

Probation Transformation: Developing an Intervention that Advances Racial Equity

2017 National Council of Juvenile and
Family Court Judges Juvenile Justice Conference

FEBRUARY 14, 2017

WORKSHOP OBJECTIVES

- Participants will understand JJSG's goals in supporting probation innovation
- Participants will learn about Lucas County's approach to diverting more youth from probation and supervising higher risk youth in the community
- Participants will learn about Pierce County's results-based approach, including family partner-led teaming and an incentive-based response grid

JJSG is targeting probation because of the opportunity to transform an often overlooked yet high-impact part of the system

Why Focus on Probation?

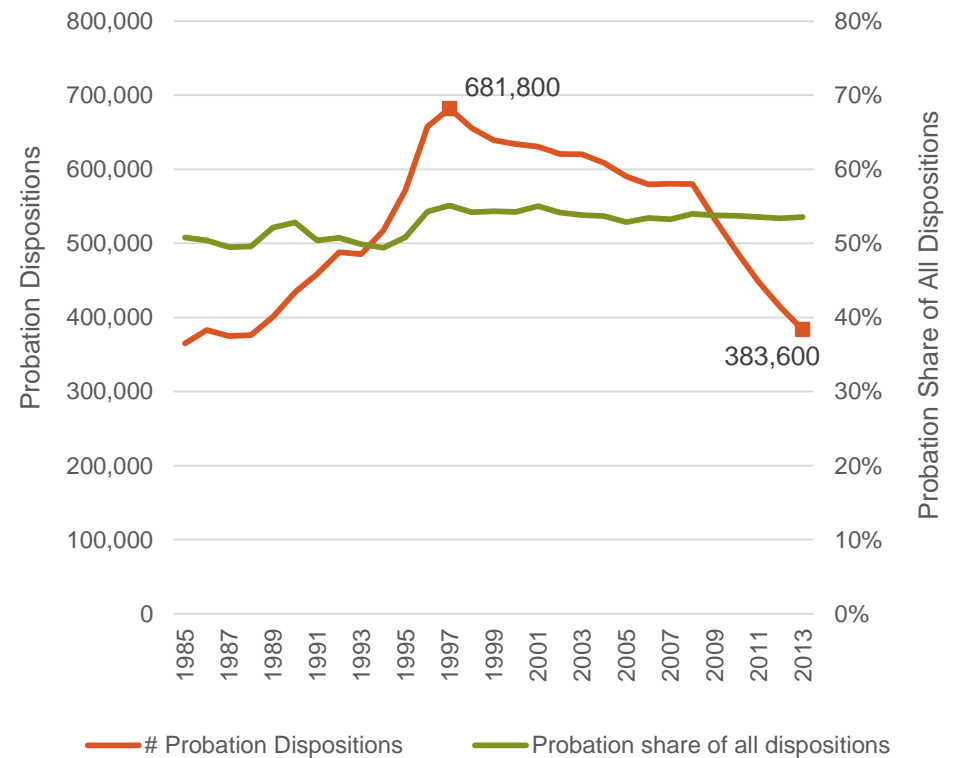
The Problem

- **No theory of change**
- Based on **broken adult model**
- **Inconsistent approach** from county to county and officer to officer

Opportunity

- **Most commonly used disposition** (see chart)
- **300,000 fewer youth** than at the 1990s peak
- **At scale:** juvenile probation in 3,000+ counties

Number of Probation Dispositions & Probation Share of All Delinquency Dispositions



Research tells us that probation supervision alone is not effective because...

Supervision is compliance based.

Conditions are not associated with

risk of reoffending.

Community Service

Curfew

Restitution

Missed appointments

“What Works”

Interventions that have been shown to be most effective:

- Incorporate elements of the risk principal
- Are matched to a youth’s need and responsivity
- Include structured social learning programs



- Risk Assessment Instruments
- Case Plans
- Service Matching
- Program Continuum
- Graduated Responses



OUTCOME



Reduced Recidivism

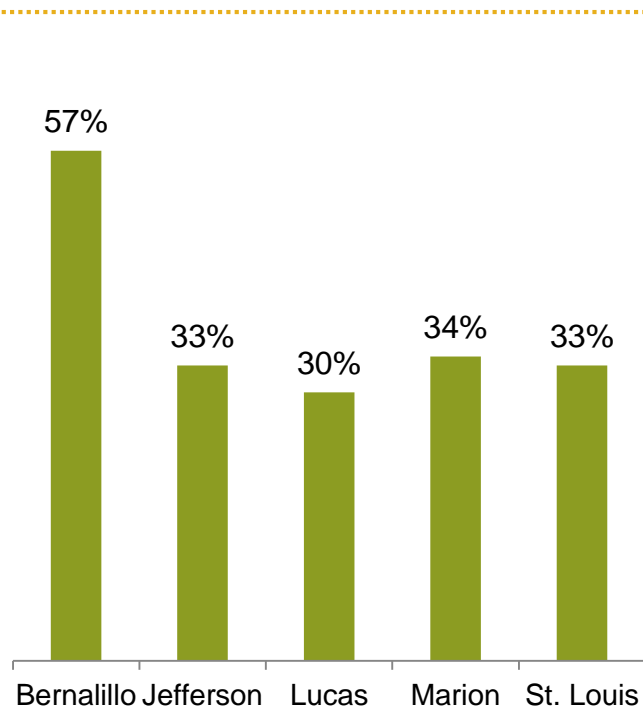
Is “What Works” Enough?

