

## **CUSTODY INTAKE RISK ASSESSMENT INSTRUMENT (RAI)**

- AUTHORITY:** California Rules of Court Number 5.514 (Intake; guidelines), 5.516 (Factors to consider), 5.520 (Filing the petition; application for petition), and 5.524 (Forms of petition; notice of hearing).  
Penal Code (PC) Sections 667, 1192.7  
Welfare and Institutions Code (WIC) Sections 202, 206, 207, 207.1, 601, 602, 602.1, 604, 628, 629.1, 630-632, 636, 641, 650, 651, 653, 653.7, 654.3, 656, 656.1, 707, 726, 777, and 778
- RESCINDS:** Procedure Manual Item 2-4-106 dated 12/04/18
- FORMS:** Custody Intake Risk Assessment Instrument  
Risk Assessment Instrument-Quick Reference Guide (Attachment A)  
Risk Assessment Instrument (Attachment B)
- PURPOSE:** To establish an effective procedure for objectively assessing risk of serious re-offense and risk of failure to appear for future court proceedings, as well as to guide deputy probation officers' (DPOs) detention decisions.

### **I. GENERAL INFORMATION**

- A. The Custody Intake Risk Assessment Instrument (RAI) must be completed on all non-committed youth referred for detention screening by arresting agencies. It need not be completed for wards being detained at the Orange County Jail or youth detained by the Court.
- B. The instrument is an objective research-supported screening instrument to assess an alleged-delinquent youth's relative risk for re-offense and risk of failure to appear at future court proceedings.
- C. The RAI reflects and addresses within its process the current Principles for Evidence-Based Practice in Community Corrections, developed by the National Institute of Corrections (NIC):
  - 1. All key stakeholders must be committed to ongoing quality assurance, with the goal of creating a "culture of quality."
  - 2. Specific measurable outcomes and their indicators must be precisely defined.
  - 3. Appropriate information management systems must be in place.
  - 4. Data should be incorporated into ongoing practice.
- D. The RAI is to be submitted as completely as possible, with the information available at the time of the assessment. If a required field of entry is not correctly completed during assessment, the program will not allow the document to be

submitted until the section is filled. The assigned DPO, or a designated DPO, may adjust the assessment later as other information is gathered through further investigation by either the arresting officer or the assigned DPO. The assessment should also be reviewed by the DPO after the interviews are completed and after receiving the filing from the DA, as a change in alleged offense may alter the assessment score.

- E. The RAI will be complete and accurate at the time it is submitted to court. Any new information received that changes the score or outcome must be reflected on the RAI and the RAI reprinted.
- F. The RAI is located within the [REDACTED]. The instrument is designed to score on a variety of risk factors that will guide the DPO's decision to detain, release with conditions, or release outright. The instrument has three purposes:
  - 1. To assist in reaching an objective decision for detaining or releasing a youth.
  - 2. To serve as a research and data collection tool.
  - 3. To provide information to the Court.

The Orange County RAI **was** designed with stakeholders from the Juvenile Court, District Attorney's Office, Public Defender's Office, local law enforcement, Juvenile Justice Commission, and the Orange County Probation Department. The RAI acts as a guide to determine whether the requirements for detention under WIC 628 have been met.

- G. Detention decisions will be made depending on the point score. Each question on the RAI has a corresponding point value with certain questions weighted with more or less points (e.g. seriousness of the offense is heavily weighted). Aggravating and mitigating factors are also weighted with points added or subtracted, respectively. The youth's prior record will also be a factor in determining detention in regard to the youth's probation status and flight risk history (prior warrants, failures to appear, escapes from juvenile **facilities**, etc.).
- H. Cases must always be individually assessed based on their unique case factors and may be overridden by the Custody Intake Supervising Probation Officer (SPO), the Administrator in Charge (AIC), any **division director**, or Acting in any of these positions. Generally, because the assessment tool is supported by research and weighted toward maximizing public safety, DPOs are instructed to trust the outcome of the instrument and seek guidance from the Custody Intake SPO or an administrator when questions arise. **However**, in order to ensure consistency, the AIC or **DD** making the override decision shall first contact the on-duty Custody Intake SPO or Acting Custody Intake SPO for additional information prior to overriding the RAI and approving the booking.

