

# OPPORTUNITY-BASED PROBATION

**Goal:** To enhance youth well-being through effective and supportive probation supervision practice

**Objective:** To integrate principles of adolescent development and effective behavior management into probation supervision.

**Outcomes:** Reduce probation violations, increase family involvement in probation, and increase youth involvement in development promoting opportunities in the community.

## BRIEF DESCRIPTION

Opportunity-Based Probation (OBP) is based on the science of adolescent development. It recognizes that adolescent brains are more responsive to reward than the threat of punishment, that adolescence is a time of intense identity development, and that family systems play an important role in shaping and supportive positive adolescent behavior. Effective behavior management for youth in a number of other areas (e.g., academic settings, parent management, sports/coaching, substance abuse treatment) apply the principle of “scaffolding” to support the development of desired youth behavior. This approach is based on the understanding that youth’s decision-making and emotional regulation skills are still developing, that youth are highly influenced by their current environmental context when making decisions, and offering support through positive recognition and rewards will support (scaffold) youth until they can internalize these skills and apply them in multiple contexts on their own.

## DEVELOPMENT WORKGROUP

The workgroup for developing this model at the Pierce County Juvenile Probation Department includes the following members (alphabetically):

Charin Hedstrom, Probation Transformation Coordinator  
Kathy Holland, Probation Supervisor  
Cody Jewell, Field Probation  
Susan Miller, Option B Probation  
Kate Pearson, Alliances Probation  
Angie Thompson, Probation Supervisor (Court lead for OBP project)  
Jessica Tran, Field Probation  
Shelby Zamberlin, SODA Probation  
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## GUIDING PRINCIPLES

The workgroup members identified the following guiding principles for the OBP approach based on prior experience working with youth on probation.

1. Positive recognition and rewards help youth develop an identity tied to achievement and potential
2. Rewards work best when they are frequent and administered immediately following desired behavior

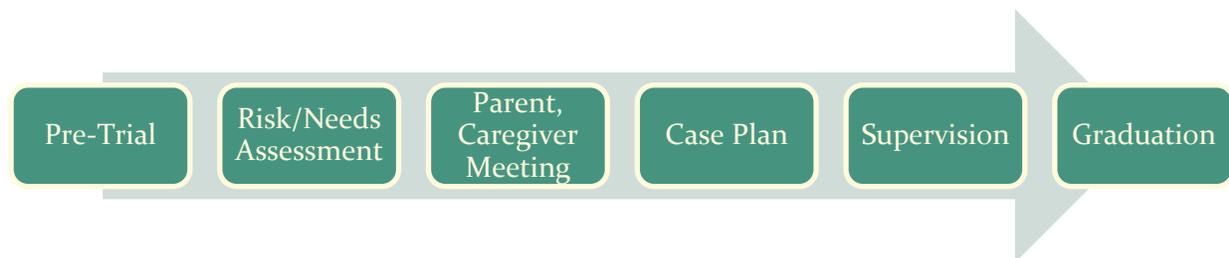
3. Rewards work best when they are concrete and meaningful to the youth
4. Families are a critical part of supporting and sustaining strengths-based behavior management
5. Accountability is a key piece of behavior management and consequences are most effective when administered immediately after undesired behavior
6. To succeed, the principles of positive behavior management will need to be communicated effectively to stakeholders both within and outside of probation

## OPPORTUNITY-BASED PROBATION PROTOCOL

### POPULATION

The OBP approach is expected to be most needed and beneficial for youth who traditionally struggle to meet probation requirements and are at the most risk of probation violations, detention time and continued justice involvement. These are usually moderate to high risk youth (as identified using a standardized recidivism risk assessment tool). Consequently, the OBP approach will be first piloted with moderate to high risk youth on the caseloads of probation counselors involved in the workgroup. This includes general probation, substance abuse and sexual offender caseloads. The caseloads excluded from the pilot phase include low risk and very high risk caseloads, both which are using less and more intensive models of supervision, respectively

### PROCESS



The OBP process begins at pre-trial in order to introduce the positive reinforcement and accountability framework to the youth and family and begin a modified, “lite,” version of the probation incentives program. When a youth transfers to field supervision, the JPC (new or continuing) will develop a formal goal and supervision plan with the youth and family informed by the risk assessment information. Field supervision begins with a meeting to complete information gathering for the purposes of the risk assessment. At this meeting or at another meeting scheduled shortly after, the probation counselor will also meet with the parent/guardian for a private discussion about the goals of probation and the roles of the probation counselor and parent, respectively. This is followed by a meeting with the youth, and parent if possible, to discuss the case plan and goals for probation. Supervision then proceeds with weekly check in’s (in person at least every other week) until the youth earns enough points for a community opportunity. Subsequently, the frequency of probation meetings is set at the probation counselor’s discretion depending on family interest and youth progress. Successful completion of probation conditions is recognized with a graduation ceremony.

