ID #: _____	Intake Date: _____	Intake Time: _____
Primary (Most Serious) Referral Offense: _____		Placed By: _____

1. Most Serious Current Alleged Offense (Score only the most serious instant offense)

Felony Class A, B, C, 1, and 2	15
Use of firearm in a commission of an offense	15
Felony assault and Felony sex crimes.....	12
All other Felonies (including felony traffic offenses)	8
Misdemeanor Assault and Misdemeanor sex crimes.....	6
Class 1 Misdemeanors	3
Class 1 Misdemeanor Traffic Offense.....	3
Class 2 Misdemeanors.....	2
Violation of Probation and/or DOC Violations	1
CHINS or status offense.....	0
Failure to Appear Bench Warrant.....	0
SCORE	_____

2. Disposition and Class 1 Traffic Conviction History (Previous 24 months from intake date - Score only the most serious)

Two or more prior disposition for felony offense.....	6
One prior disposition for a felony offense.....	4
Two or more prior dispositions for any misdemeanor offenses.....	3
Two or more prior dispositions for probation violations or DOC formal findings.....	2
One prior disposition for any misdemeanor or status offense.....	1
No prior dispositions.....	0
SCORE	_____

3. Failure to Appear/Runaway/Escape History (Within the last 24 months - Score only the most serious)

One or more escapes from secure confinement or custody.....	3
One or more instances of absconding from a non-secure Placement.....	2
Two or more reported runaways from home	1
Two or more failure to appear warrants (includes juvenile and magistrate warrants)	1
One or no failure to appear warrants (includes juvenile and magistrate warrants).....	0
SCORE	_____

4. Pending Cases (Score only most serious)

One or more pending felonies (including felony traffic offenses).....	6
One or more pending Misdemeanor Assault or Misdemeanor Sex Crime.....	4
One or more pending Class 1 Misdemeanors.....	3
One or more pending Class 1 Misdemeanors traffic offense in Magistrate Court.....	3
One or more pending Class 2 Misdemeanors.....	2
One or more pending Probation Violation or DOC formal finding.....	1
One or more pending status or CHINS offense.....	0
No pending cases	0
SCORE	_____

5. Aggravating Factors (Score all that apply)

On probation/DOC Aftercare for a Felony Class A, B, C, 1, or 2 offense, felony assault or a felony sex crime.....	1
Multiple offenses are alleged for this referral	1
Minor appears to be under the influence of drugs/alcohol at arrest (as indicated by Law Enforcement, Court Services, or DOC)	1
SCORE	_____

6. Mitigating Factors (Score all that apply)

Parent, guardian, or custodian can assume responsibility of the minor.....	-1
No arrests within the past 12 months.....	-1
No history of failure to appear within the past 24 months (includes juvenile and magistrate warrants) SCORE	-1
_____	_____

7. TOTAL RISK SCORE

_____	_____
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INDICATED DECISION: 6 or Below - Release: _____ 7 to 11 - Alternative: _____ 12 or Above - Secure Detention: _____

Screened By: _____

Screener Comments: _____

OVERRIDES (Must be approved by supervisor):

<input type="checkbox"/> Override Down
<input type="checkbox"/> Parent, Guardian, or Custodian is not available or is not suitable to receive the child (only an override into an alternative)
<input type="checkbox"/> Run Risk (only an override into an alternative)
<input type="checkbox"/> Minor has failed a detention alternative program
<input type="checkbox"/> Minor held pending referral to mental health/chemical dependency agency
<input type="checkbox"/> Minor held in custody for another jurisdiction
<input type="checkbox"/> Victim in the home and there is an immediate safety concern
<input type="checkbox"/> Close proximity of victim and there is an immediate safety concern
<input type="checkbox"/> Failure to Appear Magistrate Warrant
<input type="checkbox"/> Failure to Appear Juvenile Warrant
<input type="checkbox"/> Arrest Warrant
<input type="checkbox"/> Unable to pay warrant
<input type="checkbox"/> Other (Be specific): _____
Approved By: _____ Date: _____
Override Justification: _____

