

# NATIONAL JUVENILE JUSTICE NETWORK

## Snapshot PROBATION\*

AUGUST 2016

### Community Supervision

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The supervision of youth in the juvenile justice system can take a variety of forms, and is covered by a variety of terms. “Probation” is the oldest and most commonly used community-based program. A young person remains in the community, but must adhere to certain conditions (which vary widely but can include activities such as regular meetings with a probation officer, attending school, drug treatment, wearing an electronic monitor, and completing community service). Probation can be used at different points in the system – youth can be diverted from the court system and placed on probation; alternatively, youth adjudicated as delinquent can also be put on probation. The term of probation may be specified or open-ended. When youth are incarcerated and then released for a period of supervision, this is often called “parole.” The supervision is similar to probation, but may involve more transitional services and reentry planning.

### Supervision that Supports Youth

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Once youth are released back into the community, whether and how they are supervised can have a huge impact on their reintegration and recidivism. Experts recommend that supervision policies and practices be tailored to the individual risk factors and needs of the youth and build upon their strengths, rather than modeling them on adult surveillance models, which have been found to be

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\* This snapshot is drawn from information compiled by the National Juvenile Justice Network for publication on the [Juvenile Justice Resource Hub](#), hosted by the Juvenile Justice Information Exchange and sponsored by a generous donation the John D. and Catherine T. MacArthur Foundation's [Models for Change](#) initiative.

ineffective with youth. And many low-risk youth should be diverted from the juvenile justice system entirely. Discussed below are reforms in supervision practices to more effectively reduce recidivism.

## Suggested Reforms

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### ESTABLISH A DEVELOPMENTALLY APPROPRIATE APPROACH TO SYSTEM SUPERVISION

Traditional probation and parole supervision systems for youth are often modeled on adult surveillance-only punishment strategies, in which youth are provided an extensive list of boiler-plate conditions to follow that are difficult for them to adhere to and which are not necessarily tied to public safety, treatment, or rehabilitation.<sup>1</sup> Given the now well-accepted research showing that the prefrontal cortex of a young person’s brain -- which helps one to control impulses and weigh consequences -- isn’t fully developed until age 25 or later, it is understandably difficult for youth to follow long lists of conditions.<sup>2</sup> This results in many youth violating their conditions of probation and, often, being reincarcerated.<sup>3</sup> Establishing a developmentally appropriate approach to supervision would be “less focused on catching youth doing something wrong and more focused on helping them do right.”<sup>4</sup> Suggested reforms include:<sup>5</sup>

- Use probation programs to target youth at high risk to reoffend who have been adjudicated delinquent. The programs for these youth should establish more reasonable supervision conditions that are understandable, realistically achievable, directly tied to probation goals, and minimize the need for constant oversight.<sup>6</sup>
- Enable probation officers to spend less time monitoring supervision conditions and more time helping to address the root causes of youth’s behavioral problems. To do this effectively, a system should:
  - Provide smaller supervision caseloads so probation officers can have more meaningful contact with youth and regular contact with youth and their families in their home.
  - Train probation officers to change their mindset from one focused on power and control over youth to seeing themselves as agents of change that view incarceration as a last resort, and who can work effectively with young people and their families to keep youth out of trouble.<sup>7</sup>
  - Train probation officers in evidence-based techniques for engaging youth, such as cognitive behavioral approaches.
  - Teach probation officers how to engage service providers and community partners in supervision and problem-solving.<sup>8</sup>
- Focus on the use of therapeutic programs that help to accelerate a young person’s “psychosocial maturation” -- meaning their “abilities to control impulses, consider the implications of their actions, delay gratification and resist peer pressure.” These have been found to reduce recidivism rates by large margins. These models include programs such as cognitive behavioral therapy, family counseling, and mentoring by community members.<sup>9</sup>

- Help youth to develop close relationships with caring and responsible adults. This has been found to be a key facet in improving recidivism outcomes.<sup>10</sup>

## REDUCE SUPERVISION FOR YOUTH WHO DON'T NEED IT<sup>11</sup>

Lower risk youth are likely to desist from delinquency on their own and they and their community are often best served by less supervision for the youth, or by diverting the youth out of the system. As noted above, heavy reliance on surveillance-oriented probation for these youth can actually worsen outcomes, as it is difficult for youth to comply with the long list of conditions that are usually a standard part of supervision.<sup>12</sup> Excessive monitoring of such youth is not only a waste of limited resources, but can result in pushing youth who don't need to be there deeper into the system. Strategies to limit the number of youth under supervision include [using risk assessment tools](#) to objectively assess a youth's need for supervision and services, provide limited or no supervision for low-risk and low-need youth, and divert suitable youth out of the justice system.

The resources saved from diverting youth and limiting supervision of low-risk youth can be used to provide increased services and supervision for high-risk and high-need youth. It is important to note that supervision departments must be adequately resourced to serve these high-need youth, which is something to consider as some states shift supervision from the state to the county.

## REDUCE LENGTH OF STAY ON PAROLE

In some states, youth generally remain on parole until the age of 21, unless they meet certain criteria and action is taken to discharge them from parole. Since for many youth, excessive time on parole increases the likelihood of reincarceration for technical violations, legislative or policy changes to reduce the length of parole can benefit youth and public safety.