The sequence of OBP largely follows routine probation steps but with added or modified practice at each point. Probation supervision in this approach maintains a focus on the risk/needs/responsivity framework which focuses program referral on the twin prongs of “do no harm” and “spend resources wisely.” Youth in OBP, as with current practice, are matched to services with the appropriate treatment focus and level of intensity required. This is determined by the court risk and needs assessment. The OBP program scaffolds the youth to engage in treatment while also working on goals to increase protective factors and build positive development. While often an informal part of probation, the OBP approach centers these positive development goals along with treatment within an infrastructure of incentives to heighten motivation and move youth through the stages of change.

The incentives infrastructure also provides the probation counselors an additional tool to reinforce accountability more rapidly than requesting a court hearing for probation noncompliance. In this way, OBP also aligns with best practice for swift and certain sanctions in a developmentally appropriate form. Counselors can suspend and reactivate probation incentives to shape youth behavior along with a transparent list of nonnegotiable behaviors that will trigger a hearing in front of a judge.

## INCENTIVE GRID

The incentive grid is used in both pre-trial and field probation supervision. At pre-trial, the grid is used only to reward youth. On field probation, the grid is used to both reward and support accountability by suspending the ability to redeem points following failure to meet set goals which is then reactivated after a youth engages in a restorative plan with the probation counselor and family. The incentive grid includes both material and social rewards.

The **material rewards** include food, entertainment passes, vouchers for haircuts and other tangible prizes. Similar to an arcade prize shelf, a youth can redeem points as she earns them for a higher quantity of small value prizes, or accumulate points to earn higher value prizes. Each weekly goal set for OBP is worth two points with partial points (1 point) allowable as long as the probation counselor believes sufficient effort was made to achieve the goal. The probation counselor asks the youth to anticipate what he would like to earn so that the counselor has it on hand to give to the youth immediately after it is earned (e.g., in the same field visit).

The **social rewards** operate as significant benchmarks to trigger formal recognition of success, including congratulation letters from the court, the opportunity to participate in a community opportunity of high value to the youth from a menu of opportunities collected by the court, and, ultimately, reduced time on probation. More specific examples of how the grid is used are provided in the description of OBP steps.

More detailed information on how the grid is used at pre-trial and field supervision are described in the respective sections, below.

## COURT ORDERS

Court orders are integrated into the incentive grid and may play a role in weekly goals. On pre-trial supervision, the court orders are reinforced with points the youth can earn weekly. On field supervision, court orders are managed differently depending on whether they are static or dynamic.

**Static** court orders are orders with a clear completion date. These include orders to write an apology letter, pass a urinalysis test, or complete community service hours, for example. Once the youth completes the

goal it does not need any additional attention. These goals have a particular value as they are the court orders that will be checked in order for a youth's criminal record to be sealed at the allowable automatic sealing date. On OBP, these goals are assigned a specific, large point value. Once the youth completes the static goal, a large number of points are deposited into the material rewards account to be redeemed as the youth determines.

**Dynamic** court orders are ongoing throughout probation and youth compliance with these orders may fluctuate over time. These include orders to attend school regularly, attend treatment, reside in an approved place or follow house rules. In order to effectively manage these orders, probation counselors prioritize with the youth and family the areas to begin working towards first. This process of prioritizing occurs in the case planning portion of OBP. As progress is made in specific areas, the probation goals switch to another area of needed improvement. While progress is being made in one area, it is possible that youth may be in violation of another area of court order. This is an acceptable part of the OBP process: to set achievable, short term goals that eventually move youth towards long term well-being. How to manage being out of compliance with court orders not currently a focus OBP is an area that the probation counselor will plan for with the family and the youth. The probation counselor will give the family an objective list of behaviors (attached) that will trigger a hearing in front of a judge. All other behaviors will be managed within the probation supervision process.