ACTUAL DECISION: Release _____ Conditional Release _____ Other Alternative _____ Secure Detention: _____ DOC Hold Only: _____

DEFINITION and AUTHORITY of an INTAKE OFFICER

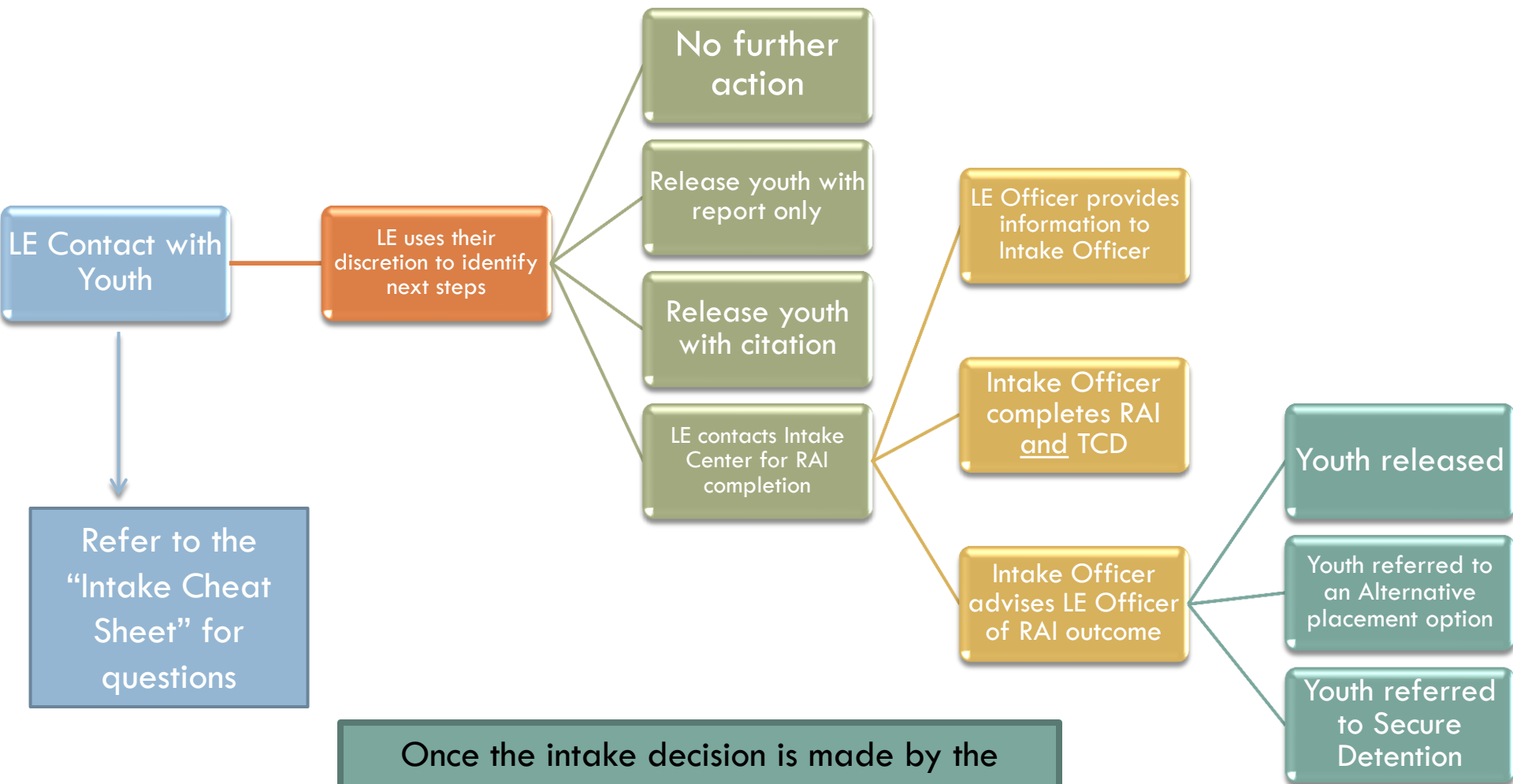
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- Within the Supreme Court Rule:
 - ▣ As per the authority designated in SDCL 26-7A-1(20), the presiding judge in each circuit shall appoint **juvenile detention staff** or juvenile reception and intake center staff to serve as “intake officers”.
- As per Codified Law:
 - ▣ *A judge of a circuit court or the court's designee who may not be a court services officer, law enforcement officer, or prosecuting attorney. For purposes of chapters 26-7A, 26-8A, 26-8B, and 26-8C, intake officers may administer oaths or affirmations as provided by chapter 18-3*
- Authority provided in order to:
 - ▣ Complete the RAI and make a decision regarding youth's custody status pending a Temporary Custody Hearing (or Detention Hearing)

