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Letting Go of What Doesn't Work for Juvenile Probation, Embracing What Does

By John A. Tuell and Kari L. Harp | June 22, 2016



During the most recent year for which national data is available, juvenile probation oversaw community supervision of more than 500,000 youth. While this number includes diversion, informal adjustment and deferred adjudication cases, still more than 250,000 youth (<http://www.ojdp.gov/ojstatbb/nr2014/>) are placed on formal probation status in lieu of secure placement in a residential treatment or correctional alternative.

In the best practice methodology, juvenile probation combines monitoring and oversight for compliance with court-ordered conditions plus targeted responses to priority areas of youth and family behaviors that promote positive behavior change. In this approach, juvenile

probation serves to ameliorate the risk for reoffending, thereby improving public safety while simultaneously increasing the chances that youth will develop improved cognitive behavioral skills and abilities that will interrupt their trajectory into adult criminality.

(<http://jjie.org/hub/evidence-based-practices/>) Over the past 20 years we have developed the capacity to conduct cost-benefit analysis that reflect the fiscal benefit of juvenile probation versus the costly and often ineffective residential and correctional alternatives that made up far too much of the juvenile justice system landscape during that time. We have learned from practice and research that when juvenile probation is ordered for youth who have moderate and high risks for reoffending, it can produce desirable youth outcomes and community safety – if it's in the right dosage using a collaborative approach that prioritizes addressing the youth's priority criminogenic factors.



Case closed, right? As the famed college football sportscaster Lee Corso would say, "Not so fast, my friend." While there are numerous juvenile probation departments across the country that provide replicable examples, there are far too many that remain behind, not using the science and best practices. Given what we know about the harm that poorly informed court decisions and certain intervention approaches can cause for our youth, this failure is inexcusable.

So how do we make full use of this valuable resource known as juvenile probation? The first thing is to be aware of what works – which is clear and unequivocal. Recent publications that have synthesized the "what works" literature include "Core Principles for Reducing Recidivism and Improving Other Youth Outcomes" (<https://csgjusticecenter.org/wp-content/uploads/2014/07/Core-Principles-for-Reducing-Recidivism-and-Improving-Other-Outcomes-for-Youth-in-the-Juvenile-Justice-System.pdf>) by the Council of State Governments (<http://www.csg.org/>) and "Reforming Juvenile Justice: A Developmental Approach" (<http://www.nap.edu/catalog/14685/reforming-juvenile-justice-a-developmental-approach>) published by the National Research Council (<http://www.nationalacademies.org/nrc/>).

It is clear the most effective approach includes a commitment to:

1. Use of structured decision-making instruments that inform professional judgment at key decision points (e.g., risks-needs-

responsivity tools),

2. A continuum of graduated levels of supervision and responses to behavioral transgressions,
3. Monitoring that is integrated with effective behavior change service interventions and programs, and
4. An effective system of departmental management and supervision practices.

We also know that youth show up in the juvenile justice system with high rates of trauma exposure and active trauma symptoms. The research reflects that more than 80 percent of youth in juvenile justice settings are exposed to more than one traumatic experience. Those events can have significant impact on the mental health, physical health, and behavior and responsiveness of youth with whom probation practitioners work.

Given this prevalence, using validated screening instruments for active trauma symptoms and providing the appropriate care and interventions is yet another best probation practice that contributes to the desired pathway to success.

Additionally, a juvenile justice system committed to family involvement and engagement ensures that there are flexible and authentic opportunities for families to partner in the design, implementation and monitoring of the case plan for the probation-involved youth. The research, derived from practical experiences in juvenile probation, has increasingly reflected that institutionalizing these practices helps decrease delinquent behavior.

[Related: Judge: Juvenile Justice System As Capable of Change As the Children They Try to Help] (<http://jije.org/judge-juvenile-justice-system-as-capable-of-change-as-the-children-they-try-to-help/225909/>)

Finally, effective probation departments and juvenile justice systems must define with clarity their mission, goals and accountability measures. Effective departmental management practice commits to collect, manage and report relevant data routinely. This practice leads to continuous opportunities to assess youth outcomes and system performance. Fortunately, several state and local jurisdictions have embraced this obligation and demonstrated that neither technological nor procedural challenges can prevent this requirement from being met.

It is in this holistic framework that a juvenile probation and juvenile justice system may realize the best likelihood of operating in an effective and efficient manner, resulting in the achievement of its goals, objectives and outcomes. In short, when founded on the best practices supported by research, juvenile probation circa 2016 is the most targeted, effective and cost efficient it's ever been.

If this is so clear, why in 2016 are we still only citing limited examples of the outcomes we most desire for our youth and effective and efficient performance of our juvenile probation systems? We must acknowledge that realistic obstacles confront this broader transformation: operating in response to today's crisis, budget constraints (workforce and service), stakeholders who lack understanding of purpose and goals, and an organizational culture content with the status quo.

The latter factor may best be characterized by the motto "If it ain't broke, why fix it?" And therein lies the paradox of probation reform: How do you know it ain't broke if no one is looking under the hood?

The Robert F. Kennedy National Center for Juvenile Justice (<http://rfknrcji.org/>) (RFK NRC) has made juvenile probation self-assessment and "looking under the hood" one of three organizational pillars. We actively support numerous jurisdictions in systematically conducting self-examinations.

Given the unique qualities and characteristics of juvenile probation departments and juvenile justice systems, the effectiveness of probation must be assessed within individual state and local jurisdictions to be relevant. In each jurisdiction we must ask: What measures are being used to ensure that policies, procedures, training curricula, day-to-day practices, program and service effectiveness, stakeholder and partner relationships, and management approaches are aligning with best practices?

The RFK NRC assessment process encourages leaders to ask these questions and has developed an array of resources, tools and guiding publications that can be used to support independent or external review. No matter the auspices, the replicable assessment promotes a necessary commitment to evaluation, continuous quality improvement and accountability.

The finished product for juvenile probation is not an object. The finished product for juvenile probation is the youth living in our communities and their equal chance to realize their future dreams. We know that juvenile probation can be effective and we know how to ensure it is.

It is our professional obligation to consistently implement the practices and methods that make it so. Let's make sure as we go forward that we are not simply talking a good game about our efforts, but rather that we are doing all we can to actualize best practices and realize probation's key role in supporting our youth.

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