



# **The Alameda County Model of Probation:**

## **Juvenile Supervision**



**August 2011**

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With the appointment of a new Chief Probation Officer in February 2011, the Department began the process of overhaul and reform. An assessment of past and current practices was conducted. In addition, a detailed review was conducted of Evidenced Based Practices, promising practices, successful systems, and several prior reports on Alameda County, including the monumental Huskey Report. A “Listening Tour” was held where the new Chief met with small groups of line staff and then with frontline supervisors to get their input. The Chief Probation Officer then held a separate meeting with every unit in the Department. There were also meetings with numerous stakeholders, including law enforcement and a separate meeting with each Juvenile Court Bench Officer. This process of gathering information and getting valuable input from staff and stakeholders has led to the development of the Alameda County Model of Probation – beginning with the following overview of the new Juvenile Supervision Model.



### **A New Model of Juvenile Supervision**

The Alameda County Probation Department's juvenile justice supervision model will be based on the principals of Positive Youth Development (PYD). This system builds on young people's assets and strengths, and is not just focused on their deficits.

The PYD approach includes risk, need, and asset assessments that result in Individual Achievement Plans (case plans), that outline services, supports, and opportunities in the communities where the youth live. The community based services will include Evidenced Based Practices - therapeutic services that have proven through research to be effective at successfully engaging youth who are in the juvenile justice system. The PYD approach will incentivize youth achievement while also holding youth accountable through a system of graduated sanctions. Data collection and evaluation will be a hallmark of the Probation Department and a data-driven performance management system will be implemented.

### **Positive Youth Development**

PYD is a strengths-based approach to juvenile justice where we identify and build on young people's assets and strengths and not just focus on their weaknesses and deficits. All probation officers and staff who interact with youth will be trained in the principles of PYD and then be responsible for practicing the principles of PYD.

In his groundbreaking report, "Positive Youth Justice," Dr. Jeffrey Butts, the executive director of the Criminal Justice Research and Evaluation Center at John Jay College of Criminal Justice in New York City, writes, "The basic premise of PYD is that even the most disadvantaged young person can develop positively when connected to the right mix of opportunities, supports, positive roles, and relationships. Having a wide range of pro-social experiences during adolescence allows a young person to practice and demonstrate competency and to embrace his or her responsibilities and value to the larger community."



Despite wide acceptance of positive youth development principles, very few juvenile justice systems have wholly embraced and implemented the model. Alameda County will be among the few leading Probation Departments in the country to do so.

### **Risk Based Supervision & Need Based Services**

In line with the research and evidence that reveals supervision and services of youth on probation should be based on a validated risk and needs assessment tool - Alameda County will revise and implement risk, needs, and asset assessments to ensure the level of supervision and services adequately match the youth on probation.

The assessment tool currently in place in the Probation Department is a validated tool that has significantly improved the agency's decision making process. But the current assessment tool does not appropriately delineate risk and need. Therefore there are often youth identified with high needs but who may be at low risk of committing violence, yet will still be placed in high risk supervision programs, like Electronic Monitoring or a juvenile facility, which is inappropriate for a low risk youth.

According to a study published in 2009, "A Question of Evidence: A Critique of Risk Assessment Models Used on the Justice System," by the National Council on Crime and Delinquency, "The focus on evidence-based practice in corrections is an extraordinarily positive development. That said, the need remains to carefully review some of the more recent assessment models used in juvenile and adult correctional systems." The report goes on to suggest that "the justice field must recognize that combining factors that have little or no relationship to recidivism with validated risk factors cannot improve but can seriously reduce the relationship between risk scores and outcomes."

The Alameda County Model will use a validated, actuarial risk assessment that evaluates youth's likelihood of re-offending and the likelihood of a serious re-offense. Supervision levels will range from limited contact with a Probation Officer, to close and intensive contact, to Electronic Monitoring, to incarceration in a juvenile facility.

Separate from the risk assessment that determines their supervision level, each youth's needs and assets will be assessed in order to determine their individual level of services and supports.