COMPLETING A RAI

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When <u>to</u> Complete a RAI	When <u>to Not</u> complete a RAI
A Mental Hold youth with new charges	A Mental Hold youth without new charges
A youth with a Magistrate offense <u>AND</u> juvenile court offenses	A youth with ONLY magistrate-related offenses (traffic offenses)
A DOC youth with new charges	A DOC youth with only a DOC hold
A youth with a magistrate warrant <u>AND</u> juvenile court charges	A youth with only a magistrate warrant (failure to pay fine, etc.)
Youth who have a new offense	Youth who are sentenced/remanded to be in detention by a Judge
A youth with a delinquent and/or CHINS offense <u>AND</u> a Citation	A youth with only a citation
A youth who is from out of state and has charges in South Dakota	A youth who is from out of state with no new SD charges



Once the intake decision is made by the Intake Officer, it is up to the Law Enforcement Officer to determine which detention facility or alternative facility they will utilize. Once a location is identified, the Intake Officer will direct the RAI and TCD to that facility

COMPLETING the RAI – ODYSSEY INFORMATION

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- **Always** be sure that “**case manager**” is checked for the “centers” drop down at the top left of the page
- When searching, use “find a party”
- When searching for a name, you can utilize an asterisks to assist when there may be multiple spellings
 - ▣ For a last name, you will need at least three letters before typing in an asterisks
 - ▣ For a first name, you will need at least one letter before typing in an asterisks
 - This may increase the number of names that show up in your search, so utilize only when needed
 - You can type in a youth’s date of birth as well to further define your search

COMPLETING the RAI – ODYSSEY INFORMATION (continued)

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- Go to the “cases” tab to look at all cases for the youth as there may be more than one case for one youth
- When in a specific file, view the “summary” tab to find all case information
 - ▣ When considering timeframes, use the “filed on” date
- Make sure to be on the main cases screen when searching warrant history, not in a specific file

COMPLETING the RAI – DEMOGRAPHIC INFORMATION

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Last Name:	First Name:	Middle Name:
Race/Ethnicity: African American Asian Caucasian Hispanic Native American Other: _____	Sex: Male Female	DOB:
	Name of Tribe (if applicable):	Affiliated: Yes No Don't Know Enrolled: Yes No Don't Know
Referral ID #:	Intake Date:	Intake Time:
Primary (Most Serious) Referral Offense:		Placed By:

A unique number identifying one RAI from another including the two letters identifying which intake center the RAI is completed:
Hughes = HU ____
Brown = BR ____
Codington = CD ____
Example: HU15001

If a youth is referred for more than one offense, this is what would be scored the highest in section one

County of Origin and Law Enforcement Agency
 (example: Codington County Sheriff)

When completing the demographic portion of the RAI, be sure to include all up to date and accurate information as this will be used in the future when discussing alternative options