## PRE-TRIAL

Beginning a strengths-based, recognition model at the very beginning of court involvement will set the stage for success early on. Probation counselors assigned to pre-trial cases will discuss the program in the first meeting with the family using the following procedures:

**FRAME FOR YOUTH AND PARENTS:** At the typical first meeting with the youth and family, the assigned probation counselor will explain that the court is interested in supporting the youth's long term potential, beginning with successfully complying with court procedures and eventually setting personal achievement goals in consultation with the family (see attached parent brochure and youth information sheet). The probation counselor gives the parents and youth their respective handouts and explains that the court

Kaely is a 15 year old charged with 4<sup>th</sup> degree assault and property damage for a fight that occurred with her mother. Kaely has a previous misdemeanor shoplifting offense and poor school attendance. As a condition of release from detention, the judge orders Kaely to obey home rules, stay at home during curfew hours and attend school. The probation counselor meets with Kaely and her mom to review the court order and introduce OBP. The probation counselor explains that probation will be focused on supporting Kaely to set a positive goals, and Kaely will be rewarded for her success in achieving these goals along the way. For each week Kaely can make progress towards her court orders she will receive points: 2 points for full compliance and 1 point for partial compliance for a weekly maximum of 6 points. The probation counselor also explains that being compliant with these goals will look good to the judge and may help Kaely earn reduced probation time if assigned to probation. The probation counselor shows Kaely the rewards grid, lets Kaely know how long it would take her to earn the various prizes, and asks Kaely if there are any prizes that are particularly interesting to her so the probation counselor can be sure to have it ready when earned. After this meeting, probation counselor checks in with Kaely and her mom every week or two while hearings are being scheduled and gives Kaely prizes as they are earned along with verbal praise.

wants to support the family in the pretrial process by rewarding the youth for complying the court orders of release.

**INCENTIVES.** The youth is given an incentive sheet listing the rewards that are obtainable by point level. The youth receives 2 points per court order for each week she is compliant with that item (1 point for partial success). Failure to comply with the item does not negate rewards in other areas. The probation counselor uses discretion in how frequently to check in with the youth and parent, but regardless of frequency, the points accumulate weekly and can be redeemed at the time of check in with the probation counselor. The probation counselor may also decide to add an additional goal if desired. For example, the counselor may encourage a youth to complete a mental health assessment prior to the next court hearing and allow the youth to earn points towards achieving that goal.

## RISK ASSESSMENT

The Risk Assessment is conducted by collecting a comprehensive history of the youth's social and criminal involvement for the purpose of identifying likely risk of re-offending as well as highest priority intervention needs (criminogenic needs). A structured process for identifying these risk and needs is an effective way to ensure case planning is focused on an intervention plan that links directly to a youth's likelihood of re-offending. The process ideally results in an intervention plan that requires the least amount of intervention necessary to address these criminogenic needs; this match reduces burden on the youth and family, minimizes the risk of worsening offending behavior through inappropriate exposure to peer contagion, and directs limited court resources to the most urgent needs. In Pierce County, the risk assessment, (PACT), is used to identify these needs and eligibility for specific evidence-based programs. The approach to identifying interventions remains consistent with current case management practice.

The OBP builds on the current case planning process to further identify goals to build protective factors, respond to court orders and orient youth to long term achievement and success. Consequently, goals on OBP extend to areas not formally structured in current case management practice including home and school behavior as well as job, internship and strengths-based opportunities. OBP also formally recognizes the parent/caregiver role on probation as an essential partner in supporting youth progress towards these achievements as is explained in more detail below.

## PARENT/CAREGIVER MEETING

The purpose of the parent meeting is to discuss parent concerns, clarify roles and introduce the problem-solving strategy the probation counselor will use to support the parent to manage youth behaviors at home. A key message of this meeting with the parent is the probation counselor's role in facilitating a process in which the youth will set and monitor specific goals to build skills and protective factors, with accountability specifically tied to these goals and other behaviors of interest to the court.

The probation counselor begins by asking about the parents' primary concerns and goals for their youth so these can be considered when developing weekly goals. The JPC wants to be aware of any problems that consistently occur between youth and parents in order to consider interventions or strategies that can help reduce home conflict. At the same time, the probation counselor will also normalize for the parent that

youth behavior is likely to fluctuate while on probation; that they will see forward progress and then some backsliding, and that the OBP program is designed to keep youth from backsliding too far, and provide a way for youth to get immediate feedback, accountability and support in order to get back on track. The JPC explains that the program is designed to be a support to the parents in monitoring and responding to their child's behavior. This is accomplished by providing the youth, and sometimes the family, skills to help the youth resist criminal behavior while also encouraging the child to reframe beliefs about themselves to support long term achievement and opportunity. The JPC normalizes concerns the parent might have about incentivizing a child who has been offensive, disrespectful or seriously hurtful towards others and explains that the program is designed to introduce more accountability for this kind of behavior than other probation practices by more rapid response and consequences for violating behavior. The JPC also discusses how this approach is minimizing the risk that the youth will come to see themselves as a bad person rather than someone who made a bad choice. By focusing on progress and good choices when they happen, the youth will begin to see themselves as a fundamentally responsible person who need to be diligent in order to avoid making mistakes rather than someone who is always "screwed up." The JPC then discusses the parents' powerful influence in reinforcing this view of positive choices by recognizing and praising the youth for behaviors that show effort, even if the behavior is not quite perfect. The JPC suggests that actively finding something to praise their child about once a day or more is a good minimum standard.

