Advancing Juvenile Probation Transformation with NCJFCJ

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Jessica Pearce, Senior Site Manager

NCJFCJ
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Acknowledgements and Disclaimer

THE ANNIE E. CASEY FOUNDATION

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Read All About It…

- …Just Broke Ground on a New Community Center For Juvenile Justice Involved Youth
- …Record Low Number of Youth in Detention
- …Juvenile Justice Youth Graduate and Attend College
- …Restorative Justice Practices in Our Community Show Results



In Five Years, What Headli
Want See About Juvenile Jus
Your Community?

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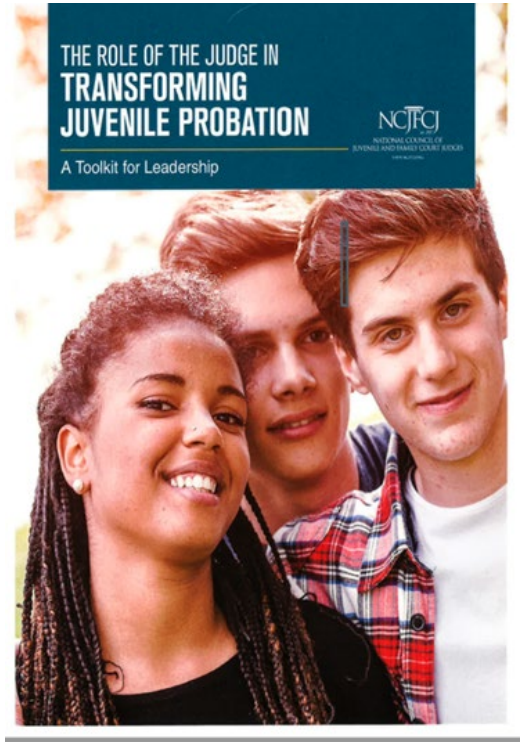
Learning Objectives

- Learn about practices for transforming youth probation in your community.
- Learn about implementation strategies for probation transformation.
- Learn about probation transformation practices under way in other jurisdictions.



Much of the content being presented is detailed in the NCJFCJ publication:

The Role of the Judge in Transforming Juvenile Probation: A Toolkit for Leadership

Most Youth Naturally Desist from Delinquent Behavior

88% of youth are never referred

95% of those referred

Adolescence-Limited

Most youth stop offending as they mature and do not become chronic adult offenders.

5%

Persistent Offending

Brain Development

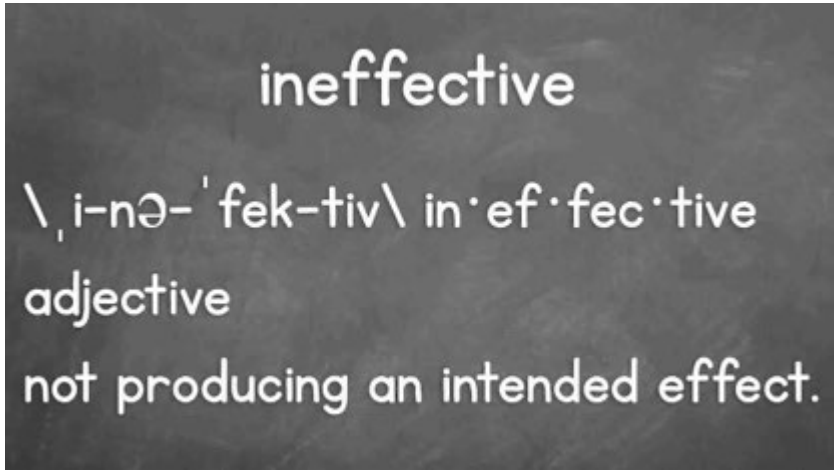
Judgment, impulse control, and decision-making continue developing into the mid-20s.

Age-Crime Curve

Offending typically peaks in the late teens (18-21) and declines steadily through adulthood.

Implication: Diversion and targeted probation allow resources to focus on the small group of youth with persistent risk factors while avoiding unnecessary system involvement for youth likely to mature out of delinquent behavior.

What Does the Research Say About INEFFECTIVE Responses to Youth Law Violations?