COMPLETING the RAI – SECTION ONE -

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□ Section One – Most Serious Offense

- Provided by the Law Enforcement Officer
- **Only** the most serious offense – even if more than one offense is listed
- Eligible offenses include:
 - All juvenile offenses
 - Felony traffic offenses
 - Class 1 misdemeanor traffic offenses
 - Arrest warrants
 - The offense related to the arrest warrant would be scored
 - Failure to Appear (FTA) warrants

COMPLETING the RAI –

SECTION TWO - Dispositions

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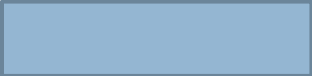
- ❑ After you locate the Party record you're looking for click the "**Cases**" tab
- ❑ The only cases included in Section 2 have a "**Filed On**" date that is within 24 months of the intake date – the rest can be ignored
- ❑ Cases numbers that are in **blue** or **red** are *pending* and will not be scored in Section 2
- ❑ Citations and Class 2 Misdemeanors are not counted in this section
- ❑ When looking for dispositions in the qualifying cases you've identified – Click on the case number (14JUV...) and look at the "**summary**" tab – this is where you find the disposition.
- ❑ Count *only* the charges that have been have not been *dismissed*
- ❑ To return to Party Record with the full list of cases, click the "**exit**" button at the top left corner of your screen
- ❑ You may have to click into additional cases to complete this section fully.

COMPLETING the RAI – SECTION THREE – FTA/Runaway/Escape

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Section Three – Failure to Appear/Runaway/Escape History

- The Failure to Appear and Escape information is available in Odyssey
 - Escape is a *charge*, also note the FTA's for Section 6
 - Once in the youth's party record, click on the "warrants" tab to view any warrants that the youth may have had

 Returned	Arrest Warrant Clerk's Office
ESCAPE BY PRISONER-SECOND DEGREE INTENTIONAL DAMAGE TO PROPERTY - \$400 LESS-3RD DEGREE PROBATION VIOLATION PROBATION VIOLATION Current Balance on Case(s) \$0.00	F5 - 05/15/2013 M2 - 05/15/2013 NONE - 07/22/2013 NONE - 09/03/2013
 Returned	Bench Warrant - Failure to Appear Clerk's Office
UNREGISTERED DISPENSING OF DRUGS OR OPERATION OF PHARMACY INGEST INTOXICANT OTHER THAN ALCOHOLIC BEVERAGE	M2 - 12/13/2011 M1 - 12/13/2011

- Runaway information is obtained from the Law Enforcement Officer or may be charged as a CHINS in Odyssey
 - Any runaway/escape that had been called in and entered into the Law Enforcement system is applicable (**verbal information from the Officer is also applicable**)
 - Do not count any presenting runaway/escape instances in this section as this is in regards to the youth's history which includes any runaway/escape that happened prior to the current intake

COMPLETING the RAI – SECTION FOUR – Pending Cases

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- In the Party Record, click on the “**cases**” tab
 - You will see pending cases as **blue** or **red**
 - There are no timeframe restrictions in Section 4
- To view the charges – click into the case and look at the “**summary**” tab
- You may have to click into additional cases to complete this section fully.
- Citations are *not* counted in this section

COMPLETING the RAI – AGGRAVATING FACTORS

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- On probation/DOC Aftercare for a Felony Class A, B, C, 1, or 2 offense; felony assault; or a felony sex crime
 - ▣ Refer to the Offense Chart – Cheat Sheet for offense information
- Multiple offenses are alleged for this referral
 - ▣ From the Law Enforcement report and/or verbal information
- Minor appears to be under the influence of drugs/alcohol at arrest (as indicated by Law Enforcement, Court Services, or DOC)
 - ▣ From conversation with referral entity

