

Elements of an Effective Probation System Review: Making Them Work in Your Jurisdiction

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PROBATION SYSTEM REVIEW

Purpose

To enhance policy, practice and service provision for

- Youth and families involved with juvenile probation systems and
- Departments and/or agencies that manage and oversee their practices and policies

“Juvenile probation has the power to affect decision making and service delivery at every stage of juvenile justice processing and thereby holds the potential to ensure that accountability is stressed at all points from initial entry through final discharge.”

Kurlychek, M., Torbet, P., and Bozynski, M. (1999) “Focus on Accountability: Best Practices for Juvenile Court and Probation.” *Juvenile Accountability Incentive Block Grants Program Bulletin*. August. www.ncjrs.gov/pdffiles1/177611.pdf

Discussion

- How do you currently identify what needs to be improved in your probation system?
- Who is involved in making this determination?
- What is the process for making these changes/improvements?
- Does the Probation Department have the singular authority to make these changes? If not, who all is involved?



History of Probation System Reviews

2005: Los Angeles County, CA

2014: State of Illinois (3 sites)

2008: Jefferson Parish, LA

2015: Territory of Guam

2010: Newton County, GA

2015: State of Idaho (2 sites)

2011: State of New Hampshire

2016: State of Arkansas (3 sites)

2012: Hammond Region, LA

2016: Las Vegas, NV (Clark County)