## II. DEFINITIONS

- A. Non-Discretionary Detention Cases: Automatic Detention Cases refer to types of cases, detention referrals, or actions that require detention, without exception. The eleven (11) categories are:

1. Non-discretionary Warrants (Note: not WIC 300 or Truancy/WIC 601 Warrants)
2. Escape from Probation Facility or Electronic Monitoring
3. Courtesy Hold
4. Court Replacement
5. Placement Youth Terminated from Group Home Pending a Probation Violation (PV)
6. Court Certification
7. Recovery Court Violation
8. Gang Injunction Violation
9. Pre-Detention and Pre-Disposition (PPP) Violation
10. WIC 778 (**Change of Circumstance**)
11. Transfer-Ins

B. Offense: The most serious instant offense the youth is currently being presented on OR the most serious underlying offense if presented *only* with a warrant. All of the offense levels are designated with a point value that will factor into their total risk score. Offense categories include (with their respective point values):

- |    |  |          |
|----|--|----------|
| 1. | WIC 707 (b) offenses, or serious and violent felonies as defined by PC 667.5 and PC 1192.7 | ████████ |
| 2. | Possession of Firearms   | ████████ |
| 3. | Felony Sex Offenses  | ████████ |
| 4. | Sale or Possession for Sale of Drugs   | ████████ |
| 5. | Other  |          |
|    | a. Felony or Misdemeanor Drug Possession   | ████████ |
|    | b. Felony Property Crimes  | ████████ |
|    | c. Other <b>Property Crimes</b>  | ████████ |
| 6. | Felony with Violence (non WIC 707(b) offense)  | ████████ |
| 7. | Misdemeanors with Violence   | ████████ |
| 8. | Other Misdemeanors   | ████████ |
| 9. | WIC 777 (Violation of Probation) with SPO approval   | ████████ |

for override

10. Habitual Truant – WIC 601(b)

C. Aggravating Factors: Aggravating Factors are any circumstance attending the commission of a crime that increases its seriousness beyond the essential constituents of the crime. An aggravating factor cannot be applied if it is the same as the most serious offense presented since it does not rise above the essential constituents of the crime. Points are added to the total point score. Aggravating Factors include:

1. Attempt to flee or resist arrest
2. Under the influence of drugs during commission of a crime
3. Gang enhancement
4. Youth not on probation but has a pending felony petition filed by the DA at the time of the new offense

D. Mitigating Factors: Mitigating Factors include any circumstance attending the commission of a crime that decreases the seriousness of the crime. Points are subtracted from the total point score. Mitigating Factors include:

1. Involvement in offense was remote, indirect, or youth played a minor role in the crime
2. First offense (Does not apply to violent offenses) or no arrest within the last 12 months
3. Youth is **twelve** (12) years old
4. Family member or caretaker able to assume responsibility for youth and demonstrates ability to appropriately supervise the youth
5. Youth demonstrates stability in a traditional school setting or employment and provides documentation such as report cards, transcripts, pay stubs, etc.

E. Offense History: A felony is characterized by felony adjudications only, including WIC 725.

1. Pending felony application for petition (not yet filed)
2. or more adjudicated felony petitions in months.
3. Youth has a prior misdemeanor or felony adjudication history on a case that has not been ordered sealed by the court.

4. Youth not on probation – has [REDACTED] or more misdemeanor petitions pending and/or sustained in the past [REDACTED] months. [REDACTED]
5. Youth currently on probation for a WIC 707(b)/serious/violent felony offense or on **WIC 790 Deferred Entry of Judgment (DEJ)**. [REDACTED]
6. Youth currently on probation for a non-**WIC 707(b)**/serious/violent felony offense or on DEJ [REDACTED]
7. Youth currently on probation for a misdemeanor offense. [REDACTED]
8. Youth currently on WIC 725 non-ward probation, WIC 790 DEJ or on court ordered WIC 654.2 **informal probation**. [REDACTED]
9. Youth currently subject to a diversion contract pursuant to WIC 654. [REDACTED]
10. Youth has a prior misdemeanor or felony adjudication history on a case that has not been ordered sealed by the court. [REDACTED]

F. Flight Risk History: Flight Risk factors include a prior WIC 871 adjudication (Escape from a Juvenile Correctional Institution/Escape While on Furlough) or abscond from electronic monitoring and any failure to appear for court proceedings as indicated by warrants documented in ICMS. This does not include warrant holds. **Choose up to, but no more than, [REDACTED] of the below flight risk factors should be selected.**

1. Previous WIC 871 petition, pending or adjudicated (includes PPP WIC 871s) [REDACTED]
2. [REDACTED] to [REDACTED] previous warrants [REDACTED]
3. [REDACTED] or more previous warrants [REDACTED]
4. Previous Global Positioning System (GPS) cut on a formal probation program such as **the Pre-Detention and Pre-Disposition Program (PPP) /Accountability Commitment Program (ACP)** with no petition filed. [REDACTED]

G. Outcomes: The indicated outcome criteria are as follows:

1. [REDACTED] Release without restriction
2. [REDACTED] Release with GPS device on PPP
3. [REDACTED] Detain

H. Detention Override/Override Details/Override Approval:

1. The detention override is the process by which a score that does not qualify a youth for PPP or secure detention can be overridden to allow PPP or secure detention in cases where special circumstances exist. The detention override should be reserved for rare situations where case factors exist that were not assessed by the RAI. Overuse of overrides renders the RAI invalid. When an override is recommended one of the following reasons is to be selected. Please note, all overrides must be reviewed and have prior approval by a Custody Intake SPO or an administrator. In order to ensure consistency, the AIC shall first contact the on-duty Custody Intake SPO or Acting Custody Intake SPO for additional information prior to overriding the RAI and approving the booking.

a. [REDACTED].

b. [REDACTED].