What Doesn't Work: Incarceration

Reduces access to opportunities, relationships, activities, and experiences that assist youth with becoming more responsible and empathic in their decision-making and behavior.

- disrupts family, work, and community ties
- stymies normal adolescent development
- prevents youth from experiencing rites of passage associated with normal and healthy adolescence and maturation
- incarceration-related harms and disruptions disproportionality affect youth of color

What Doesn't Work: Incarceration

Confinement often results in higher rates of rearrest and reincarceration compared with probation and other community alternatives to confinement:

Up to 75% of youth committed to juvenile correctional institutions are rearrested within 3 years of release

Exposure to stressful conditions while incarcerated leads to deleterious outcomes

- Lower high school graduation
- Lower employment and earnings in adulthood
- Worse mental health

Core Skills Youth Need for Life

Planning – being able to make concrete plans, carry them out, and set and meet goals

Focus – concentrating on what is most important at any given time

Self-Control – controlling responses to emotions and stressful situations

Awareness – noticing people and situations around us and how we all fit into the picture

Flexibility – adapting to changing situations

Collateral Consequences – Ongoing Penalties of Juvenile Justice Involvement for Youth and Families

- Accessing educational services
- Obtaining employment
- Serving in the military
- Finding and maintaining housing
- Receiving state trade licensing/bonding/certification
- Becoming a volunteer for a nonprofit organization
- Being a kinship foster care home for a relative

What Does the Research Say about EFFECTIVE Responses to Youth Law Violations?



What Does Work

- Ties and success with school
  - support positive youth-teacher relationships
  - connect to tutoring, credit recovery, IEP assessments
  - support/connect to involvement in extra-curricular activities
- Access to community and state services, employment opportunities, and leisure activities
- Trauma-informed, mental health, and cognitive behavioral change therapy
- Mentors, Credible Messengers
- Diversion and restorative conferencing to build empathy and repair harm
- Supporting a sense that youth “matter” and a hopeful and positive outlook for their future
- Broadening horizons on what is possible and achievable

What Does Work cont'd

- Directing risky and thrill seeking behavior to positive challenges and competition (physical or social, leisure or recreational)
- Engaging brain as "sponge" to learn and practice new things
- Supporting/using cognitive functioning to plan, practice self control, explore other perspectives (CBT, EPICs)
- Directing sensitivity to peer influence to pro-social peers, mentors, prosocial activities, stable and healthy relationships (Credible Messenger)
- Engaging youth search for "ideals" in restorative justice practices to recognize and address harm done to others

What Does Work cont'd

- Channeling desire for adult-like experiences and autonomy to appropriate milestones (prom, job interviews, college applications) and to make plans for their future

- Directing attraction to rewards to healthy motivators (earning income from part-time job, earning driver's license, high school diploma, acceptance into college)

- Directing self-absorption to goal-oriented thinking, future planning, and activity

- Redirecting/strengthening healthy emotional and mental health to self-care and empathy toward others

Search Institute

Developmental Assets

Developmental Assets -- Support

- Family support—Family life provides high levels of love and support.
- Positive family communication—Young person and her or his parent(s) communicate positively, and young
- Person is willing to seek advice and counsel from parents.
- Other adult relationships—Young person receives support from three or more nonparent adults.
- Caring neighborhood—Young person experiences caring neighbors.
- Caring school climate—School provides a caring, encouraging environment.
- Parent involvement in schooling—Parent(s) are actively involved in helping young person succeed in school.

Empowerment

- Community values youth—Young person perceives that adults in the community value youth.
- Youth as resources—Young people are given useful roles in the community.
- Service to others—Young person serves in the community one hour or more per week.
- Safety—Young person feels safe at home, school, and in the neighborhood.

Boundaries and Expectation

- Family boundaries—Family has clear rules and consequences and monitors the young person's whereabouts.
- School Boundaries—School provides clear rules and consequences.
- Neighborhood boundaries—Neighbors take responsibility for monitoring young people's behavior.
- Adult role models—Parent(s) and other adults model positive, responsible behavior.
- Positive peer influence—Young person's best friends model responsible behavior.
- High expectations—Both parent(s) and teachers encourage the young person to do well.