## Promising Approaches

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Below are some ideas for implementing reforms to surveillance-oriented probation that have yielded positive results:

- [“Becoming a Man” \(or BAM\)](#) uses highly-trained counselors to work with 7<sup>th</sup> to 12<sup>th</sup> graders in Chicago to help youth learn skills such as impulse control and emotional self-regulation through techniques that include mentoring, role playing, and group exercises.
- Chicago has successfully served diverted youth by providing them with intensive math tutoring to keep them from dropping out of school, which greatly increases the risk for juvenile justice system involvement.<sup>13</sup>
- Diverting low-risk youth from court whose offenses are minor has been found to be more effective at reducing recidivism than court system processing, with low-risk youth who received a caution faring better than those given a diversion intervention.<sup>14</sup>

- Florida has successfully implemented a [civil citation program](#) to provide an alternative to arrest and formal processing that involves assessing youths' needs, community service, and can include reparations and treatment services.
- [Georgetown University Center for Juvenile Justice Reform's Juvenile Justice Reform and Reinvestment Initiative](#) involves working with service providers in demonstration sites to implement the Standardized Program Evaluation Protocol (SPEP). SPEP uses research-based information on characteristics of effective programs to both evaluate current juvenile justice programs and as a roadmap for improving them. This comprehensive approach to reforming a jurisdiction's juvenile justice programs includes probation programs as well as programs used in juvenile justice facilities.
- [Robert F. Kennedy National Resource Center for Juvenile Justice](#) conducts [probation system reviews](#) in jurisdictions seeking reform and has several publications, tools, and resources to provide guidance to jurisdictions undertaking such an assessment process.
- [Youth Advocate Programs](#) assigns trained advocates from the same communities as the youth they serve to mentor youth at risk of out-of-home placement and help them to complete individualized service plans.<sup>15</sup>

## For More Information:

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- [Core Principles for Reducing Recidivism and Improving Other Outcomes for Youth in the Juvenile Justice System](#) is a white paper released in July 2014 that is focused on promoting “what works” for youth reentering the community.
- [Dick Mendel's article](#) in the [Juvenile Justice Information Exchange \(JJIE\)](#) makes the case against the use of traditional surveillance oriented probation and suggests more effective alternatives.
- See the [Re-entry section of the Juvenile Justice Resource Hub](#) for an overview of key issues and reform trends relating to probation supervision and other re-entry and aftercare topics as well as further resources.
- [“Supervision Strategies for Justice Involved Youth”](#) details three strategies that are most effective in supervising justice-involved youth.

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<sup>1</sup> Elizabeth Seigle, Nastassia Walsh, and Josh Weber, *Core Principles for Reducing Recidivism and Improving Other Outcomes for Youth in the Juvenile Justice System* (New York: Council of State Governments Justice Center, 2014), 37, <http://bit.ly/1r78rrD>; Antoinette Davis, Angela Irvine, and Jason Ziedenberg, “Supervision Strategies for Justice-Involved Youth” (National Council on Crime and Delinquency, May 2014): 3-4, <http://bit.ly/1AtJjRI>.

<sup>2</sup> Dick Mendel, “Case Now Strong for Ending Probation's Place as Default Disposition in Juvenile Justice,” *Juvenile Justice Information Exchange* (April 14, 2016): 4-5, <http://bit.ly/2aRtGgf>.

<sup>3</sup> Approximately 15 percent of youth nationally are confined as a result of a technical violation of their probation or parole. Seigle, Walsh, & Weber, 37; citing “Easy Access to the Census of Juveniles in Residential Placement,” <http://1.usa.gov/1Btmvwd>; Adult-based surveillance-only punishment strategies for youth on parole, such as that used in Illinois, have led to unacceptably high reincarceration rates for youth. Illinois Juvenile Justice Commission, “Illinois Juvenile Justice Commission Youth Reentry Improvement Report,” 10.

<sup>4</sup> Seigle, Walsh, & Weber, 36.

<sup>5</sup> Seigle, Walsh, & Weber, 37.

<sup>6</sup> Seigle, Walsh, & Weber, 37; Davis, Irvine, & Ziedenberg, 4.

<sup>7</sup> Davis, Irvine, & Ziedenberg, 4-5.

<sup>8</sup> Davis, Irvine, & Ziedenberg, 6.

<sup>9</sup> Mendel, 4.

<sup>10</sup> Mendel, 5.

<sup>11</sup> Davis, Irvine, and Ziedenberg, 2-3.

<sup>12</sup> Mendel, 3,; citing Charles R. Robinson, Christopher T. Lowenkamp, Alexander M. Holsinger, Scott VanBenschoten, Melissa Alexander, and J.C. Oleson, "A Random Study of Staff Training Aimed at Reducing Re-arrest (STARR): Using Core Correctional Practices in Probation Interactions," *Journal of Crime and Justice* 1-22 (2012); and citing Edward J. Latessa, Paula Smith, Myrinda Schweitzer, and Ryan M. Labrecque, "Evaluation of the Effective Practices in Community Supervision Model (EPICS) in Ohio, Draft Report (Feb. 22, 2013).

<sup>13</sup> Mendel, 7.

<sup>14</sup> Mendel, 7.

<sup>15</sup> Mendel, 7.