*Regarding a. and b. above, due diligence must be exercised and documented by the arresting officer and/or assigned Custody Intake DPO regarding efforts to make contact with the youth's parent/guardian. The Custody Intake DPO shall document this in the ICMS Electronic Contact Report (ECR) notes section.*

c. [REDACTED].

d. [REDACTED].

e. [REDACTED].

f. [REDACTED].

g. [REDACTED].

h. [REDACTED].

i. [REDACTED].

j. [REDACTED].

2. Assault against parents – Often the refusal of custody by parent is due to a violent act or threat from the youth toward the parent. Per WIC 206, persons alleged to be within the description of WIC 300 shall be segregated from persons "alleged or adjudged" to come within the description of WIC 601 or 602 shall be segregated. Youth that do not score for detention but are refused custody by parent/guardian/relative(s) must be detained at Juvenile Hall, after all other placement options are exhausted (e.g., shelters, relatives, WIC 300 petition). These cases must be staffed with and approved by the Custody Intake SPO prior to the override.

If it appears a WIC 300 petition is warranted due to abuse, neglect, or abandonment, the police officer should have a social worker respond to the

scene to make a determination and house the youth at Orangewood in lieu of filing a WIC 602 application for petition.

3. The existence of one of the above factors does not trigger an override, but explains an override that has been recommended and approved by a Custody Intake SPO or an administrator.
4. Detention Override Details are required to explain the circumstances surrounding the use of an override.
5. The Override Approval area is to identify the Custody Intake SPO or an administrator that approved the Detention Override. Acting **DDs** and Acting Custody Intake SPOs can approve override recommendations. In order to ensure consistency, the AIC shall first contact the on duty Custody Intake SPO or Acting Custody Intake SPO for additional information prior to overriding the RAI and approving the booking.

I. Release Override/Override Details/Override Approval:

1. Release override is the process by which a score that qualifies a youth for PPP or secure detention can be overridden to allow release or PPP, in lieu of secure detention, in cases where special circumstances exist. Overuse of overrides renders the RAI invalid. When an override is recommended and approved by a Custody Intake SPO or an administrator, one of the following reasons is to be selected:

- a. [REDACTED]
- b. [REDACTED].
- c. [REDACTED]
- d. [REDACTED].
- e. [REDACTED].
- f. [REDACTED]
- g. [REDACTED].
- h. [REDACTED]
- i. [REDACTED].
- j. [REDACTED].

k.

[REDACTED]

l.

[REDACTED]

2. Release Override Details are required to explain the circumstances surrounding the use of the override.
3. The Override Approval area is to identify the Custody Intake SPO or administrator that approved the release override. Acting Division Directors and Acting Custody Intake SPOs can approve override recommendations. In order to ensure consistency, the AIC shall first contact the on duty Custody Intake SPO or Acting Custody Intake SPO for additional information prior to overriding the RAI.

- J. Final Outcome: This section documents the outcome of the entire Custody Intake process after the RAI, interview and contact with parents. Outcomes shall be modified prior to the submission of the RAI to court based on changing circumstances (i.e., reduction or addition of charges by the DA, discovery of information affecting aggravating or mitigating factors).

### III. PROCEDURE

- A. RAIs are to be completed on all youth received at the **Juvenile Hall**-Intake and Release Center (IRC) at Juvenile Hall by police and DPOs, OR all telephone inquiries to **Custody Intake** for possible Juvenile Hall detention from police. The process for assessment whether the youth is in law enforcement custody or in the community is the same.

- B. Law Enforcement Contact and Probationer Search:

NOTE: The procedures below are to outline general instructions. For more specific instructions, illustrations, or updates, consult the RAI User Manual located in the ICMS Support Center.

1. When a youth is referred for possible detention, search for an existing ICMS record.
2. If a *P*, *J*, or *L* number is available for the **youth**, copy or make a note of the number and go to the RAI Screen, through the Custody Intake tab.
3. If no *P*, *J*, or *L* number is located in the system, a *P* number must be generated to begin a new RAI.

- C. RAI Assessment

1. Main

- a. Verify all booking charges, if already entered by Booking, or enter new referral charges alleged by the arresting officer.



- b. All alleged offenses must be entered.

2. Auto-Detention Cases

- a. Indicate the presence of an automatic detention case. Check the *"Known factors based on other [REDACTED] information"* for auto-populated information that may indicate the existence of an automatic detention case.
- b. An RAI is completed on every case regardless of the existence of an automatic detention case or not.