**2015:
Inaugural Juvenile
Probation Review
Academy**

**July 2016:
2nd Juvenile
Probation Review
Academy**

Foundation of Probation System Review

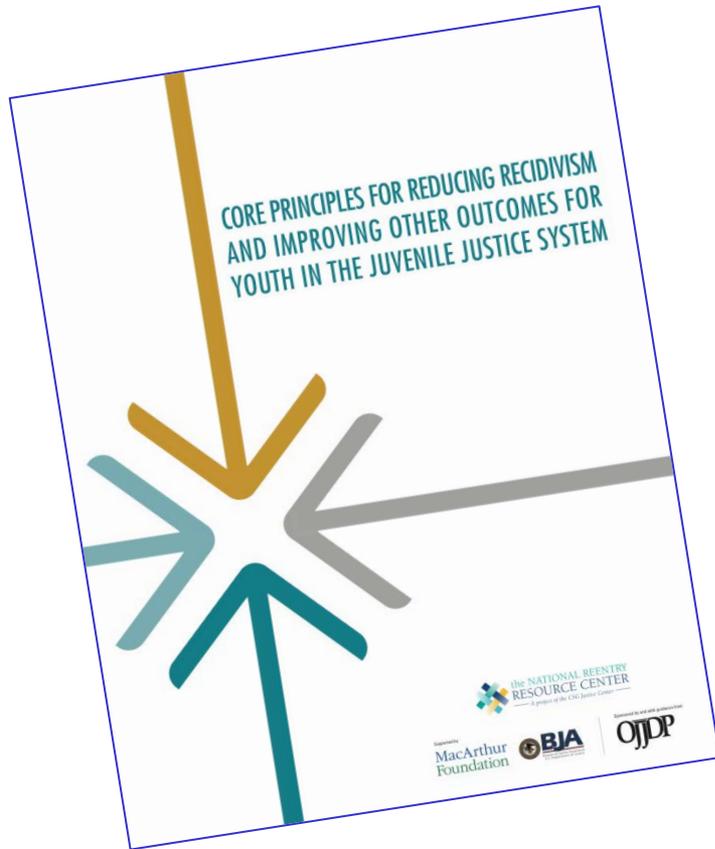


Core Principles

**Enhanced
Practice**

**Improved
Outcomes for
Youth**

Research Foundation



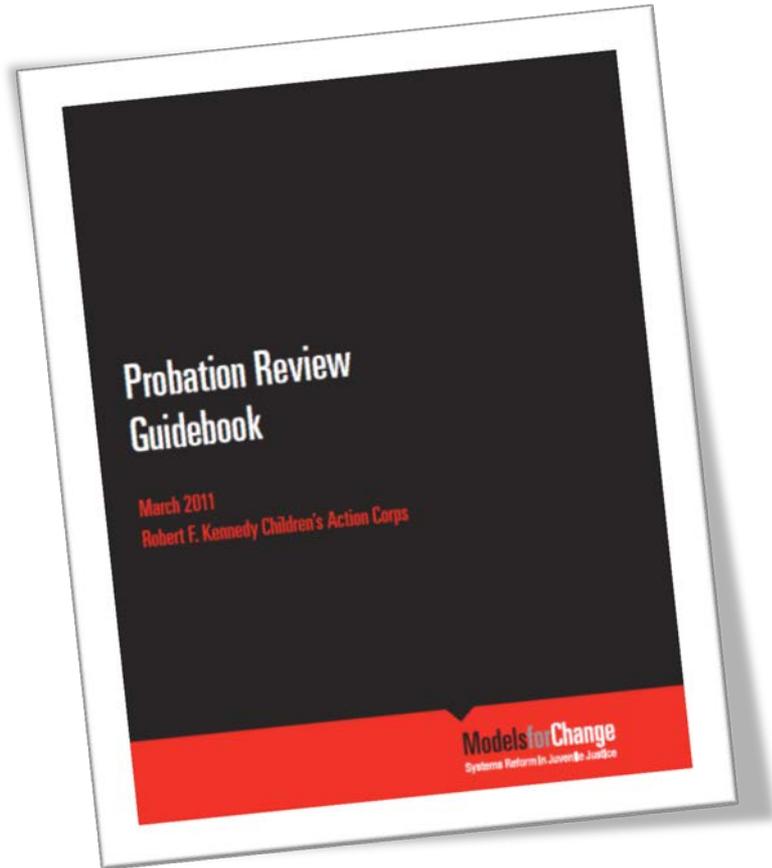
JUSTICE ★ **CENTER**
THE COUNCIL OF STATE GOVERNMENTS
Collaborative Approaches to Public Safety

**Meta-analysis
of what works
to reduce
recidivism**

“Core Principles for Reducing Recidivism and Improving Youth Outcomes”

1. Base supervision, service, and resource allocation decisions on the results of **validated risk and needs assessments**
2. Adopt and effectively implement **programs and services demonstrated to reduce recidivism and improve other youth outcomes**, and use data to evaluate the results and direct system improvements
3. Employ a **coordinated approach across service systems** to address youth’s needs
4. Tailor system policies, programs, and supervision to reflect the distinct **developmental needs of adolescents**

Documentation of Process



ELEMENTS:

- A. Administration
- B. Probation Supervision
- C. Inter and Intra-Agency Work Processes
- D. Quality Assurance

Janet K. Wiig and John A. Tuell
(RFK Children's Action Corps, 2011)

www.rfknrcjj.org

2nd Edition:
Summer 2016:

Supportive Publications



Data Planning in the Dual Status Youth Initiatives: Initial Suggestions

Gene Siegel, Robert F. Kennedy National Resource Center for Juvenile Justice, 2014



Probation Review Implementation: How Best Practices Meet Everyday Practices

Dr. John S. Ryals, Jr.
Jefferson Parish Department of Juvenile Services, 2013



Trauma in Dual Status Youth: Putting Things in Perspective

Thomas Grisso, PhD and Gina Vincent, PhD (University of Massachusetts Medical School), Robert F. Kennedy National Resource Center for Juvenile Justice, 2014

51%

Mental
Health
Evaluation
Costs

37%

Number
of Youth
on
Probation

66%

Number
of
Probation
Youth
Revoked

Outcomes

94%

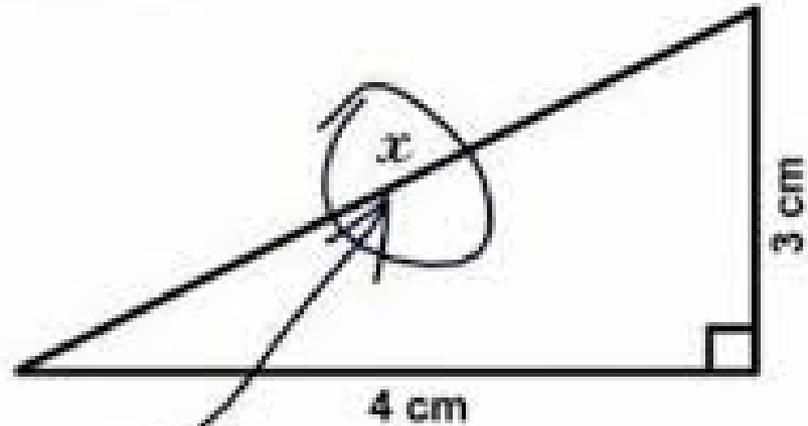
Youth
Referred
to EBPs

14%

Average
Increase in
Probation
Officer
Salaries



3. Find x .



Here it is

Ocular Trauma - by Wade Clarke ©2005

Methodologies

- Probation Review Management Team (PRMT)
- Document review
- Key stakeholder interviews
- Employee survey
- Process mapping
- Group interviews
 - Probation officers
 - Outside agencies
- Focus groups
- Best practice analysis
- Performance measures and outcomes development