- 1) Are these approaches having a positive impact on all youth?
- 2) Is recidivism THE most important outcome?

Probation continues to be a feeder for out-of-home placements with youth of color bearing the brunt of our reliance on confinement

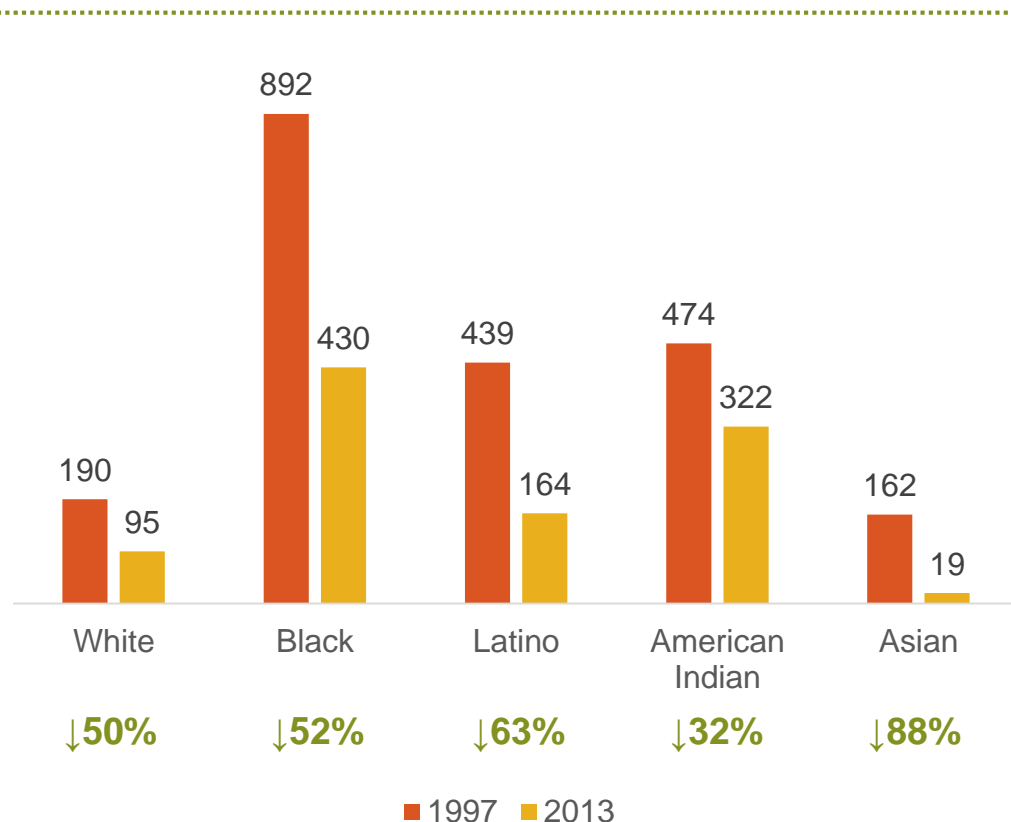
Probation Violations as a Percentage of All Out-of-Home Placements

Initial Cohort of Deep End Sites (2012)



National Disparities in Confinement by Race and Ethnicity

(rate per 100,000 10-17 year-olds)



In 2014 Casey's Juvenile Justice Strategy Group launched two Probation Transformation sites

- 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.

What's missing?

➤ Racial/Ethnic Equity and Inclusion

- *The Essence of Innocence: Consequences of Dehumanizing Black Children*
- *Implicit bias may help explain high preschool expulsion rates for black children*
- Racial/Ethnic Disparity Reduction practices scored the lowest (4.8 of 10)*

➤ Family and Community Partnerships

- Only 72% engage family members in developing the youth's case plan*
- Only 50% of probation officers "very often" or "always" support youth in connecting with positive adults and community groups*
- 2/3 of work time is spent in the office and courthouse*

➤ Adolescent Development Research

- Only 33% reported adolescent development training*

Probation should focus on the right youth and interact with them, their families and communities in a much more intentional way

Population

Default disposition: 50% of dispositions nationally
Getting the attention of low risk youth
Last chance for high risk youth

No low risk youth
No low level offenses

Role

Compliance and surveillance
Long lists of conditions/rules
One-size fits-all programs
Sanctions/incarceration for non-compliance

Relationships building with youth/agent of change as the primary function
Individualized case plans
Incentives and rewards to motivate
Probation violations \neq probation failure

Families

Minimally engaged by the system
Seen as part of the problem

Partners in changing youth behavior;
Family-engaged case planning

Community

Viewed as toxic, lacking resources and part of the problem

Partners in providing opportunities for alternatives to probation, placement and youth development

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.