The JPC then discusses how backsliding will be handled by explaining which behaviors will result in a violation and court hearing in front of a judge (personalized for that youth's type of probation supervision, e.g., chemical dependency, general). The JPC explains that probation supervision is focused on moving youth towards compliance with all of the probation conditions at the end of probation, not the beginning. The focus is not on ensuring that by next week, the youth will be in compliance with all of the requirements provided to them. Rather, the JPC will work with the youth to set weekly short term goals to move youth closer and closer to these requirements. The goals will be set with the youth and will be informed by the areas of highest priority identified by the PACT assessment. The JPC explains that the consequences for not meeting these three goals are different. The primary goal is focused on skill building and treatment, if needed, to help a youth resist criminal behavior. The secondary goal is focused on building other protective factors like school engagement, relationship building or resisting poor peer influence. The third goal is focused on building on youth interests and strengths for a positive future. The JPC explains that the youth is accountable for the first two goals through the incentives program and is accountable for the primary goal to the court. This means that the incentives will be used to enforce both primary and secondary goals, but court hearings will be used to enforce only primary goals and other behaviors listed on the violation grid sheet.

In the meantime, the parent can support youth by asking about their weekly goals, how they can support the youth in these goals and praising youth when they make efforts to accomplish these goals. The JPC explains that not meeting their primary goal (the goal based on skill building or treatment for resisting criminal behavior) for three weeks will result in a court hearing and before that happens, the JPC will be checking in with the youth to better understand what is happening and how the youth can be supported to meet their weekly target. In the first week of not meeting a primary goal, a youth will not earn points towards the target for that week. If a primary goal is not met in the second week, the youth will not be able to redeem any awards for that week; and if the primary goal is not met for a third week, a court hearing is scheduled. The parent can help in this process by keeping track of positive behaviors and concerning behaviors and giving these to the probation counselor.

In cases where a youth has not obeyed house rules but has otherwise met their weekly goals, the JPC will work with the parent and the youth to develop a secondary goal for the following week that can include some restoration of the rule violating behavior that is appropriate for what happened (e.g., the youth took the parents' car without asking, so they must wash the car and pay to fill the car up for that week), and if the agreed upon restoration plan does not occur by the next week the youth can continue to earn points in the other goal areas but will not be able to redeem points until the plan is completed. The JPC will use a conflict resolution form to help guide the parent to identify an appropriate consequence and restoration plan.

## CASE PLANNING

1. Identifying needs
2. Identify goals

## REDEEMING INCENTIVES

The opportunity grid lists available incentives for youth at multiple levels of point values. As the youth earns point, they can redeem them for smaller value incentives or save points to redeem larger value incentives. At each meeting, the probation counselor updates the earned point values and plans with the youth what they would like to earn for the following week so the JPC can plan ahead and have the incentive ready in anticipation of the youth earning their points.

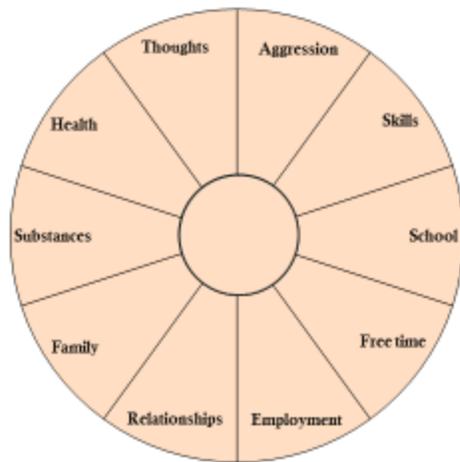
Points earned also trigger social recognition at distinct benchmarks. At 18 points, the probation counselor writes and provides the youth with a signed letter of progress, noting the good work the youth has accomplished on probation. At 36 points, the youth earns a recognition letter from the court and a community opportunity. For youth who are largely successful while on probation, it will take approximately 6-8 weeks to earn a community opportunity.