Review Elements

A: Administration

B: Probation Supervision

**C: Inter- and Intra-Agency
Work Processes**

D: Quality Assurance

Element A: Administration

Issues:

1. Examination of probation department's policies, procedures, and operations (covers management practices, training and actual probation practices)
2. How management practices contribute to the overall functioning of a department
3. How the design and delivery of training support effective probation practices

Element A: Administration

Questions:

- Does the Department have a mission and a vision?
- How do these guide day-to-day management and operations?
- Is there a probation manual?
- Is it an effective guide to daily practice?
- Is there a training curriculum?
- Does the design and delivery of training support effective probation practice?
- Do management practices (e.g., meetings, communication mechanisms, etc.) align with best practices for organizational effectiveness?

Management Grid

Probation System Review • Meeting Purpose - Management Oversight Practices / Communication

There are 8 Identified purpose areas for Departmental Staff Meeting(s). Please indicate on the below table the meetings currently convened in each purpose category. If there are more in each Purpose category, please # the meetings within the *Current Meeting(s)* column.

PURPOSE	Current Meeting(s)	Chaired / Facilitated by	Mandated Participants	Frequency (e.g., weekly, monthly, annually, etc.)	Length of Time
Intra-Departmental Information Sharing					
Intra- Departmental Planning & Preparation					
Address Policy & Procedure Issues					
Problem Solving					
Operational Planning					
Department Performance Monitoring					
Provide an Environment for Relationship Building, Employee Empowerment and Value Clarification					
Discuss Inter- and Intra- Agency Issues					

FYI: There are 3 major identified expected outcomes for Departmental Staff / Supervisory Meeting(s).

- Enhance across-the-board departmental interactions, performance & practices
- Increase employee knowledge department's long-term & short-term objectives
- Empower staff to be effective & proactive

Training Grid

Probation System Review – Judiciary of Guam						
Comprehensive Review of Professional Training						
PROVIDER	TITLE	ABSTRACT/DESCRIPTION	TARGET AUDIENCE (e.g., Mgmt., Line staff, etc.)	HOURS	REQUIRED TIME FRAME (e.g. new employee orientation,	ADDITIONAL NOTES
TBD	Risk & Needs Assessment Tool(s)		LINE / STAFF (PO'S & CM'S)	24 / 3	NEW EMPLOYEE / ANNUALLY	
TBD	Motivational Interviewing		LINE / STAFF (PO'S & CM'S)	16 / 2	NEW EMPLOYEE / ANNUALLY	
TBD	Cognitive-Behavioral Therapy (CBT)		LINE / STAFF (PO'S & CM'S)	24 / 4	NEW EMPLOYEE / ANNUALLY	
TBD	Adolescent Brain Development		LINE / STAFF (PO'S & CM'S)	8 / 1	NEW EMPLOYEE / BI-ANNUALLY	
GBHWC	Cultural Awareness and Sensitivity		LINE / STAFF (PO'S & CM'S)	8 / 1	NEW EMPLOYEE / BI-ANNUALLY	
GBHWC	Dealing with Physically Challenged Individuals		LINE / STAFF (PO'S & CM'S)	32 / 2	NEW EMPLOYEE / BI-ANNUALLY	
TBD	Evidence-Based Practices		LINE / STAFF (PO'S & CM'S)	8 / 1	NEW EMPLOYEE / BI-ANNUALLY	
TBD	Individual (Client) Case Management		LINE / STAFF (PO'S & CM'S)	4 / 1	NEW EMPLOYEE / BI-ANNUALLY	
JOG – PSD	Probation Services Orientation		ALL STAFF	8 / 1	NEW EMPLOYEE / BI-ANNUALLY	
JOG - JUSTWARE	Justware (Case Management System)		ALL STAFF	24 / 2	NEW EMPLOYEE / ANNUALLY (CASE MANAGEMENT UPDATES)	
JOG -PSD	PSI / Report Writing		LINE / STAFF (PO'S & CM'S)	16 / 2	NEW EMPLOYEE / BI-ANNUALLY	
JOG - PSD	Drug Testing Certification		LINE / STAFF (PO'S & PSA'S)	8 / 1	NEW EMPLOYEE / BI-ANNUALLY	
JOG - ASO	ASO Program Overview		ALL STAFF	2 / 1	NEW EMPLOYEE / ANNUALLY	
AG's OFFICE	Juvenile & Family Court Procedures		ALL STAFF	4 / 1	NEW EMPLOYEE / BI-ANNUALLY	
DYA	Program Overview		ALL STAFF	4 / 2	NEW EMPLOYEE / BI-ANNUALLY	
GBHWC	Program Overview		ALL STAFF	4 / 2	NEW EMPLOYEE / BI-ANNUALLY	
GUAM DOE	Program Overview / Policies & Procedures		ALL STAFF	4 / 2	NEW EMPLOYEE / BI-ANNUALLY	
GPD	General Orders (Policies & Procedures)		ALL STAFF	4 / 1	NEW EMPLOYEE / BI-ANNUALLY	