METHODS

Minimal Formal Processing
Limited Contact
Community Diversion Programs

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

OUTCOMES

- ↑ Community Safety Increased
- ↑ More Youth Remain in Communities
- ↑ Community Resources Increased
- ↑ Family Engagement Increased
- ↑ Positive Adult Relationships Increased
- ↓ Racial and Ethnic Disparities Eliminated

CORE PROBATION PRINCIPLE COMPONENTS

Targeted/Individualized Services	Racial and Ethnic Equity	Family and Community Partnerships
Positive Youth Development	Data Driven Policies	Restorative Justice
	Adolescent Development Research	



THE ANNIE E. CASEY FOUNDATION

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

www.aecf.org

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Transforming Probation Supervision of Higher Risk Youth



Lucas County Juvenile Court

Care | Guidance | Treatment | Protection

Toledo



MISSION STATEMENT



The Lucas County Court of Common Pleas, Juvenile Division, is mandated and governed by law. In fulfilling its mandate, the Juvenile Court's mission is to:

**Ensure
public safety.**

**Protect
the children**
of the community.

Preserve families
by supporting parents and intervening only
when it is in the best interest of the child
and/or the community.

**Work with the
community**
to develop and enforce standards
of responsible behavior for adults and children.

Ensure balance
between consequences and rehabilitation
while holding offenders accountable for their actions.

**Efficiently &
effectively operate**
the services of the Court.

In 2012 Lucas County became a Deep End pilot site with AECF and in 2014 became a Probation Transformation site .

This analysis revealed six key areas of opportunity to further build a robust continuum of care

MAJOR THEMES IN LUCAS COUNTY

Dispositional Decision Making

- The rate of out-of-home placement is increasing
- Over half of youth in out-of-home placement are medium or low risk

Community- Based Services

- More community based solutions are needed to work with high-risk youth

Racial & Ethnic Equity

- Disproportionality increases in the deep end
- Drivers of disproportionality have yet to be clearly identified

Family Engagement

- Families are not engaged as a stakeholder in reform efforts

Probation

- Too many low-risk youth & youth with minor offenses on probation caseload
- VOPs account for a third of out-of-home placements

Collaboration

- Collaborative efforts have made great strides, but to reduce out-of-home placements these efforts must expand

Since conducting a system assessment Lucas County has continued to collaborate with a variety of stakeholders to begin to address each area of opportunity.

MAJOR THEMES IN LUCAS COUNTY

Dispositional Decision Making

- Develop a Structured Decision Making process that assists in structuring dispositional recommendation

Racial & Ethnic Equity

- Collaborate with The W. Haywood Burns Institute to develop equitable interventions
- Conduct in depth case analysis to identify potential drivers

Probation

- Develop an alternate track for low level offenses to be served through community partners
- Frontline practice reform with Positive Youth Justice

Community- Based Services

- Seek out new opportunities to safely serve youth in their community

Family Engagement

- Develop peer to peer supports for families
- Implement a steering committee for families to participate in reform efforts

Collaboration

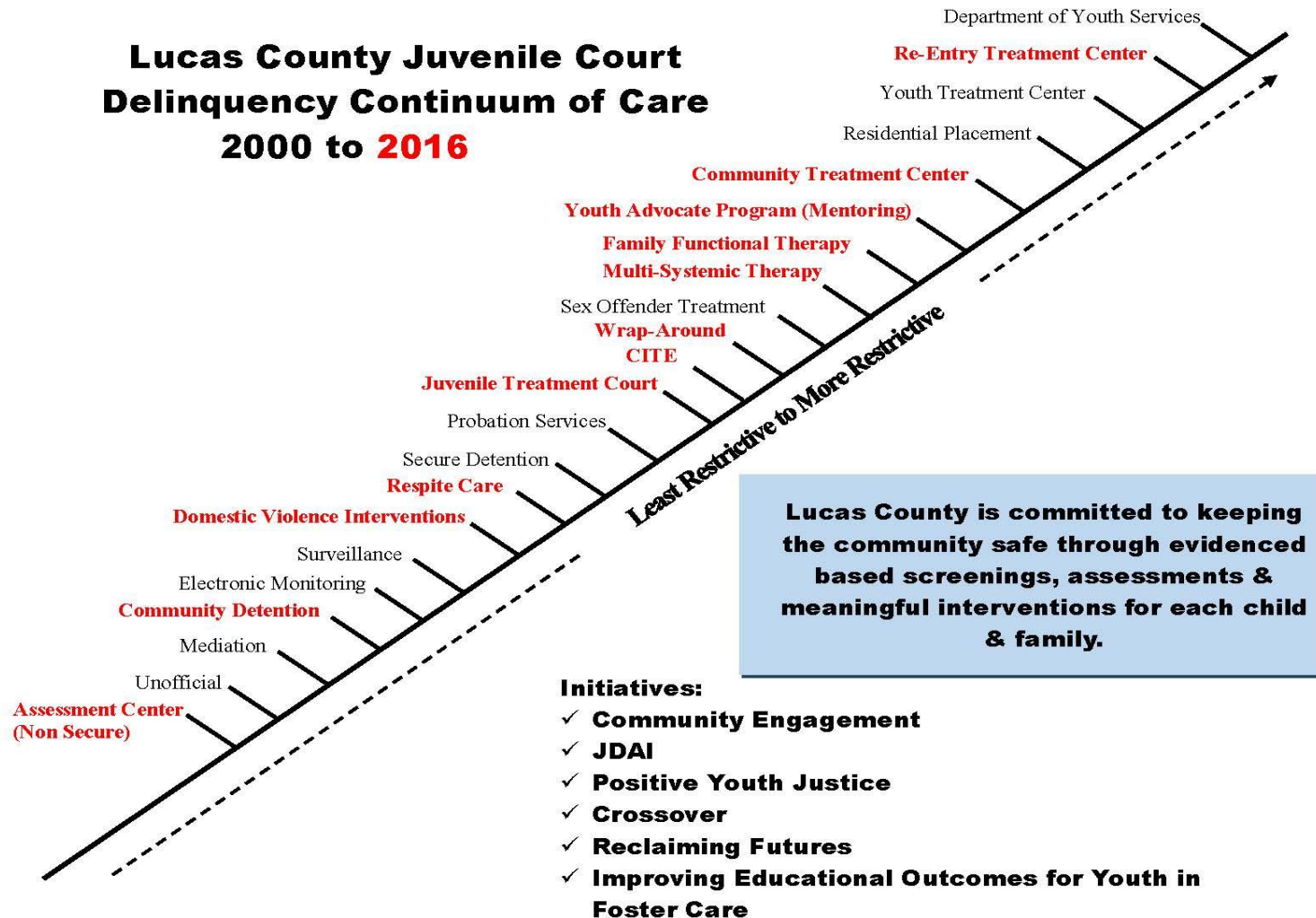
- Reach out to grassroots organizations for partnerships

