

Juvenile Probation in the 21st Century: Integrating Developmental Science and Juvenile Justice

James E. Anderson Pennsylvania Conference on Juvenile Justice
November 16, 2017

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Adolescent Development and Juvenile Probation

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The opinions expressed are
those of the authors and do not
necessarily reflect the views of
Stoneleigh Foundation

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Recognizing Graduated Response Partners

Juvenile Court Judges' Commission
Council of Chief Juvenile Probation Officers
Pennsylvania Commission on Crime and Delinquency

Philadelphia Juvenile Probation, Family Court,
First Judicial District of Pennsylvania

Center for Children's Law and Policy (CCLP)
for allowing us to use material from the Graduated Response
Toolkit as a resource for this presentation.

The Graduated Responses Toolkit was created by CCLP, with funding from
the Public Welfare Foundation, and is available at:

[http://www.jdaihelpdesk.org/specialtech/Graduated%20Responses%20Toolkit%20\(CCLP,%202016\).pdf](http://www.jdaihelpdesk.org/specialtech/Graduated%20Responses%20Toolkit%20(CCLP,%202016).pdf)

Recognizing the PA CCJPO's Graduated Response Workgroup...

Participating Counties:

- Allegheny
- Berks
- Chester
- Cumberland
- Dauphin
- Franklin
- Lancaster
- Lebanon
- Lehigh
- Mercer
- Philadelphia

with input from the following counties:

- McKean
- Potter
- Snyder

Must follow multiple requirements over a significant time span

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graph TD; A[Must follow multiple requirements over a significant time span] --> B[Full compliance is generally expected]; B --> C[Sanctions often imposed for imperfect performance];
```

Full compliance is generally expected

Sanctions often imposed for imperfect performance

Traditional juvenile probation structure establishes many developmentally incompatible expectations of youth



Cognitive

Emotional

Psychosocial

Cognitive

Executive Functions

Working
Memory

Problem
Solving

Decision
Making

Verbal
Reasoning

Processing
Speed

Emotional



Limbic System

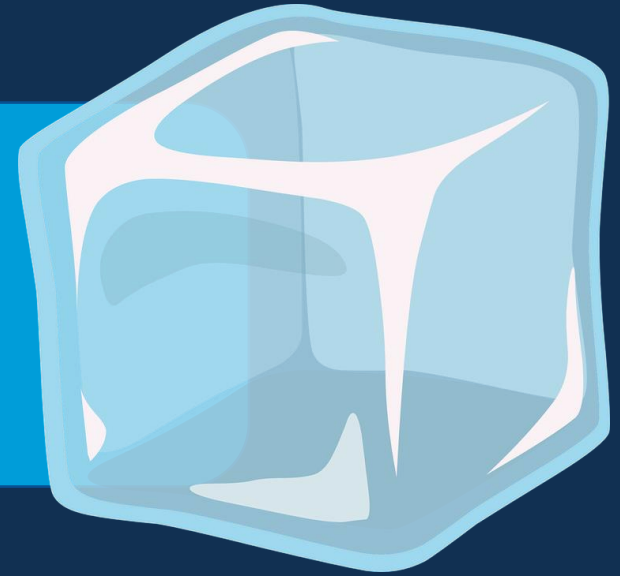
Emotional Reactivity

Dopaminergic System

Reward Sensitivity

Cold Context

Non-emotional situations



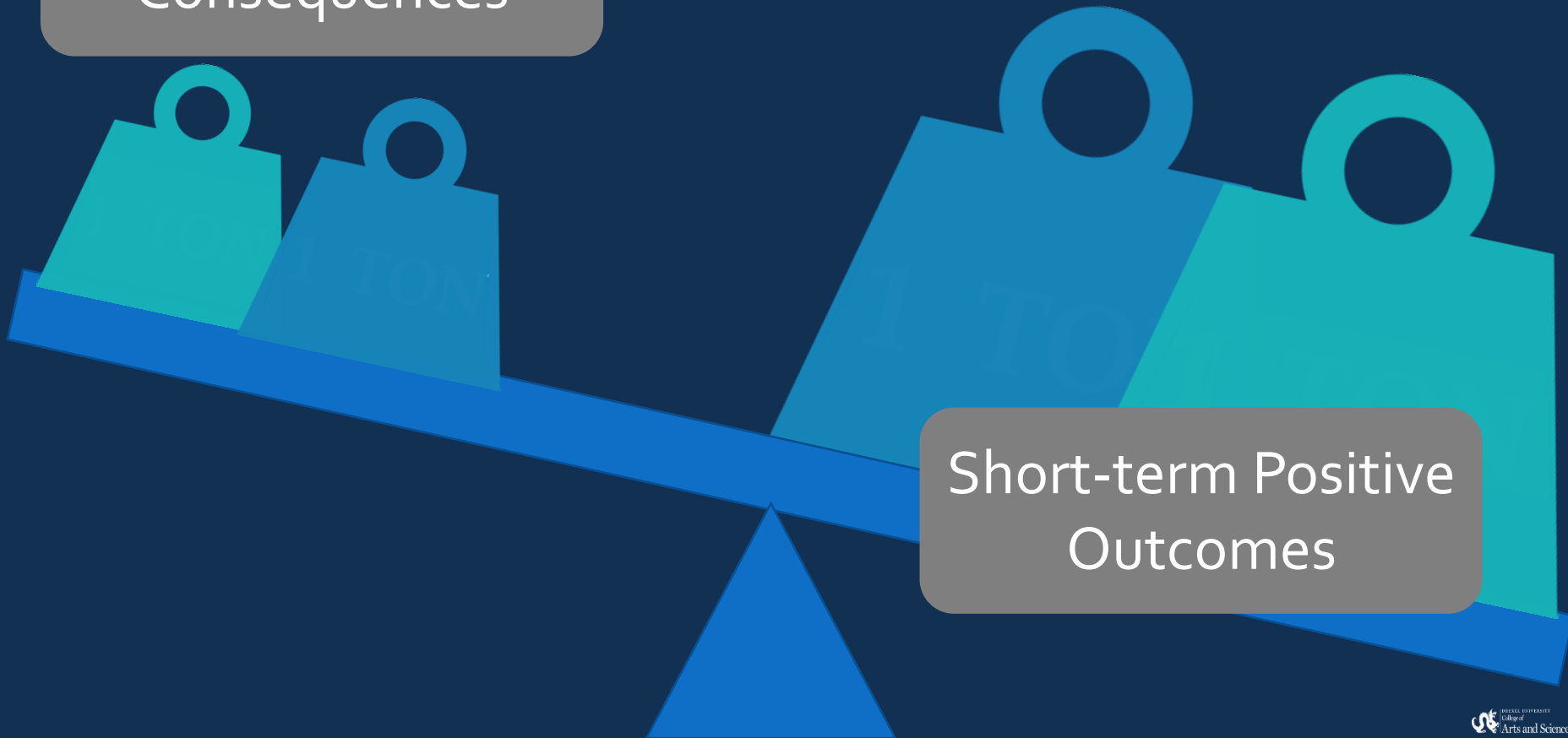
Hot Context

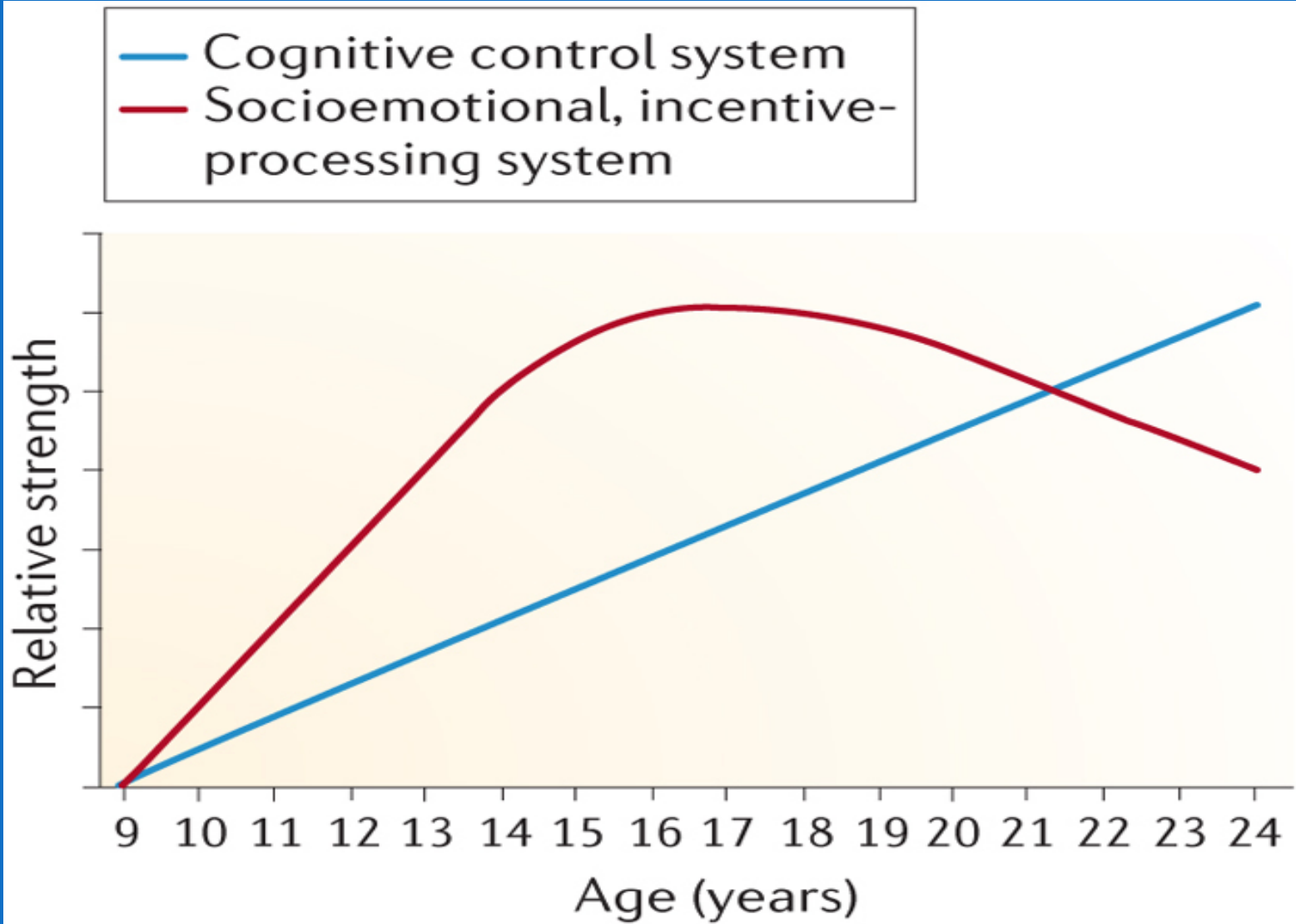
Emotionally charged situations

Psychosocial

Long-term Negative
Consequences

Short-term Positive
Outcomes



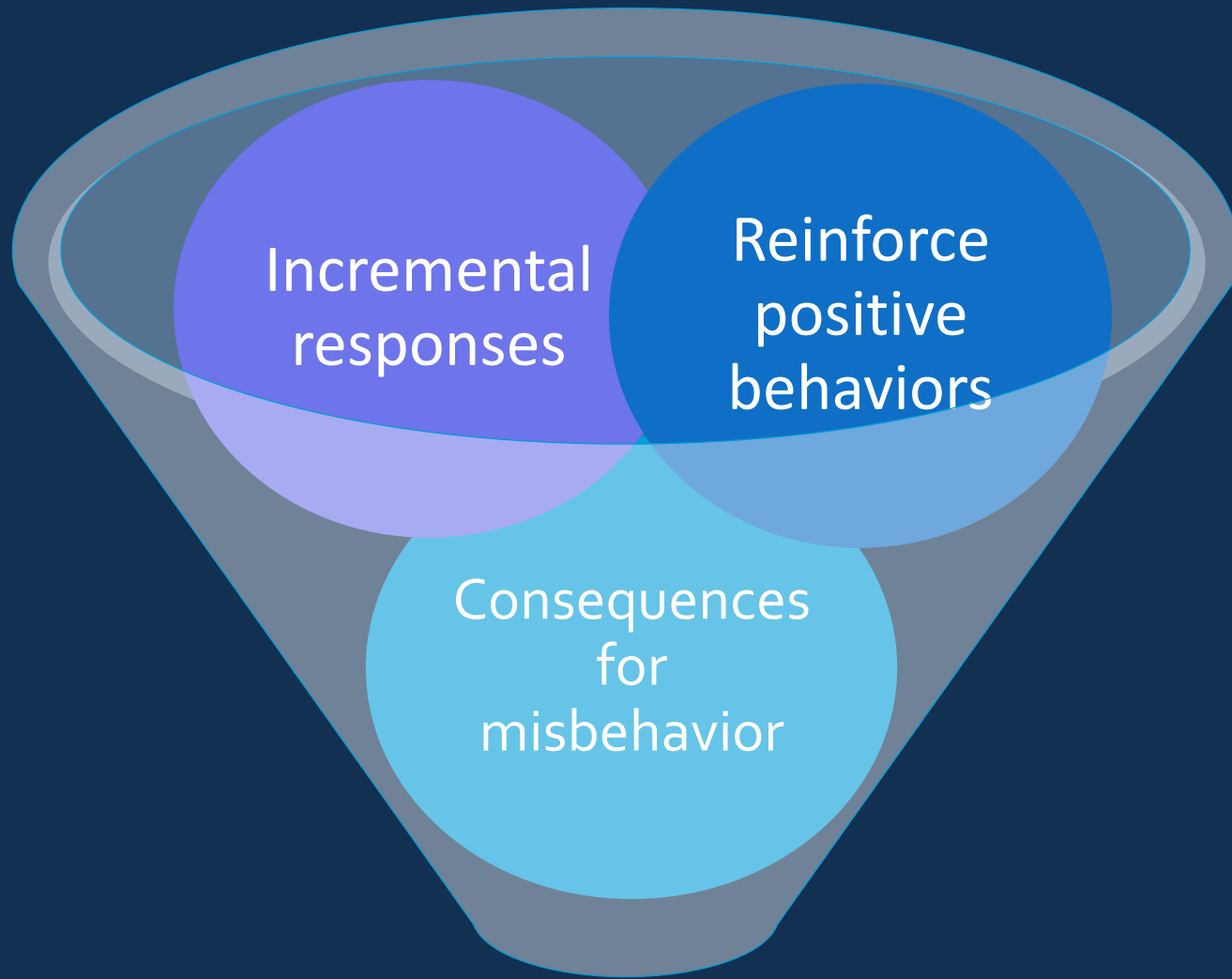


Steinberg, 2013 Nature Reviews | Neuroscience

So What Do We Do?

Restructure
probation to
better align with
adolescent
development





Graduated Response System

Empirical Support

Classroom settings

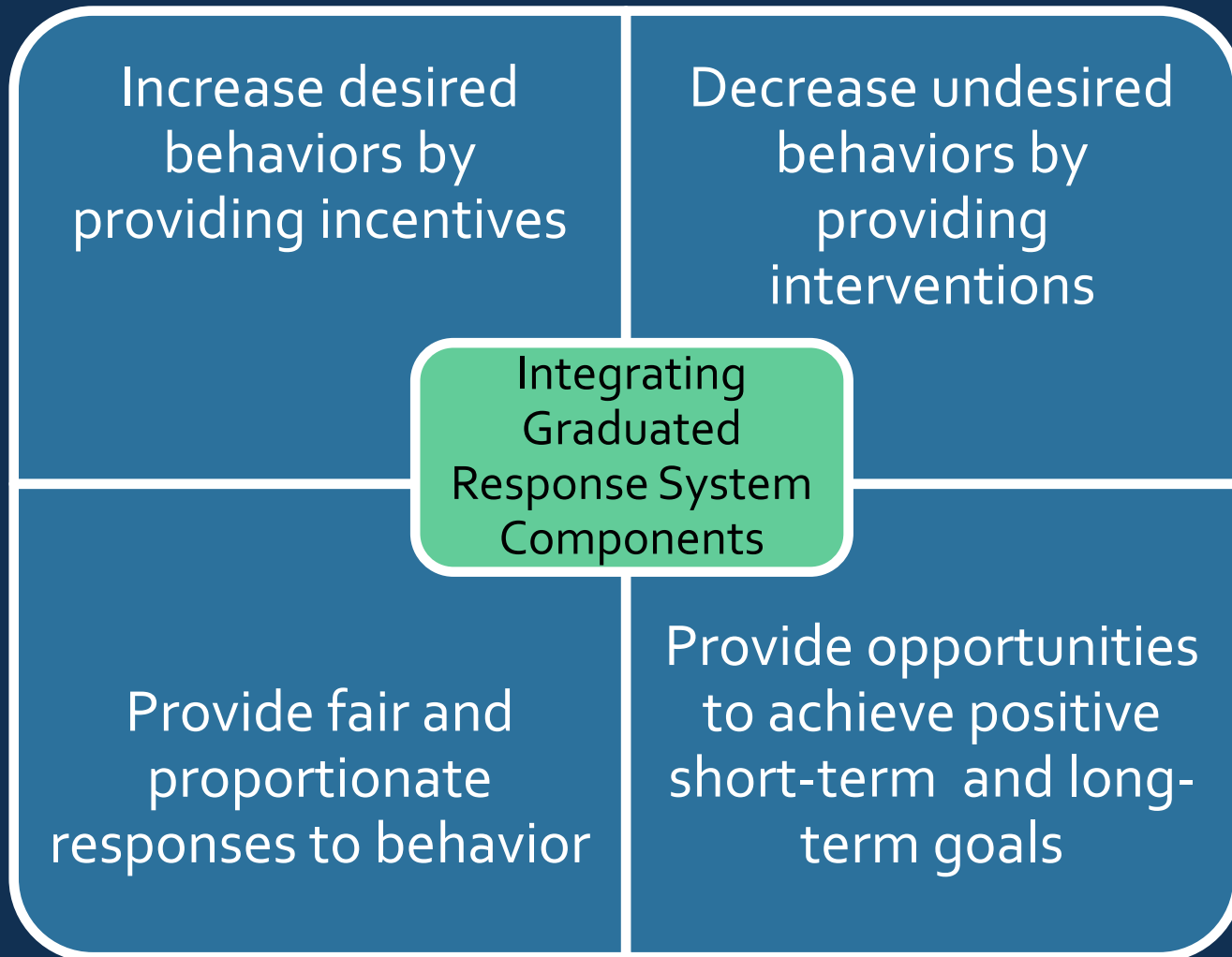
Youth with behavioral issues

Substance use treatment

Residential/correctional settings

Adult probation settings

Juvenile probation settings



In graduated response systems, *effort* to follow requirements is positively recognized

“Catch them being good.”

What's Happening at the State and National Levels?

 Graduated Response is a priority

State juvenile probation forum 

Counties are at different stages of development and implementation processes

NCJFCF Resolution



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Developed by Dr. Naomi E. Goldstein in collaboration with the PA Council of Chief Juvenile Probation Officers

JUVENILE JUSTICE
STRATEGY GROUP
The Annie E. Casey
Foundation



JUVENILE PROBATION IN THE 21ST CENTURY:
INTEGRATING DEVELOPMENTAL SCIENCE AND JUVENILE JUSTICE