Element B: Probation Supervision

Issues:

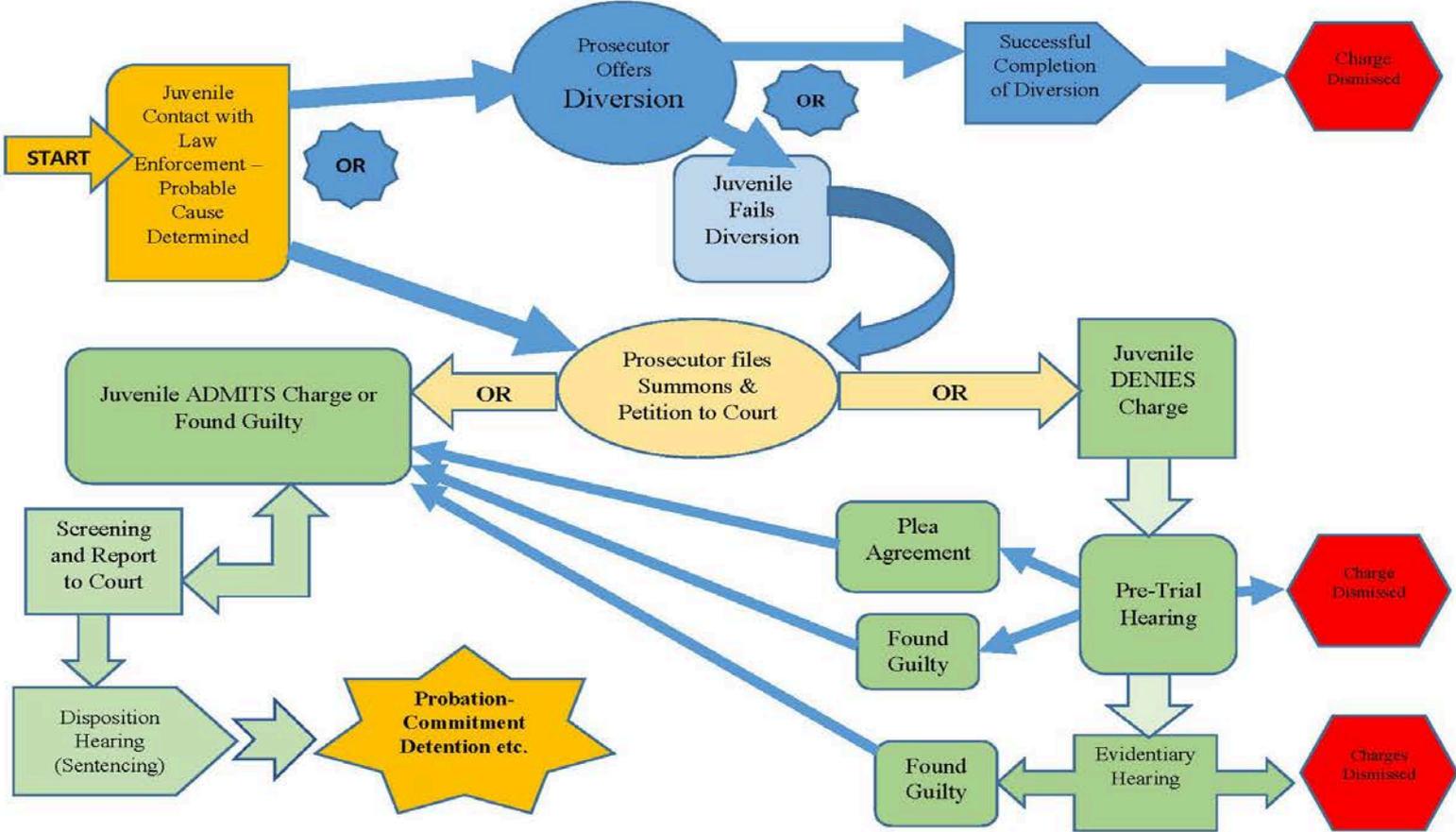
- 1) Analyzes the probation officer approach to supervision, the role of the probation officer, their day-to-day tasks and how they connect to desired youth outcomes
- 2) Reviews professional staff responsibilities, mandates and expected products and outcomes that support improved decision making at each key step
- 3) Covers decision making processes and the assignment and handling of particular groups of probationers in specific programs
- 4) Examines how probation practice is carried out as reflected in the feedback from probation officers, stakeholders, and consumers