Constructive use of Time

- Creative activities—Young person spends three or more hours per week in lessons or practice in music, theater, or other arts.
- Youth programs—Young person spends three or more hours per week in sports, clubs, or organizations at school and/or in the community.
- Religious community—Young person spends one or more hours per week in activities in a religious institution.
- Time at home—Young person is out with friends “with nothing special to do” two or fewer nights per week.

Commitment to Learning

- Achievement Motivation—Young person is motivated to do well in school.
- School Engagement—Young person is actively engaged in learning.
- Homework—Young person reports doing at least one hour of homework every school day.
- Bonding to school—Young person cares about her or his school.
- Reading for Pleasure—Young person reads for pleasure three or more hours per week.

Positive Values

- Caring—Young person places high value on helping other people.
- Equality and social justice—Young person places high value on promoting equality and reducing hunger and poverty.
- Integrity—Young person acts on convictions and stands up for her or his beliefs.
- Honesty—Young person “tells the truth even when it is not easy.”
- Responsibility—Young person accepts and takes personal responsibility.
- Restraint—Young person believes it is important not to be sexually active or to use alcohol or other drugs.

Planning and Decision Making

- Planning and decision making—Young person knows how to plan ahead and make choices.
- Interpersonal Competence—Young person has empathy, sensitivity, and friendship skills.
- Cultural Competence—Young person has knowledge of and comfort with people of different cultural/racial/ethnic backgrounds.
- Resistance skills—Young person can resist negative peer pressure and dangerous situations.
- Peaceful conflict resolution—Young person seeks to resolve conflict nonviolently.

Personal Power

- Personal power—Young person feels he or she has control over “things that happen to me.”
- Self-esteem—Young person reports having a high self-esteem.
- Sense of purpose—Young person reports that “my life has a purpose.”
- Positive view of personal future—Young person is optimistic about her or his personal future.



What Developmental Ass[illegible] Important To Your Develop[illegible]?

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What Does Work

Probation Practices:

- smaller caseloads
- short-term supervision, supports, and guidance
- shift away from risk-based, compliance-driven supervision
- focus on restorative, individualized, goal-oriented service delivery for youth and families
- focus on skill building
- focus on community connections (school, workforce preparation, civic engagement, recreation, spiritual support)

Transforming Juvenile Probation Publication

Developed with input from a Judicial Advisory Group, Probation Administrator, and JPO Surveys Findings

From those with experience implementing reforms for probation transformation, we learned supports for probation transformation are:

Research findings (what is effective/not effective)

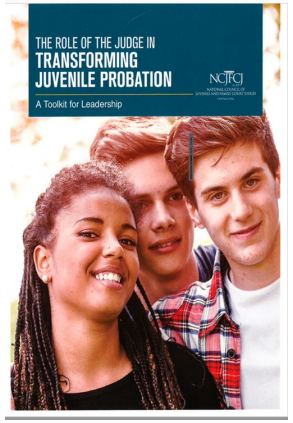
Practices that will promote race equity

Using data to understand current picture of practices and track improvements

Training

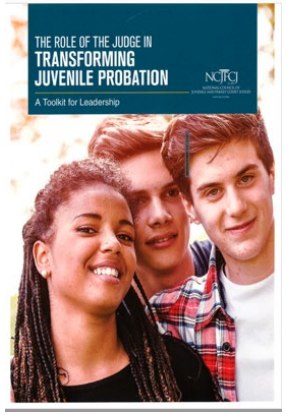
Building consensus for reform:

- Having a vision of reform
- Involving justice and community stakeholders, probation administrators, supervisors, front-line staff, justice-involved families, early and often in planning and making change



Toolkit Addresses Five Areas for Practice Reform

- Individualized, Goal-Oriented Case Planning
- Incentives and Rewards
- Minimizing Conditions of Probation
- Alternatives to Confinement in Response to Violations
- Probation as a Disposition for Youth Involved in Serious Delinquency (and diversion or informal processing of all other youth)



For Each Practice Area, the Toolkit Provides the What, Why, and How

- The detailed specifics of the practice/what is recommended practice
- Reasons for implementing (research)
- Key elements of the practice
- Promoting race equity in the practice
- Using data to support the practice
- Challenges to implementing the practice
- How judges and leadership can support the practice

Goal-Oriented, Individualized Case Planning

- JPO to spend one month getting to know the young person & their family
- Focus on limited number of priorities related to the risk/need assessments and views of the young person and their family
- Develop a sequence of achievable goals for each priority area
- Develop an array of incentives including early termination of probation
- Review and modify regularly with the young person and their family



How Are You Individualizi… Plans?