3. Offense

- a. The RAI is completed based on the most serious of all alleged offenses. WIC 707 (b), serious and violent felonies are identified by ICMS once selected in the "Most Serious Offense" dropdown list.
- b. Review the Offense Category list and select the category that most accurately describes the most serious booking charge.
- c. For the initial risk score, the offense should be screened based on the allegations of the Application for Petition and case dynamics should not be factored into this category. Case dynamics can be factored in on the second risk assessment score with receipt of a police report and/or information obtained from the parent/guardian interview.

4. Aggravating Factors

- a. Known [REDACTED] information will auto-populate as it applies to aggravating factors. This information is offered as a suggestion and should be verified before using it. Also assess additional information from the arresting officer. Review any known [REDACTED] information and select the aggravating factors, if applicable.
- b. Select up to [REDACTED] aggravating points.
- c. Do not select aggravating factors that are related to the most serious offense. For example, do not select "Gang Enhancement" if the most serious offense is PC 186.22 (Participating in Street Gang), "Attempt to flee or resist arrest" if the most serious offense is PC 148 (Resisting Arrest) or "Under the influence of drugs during the commission of the crime" if the most serious offense is Health and Safety Code (H&S) Section 11550 (Under the Influence of a Controlled Substance).

5. Mitigating Factors

- a. Review [REDACTED] notes and information provided by the arresting officer to determine if mitigating factors exist.
- b. Select up to [REDACTED] mitigating points.

- c. Mitigating factors may be present at the time of the assessment or added after interviewing the youth and parent or after receiving new information.

6. Offense History

- a. Known factors based on other [REDACTED] information will auto-populate as it applies to offense history. Select the appropriate category.
- b. Information received about offense history in other jurisdictions should be applied as appropriate.
- c. DEJ and **Juvenile** Recovery Court are considered "Probation." WIC 654, **WIC 654.2**, and WIC 725 are considered "Informal Probation."

7. Flight Risk

- a. Known factors based on other [REDACTED] information will auto-populate as it applies to flight risk history. Check [REDACTED] notes for PPP cuts where a petition was not filed. Select the appropriate category.
- b. Select **up to, but no more than** [REDACTED] flight risk history factor. Warrant holds are not considered part of the youth's flight risk history.

8. Detention Override

- a. If the DPO believes that a higher level of detention than that indicated by the RAI score is required, based on case factors not captured by the RAI, a detention override can be recommended. Overuse of overrides can render the RAI invalid and they should only be used in rare circumstances. If an override is appropriate, check the box next to the appropriate override reason.
- b. A Detention Override can increase any outcome to any higher outcome.
- c. Detention overrides can only be approved by **DDs**, AICs, Custody Intake SPOs, or a designated Acting Division Director or Acting Custody Intake SPO. Type the name of the individual approving the override. Include any information about the detention override in the "*Detention override details*" section. This section is mandatory for any detention override.

In order to ensure consistency, the AIC shall first contact the on duty Custody Intake SPO or Acting Custody Intake SPO for additional information prior to overriding the RAI and approving the booking.

9. Release Overrides

- a. If the DPO believes that a lower level of detention than that indicated by the RAI score is required, based on case factors not

captured by the RAI, a release override can be recommended. Overuse of overrides can render the RAI invalid and they should only be used in rare circumstances. If an override is appropriate, check the box next to the appropriate override reason.

- b. A release override can reduce any outcome to any lower outcome.
- c. Release overrides can only be approved by **DDs**, AICs, Custody Intake SPOs, or a designated Acting Division Director or Acting Custody Intake SPO. Type the name of the individual approving the override. Include any information about the release override in the "*Release Override Details*" section. This section is mandatory for any release override.

In order to ensure consistency, the AIC shall first contact the on duty Custody Intake SPO or Acting Custody Intake SPO for additional information prior to overriding the RAI and approving the booking.

10. SPO Approval or Return of RAI for Changes

- a. The Custody Intake SPO or Acting SPO must review the document by tabs to review all of the sections of the document. If rejected, enter notes explaining the reject.
- b. If an RAI is rejected, an email is automatically sent to the Custody Intake DPO that created the RAI. The rejected RAI reverts to an "*Assessment in Progress*." Any Custody Intake SPO, the Officer of the Day, or DPO assigned to that RAI can reassign the RAI to a different DPO for changes.