### **Differential Case Management**

Based on the effective practice of Differential Response in child welfare reform, the Alameda County Model of Probation will use a form of Differential Case Management to place youth in levels of supervision based on their level of risk. POs will be assigned to units that have different case load sizes, mandated frequency and location of contacts, and certain resources available. Youth will be assigned to these units based on their level of risk.

For instance, there will be Community Probation for moderate risk youth where POs are placed in community centers and schools and will see youth no less than twice per month. There will also be an Intensive Supervision Unit for high risk youth where POs go to the youth's home, neighborhood, school and see them no less than once a week and where youth may also have electronic monitoring. There will be 4-5 separate levels of supervision youth can be assigned to in addition to specialized, individual case plans that may require additional conditions.

The unit a youth is assigned to, which will correspond to their level of supervision, can be lowered or raised based on a youth's response or level of performance.

According to the United States Department of Justice's "Fundamental Principles of Evidence-Based Correctional Practice," supervision and services should be focused on high risk offenders. "Consistent findings from a wide variety of recidivism studies show that supervision and treatment resources focused on lower-risk offenders produce little if any positive effect on the rates of subsequent criminal behavior and can at times increase the risk level of low-risk offenders." DOJ recommends instead to "prioritize primary supervision and treatment resources for offenders who are at higher risk to re-offend."

### **Individual Achievement Plans**

Separate from the risk assessment, youth will have a needs and assets assessment that determines the area and level of services youth will receive.

Probation Officers will be responsible for developing detailed case plans with every youth on their case loads, what the Alameda County Model calls, Individual Achievement Plans (IAP). The IAPs will also be contracts between the PO and the youth. The IAP details how often the PO and youth will have in-person contact and it details the case plan. The IAP has seven domains that are based on the greatest needs of youth and the criminogenic factors that lead to recidivism: Family Engagement, Education, Employment, Anti-Social Thinking/Anti-Social Peers, Drug Use, Mental Health Challenges, and Connections (case management, mentoring, etc).

Based on interviews and discussion with the youth and their families as well as other available information (evaluations, assessments, reports), Probation Officers will identify the three highest need areas of the seven domains that will be the focus for period of time the youth is on probation. If a young person has low academic performance, uses marijuana frequently and has serious anti-social thinking patterns - then those would be the three areas of focus. The PO, the youth and their family will develop goals in each of the three areas and the PO will be responsible for connecting the youth to services and supports that will help them achieve these goals. The youth will be responsible for participating in the programs and services to which they have been referred.

The PO will sign the IAP agreeing to refer and connect the youth to the agreed upon services and the youth will sign the IAP acknowledging they will be responsible for actively participating in the services. Each youth will receive rewards and incentives for their progress and adherence to the IAP as well as consequences for non-compliance. The IAP will also be signed by the PO's supervisor who will be responsible for regularly reviewing the progress of each IAP with the PO.

### **Trauma-Informed Treatment**

The Alameda County Model of Probation will prioritize a focus on understanding and addressing the trauma youth have experienced that often lead to their delinquency. When juvenile justice systems address and sanction only the behavior that youth have exhibited, without addressing the fundamental causes of that behavior, it leads to the large rates of recidivism seen in most systems around the country.



In 2000, Wayne County Michigan began a complete transformation of its juvenile justice system that has resulted in amazing outcomes for youth, families, and the community. "The new model's commitment was to treat each individual youth as a person (within a family context) in need of opportunities and resources rather than a societal disease that needed to be contained," states a report by the Wayne County Department of Children and Family Services.

The vast majority of young people in the juvenile justice system have suffered from some or many significant traumatic experiences that have affected their psyche and behavior. There is an old saying that "hurt people, hurt people." There is often a cycle of pain, trauma and abuse experienced by young people in the juvenile justice system. And far too often the system exacerbates this trauma rather than treating it.