2017 James E. Anderson
Pennsylvania Conference on Juvenile Justice

NOVEMBER 16, 2017

JJSG Began Investing in Probation Transformation Site Support Grants in 2014





- Seeking to promote reforms that strive for a clearer purpose and theory of change within probation, one that:
 - sharpens the focus and limits the reach of the intervention;
 - defines and seeks behavioral change and personal growth in a developmentally appropriate manner;
 - alleviates racial/ethnic disparities; and
 - prioritizes community and family partnership.

- Selected applicants that proposed strategies that challenge and fall outside the general framework and assumptions of current practice.

Six Conclusions about Juvenile Probation

1. Conventional surveillance-oriented probation is **ineffective** and actually increases recidivism in lower risk youth.
2. Research on brain science and **adolescent development** research suggests that conventional probation is fundamentally **ill-suited** to working with youth.
3. Efforts to implement “what works” further the field of juvenile probation, but are **not sufficient** to achieve maximum results and to impact **all youth**.
4. Consensus is needed on the purpose and goals of probation as an intentional intervention for youth who pose significant risk of re-offending, with the goals of behavior change and personal growth.
5. The first step in transforming probation is to sharply **reduce** the number of youth placed on probation supervision and divert youth with low-level offenses and who pose low risk.
6. Probation should be **limited** to youth with **serious and repeat offenses** who require supervision and **support**, which includes a focus on family engagement, community partnerships, racial equity and youth development.

Probation should focus on the right youth and interact with them, their families and communities in a developmentally appropriate way

Traditional Probation in the US		Effective Probation	
Population	<p>Default disposition: “Gotta do something”</p> <p>Used to “get the attention” of low risk youth</p> <p>Last chance for high risk youth</p>		<p>No low-risk youth on probation</p> <p>No low-level offenses</p> <p>Small caseloads</p>