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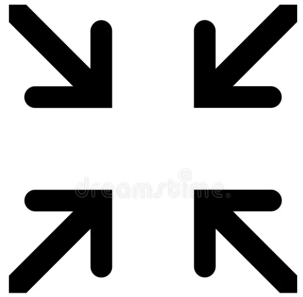
Incentives and Rewards to Support Behavior Change

- Rely on incentives and rewards rather than sanctions and punishment
- Work collaboratively with the young person and their family to identify achievable goals
- Determine an array of incentives and rewards meaningful to the young person
- Use SMART goals (Specific, Measurable, Achievable, Relevant, Time-bound)

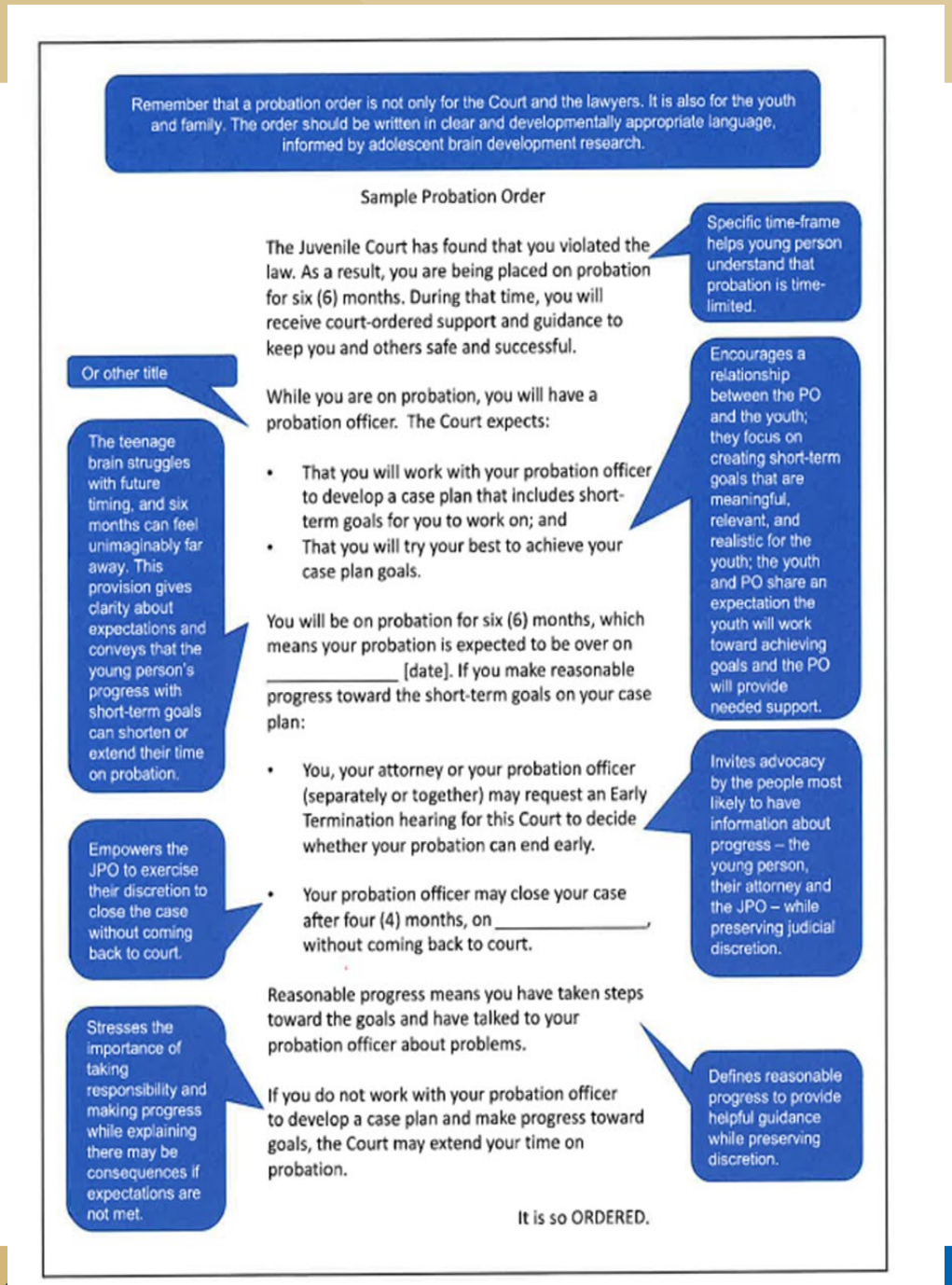


Minimal Court-Ordered Conditions

- Absence of a standardized list of conditions
- Possible that the only condition will be for the young person to work collaboratively with the probation officer to develop their case plan and pursue the case plan to the best of their ability
- Limit to no more than four conditions (but less is good)
- Ensure every condition is specifically tailored to the young person and necessary to protect public safety
- Use clear and simple language



Minimize



Sample Court Order