By age 15, a young man sees his best friend shot and killed in front of him, less than a year after his favorite aunt died of AIDS, and he lives in an impoverished, blighted neighborhood. He has never met his father. His mom works two jobs to pay the bills while he often has to care for his younger sister. When this young man begins to act out by skipping school, stealing from the store and smoking marijuana - what is the appropriate intervention? Is simply incarcerating this youth in a facility with two hundred other youth arrested for delinquent acts for some period of time and then releasing him and having a Probation Officer drug test him once a month an appropriate intervention? Of course not - but this scenario plays out constantly all over the country.

The system must acknowledge and address the trauma that the youth have experienced. When a girl was repeatedly raped by her step-father when she was 10, begins using drugs and fighting in school when she is 16; what is the correct response from the system?

A trauma-informed treatment focus starts when the youth first touches the system. For Probation, this includes determining what trauma each youth who comes into the system has experienced. The Alameda County Model of Probation will add a Trauma section to its Disposition Reports (the report that recommends what the court should do with a youth once they have been found responsible for a delinquent act) to include details on what trauma each youth has experienced and how the court should consider this when determining the disposition of the youth. When youth are placed on probation, we will assess the trauma and pain each youth has suffered and work to effectively address it through an array of services, supports, and opportunities. But most importantly, the Alameda County Model of Probation will seek to do no further harm and not continue to traumatize youth through bad practice. Identifying and treating the trauma youth have experienced in no way minimizes holding youth accountable for their actions.

### **Community Based Supervision/Strong Community Partnership**

In line with effective practice, to support the development of communities, and to provide supervision, services, supports, and opportunities to youth in the neighborhoods where they live, the Alameda County Model of Probation will place Probation Officers in community centers, schools, and community based organizations in the neighborhoods with the highest concentration of youth on probation.



With the support of and in partnership with the community, POs will be placed in neighborhood settings and will have youth on their caseload that live in that immediate area. Youth on probation will check in with their Probation Officers in environments that

offer support and opportunity. The PO will also be able to more effectively implement the Individual Achievement Plans in this setting.

In order to resource the Individual Achievement Plans and to place POs in community centers – the Alameda County Model of Probation will prioritize strong community partnerships. Through direct contracts, agreements, and other partnerships, the Probation Department will ensure that community based organization, faith based institutions, and other community stakeholders participate in the planning, organizing, decision making, and servicing of youth in the system. The juvenile justice system could never be successful without the partnership and participation of the community at every level.

### **Expansion of Evidence Based Practices**

Among the many programs and services offered to young people and their families on probation in Alameda County, will be Evidence Based Practices (EBP). EBPs in the juvenile justice field are programs that have been thoroughly studied and have been found through research to be effective in reducing recidivism and rehabilitating young people.



A protracted study by the Department of Justice and the Center for Disease Control found a handful of program models that stood up to rigorous research and were determined to be successful. Among those Evidence Based Programs are: Cognitive Behavior Therapy, Multi-Systemic Therapy, and Multi-Dimensional Treatment Foster Care. Alameda County Probation will expand the utilization of these programs to ensure youth on probation are able to receive these vital and effective services.

In addition to the expanded use of EBPs, the Alameda County Model of Probation will also utilize proven culturally competent and culturally relevant programming.

### **Incentivizing Achievement**



Many studies have proven the effectiveness of promoting positive behavior through incentives and awards. The Alameda County Probation Model heavily values providing incentives to youth to promote compliance with conditions of probation and with achievement in important developmental areas. For youth on probation, priority will be desistance from delinquency and drug use, educational achievement, and workforce preparation. Success in these areas

will be incentivized not only through rewards like gift cards, but also with reduced probation terms. For instance, a youth placed on probation with a 1.0 academic grade point average, if he improves his attendance and earns a one point or one full grade increase in performance, to a 2.0, then probation would petition the court to reduce the youth's term of probation by three months. Or if a youth completes an employment readiness program he would receive a gift card to a clothing store of his choosing.

Each youth's Individual Achievement Plan will be tied to an incentive program.

### **Graduated Sanctions**

In addition to incentives and rewards, the Alameda County Model will also employ a system of Graduated Sanctions to hold youth accountable for their actions. There is a growing body of research in criminal justice that reveals that what is effective at changing offender behavior is swift and certain sanctions. Even severe sanctions that are administered long after the behavior are not as effective as even less punitive sanctions administered immediately following the behavior.