Dispositional Decision Making

- Develop a Structured Decision Making process that assists in structuring dispositional recommendation
- Ensure similarly situated youth are treated in a similar way and offered comparable services at disposition
- Objective Decision Making – build upon lessons learned at the “front end of the system through traditional JDAI approaches”
- Build a robust continuum of services

Continuum of Care

Lucas County Juvenile Court Delinquency Continuum of Care 2000 to 2016



Dispositional Decision Making

- Structured Decision Making Tool

Offense Category	Risk Level -OYAS		
	High	Moderate	Low
Mandatory Commitments	ODYS		
Violent Felony	Placement	Placement or Probation	
Person Felony	Placement or Probation		Services or Probation
Other Felony	Services or Probation		
Misdemeanor	Services in Community (YAP, Restorative Circles, Assessment Center)		



Racial & Ethnic Equity

- Collaborate with The W. Haywood Burns Institute to develop equitable interventions
 - Conduct in depth case analysis to identify potential drivers
-
- On going policy analysis at all decision points
 - REGGO – Race, Ethnicity, Gender, Geographic Location and Offenses
 - Celebrate some successes, but there will always be more work to be done
 - Example: Impact of the Lucas County Assessment Center, providing a non secure alternative for Misdemeanor and Status Offenders

Assessment Center

Take youth to front door at Juvenile Justice Center – 1801 Spielbusch

Youth Assessment Center – 419-213-6670 – Director Jim Sworden

M-F 8:30am-10pm, Sat 2pm-10pm - After hours transport to Juvenile Detention

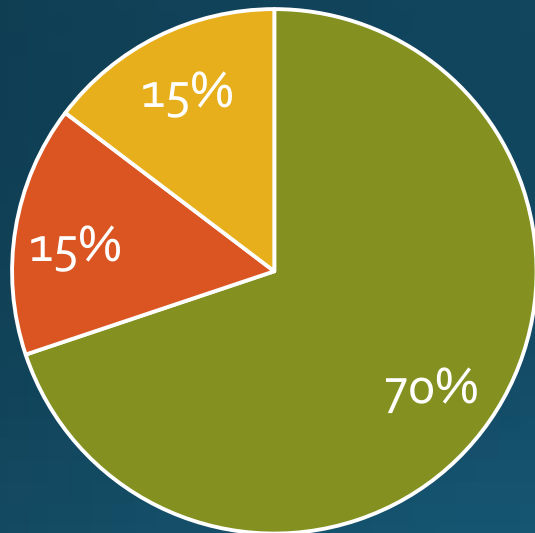
Eligible Youth: Must be arrested and 17 years of age or younger,
NO WEAPONS

Offense Types:

- Alcohol and other drug related misdemeanors (medically cleared)
- Misdemeanors against a person, no medical care needed for victim (DV-minor family conflict/chaos, Assault)
- Property offenses such as petty theft and criminal trespass
- SSO– no medical care needed, no physical contact against school official
- Status offenses (Unruly)
- **Tier 2 “Green Warrants” (Call 419-213-6723 to check warrants)**