11. Modification of Final Outcome

- a. Initial detention is based on the case dynamics at the time of arrest, including but not limited to: charges alleged by the arresting officers, status of possible victims, the status of the youth's home, other details of the instant offense, and the need to protect the youth. As the case dynamics change, the need for detention may also change.
- b. Modify the RAI as needed as the case dynamics change so that the document accurately reflects the case factors (i.e. , charges added or dropped by the DA, information from the police report, changes of circumstances of the youth's residence, additional information from parents or witnesses that would affect aggravators or mitigators, etc.), prior to submission to court. The RAI should be re-scored and the new detention outcome followed. This may necessitate requesting the report be returned to the DPO by the SPO or acting SPO.
- c. If the DA files lesser charges than what was alleged by the arresting offense, this could result in a significantly reduced RAI score (Ex. Felony lewd acts with a child reduced to misdemeanor sexual

battery). If this occurs, the RAI should be re-scored and the new detention outcome followed. If the score indicates release, the youth shall be released prior to the **Detention Hearing** if at all possible. The detention hearing will remain; however, and a note on the Detention Calendar Memorandum (DCM) will reflect the youth was released based on the new RAI score, following the receipt of the DA's filing of lesser charges than what was initially allowed.

**REFERENCES:**

Procedures:	2-1-205	Warrants of Arrest for Juveniles
	2-1-212	Contested Cases Petition Filing and Pretrial Functions
	2-4-101	Custody Intake Referrals
	2-6-101	Juvenile Probation Violations
	3-2-011	Juvenile Hall Intake
Policies:	C-10	Administrator in Charge, Officer of the Day or Duty Officer
	E-3	Disclosure of Court Recommendations
	E-5	Advisement of Rights
	F-1	Out-of-Home Placement/Temporary Placement of Minors
	F-2	Recommendations to the Court for Dispositions/Sentencing and Commitments for Minors

C. Ronald

Attachments

**APPROVED BY:**

## Attachment A

### **Orange County Probation Department – Custody Intake Risk Assessment Instrument (RAI) Quick Reference Guide**

The Risk Assessment Instrument (RAI) is an objective, risk-based tool that guides detention decisions and informs detention recommendations at the detention hearing. The RAI will be completed on all non-committed youth referred for detention screening by arresting agencies and Deputy Probation Officers (DPOs).

#### **Automatic Detention Cases:**

The following cases require automatic detention. Provide the court with additional information should a minor require automatic detention, but score low on the RAI. The reason for detention may be the automatic detention criteria alone and not the facts of the case.

- 1) Check the appropriate category(s) under the Automatic Detention Cases.
- 2) Complete the RAI as indicated below.

Term	Definition	RAI Instructions
Automatic Detention Case	Any youth presented on: 1. Non-Discretionary Warrant 2. Escape from Probation facility or electronic monitoring 3. Courtesy Holds (Inter-county/Inter-state) 4. Court Replacement 5. Court Certification 6. Recovery Court Violation 7. Gang Injunction Violation 8. PPP Violation 9. WIC 778	If youth is presented on an Automatic Detention Case <u>and</u> a new offense, complete the RAI on the Automatic Detention Case.  If youth is presented on an Automatic Detention Case with no new offense, detain on the Automatic Detention Case.

#### **OFFENSE**

Term	Definition	RAI Instructions
Most serious instant offense OR most serious underlying charge for a warrant-only presentation.	The most serious offense the youth is currently being presented on OR the most serious underlying offense if presented <i>only</i> on a warrant.	Choose only one appropriate classification. WIC 707 (b) and Serious and Violent felonies will be identified in the drop-down menu when the most serious offense is entered.  Probation Violations (PVs) – The RAI will be administered on PVs. PVs and PPP field releases will be processed based on Supervising Probation Officer (SPO) approval for in-custody bookings and PPP field releases.

## **RAI DEFINITIONS AND INSTRUCTIONS**

### **AGGRAVATING FACTORS**

<b>Term</b>	<b>Definition</b>	<b>RAI Instructions</b>
Aggravating factors	<p>Any circumstance attending the commission of a crime which increases its seriousness above and beyond the essential constituents of the crime.</p> <p>If the most serious offense presented is one for which an aggravating factor can be scored (PC 148, H&amp;S 11550, etc.), the aggravating factor cannot be applied since the aggravating factor is the same as the crime and does not rise above the essential constituents of the crime.</p>	<p>Choose up to [REDACTED] if applicable (Note: Attempt to flee/resist arrest is 2 points).</p> <p>Pending felony applications for petition (not yet filed) refers to applications that have been received, but have not yet been filed by the DA.</p> <p>Resisting arrest, under the influence, or gang enhancements must all be alleged on the Probable Cause Declaration to apply.</p>

### **MITIGATING FACTORS**

<b>Term</b>	<b>Definition</b>	<b>RAI Instructions</b>
Mitigating factors	<p>Any circumstance attending the commission of a crime which decreases the seriousness of the crime.</p>	<p>Choose up to [REDACTED] if applicable. In determining remote, indirect, or mitigated involvement, one may consider mental capacity, motivation, coercion, sophistication, or other factors indicating mitigation or reduced level of involvement.</p> <p>Family/caretaker responsibility and school performance may be determined by the assigned DPO after booking.</p>