Role of JPO	<p>PO as monitor, focused on compliance & surveillance</p> <p>Long lists of conditions/rules</p> <p>One-size-fits-all programs</p> <p>Sanctions/incarceration for non-compliance</p>		<p>PO as coach, focused on progress & growth</p> <p>Relationship-based intervention</p> <p>Individualized case plans</p> <p>Probation violations ≠ probation failure</p> <p>Incentives to motivate real change</p> <p>No court-ordered conditions</p>
Families & Community	<p>Minimally engaged by the system</p> <p>Viewed as part of the problem</p> <p>Viewed as having minimal assets</p>		<p>Partners in changing youth behavior</p> <p>Viewed as part of the solution</p> <p>Treated as experts</p> <p>Partners in providing opportunities for youth</p>
Racial/Ethnic Equity	<p>Focused on not making the problem worse</p> <p>“Rising tide raises all boats”</p> <p>Race neutral</p> <p>Implicit bias shapes view of adolescence</p>		<p>Seeks to reverse systemic inequities</p> <p>Targeted strategies for youth of color</p> <p>Race conscious</p> <p>Young people are seen as adolescents</p>

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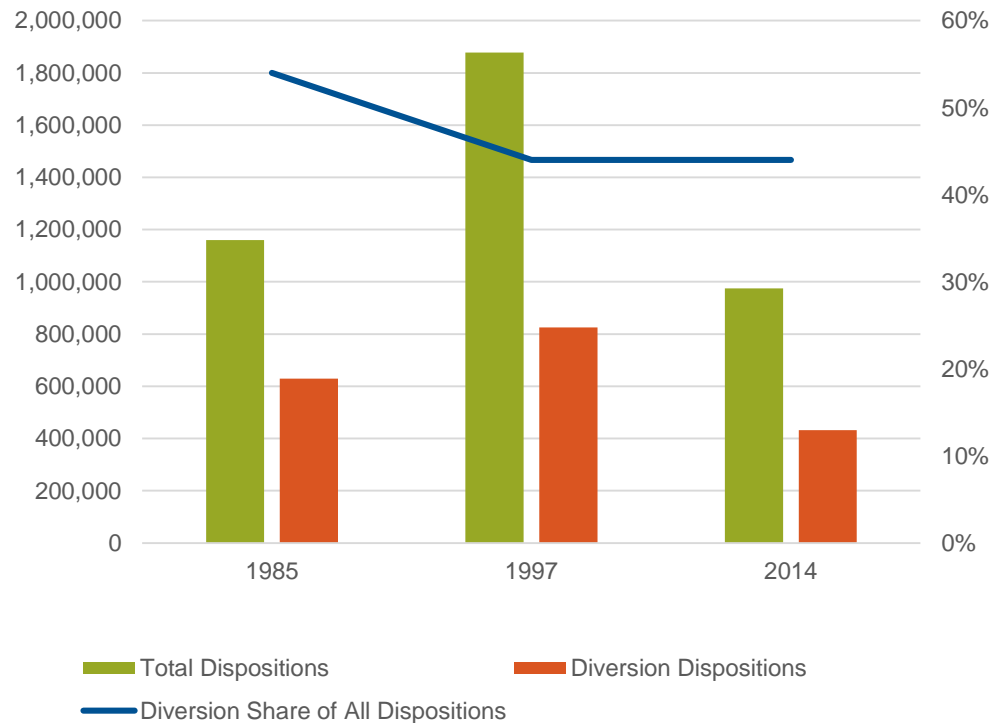
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Diversion continues to be under-utilized by juvenile justice systems

National Total Dispositions & Diversion Share of Dispositions



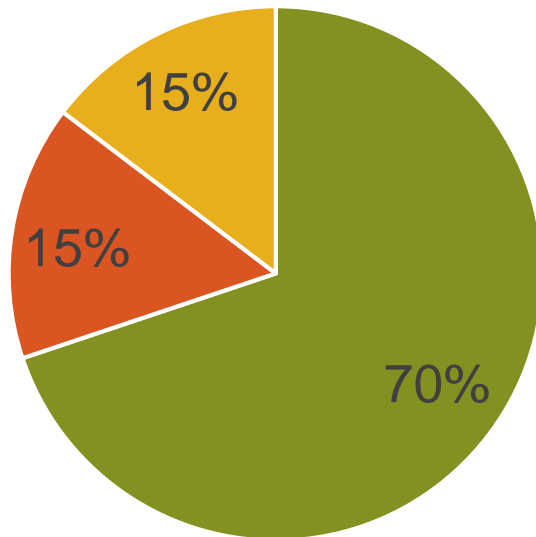
Lucas County, OH (Toledo) is implementing innovations that limit the reach of probation, structure dispositional decisions and leverages family and community partnerships

- ❖ Structured Decision Making Matrix
- ❖ Expanded Diversion – Misdemeanors Services
- ❖ Community Asset Mapping
- ❖ Family Navigators
- ❖ Community Advisory Board
- ❖ Positive Youth Development



Impact of the Lucas County Misdemeanor Services

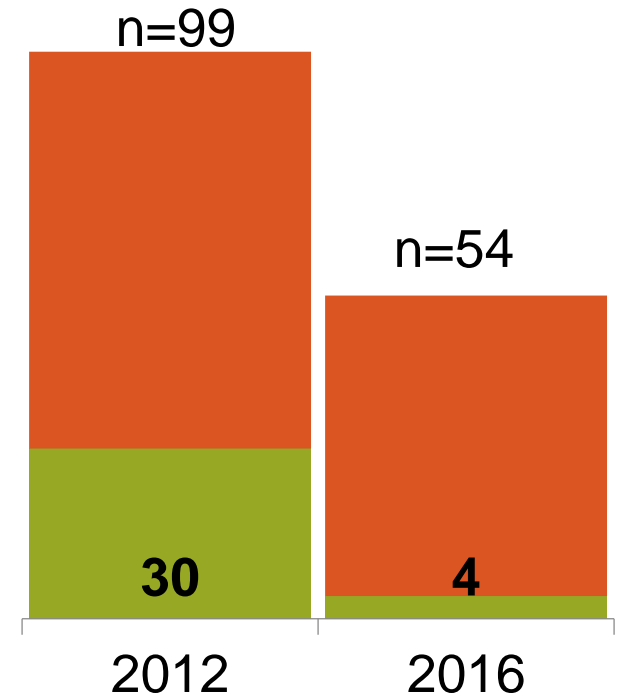
Lucas County Juvenile Court Filings (5 year average)



■ Misdemeanors ■ Felonies ■ Status/Other

- Nearly 1,000 more youth likely diverted
- Reduction in probation caseloads
- Greater success with probation caseloads

Placements