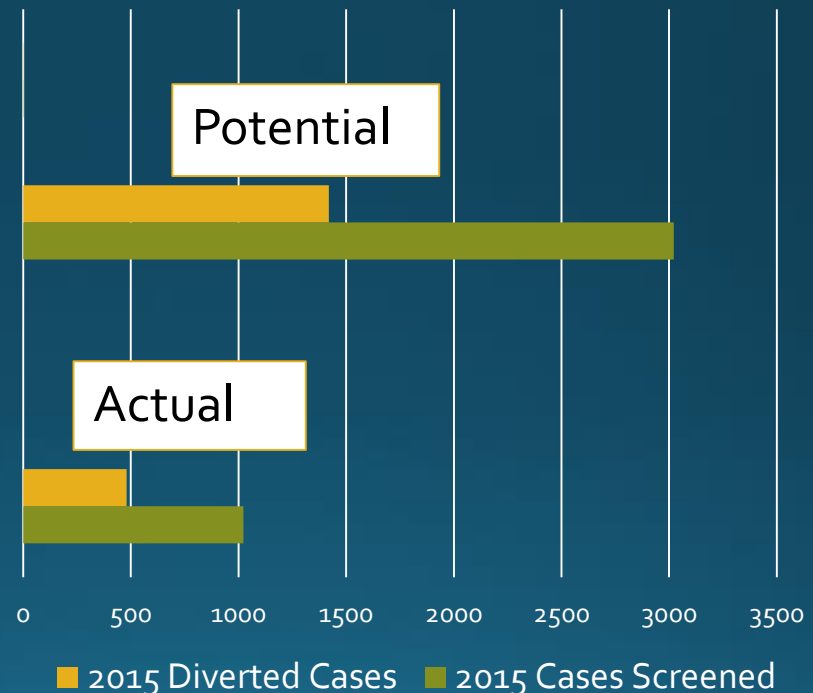
Impact of the Lucas County Juvenile Court Assessment Center

2015 Lucas County Juvenile Court Filings



■ Misdemeanors ■ Felonies ■ Status/Other

2015 Assessment Center Screenings



- Nearly 2,000 more cases will be screened for diversion; 1,000 more likely diverted
- Reduction in probation caseloads

Probation

- Develop an alternate track for low level offenses to be served through community partners
- Develop a Misdemeanor Services Track
- Frontline practice reform with Positive Youth Justice

Positive Youth Development is:

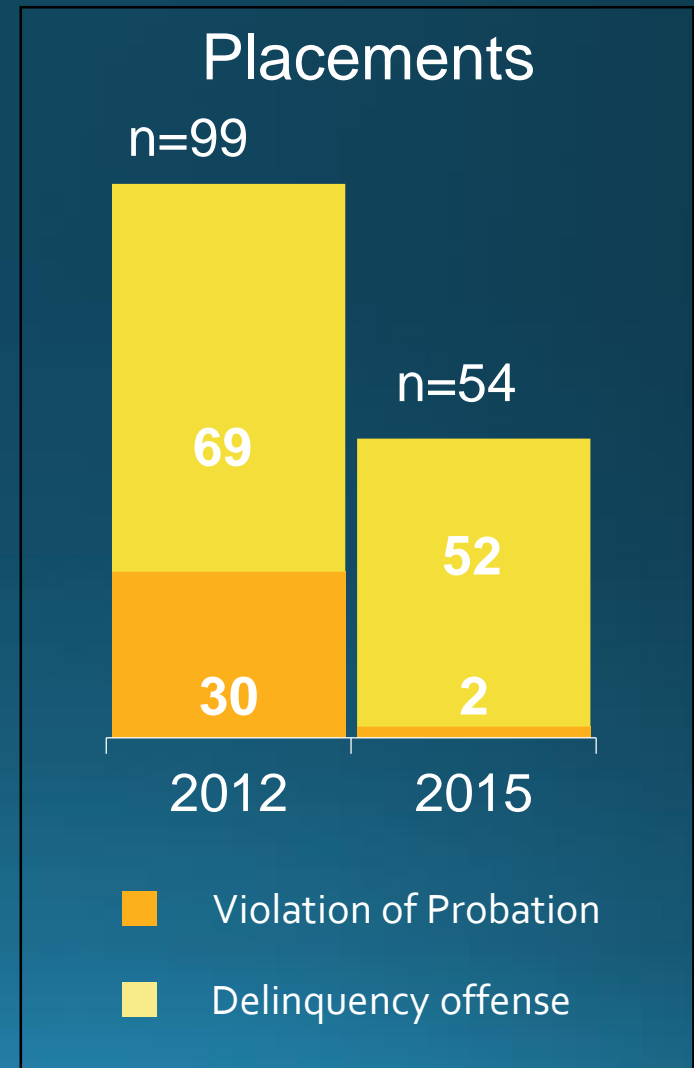
1. A comprehensive way of thinking about the development of adolescents and factors that help them transition to adulthood successfully;
2. Strength-based; and
3. A resilience-oriented perspective on adolescence.