Element B: Probation Supervision

Questions Asked:

- How are cases assigned to Probation Officers?
- What role does the PO play in the life of a probationer?
- Are supervision levels matched based on risk-needs, structured decision making tools?
- What are the supervision criteria for each probationer group?
- How clearly are client outcomes identified for each probationer?
- Are we achieving these desired outcomes?
- How do PO tasks connect to desired youth outcomes?
- How are services matched to a youth's needs?
- What role does the PO play, if any, in the key decision making points in a case?
- What products are the PO's responsible for creating? How are they used?
- How are staff evaluated? Based on what criteria?

Flowchart for Juvenile Court System



PROCESS MAP NARRATIVE

1. When an offense or incident occurs with a youth, several decisions are immediately made. A police officer can decide to conduct a station adjustment with the youth, resulting in no police report being sent to the State's Attorney's Office for prosecution. A decision can also be made to release the youth to a parent and forward a copy of the police report to the State's Attorney for a Petition to be filed. The police can also contact the Probation Department and request that a youth be detained in a secure detention facility.
2. Police Department immediately forwards report to the State's Attorney's Office for Petition to be filed and possible prosecution of offense/incident.
3. Once the State's Attorney's Office receives the police report for an offense/incident, there are several things that the State can choose to do:
 - A. File a Petition with the Court for prosecution of offense/incident in juvenile court
 1. Case is then set for first advisement
 - B. Send the case to Probation as a diversion referral, with no Petition or prosecution
 1. Case is sent to Probation to begin diversion services. These cases can range from 3-12 months. The youth can be ordered to attend school, attend counseling, complete assessments, submit to random drug testing, pay diversion fees. Once all conditions of diversion are met, the case is dismissed.
 - C. Choose to not pursue any legal action on the offense/incident and dismiss completely
 - D. Some severe offenses can be transferred to adult/criminal court if the State deems necessary
4. If a youth is detained in a secure detention facility, the State's Attorney's Office has 40 hours to bring the youth before a Judge. At that hearing, the youth can be either released to a parent or further detained. There also may be a detention hearing where there is testimony heard in the case to further help the decision making. The case is then set for Pre-trial and there may be certain pre-trial conditions that are ordered.
5. If the State files a Petition for Adjudication, a first-advisement hearing is set. At that hearing, the youth is advised of what he/she is being charged with and their rights. The youth is also appointed an attorney and the case is set for pre-trial. Pre-trial conditions can also be ordered at this point in the case.
6. At the pre-trial hearing, the youth meets with their attorney and can opt to accept a plea bargain offered by the State. If a plea is accepted, the youth's case will be disposed of. If no plea is accepted, then the case can be continued for another pre-trial or can be set for trial. Pre-trial conditions can also be continued until trial or next court date. A youth can be ordered to undergo evaluations, complete public service work, attend counseling, etc. under the pre-trial conditions order.
7. If a plea agreement was not made or accepted, the case is set for trial. During the trial, both the prosecutor and defense present their arguments, testimony, and evidence then the Judge decides on the outcome of the case. A case can be disposed of at trial if the youth decides they want to accept the State's plea prior to the trial beginning. If the Judge finds the youth guilty, the youth is adjudicated and the case is set for sentencing. A Social History Investigation Report may be ordered to be completed by Probation. If the Judge finds the youth not guilty, then the case is dismissed.