■ Violation of Probation
■ Delinquency offense

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Pierce County, WA (Tacoma) is partnering with families and incentivizing opportunities for positive youth development

- ❖ Opportunity Based Probation
- ❖ Coordination of Services
- ❖ *Pathways to Success*
- ❖ Positive Youth Development programs
- ❖ Family Council



Opportunity Based Probation Prizes & Recognition

Utilizing research on teen brain development to motivate youth with goal-oriented rewards and strength-centered community activities.



Opportunity Based Probation in partnership with Dr. Sarah Walker, *University of Washington*

BEHAVIORS	POSSIBLE POINTS	POINTS	PRIZES	COURT RECOGNITION
Complete community service hours	10	4	Bus pass	Keep up the good work!
			Bag of chips	
Pass random urinalysis	10		Nail polish	
			Keychain	
Complete restitution	10	18	Candy	Congratulations letter from probation
			Star Center ticket	
Complete letter of apology	5		\$15 ORCA card	
			\$15 Tacoma mall gift card	
Complete weekly crime free goal	2	36	\$15 Regal movie passes	Community Opportunity! Congratulations letter from judge
			2 Rainiers vouchers	
Complete weekly responsibility goal	2		2 Mike N Terrys passes	
			2 Museum of Glass passes	
Complete weekly personal goal	2		2 Ice skating rink passes	
		Completion of court conditions & probation plan		Graduation ceremony (reduced probation time)

PCJC Community Partnerships



**A
Common
Voice**

WE HELP FAMILIES RECLAIM THEIR *Resiliency*
PLANTING SEEDS OF HOPE

W UNIVERSITY of WASHINGTON
Department of Psychiatry &
Behavioral Sciences

**TUFF
LOVE**
Intervention

FAMILY COUNCIL

The Family Council is a group of family members and young adults with experience in the juvenile justice system, who gather together regularly to give advice and recommendations to court staff.

**A partnership program of the
Pierce County Juvenile Court**

Building New Bridges

Coordination of
Services Program

TACOMA
COMMUNITY
BOAT BUILDERS

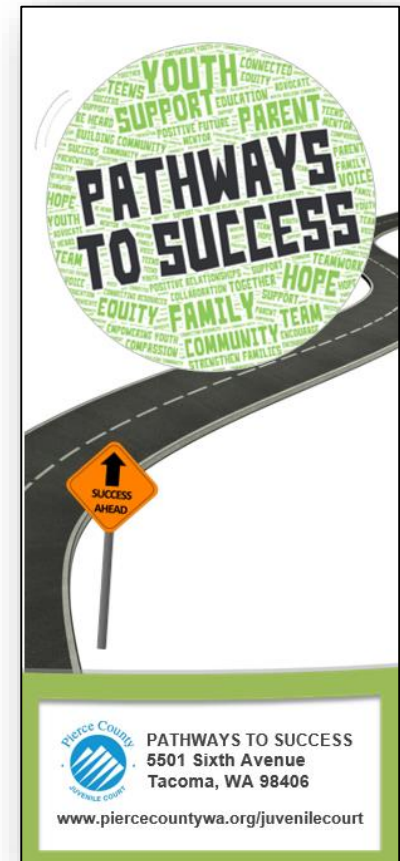
2ND CYCLE

FOR YOUTH DEVELOPMENT®
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

Evening Center