COMPLETING the RAI – MITIGATING FACTORS

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- Parent, guardian, or custodian can assume responsibility of the minor
 - ▣ Definition listed within the South Dakota RAI Training Manual
- No arrests within the past 12 months
 - ▣ From the referring Law Enforcement Officer and Odyssey
- No history of failure to appear within the past 24 months (includes juvenile and magistrate warrants)
 - ▣ From the Party Record – click “**Warrant**” tab – same as Section 3

All Warrants

	<u>Returned</u>	Bench Warrant - Failure to Appear Clerk's Office	Issued 01/12/2015 
POSS TWO OUNCES OF MARIJUANA OR LESS INGEST INTOXICANT OTHER THAN ALCOHOLIC BEVERAGE USE OR POSSESSION OF DRUG PARAPHERNALIA Current Balance on Case(s) \$0.00		M1 - 12/18/2014 M1 - 12/18/2014 M2 - 12/18/2014	Served 01/20/2015

SCREENER COMMENTS

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- Please use the Screener comments to put a brief summary of the incident especially to explain anything out of the ordinary. Doesn't need to be elaborate – this is a good example.

INDICATED DECISION: 6 or Below - Release: 7 to 11 - Alternative: 12 or Above - Secure Detention:

Screened By: 203 EW

Screener Comments: Noah was brought into the detention center for protection order violation. He was not under the influence and cooperative. His guardian was willing and able to pick him up. He was released.

OVERRIDE OPTIONS

(definitions listed in the RAI Training Manual)

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DISCRETIONARY OVERRIDES

- ❑ Override Down
- ❑ Parent, Guardian, or Custodian is not available or is not suitable to receive the child *(only an override to an alternative)*
- ❑ Run Risk *(only an override to an alternative)*
- ❑ Minor has failed a detention alternative program
- ❑ Minor held pending referral to mental health/chemical dependency agency
- ❑ Victim in the home and there is an immediate safety concern
- ❑ Close proximity of victim and there is an immediate safety concern
- ❑ Other (needs to be articulated)

NON-DISCRETIONARY OVERRIDES

- ❑ Minor held in custody for another jurisdiction
- ❑ Failure to Appear Magistrate warrant
- ❑ Failure to Appear Juvenile warrant
- ❑ Arrest warrant
- ❑ Unable to pay warrant
- ❑ Other (needs to be articulated)

PROCESS for USING an OVERRIDE

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- Questions to keep in mind:
 - ▣ Does this youth have a **demonstrated** risk to flee the jurisdiction?
 - ▣ Is there a concern that this youth will put public safety at risk if they were to be released?
- If an override is used, **always** provide justification
 - ▣ **Use the defined override options first before using the “other” category**
 - ▣ The justifications provides a brief summary of why the override was used and assists with:
 - Preparation for the Temporary Custody/Detention Hearing
 - Decision making (data analysis)

COMPLETION OF A TEMPORARY CUSTODY DIRECTIVE (TCD)

**SOUTH DAKOTA UNIFIED JUDICIAL SYSTEM
TEMPORARY CUSTODY DIRECTIVE**

NAME: _____
 ADDRESS: _____
 MOTHER: _____ FATHER: _____
 Other custodian or guardian information: _____

AGE: _____ DOB: _____ SEX: Male Female RACE: White Indian Other
 DATE: _____ TIME: _____ COUNTY: _____
 CALLER: _____ AGENCY: _____ TITLE: _____ PHONE: _____
 Mother Available: Yes No Suitable: Yes No
 Father Available: Yes No Suitable: Yes No
 ALLEGATION(S): _____