Alternatives to Confinement in Response to Technical Violations

- Develop alternatives to formal revocation for technical violations and ensure incarceration is never used as a sanction for a youth who fails to meet expectations or goals
- Implement effective response grids
- Recognize even brief stays in custody harm young people and increase the likelihood of rearrest in the short-term and incarceration in the long-term



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How Many Conditions of Probation do You have?

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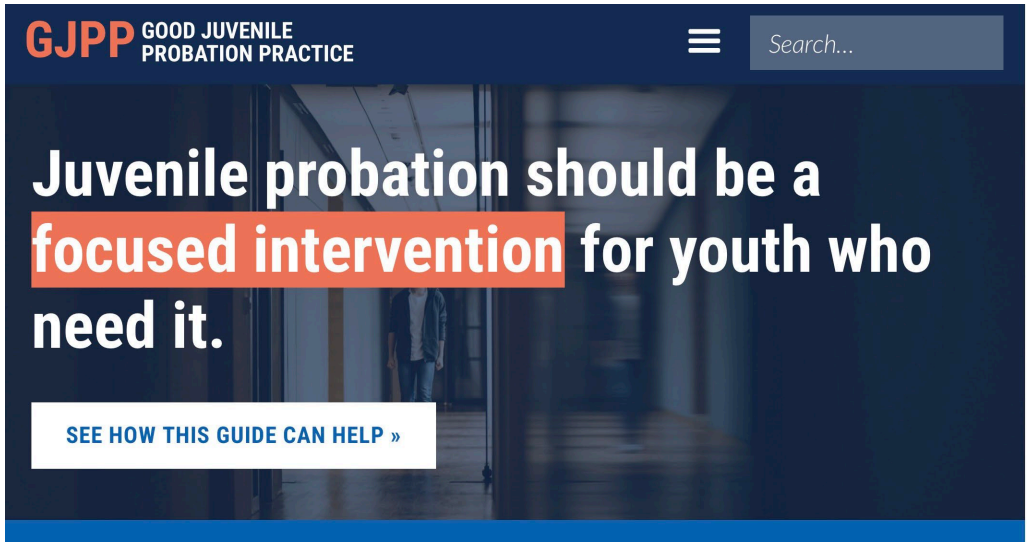
Recommended Practice: Technical Violations and Graduated Responses

Desktop Guide to Good Juvenile Probation Practice

- Technical violations should not automatically result in detention
- Responses should be proportionate, predictable, and consistent
- Prioritize community-based interventions whenever possible
- Reserve detention for significant public safety concerns