Employee Survey

Categories of Survey Questions:

- Pre-Disposition Investigation (~ 4 items)
- Case Supervision (~ 15 items)
- Inter-Agency Relationships (~9 items)
- Departmental Management & Supervision (~10 items)
- Resources & Service Delivery (~15 items)
- Best Practices (~ 8 items)
- Client Outcomes (~5 items)
- Open-ended Questions (~12 questions)

Employee Survey

Illinois Probation Review DuPage County Employee Survey	Strongly Agree	Agree	Disagree	Strongly Disagree	Do Not Know
PRE-DISPOSITION INVESTIGATION					
1. Court reports are generally well written and of good quality					
2. The court reports do not provide sufficient detail regarding the needs of probationers					
3. Recommendations to the court for probationers are based on individualized needs for treatment					
4. Recommendations to the court for probationers are based on available community resources					
CASE SUPERVISION					
1. Probationers in specialized caseloads receive an enhanced level of supervision					
2. Probationers are receiving the required number of contacts as indicated by risk scores					
3. Client outcomes are clearly identified for each probationer to guide the service delivery					
4. Probation officers do not assure that probationers receive services to which they have been referred					
5. Probation officers do not work close enough with community resources to which they refer probationers					
6. Probation officers work closely with probationer's parents/caregivers to achieve desired outcomes.					
7. The levels of supervision are characterized by distinctly different activities on the part of the probation officer					
8. The caseload sizes do not allow for an adequate level of supervision					
9. Probationers need more help than they presently receive during their period of probation					
10. Additional resources are needed to adequately provide for the parent and family support network for probationers					
11. The enforcement of conditions is sufficient activity for the supervision of probationers					
12. The number of contacts required for each level of supervision is appropriate					
13. The supervision of probationers does not result in greater public safety					
14. The supervision of probationers is focused more on enforcement than rehabilitation					
15. The assignment of all probation officers to					

Illinois Probation Review DuPage County Employee Survey	Strongly Agree	Agree	Disagree	Strongly Disagree	Do Not Know
INTER-AGENCY RELATIONSHIPS					
1. The Department's relationships with DA Prosecution are not good					
2. The Department's relationships with community-based agencies have improved in the past three years					
3. The Probation Department's relationship with the Public Schools could be improved					
4. The Probation Department's relationship with the Public Schools is good					
5. The Probation Department's relationship with the community service providers could be improved					
6. The Department would function more effectively if its relationships with community-based agencies were better					
7. The Probation Department should look at data across service delivery systems to assist with the identification of prevention and earlier intervention opportunities					
8. The interface between DJJ and Probation needs improvement					
9. Probationers' prior DJJ involvement is known/documented					

Following is a set of open-ended questions that offer you the opportunity to provide your particular ideas about how the Department and its probation officers could function better. Please take some time to offer your comments and recommendations here. Thank you.

1. How could the probation manual be improved? What could be added?
2. What enables you to do your job most effectively?
3. What training would help you do your job?
4. What services are needed for probationers that do not exist at this time?
5. What client outcomes should the Probation Department seek for probationers?
6. What specific ideas do you have for the improved delivery of probation services that you believe will result in better client outcomes?
7. What makes you uncomfortable or upset in court?
8. What ideas do you have about reducing the amount of paperwork?

Element C: Intra- and Inter-Agency Work Processes

Issues:

- 1) Whether the relationship with the Court is clear and functioning well in terms of roles and responsibilities
- 2) How interagency processes function from both the perspective of the department and external agencies and how linkages can be strengthened
- 3) Whether ongoing forums exist to resolve issues between a department and other agencies
- 4) Whether cross system collaborations are in place to meet the comprehensive needs of the youth

Element C: Intra- and Inter-Agency Work Processes

Questions Asked:

- 1) Examination of the “interconnectedness” of intra-agency /department activities (e.g., judges, court administration, etc.) that inform and drive decisions and service delivery (are they well conceived, clearly articulated, and periodically monitored?)
- 2) Examination of same activities and relationships involving inter-agency / department (covers service providers, community partners, schools, law enforcement, etc.)