Positive Youth Justice is an outgrowth of the Positive Youth Development. However Positive Youth Justice is:

1. A reduced set of core elements from PYD concepts;
2. A framework that joins the realities of operating in a youth justice practice with the wide range of ideas in PYD; and
3. Rooted in theoretical and empirical literature about adolescent development but customized for the youth justice environment.

Working with high risk youth in the community requires a shift in thinking.

- Need to get more comfortable with youth falling down.
- Reduce probation violations for behavior that other non-involved justice teenagers are involved in.....our data showed violations were a major factor in kids being sent to ODYS.
- Working with high risk youth in the community requires a commitment and philosophy to keep coming back to the table with the youth to address behaviors and problem solve solutions. This is an opportunity to teach problem solving skills to youth and families. **Repetition is required!**
- We have to believe that incarceration is not the answer.....except for the youth that truly pose a real threat to public safety.



Community Collaboration and Mentoring



YAP Basketball Tournament
Youth vs. Court Staff



Community Clean
Up Project



Toledo Grows



Advocates working in schools

YAP and Lucas County Juvenile Court work side by side changing biographies one biography at a time

How have we managed these dramatic changes in philosophy and practice over time?

 Managing Change is important!! 

Strong Judicial and Administrative Leadership

Why are we doing this? **How** are we doing this?
What am I supposed to do now?

Staff training based on emerging research

Staff input and participation

Role of middle managers is critical





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JUVENILE COURT 2016



Empowering Youth

Strengthening Families

Investing in the Community

Washington State



Pierce County

- 2nd Most populous county in Washington State with a population approaching 819,743 (King County is the largest)
- Almost 86,841 youth from 10 – 17 years old

*2013 Estimated Population from the US Census Bureau.
Estimates of 10-17 year olds from 2012 OJJDP Population Comparison*



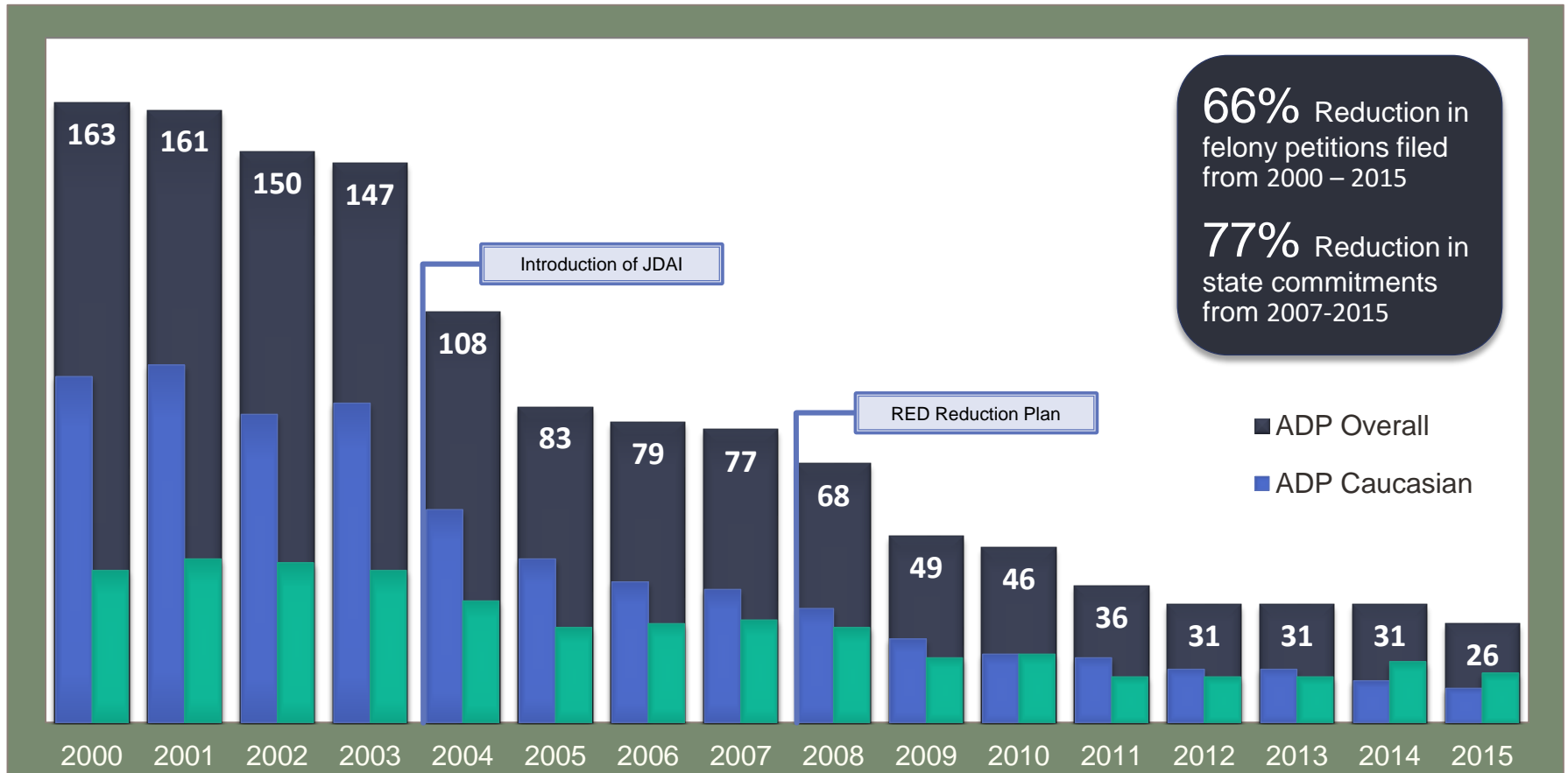
Creating the Vision in Pierce County

We want our community to be one that is safe and supportive, where all children are healthy and succeed in school and where all children grow up to be productive and contributing adults.