Pathways to Success

- ✓ Youth & Family Team Approach
- ✓ One way to address disproportionality in the Deep End of the system
- ✓ Provides extra support for African American youth to prevent entrenchment
- ✓ Launched July 1st
- ✓ Mentor partnership



Probation Transformation - - - Limit System Involvement

“SHRINK THE SYSTEM”

GOALS

DIVERSION

1. Divert at least 60% of referrals including ALL youth with low level offenses and low risk levels.

PROBATION

2. Use probation as a purposeful, meaningful and limited intervention to support behavior change for youth with serious and repeat offenses.

METHODS

Minimal Formal Processing
Refer to Services. Do Not Order
Limited Contact
Community Diversion Programs

Limit Court Orders
Positive Relationship Building
Case Planning
Cognitive Behavioral Interventions
Incentives & Opportunities

OUTCOMES

- ↑ Youth Diverted
- ↑ Family Engagement
- ↑ Community Resources
- ↑ Positive Adult Relationships
- ↑ Youth Remaining in Communities
- ↑ Community Safety
- ↓ Racial & Ethnic Disparities

PROBATION PRINCIPLES

1. Racial & Ethnic Equity
2. Positive Youth Development
3. Family Engagement
4. Community Partnerships
5. Targeted/Individualized Services
6. Data Driven Policies
7. Adolescent Development Research
8. Restorative Justice



THE ANNIE E. CASEY FOUNDATION

Developing solutions to build a brighter future for children, families and communities

www.aecf.org

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ALIGNING JUVENILE PROBATION TO THE RESEARCH

HOW WELL ARE WE DOING?

ELIZABETH FRITZ
CHIEF JUVENILE PROBATION OFFICERS
LEHIGH COUNTY

LINKING ALL OF THE “INITIATIVES” TO THE RESEARCH INCLUDING RNR AND ADOLESCENT BRAIN RESEARCH

- Structured Decision Making Tools
 - YLS - RNR
 - Pa Detention Risk Instrument
 - MAYSI
- Motivational Interviewing
- Family Engagement
- Case Planning- matching interventions

LINKING ALL OF THE “INITIATIVES” (CONTINUED)

- Graduated Responses
- Carey Guides, BIT, Forward Thinking Journals, CBT, etc....
- Structured Probation Appts: EPICS- Skill Building
- Others: Diversion, Victim and Community Awareness, Prevention, DMC, Placements/Aftercare.....