The community opportunity is focused on building the youth's positive assets through involvement in community activity. This can include internships, extracurricular activities, job readiness or other opportunities that connect the youth with supportive adults and pursuits. At the outset of probation planning, the youth is introduced to a list of possible opportunities and is also encouraged to think of opportunities they are aware of, not on the list, that they might want to earn (for example, the youth may already be involved in theatre but cannot pay the registration fee for an upcoming play tryout). Any opportunity judged by the youth, parent and probation counselor to support building youth assets is eligible for a youth to work towards up to a \$200 value. While the youth is earning points through OBP supervision, the JPC and youth continue to discuss what community opportunity the youth would like to earn. This may involve the parent or probation counselor taking the youth to see some programs prior to deciding.

## SUPERVISION

- Protocol.** The JPC will check in on the youth and family weekly for the first eight weeks of probation to administer rewards frequently and as immediately as possible. For in person visits (including home visits), the JPC will have rewards with them in order to provide those as soon as the point values for that week are discussed and confirmed. These meetings may be supplemented by case monitors who will be able to meet with the youth to confirm progress and administer rewards.
- Responding to Lack of Compliance.** The JPC response to a youth not meeting weekly goals is immediate and differentiated depending on the goal category. The status of a youth's success in meeting goals is indicated by a Green, Yellow or Red level. Not meeting the weekly Crime free behavior goal immediately results in Red level and is resolved when the youth attends a court hearing with the judge (e.g., moved back to Green depending on the status of other goals). Not meeting a Court compliance goal results in a Yellow level and immediate Problem-Solving Conversation in which the youth and JPC agree on how to resolve the issue. If the issue is not resolved as agreed to, the youth moves to a Red level. Not meeting a Personal goal results in an immediate Problem-Solving conversation as well but the youth is never shifted to another level for not meeting a Personal goal, they are only rewarded for success. Red levels indicate that a hearing with a judge will be scheduled and points cannot be redeemed (though they can be earned), Yellow level suspends the ability of the youth to redeem rewards (though they can be earned) until the issue is resolved, and Green level indicates the youth is eligible to redeem rewards. ***Points are never removed and youth can be earning points in other goal categories while in Yellow or Red status.***

Goal Status	<b>Risk factors goal:</b> Goals that support desistance from crime.	<b>Protective factors goal:</b> Goals that support positive youth behavior at home, school and community	<b>Positive assets:</b> Goals that support youth strengths and long term well-being
<b>Met</b>	<b>2 points</b>	<b>2 points</b>	<b>2 points</b>
<b>Youth is out of compliance with violation grid or has not met a crime free goal in three weeks</b>	<b>Red level: Schedule court hearing immediately. Youth can continue to earn but not redeem points in this category until the hearing.</b>		
<b>Weekly goal not met</b>	<b>Yellow level: Immediate Problem-Solving conversation. Youth not eligible to redeem points until he/she resolves the issue in the agreed upon timeframe.</b>	<b>Yellow level: Immediate Problem-Solving conversation. Youth not eligible to redeem points until he/she resolves the issue in the agreed upon timeframe.</b>	<b>No change in level. Continues to be eligible to redeem points.</b>



Responsibility Goal


Probation Commitment


Life Goal


Community Interests: \_\_\_\_\_



Behaviors		Possible points
Complete community service hours	×	10 points
Pass random urinalysis		2 points
Complete restitution	×	10 points
Complete letter of apology	×	5 points
Complete weekly responsibility goal	×	1-3 points
Complete weekly probation commitment goal	×	1-4 points

### Opportunity Prizes and Recognition

Points	Prizes (examples, see list)	Court Recognition
5 points	<ul style="list-style-type: none"> <li>Bus tickets (5)</li> <li>Bag of chips</li> <li>Nail polish</li> <li>Keychain Lanyard</li> <li>Restaurant gift card (\$5)</li> </ul>	Keep up the good work!
21 points	<ul style="list-style-type: none"> <li>Restaurant gift card (\$15)</li> <li>\$15 ORCA card</li> <li>\$15 Tacoma mall gift card</li> <li>Movie tickets (2)</li> </ul>	Congratulations letter from probation
42 points	<ul style="list-style-type: none"> <li>2 Rainiers vouchers</li> <li>Earbuds</li> <li>2 Museum of Glass passes</li> <li>2 Ice skating rink passes</li> </ul>	<p><b>Community Opportunity!</b></p> <p>Congratulations letter from judge</p>
Completion of court conditions and probation plan		Graduation ceremony (reduced probation time)