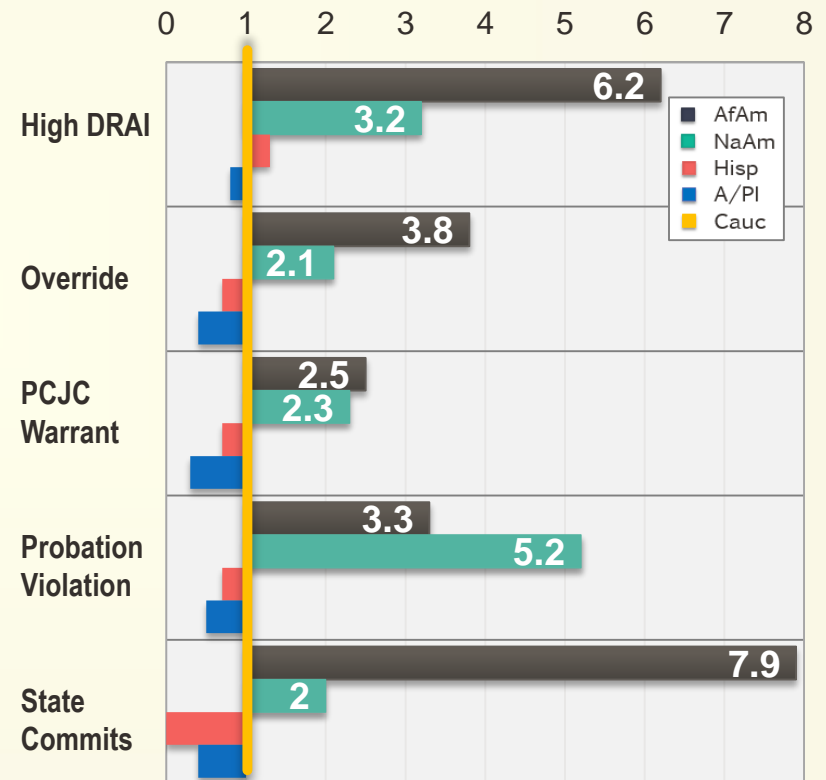
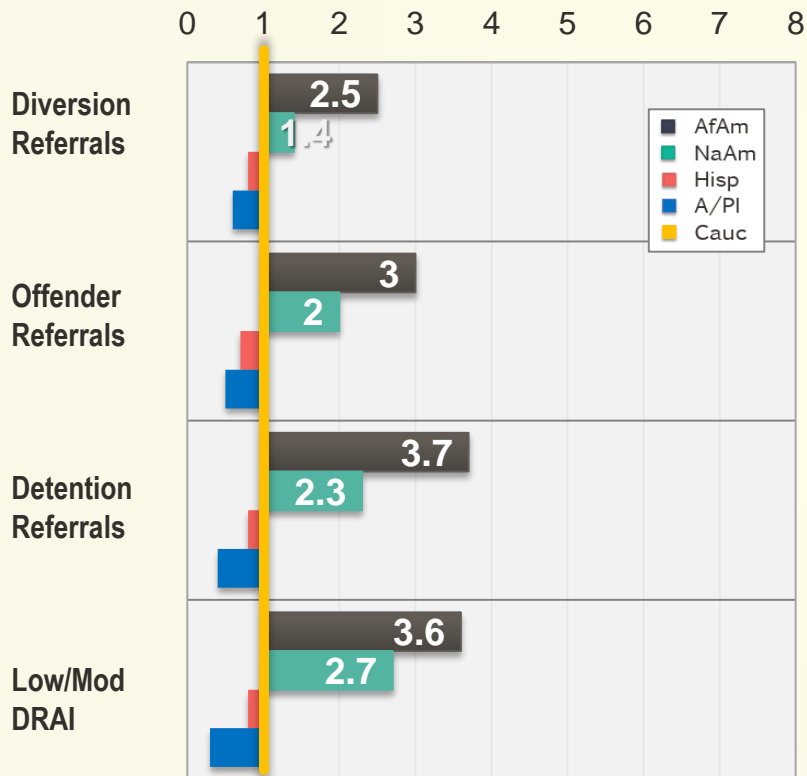
**All youth will be
supported in an equitable
and fair system**

- ✓ Develop Leadership
- ✓ Focus Efforts on Results
- ✓ Create Community Partnerships
- ✓ Educate Staff and Community

Average Daily Population



2015 Decision Point Risk Ratios



Why Probation Transformation & Deep End?