<p>CONSIDERATIONS (check as appropriate): <small>Apparent, alleged or adjudicated</small></p> <p>ABUSED OR NEGLECTED CHILD</p> <p><input type="checkbox"/> Child is abandoned or is seriously endangered by the child's environment; or</p> <p><input type="checkbox"/> There exists imminent danger to the child's life or safety and immediate removal of the child from the child's parents, guardian or custodian appears to be necessary for the protection of the child.</p> <p>CHILD IN NEED OF SUPERVISION – CHINS</p> <p><input type="checkbox"/> The child has failed to comply with court services or a court-ordered Department of Corrections program;</p> <p><input type="checkbox"/> The child is being held for another jurisdiction as a parole or probation violator, as violator, as a runaway or as a person under court-ordered detention;</p> <p><input type="checkbox"/> The child has a demonstrated propensity to run away from the child's home, from court-ordered placement outside the child's home or from agencies charged with providing temporary care for the child;</p> <p><input type="checkbox"/> The child is under court-ordered home detention in this jurisdiction;</p> <p><input type="checkbox"/> There are specific, articulated circumstances which justify the detention for the protection of the child from potentially immediate harm to the child or others; or</p> <p><input type="checkbox"/> The child is accused of or has been found in violation of a valid court order.</p> <p>DELINQUENT CHILD</p> <p><input type="checkbox"/> The child has failed to comply with court services or a court-ordered Department of Corrections program;</p> <p><input type="checkbox"/> The child is a fugitive from another jurisdiction;</p> <p><input type="checkbox"/> The child is charged with sexual contact (22-22-7), a crime of violence (22-1-2(9)) or a serious property crime (felony); or</p> <p><input type="checkbox"/> The child is already held in detention or on conditional release in connection with another juvenile delinquency proceeding.</p> <p>The child has a demonstrable recent record of:</p> <p><input type="checkbox"/> Willful failures to appear for juvenile court;</p> <p><input type="checkbox"/> Violent conduct;</p> <p><input type="checkbox"/> Adjudications for serious property offenses; or</p> <p><input type="checkbox"/> The child is under the influence and detention is the least restrictive alternative in view of the gravity of the alleged offense and is necessary for the physical safety of the child, public or others.</p>	<p style="text-align: center;">DECISION <small>(Least restrictive alternative)</small></p> <p><input type="checkbox"/> Released to: _____</p> <p><input type="checkbox"/> Parent: _____</p> <p><input type="checkbox"/> Other: _____</p> <p><input type="checkbox"/> Restrictions: _____</p> <p><input type="checkbox"/> Bond: \$ _____</p> <p><input type="checkbox"/> Dept. of Social Services Custody (A&N only)</p> <p><input type="checkbox"/> Foster Care at: _____</p> <p><input type="checkbox"/> Shelter at: _____</p> <p><small>(Abused or neglected children may not be detained or jailed.)</small></p> <p><small>(CHINS may NOT be held more than 24 hours in secure detention but may be placed in shelter longer than 24 hours. CHINS who have violated a valid court order may be held longer if a temporary custody hearing is held by a circuit judge within 24 hours.)</small></p> <p><input type="checkbox"/> Detained at _____</p> <p><small>(Jail may ONLY be used for children who have been transferred to adult court and who are 15, 16 or 17 AND if the offense is sexual contact or a crime of violence.)</small></p> <p>Comments: _____</p> <p>SIGNED: _____</p> <p>INTAKE OFFICER</p>
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*A child who has violated a valid court order may be placed in temporary custody even if a parent is available and suitable but a temporary custody hearing must be held within 24 hours if detention is to be continued.

DISTRIBUTION: State's Attorney and Intake Officer

UJS 481
revised 02/04

- ❑ A TCD (Temporary Custody Directive) should be completed **every time** a RAI is completed
- ❑ The top portion of the TCD should be completed in its **entirety**
- ❑ The Intake Officer chooses whichever statement best fits the situation on the left side of the TCD document
- ❑ The right side of the document should identify the actual decision that is made regarding the youth's custody status (i.e. release, shelter at, or detained at)
 - ❑ If a youth is released to a parent/guardian, then list the name if available
- ❑ The Intake Officer completing the RAI and TCD documentation should sign on the bottom right page of the form on the line above "Intake Officer"
- ❑ Both the RAI **and** the TCD should be sent to the grouping that is set up for each County