Graduated Sanctions and Community-Based Alternatives to Detention

Technical Violation	Example Response	Intended Outcome
Missed appointment, late check-in	Verbal reminder, problem-solving conversation, reschedule appointment	Redirect behavior and reinforce expectations
Repeated missed appointment, missed drug test	Increased reporting, written behavior agreement, targeted support	Improve compliance and accountability
Curfew violation, school attendance issues, first pattern of noncompliance	Community service, restorative activity, increased family engagement	Build responsibility and repair harm
Multiple technical violations despite prior interventions	Family team conference, CBT programming, individualized case plan adjustment	Address underlying causes of behavior
Continued noncompliance, repeated substance use, absconding risk	Intensive supervision, electronic monitoring, structured intervention plan	Enhance supervision while maintaining community placement
Serious and persistent violations creating significant public safety concerns	Court review and consideration of detention as a last resort	Protect community and ensure compliance

Probation as a Disposition for Youth Involved in Serious Delinquency

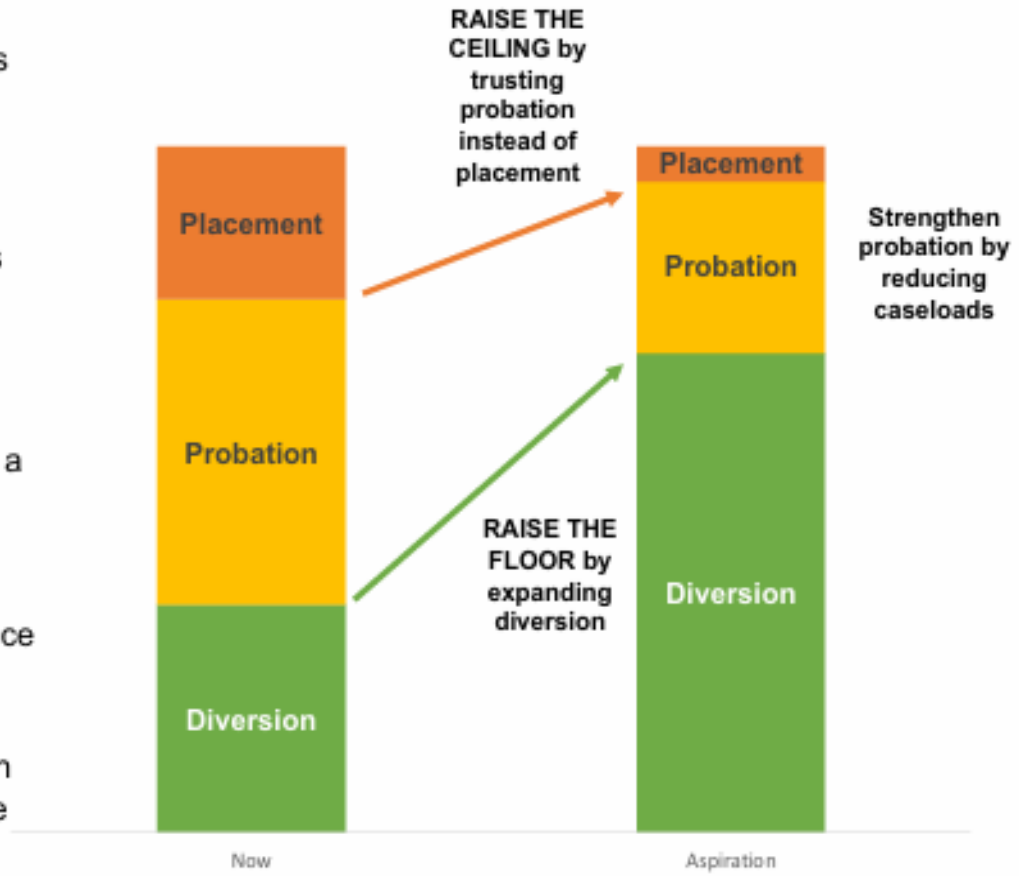
- Strategically narrow the probation population to youth with serious offenses and/or substantial risk of rearrest; increase the use of diversion for youth who pose a lower risk
- The key to desistance from delinquency is ***maturity***, so focus on goals and activities that build maturity
- Engage a variety of community-based intervention models proven effective with court-involved youth such as Credible Messenger programs, Youth Advocate Programs, Evidence-based therapy models such as CBT, MST, or FFT, Wraparound programs, Intensive Life Skills

Target Probation Resources More Efficiently

Focusing probation resources requires jurisdictions to –

- RAISE THE CEILING by trusting probation instead of placement for young people with serious offenses and complex risk/needs, and
- RAISE THE FLOOR by expanding diversion.