Dig Deeper with Out-of-Home Placements



Define & Reduce System Barriers to Success



Expand Continuum of Interventions



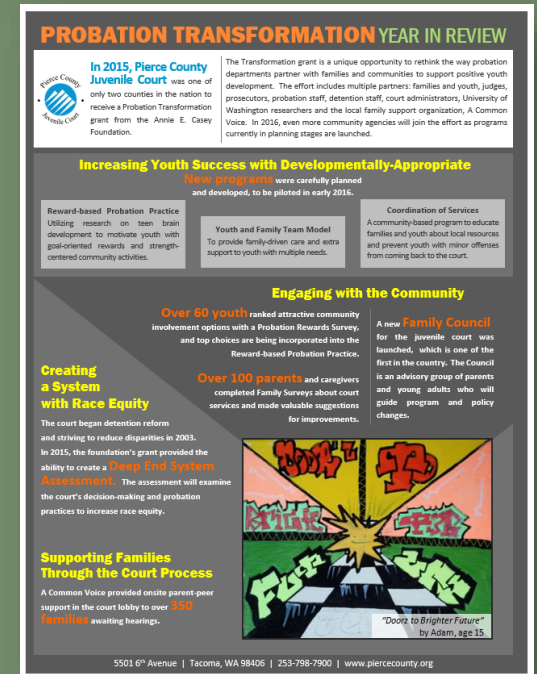
Increase Positive Youth Development



Cultivate Community Partnerships

Probation Transformation/Deep End

- ✓ Phase 1 – lobby support by *A Common Voice*
- ✓ Youth, parent & caregiver surveys completed
- ✓ Family Council established
- ✓ Purpose of Probation meeting held
- ✓ Coordination of Services implemented
- ✓ Deep End - Dispositional dataset completed
- ✓ Opportunity Based Probation workgroups
- ✓ Pathways to Success launched
- ✓ Phase 2 – lobby support increased & refocused
- ✓ Established 8 new community partnerships



2015 Family Council


Mission: The Family Council empowers family and young adult voice to impact system change in partnership with the Juvenile Court.

12 voting members

With lived experience in the juvenile justice system




9 parents/caregivers and 3 young adults



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

253-861-7391
FamilyCouncil.PCJC@gmail.com

Opportunity Based Probation

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



“Teens learn **less** from the negative consequences of their behaviors and **more** from the positive consequences.” – *Dr. Kevin King*

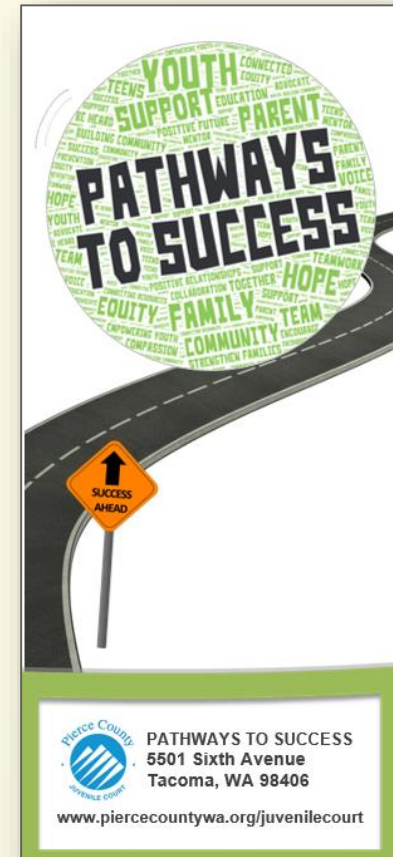
Opportunity Prizes and Recognition

BEHAVIORS		POSSIBLE POINTS
Complete community service hours	X	10
Pass random urinalysis		10
Complete restitution	X	10
Complete letter of apology	X	5
Complete weekly crime free goal	X	2
Complete weekly responsibility goal	X	2
Complete weekly personal goal	X	2

POINTS	PRIZES	COURT RECOGNITION
4	Bus pass	Keep up the good work!
	Bag of chips	
	Nail polish	
	Keychain	
	Candy	
18	Star Center ticket	Congratulations letter from probation
	\$15 ORCA card	
	\$15 Tacoma mall gift card	
	\$15 Regal movie passes	
36	2 Rainiers vouchers	Community Opportunity! Congratulations letter from judge
	2 Mike N Terrys passes	
	2 Museum of Glass passes	
	2 Ice skating rink passes	
Completion of court conditions and probation plan		Graduation ceremony (reduced probation time)

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 under age 15, to prevent entrenchment
- Began taking referrals on July 1st
- Mentor partnership



The Right Questions For Probation

Traditional Model

- What is the right punishment to get the kids attention?
- What is the right treatment for his or her problems?

Positive Youth Justice Model

- How can we ensure that each young person has experiences that lead to productive and law abiding adulthood?
- How can we do it in partnership with families, schools and community based groups?



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