Inventory of Programs and Services

Courts / Probation System - Comprehensive Inventory of Internal and External Programs and Services

AGENCY	PROGRAM	SERVICE DESCRIPTION	TARGET POPULATION (e.g., age, gender, criteria for participation)	FUNDING SOURCE	PARTNERSHIPS/ AGREEMENTS	# of youth referred annually	# of youth who complete annually	Average length of completion
Courts / Probation System - Programs/Services								
	Examples: ASMEP	Anger & Stress Management Educational Program for Juveniles.	Juveniles, ages 17 & under.			10-20	10	10 weeks
	CCPEP	Court Crime Prevention Educational Program for Juveniles.	Juveniles, ages 17 & under.			64	32	6 weeks
	CS	Community Service Program.	Juveniles, ages 17 & under.			100	50	1 year
	Peer Mediation	Peer Mediation & Conflict Resolution.	Court Ordered.		Public & Private Schools			3 days

Stakeholder Interviews

APPENDIX B

INTERVIEW QUESTIONS FOR KEY STAKEHOLDERS

1. Review key elements of the Probation Review
2. How well do you think the Department of Juvenile Services provides needed services to juveniles through Department staff, contractors, and through linkages with other youth serving systems?
3. What are some of the unmet needs of juveniles that you think might be better served?
4. What do you think are the Department's programmatic strengths? Most promising practices?
5. Are there any program areas that you think require more attention and evaluation?
6. What do you think are the most important issues for the Department to address in terms of its mission and operation?
7. What do the juveniles find most troublesome about their probation experience?
8. What do the juveniles find most helpful about their probation experience?
9. Do you have any particular ideas for solutions to identified concerns or problems the Department faces?
10. How effective is the Department in its interaction with other agencies, including your agency or office?
11. Are there any other areas of concerns or issues that we have not touched on that you think should be addressed?

Element D: Quality Assurance

Issues:

Data Collection

- A review of the data collection process and measurement system related to prevalence, youth characteristics, case processing and case management

Data Management

- Examines the use of data to create reports that inform managerial oversight, case processing and prioritization of resources on a routine basis

Performance Measurement

- Prioritizing the identification and definition of successful outcomes sought for probationers which includes a focus on recidivism and other positive youth outcomes
- Development of desired system outcomes and the measures that reflect departmental achievement
- Examines how worker performance and its measurement are related to desired outcomes
- Reviews the outcomes and accountability measures for service providers and youth programs

Element D: Quality Assurance

Questions Asked:

- What are your data collection capabilities?
- What data are you tracking on a regular basis?
- Are you tracking prevalence of case types by risk levels? Special populations?
- What are the characteristics of your cases?
- What reports are you generating and reviewing as a team on a regular basis? How do these reports inform managerial decisions? The delivery of services and programs?
- By what measures are you tracking your department's success?
- On what criteria are staff being evaluated?

“The importance of ...performance measurement, cannot be overstated because often what gets measured is what people value and where they focus their efforts.”

(CWLA, Los Angeles County Probation Program Audit report, p. 46)