  In order to transform probation into a focused intervention that promotes personal growth, positive behavior change and long-term success, jurisdictions must dramatically reduce the size of the probation population and probation officer caseloads by diverting far more youth so they can mature without being pulled into the justice system.



Juvenile Probation Transformation Underway

- **Credible Messenger/Mentoring/Advocate Programs**
- **Evidence-Based, Family-Focused Multidimensional Therapy Models**
- **Cognitive Behavioral Therapy (CBT) w/education, employment, services**
- **Diversionary Restorative Justice Conferencing**
- **Wraparound Care**
- **Homegrown Alternatives**

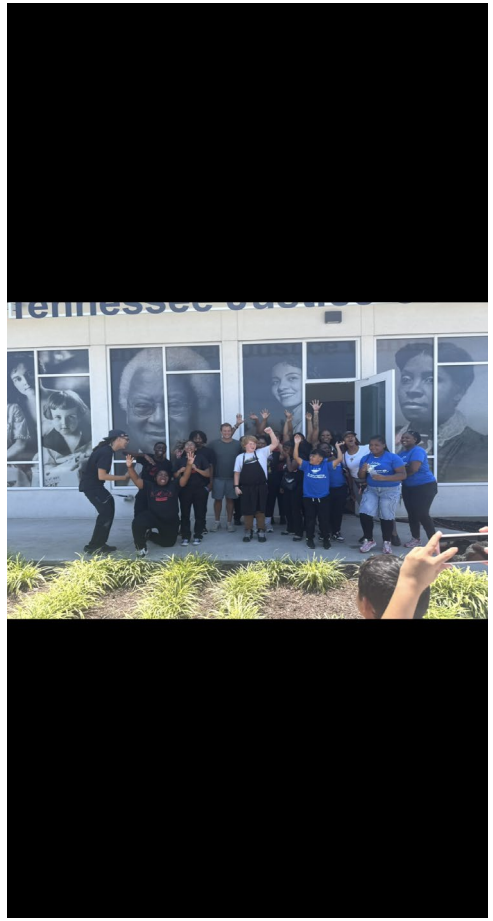
Transformation in Action:

- **Indianapolis, IN (Marion Co.) -** Robust diversion, prosecutor buy-in
- **Toledo, OH (Lucas Co.) -** Probation for felony offenders only
- **Nashville, TN (Davidson Co.) -** Do not use detention as a response to probation violation

Cameron's Journey

- MediaSilo - Justice USA S1 E6 Clip featuring Judge Calloway and Cameron CarverSub01_mibrichimova.mov