BARJ PRINCIPLES... RISK REDUCTION....AND EVIDENCE BASED PRACTICES

- Risk Reduction = Community Protection= Less Victims
- Building competencies through skill building
- Individualized approaches and case planning
- A word about accountability and court obligations
- Obligation to follow the research and science just as we would expect other disciplines
- JJSES is the framework

OUR RESPONSIBILITY: ACHIEVING OUR BARJ MISSION THROUGH JJSES

- Link the various initiatives; but also understand and teach the **WHY**
- Are we taking the time to do this, or,
 - doing it because we have to???
- Training is part of this- including stakeholders and system partners
- Are we messaging enough
 - If so, how are we messaging and with whom

DELIVERING PROBATION IN A DEVELOPMENTAL APPROACH

- A shift in thinking rather just ‘initiatives’
- Evaluating and reevaluating what our mission is and reinforcing this
- Look at each youth in an individualized way and individualized case planning
- Pay attention to the risk, need and responsivity principles- Not all youth represent the same risk or needs
- Recognition that this takes time and effort, all which impacts workload
- Use a graduated approach
- As probation officers we must help youth achieve their goals
- Understanding that compliance conditions are only a PART of what we do- limit “template” conditions when possible

NCJFCJ RESOLUTION KEY POINTS

- Policy and practice changes which incorporate the research
- Recognizing the differences between youth and adults AND differences between youth
- As a result, approaches need to be individualized including conditions of probation
- Individualized and graduated sanctions (those that will help them learn) and incentives
- Out of home placement should be used as a last resort- alternatives
- Engaging the family and community
- Understand and incorporate knowledge about adolescent development and behavioral decision making

RESOLUTION: HOW ARE WE DOING

- The NCJFCJ supports and is **committed to juvenile probation systems that conform to the latest knowledge of adolescent development and adolescent brain science.**