Data Planning Grid

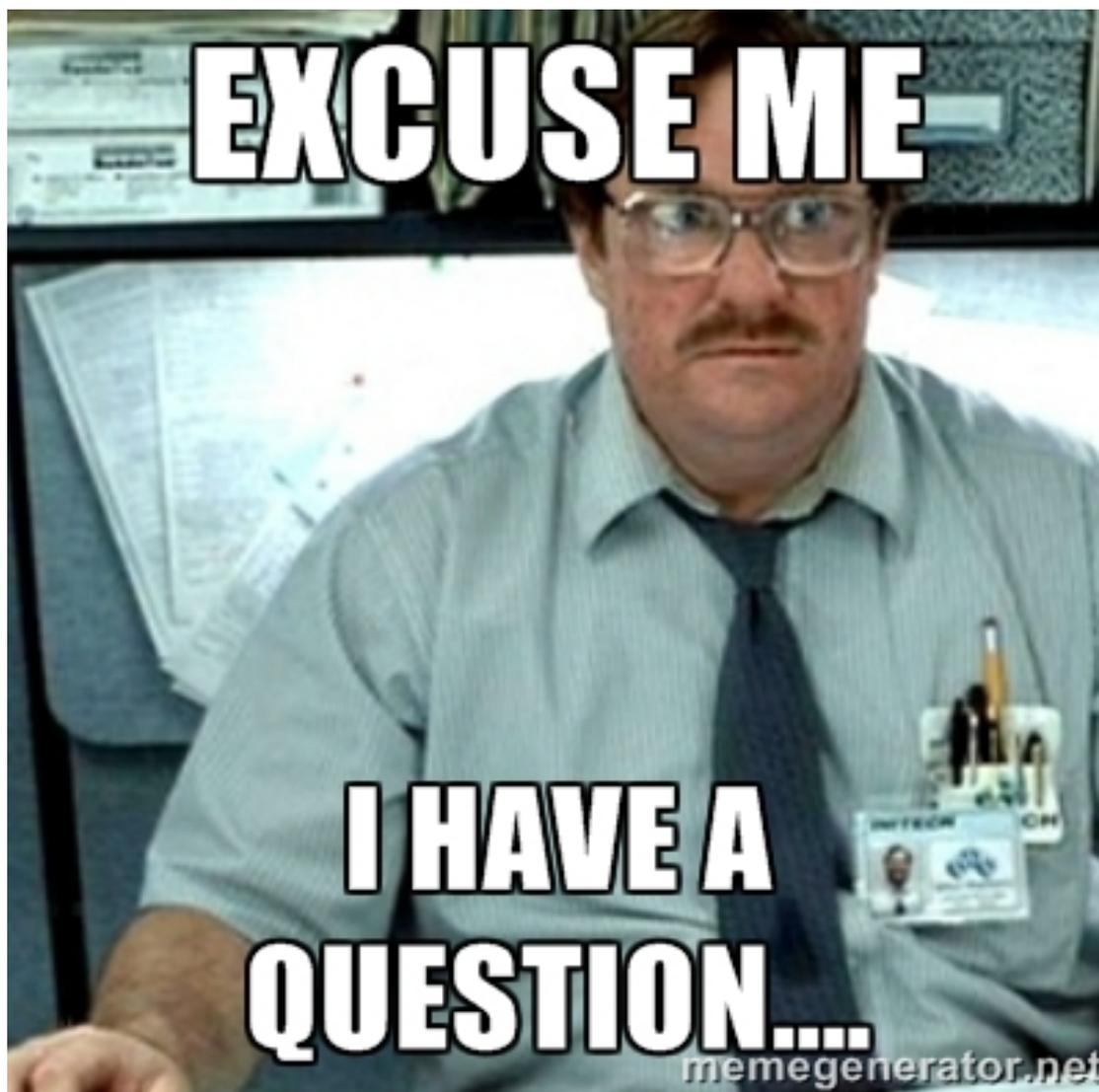


Data Planning: Initial Suggestions (Probation System Review Initiatives/Projects)

The following tables reflect the three-tiered planning approach including the eight general data categories, as well as the initial listings of suggested data questions and data elements. Adapted from the *Data Planning in Dual Status Youth Initiatives: Initial Suggestions* article authored by Gene Siegel and available at: <http://www.rfkncj.org/resources/>. Please note that category 5 is omitted from this work grid as it's relevance for the Probation System work is limited. The initial listing in this work grid should be viewed as *aspirational – something to strive for* – as well as a reference tool to help sites identify and prioritize the data elements they may choose to track during and beyond the probation system review.

Data category 1: Probation system youth prevalence			
Data Questions: How many probation youth are there in the juvenile justice population?	Basic/Essential data elements: Juvenile justice unique case numbers/identifiers.	Additional/Supplemental data: History of prior contacts with juvenile justice.	Notes: (e.g., which data system(s) house the information, other data sources); which data are essential, relevant, important, available
How many diversion, informal supervision, and informal adjustment youth are there in the juvenile justice system?	Juvenile justice unique case numbers/identifiers.		
Data category 2: Case Characteristics and history			
Data Questions: What does the probation system/diversion/informal population look like (demographic)?	Basic/Essential data elements: DOB, race/ethnicity, gender.	Additional/Supplemental data: Status offense referral history. Juvenile justice system history including diversion, probation, and other juvenile justice statuses/levels of involvement.	Notes:
What is the type and seriousness of offense?	Status/misdemeanor/felony; personal, property, etc.		
Data category 3: Case Processing			
Data Questions: How can your jurisdiction best track progress for each youth in the probation population?	Basic/Essential data elements: Judicial history including names of jurists handling each hearing or number of different judges handling hearings.	Additional/Supplemental data: All hearings by type, date, findings, and hearing results – this may include informal proceedings as applicable.	Notes:
How long do key case processing stages take for the probation population?			
What percentage of cases are experiencing adjudication and disposition during the same hearing?			





Discussion

- After hearing about these elements of a review, what are the areas of concern you see in your jurisdiction?

More Information

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