“Consequences or sanctions that are applied swiftly, surely, and consistently, and are graduated to provide appropriate and effective responses to varying levels of offense seriousness and offender chronicity, work best in preventing, controlling and reducing further law violations,” according to a report published by the Department of Justice, “Developing and Administering Accountability-Based Sanctions for Juveniles” by Patrick Griffin.

A study of the now renowned HOPE program in Hawaii showed that incarcerating an individual for the weekend or for a few days immediately following a second or third positive drug test was more effective than a month or two of incarceration several weeks after the drug test - which is how long probation violation proceedings can take to be scheduled and completed. Additionally, alternative sanctions other than incarceration can be just as, if not more effective. Community service, increased supervision, earlier curfew, having to report to an Evening Reporting Center - are all examples of alternative sanctions that can be administered quickly and effectively.

The department will develop a grid that guides Probation Officers and the Court on available sanctions based on a youth's risk level and level of non-compliance or violation. For instance, a youth on probation assessed as low risk who then violates the terms of their probation, for a minor violation, like a curfew violation - the PO may have a range of sanction options, like mandating the youth write a letter of apology or an essay on the importance of complying with court orders or a month of having to report to their PO twice as



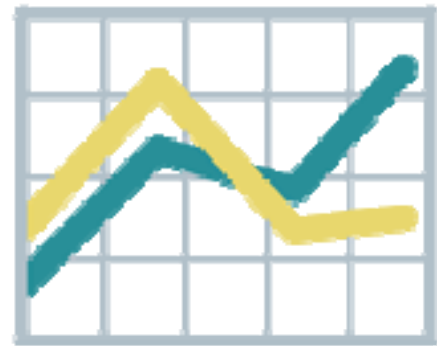


often. For a youth on probation who was assessed at Medium risk and has a moderate violation of their probation, like successive absences from school - the PO may place the youth on electronic monitoring, mandate several hours of community service, or have the youth complete several weekend programs through the department's Weekend Training Academy. A youth assessed at high risk that has a serious violation of probation, like being arrested for a new felony, can be immediately brought into custody and a violation of probation petition be filed with the court to recommend the youth be incarcerated or placed in an out-of-home program for some period of time.

The system of Graduated Sanctions will be transparent and clear for all probation officers, defense attorneys, prosecutors, Bench officers, youth, families, and the community. The Probation Department will in fact develop the Sanctions Grid in consultation with these stakeholders.

### **Data-Driven Performance Management**

The Alameda County Model will be a data-driven system that tracks outcomes, makes decisions based on reliable information, and holds management accountable to an agreed upon set of measures that will be assessed and presented regularly.



The Probation Department will launch ProbStat - the process by which managers will be held accountable for their performance based on data. Executive managers and division heads will agree upon a set of measures in each division that will be tracked and assessed.

For instance, the head of the Community Probation Unit may be responsible for achieving goals or benchmarks in their unit's rate for which POs have completed the IAPs with the youth on their case loads within 30 days of being placed on probation, youth engaged in services rate, recidivism rate, revocation rate, etc. Then every month or every other month the head of the Community Probation Unit would attend a ProbStat meeting where data indicators for these goals would be presented based on actual performance in these areas in the previous month or two. The head of the unit would have to explain why they didn't make their benchmarks or be congratulated on doing so and then detail how they will improve their unit's performance over the next period.

ProbStat will also be used to assess contracted programs and services. The effectiveness of particular programs will also go through the data-driven performance management system and the department will make decisions about future contracts and the development of new programs based on the outcomes measures and performance of programs.

ProbStat is partially modeled after the highly touted and often replicated New York Police Department CompStat model. New York City has attributed much of its enormous drop in crime to CompStat.

**Implementation**

The new Alameda County Model of Probation will begin implementation in the Fall of 2011 and continue into 2012. As a data-driven, evidence based department, we will continually assess and evaluate the effectiveness of our programs and services as well as make necessary and appropriate changes and adjustments.