### **OFFENSE HISTORY**

<b>Term</b>	<b>Definition</b>	<b>RAI Instructions</b>
<p>Most serious sustained petition:</p> <ol style="list-style-type: none"> <li>1) Currently on probation for WIC 707 (b), serious or violent felony</li> <li>2) Currently on probation for non-WIC 707 (b), serious or violent felony</li> <li>3) Currently on probation for misdemeanor</li> <li>4) Currently on informal probation or WIC 654 status with the Court</li> <li>5) Not on probation, but has pending felony petition filed by the DA at time of new offense</li> </ol>	<p>Youth is currently on probation or parole in Orange County or other county if known.</p> <p>A "felony" is determined by felony adjudications only (includes WIC 725).</p> <p>DEJ and Recovery Court are considered probation.</p> <p>WIC 654 and Truancy Court are considered informal probation.</p> <p>DEJ cases are counted as "pending" adjudication in item # 5.</p> <p>New offense is any felony or misdemeanor, <u>excluding drug possession</u>. Drug possession is not scored due to the DA being unable to file a petition without lab results.</p>	<p>Choose [REDACTED] if applicable. If youth has a combination of felony and misdemeanor adjudications, choose the option that will result in the most points.</p>

## **RAI DEFINITIONS AND INSTRUCTIONS**

### **FLIGHT RISK HISTORY**

<b>Term</b>	<b>Definition</b>	<b>RAI Instructions</b>
Previous WIC 871	Prior WIC 871 adjudication or abscond from electronic monitoring.	Choose all that apply.
Two to four previous warrants	Failure to appear for court proceedings as indicated by warrant documented in ICMS.	
Five or more previous warrants	Warrant Holds are not considered.	

### **OUTCOMES**

<b>Term</b>	<b>Definition</b>	<b>RAI Instructions</b>
Release without restriction/Do not book	Youth to be handled out of custody, via Non-Custody Intake mail-in application for petition or other available options.	Choose outcome, notify referring agency.
Global Positioning System (GPS)	Youth to be released on PPP with a GPS device as designated.	Choose outcome, accept youth for booking, and/or initiate PPP if a field release, notify referring agency. If the outcome is changed based on further investigation, indicate the change in the database and print the corrected form.
Detain	Youth meets the criteria for secure detention	Choose outcome, accept youth for booking. If the outcome is changed based on further investigation, indicate the change in the database, and print the corrected form.

## **RAI DEFINITIONS AND INSTRUCTIONS**

### **OVERRIDES**

<b>Term</b>	<b>Definition</b>	<b>RAI Instructions</b>
Detention Override	The process by which a score that does not qualify a youth for PPP or secure detention can be overridden to allow PPP or secure detention in cases where special circumstances exist.	<p>The override option should be reserved for rare situations. Overuse of the override option will render the RAI invalid.</p> <p>If after evaluating the case and achieving a score lower than what appears appropriate, the Custody Intake DPO can evaluate the case for override.</p> <p>The case can be overridden with (Acting) Custody Intake SPO, Administrator in Charge (AIC), or Division Director approval.</p>
Reasons	The justification for the override	Choose appropriate option
Detention Override Details	Specific case facts leading to the override decision	In the lines provided, specify the facts of the case that justify the override category beyond the elements of the allegation itself.
Release Override	The process by which a score that qualifies a youth for PPP or secure detention can be overridden to allow release or PPP, in lieu of secure detention, in cases where special circumstances exist.	<p>The override option should be reserved for rare situations. Overuse of the override option will render the RAI invalid.</p> <p>Automatic Detention cases cannot be overridden.</p> <p>If after evaluating the case and achieving a score higher than what appears appropriate, the Custody Intake DPO can evaluate the case for override.</p> <p>The case can be overridden with Custody Intake SPO, Acting Custody Intake SPO, AIC, or Division Director approval.</p> <p>Indicate the reason for the Release Override in the space provided.</p>

### **FINAL OUTCOME**

<b>Term</b>	<b>Definition</b>	<b>RAI Instructions</b>
Final Outcome	<p>Outcome of the entire Custody Intake process after RAI completed, interview, and contact with parents.</p> <p>Final Outcome can be modified by DPO or in court if charges filed by DA differ from those originally alleged.</p>	Choose the final outcome. This section will also be used for research purposes.