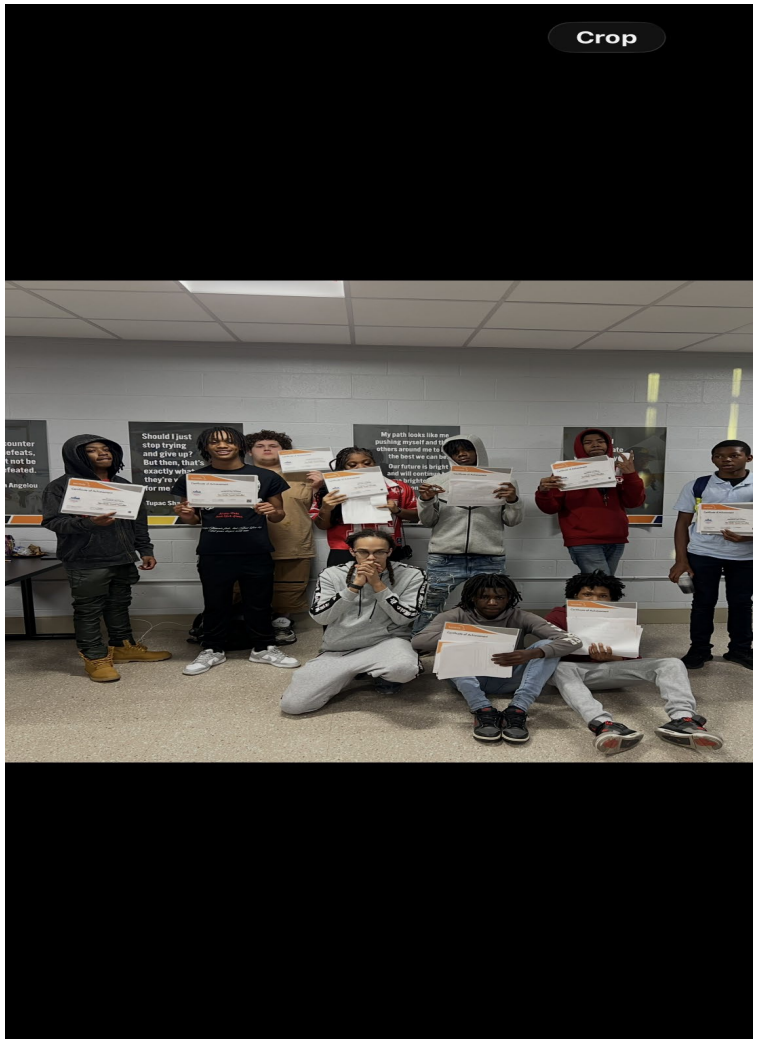
JOY Kitchen – Prevention/Diversion







Pathway Kitchen – Re-Entry

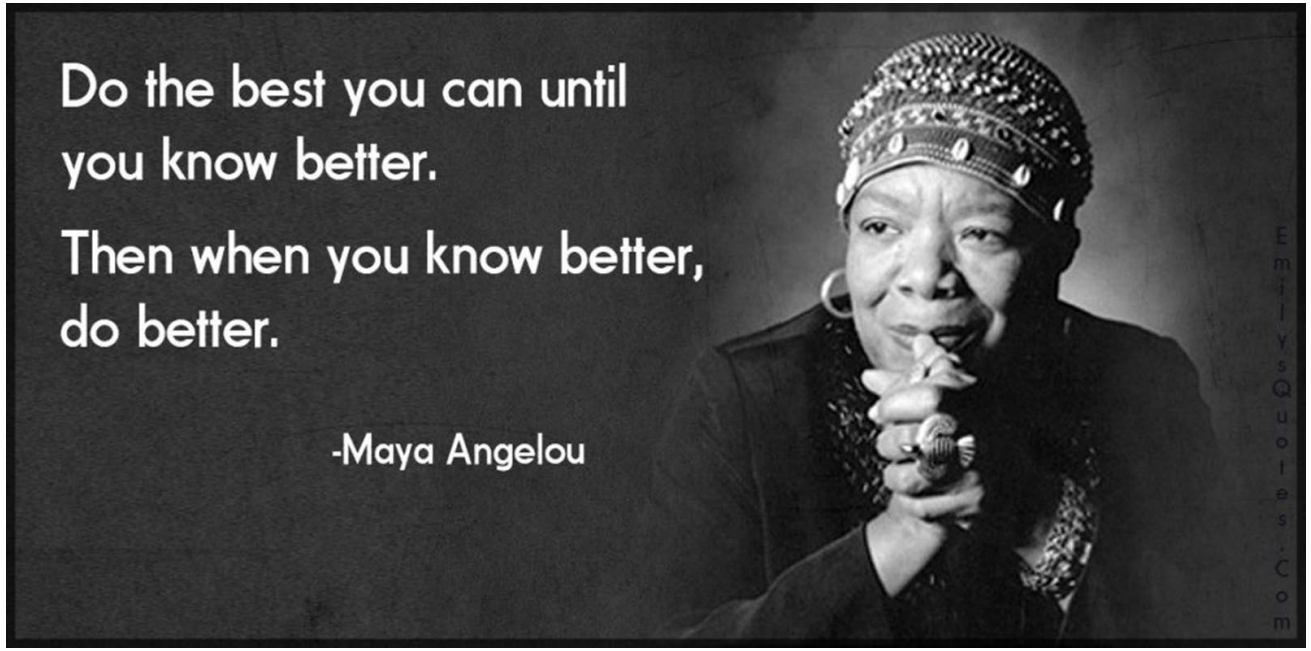








We Know Better
So We Can Do Better



Thank You!

Contact Us

Jessica Pearce: jpearce@ncjfcj.org