- The NCJFCJ supports and is committed to the development of robust **education and training of juvenile probation staff** on adolescent brain development; its impact on juvenile justice policy, practice and the law; and its relationship to juvenile probation case planning, conditions of probation, supervision, monitoring and enforcement, and data collection.
- The NCJFCJ encourages juvenile probation agencies to **implement evidence-based practices and be data-informed by collecting practice-based evidence.**
- The NCJFCJ recommends the use of **validated risk and needs assessments** to guide dispositional and programming decisions.

HOW ARE WE DOING (CONTINUED)

- The NCJFCJ recommends juvenile probation that emphasizes **individualized case management** to provide youth with services that are **responsive to their criminogenic needs**.
- The NCJFCJ encourages an **emphasis on the use of incentives—rather than sanctions--** to modify youth behavior.
- The NCJFCJ recommends that courts cease imposing “**conditions of probation**” and instead support probation departments’ developing, with families and youth, individualized **case plans that set expectations and goals**.
- The NCJFCJ encourages jurisdictions to develop **alternatives to formal probation revocations for technical violations**, to ensure that detention or incarceration is never used as a sanction for youth who fail to meet their expectations or goals.

SO, HOW ARE WE DOING...

IMPROVE REFINE SUSTAIN

- Sustainability through understanding
- Sustainability through buy in
- Sustainability through planning and teaching
- Sustainability through time, effort, and commitment
- Sustainability through reinforcement
- Sustainability through good quality assurance and data collection
- Sustainability through positive outcomes

Bringing It All Together...

Adolescence is a time of rapid brain development

Probation is a process

System needs to be set up for early success

Mistakes offer opportunities for learning

Probation offers opportunities for learning
in real-life settings

How Graduated Response Fit with Other Initiatives



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