**Attachment B**

**OC Probation Department – Custody Intake Risk Assessment Instrument**

**Youth Name:**

**ML#:**

**RAI Screener:**

**Intake Date:**

**Time:**

**Ethnicity:**

**DOB:**

**AGE:**

**Gender:**

**Case Number:**

**Referral Offenses:**

**Arresting Agency:**

**I. Automatic Detention Cases:   \*\*Do not detain on 300 WIC or Truancy/601 Warrants**

NON-DISCRETIONARY WARRANT  
ESCAPE FROM PROBATION FACILITY OR ELECTRONIC MONITORING  
COURTESY HOLD  
COURT REPLACEMENT  
PLACEMENT YOUTH TERMINATED FROM GROUP HOME PENDING A  
PROBATION VIOLATION  
COURT CERTIFICATION  
RECOVERY COURT VIOLATION  
GANG INJUCTION  
PPP VIOLATION  
WIC 778 PETITION  
TRANSFER INS

**II. Offense:**

**Most Serious**

**WICV707(B), VIOLENT, OR SERIOUS FELONY**

**Instant Offense**

**POSSESSION OF FIREARMS**

**FELONY SEX OFFENSE**

**Choose only one item**

**SALE OR POSSESSION FOR SALE OF DRUGS**

**Indicating the most**

**OTHER – FELONY/MISD. DRUG POSSESSION**

**serious charge.**

**OTHER – FELONY PROPERTY CRIMES**

**OTHER – PROPERTY CRIMES**

**Discretionary warrant**

**OTHER – FELONY CRIMES**

**bookings are scored**

**FELONY WITH VIOLENCE (NON 707(b))**

**according to the**

**MISDEMEANOR WITH VIOLENCE**

**underlying offense.**

**OTHER MISDEMEANORS**

**WIC 777 WITH SPO APPROVAL FOR OVERRIDE**

**HABITUAL TRUANT – WIC 601(b)**

**III. Aggravating Factors: \*\*An Aggravating Factor cannot be scored if it is the same as the most serious allegation**

**Choose up to 3 factors  
as long as the total pts  
equal 3 or less.**

**ATTEMPT TO FLEE OR RESIST ARREST  
UNDER THE INFLUENCE OF DRUGS DURING COMMISSION OF CRIME  
GANG ENHANCEMENT  
YOUTH NOT ON PROBATION BUT HAS A FELONY FILED BY  
THE DA AT THE TIME OF NEW OFFENSE**

**IV. Mitigating Factors**

**Choose up to 3 factors  
as long as the total pts  
equal -3 or less.**

**INVOLVEMENT IN OFFENSE WAS REMOTE, INDIRECT, OR YOUTH  
PLAYED A MINOR ROLE IN THE CRIME.  
FIRST OFFENSE (DOES NOT APPLY TO VIOLENT OFFENSES) OR**

NO ARREST WITHIN THE LAST 12 MONTHS  
YOUTH IS 12 YEARS OLD OR UNDER  
FAMILY MEMBER ABLE TO ASSUME RESPONSIBILITY AND  
DEMONSTRATES ABILITY TO APPROPRIATELY SUPERVISE  
YOUTH DEMONSTRATES STABILITY IN SCHOOL OR EMPLOYMENT -1

**V. Offense History**  
Most serious completed  
Petitions (choose only one)

YOUTH DOES NOT FALL INTO ANY OF THE OFFENSE CATEGORIES BELOW  
YOUTH PENDING FELONY APPLICATION FOR PETITION (NOT YET FILED)  
YOUTH HAS TWO OR MORE ADJUDICATED FELONY PETITIONS IN THE  
LAST 12 MONTHS  
YOUTH HAS A PRIOR MISDEMEANOR OR FELONY ADJUDICATION HISTORY

**OC Probation Department – Custody Intake Risk Assessment Instrument**

**Youth Name:**

**ML#:**

ON A CASE THAT HAS NOT BEEN ORDERED SEALED BY THE COURT  
YOUTH NOT ON PROBATION-HAS TWO OR MORE MISDEMEANOR  
PETITIONS PENDING AND/OR SUSTAINED IN THE PAST 24 MONTHS.1  
YOUTH CURRENTLY ON PROBATION FOR A WIC 707(B)/SERIOUS/VIOLENT  
FELONY OFFENSE OR ON DEJ  
YOUTH CURRENTLY ON PROBATION FOR A NON 707(B)/SERIOUS/VIOLENT  
FELONY OFFENSE OR ON DEJ  
YOUTH CURRENTLY ON PROBATION FOR A MISDEMEANOR OFFENSE  
YOUTH CURRENTLY ON WIC 725 NON-WARD PROBATION SUPERVISION,  
WIC 790 DEJ PROBATION, OR ON COURT ORDERED INFORMAL  
PROBATION PURSUANT TO WIC 654.2  
YOUTH CURRENTLY SUBJECT TO A DIVERSION CONTRACT PURSUANT  
TO WIC 654  
YOUTH HAS A PRIOR MISDEMEANOR OR FELONY ADJUDICATION HISTORY  
ON A CASE THAT HAS NOT BEEN ORDERED SEALED BY THE COURT  
YOUTH NOT ON PROBATION-HAS TWO OR MORE MISDEMEANOR PETITIONS  
PENDING AND/OR SUSTAINED IN THE PAST 24 MONTHS  
YOUTH CURRENTLY ON PROBATION FOR A WIC 707(B)/SERIOUS/VIOLENT  
FELONY OFFENSE OR ON DEJ  
YOUTH CURRENTLY SUBJECT TO A DIVERSION CONTRACT WIC 654  
YOUTH HAS A PRIOR MISDEMEANOR OR FELONY ADJUDICATION  
HISTORY ON A CASE THAT HAS NOT BEEN ORDERED SEALED BY  
THE COURT

**VI. Flight Risk History:**  
Choose up to 2 factors  
(only warrants in CMS are  
considered. Warrant holds  
are not considered.)

PREVIOUS WIC 871 PETITION, PENDING OR ADJUDICATED  
TWO TO FOUR PREVIOUS WARRANTS  
FIVE OR MORE PREVIOUS WARRANTS  
PREVIOUS GPS CUT ON A FORMAL PROBATION PROGRAM  
SUCH AS PPP/ACP WITH NO PETITION FILED

TOTAL SCORE \_\_\_\_\_

**Detention Decision Scale**  
(Outcome according to Total Score)

**= Detention**

**Detention Override**  
If yes, reasons:

(CI SPO/AIC/DD APPROVAL REQUIRED)

- \_\_\_ NO DETENTION OVERRIDE
- \_\_\_ PARENT, GUARDIAN OR RESPONSIBLE RELATIVE CANNOT BE LOCATED
- \_\_\_ PARENT, GUARDIAN OR RESPONSIBLE RELATIVE REFUSES CUSTODY
- \_\_\_ RELEASE OF YOUTH PLACES VICTIM IN VULNERABLE POSITION
- \_\_\_ YOUTH POSES IMMEDIATE/SUBSTANTIAL RISK TO SELF
- \_\_\_ YOUTH POSES IMMEDIATE/SUBSTANTIAL RISK TO PERSON
- \_\_\_ YOUTH POSES IMMEDIATE/SUBSTANTIAL RISK TO PROPERTY OF ANOTHER
- \_\_\_ RISK TO FLEE
- \_\_\_ DISCRETIONARY WARRANT
- \_\_\_ TECHNICAL PV WITH OVERRIDE APPROVAL (CI SPO/AIC/DD)
- \_\_\_ OTHER (PLEASE SPECIFY THE REASON IN THE DETENTION OVERRIDE

DETAILS)  
PV Reason Override:

**Detention Override Details:**

**Detention Override Approved by:**

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**Release Override (Applies to Non-Automatic Detention cases only)** (CI SPO/AIC/DD APPROVAL REQUIRED)

**Release Override**

**If yes, reasons:**

**OC Probation Department – Custody Intake Risk Assessment Instrument**  
**Youth Name: ML#:**

- THE
- ☐ NO RELEASE OVERRIDE
  - ☐ PARENT, GUARDIAN OR RESPONSIBLE RELATIVE IS WILLING AND ABLE TO PROVIDE STRUCTURE AND ENSURE COURT APPEARANCES
  - ☐ YOUTH DOES NOT POSE IMMEDIATE/SUBSTANTIAL RISK TO PERSON OR TO SELF
  - ☐ YOUTH DOES NOT POSE IMMEDIATE/SUBSTANTIAL RISK TO PROPERTY OF ANOTHER
  - ☐ RELEASE OF THE YOUTH DOES NOT PLACE A VICTIM IN VULNERABLE POSITION
  - ☐ THE AMOUNT OF MONEY OR PROPERTY TAKEN WAS SMALL
  - ☐ THE PROPERTY TAKEN WITH MINIMAL USE OF FORCE AND WAS LESS SERIOUS AS COMPARED TO OTHER INSTANCES OF THE SAME CRIME
  - ☐ THE STOLEN PROPERTY WAS RECOVERED BY THE VICTIM
  - ☐ THE INJURY SUFFERED BY THE VICTIM WAS RELATIVELY MINOR AND THE DEGREE OF FORCE USED BY THE YOUTH IN THE INFLECTION OF THE INJURY WAS LESS SERIOUS AS COMPARED TO OTHER INSTANCES OF THE SAME CRIME
  - ☐ YOUTH VOLUNTARILY ACKNOWLEDGED WRONGDOING AT THE TIME OF ARREST AND/OR COOPERATED WITH THE POLICE DURING THE INVESTIGATION
  - ☐ YOUTH WAS A PASSIVE PARTICIPANT OR PLAYED A MINOR ROLE IN THE CRIME
  - ☐ YOUTH'S PRIOR PERFORMANCE ON PROBATION WAS SATISFACTORY AND INDICATED THAT A GOOD RISK OF APPEARING AT ALL COURT APPEARANCES
  - ☐ OTHER (PLEASE SPECIFY THE REASON IN THE RELEASE OVERRIDE DETAILS)

**Release Override Details:**

Release Override Approved by:

Approval Date:

Time:

SPO Approved by:

Approved Date:

FINAL OUTCOME:
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