

Transforming Juvenile Probation Overview

Restructuring Probation Terms to Promote Success

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This fact sheet and the guide it accompanies outline a new approach to structuring youth probation terms in which probation officers function as resource bridges focused on connecting youth with community-based resources to support them long term. This approach asserts that the vast majority of youth probation terms can be completed in six months or less. In the long run, probation agencies should be working to bolster and reinforce community capacity to meet the needs of youth and their caregivers, and to promote public safety without relying on the juvenile justice system (and thereby avoiding its associated risks for youth).

THREE PRIMARY REASONS TO LIMIT JUVENILE PROBATION TERMS

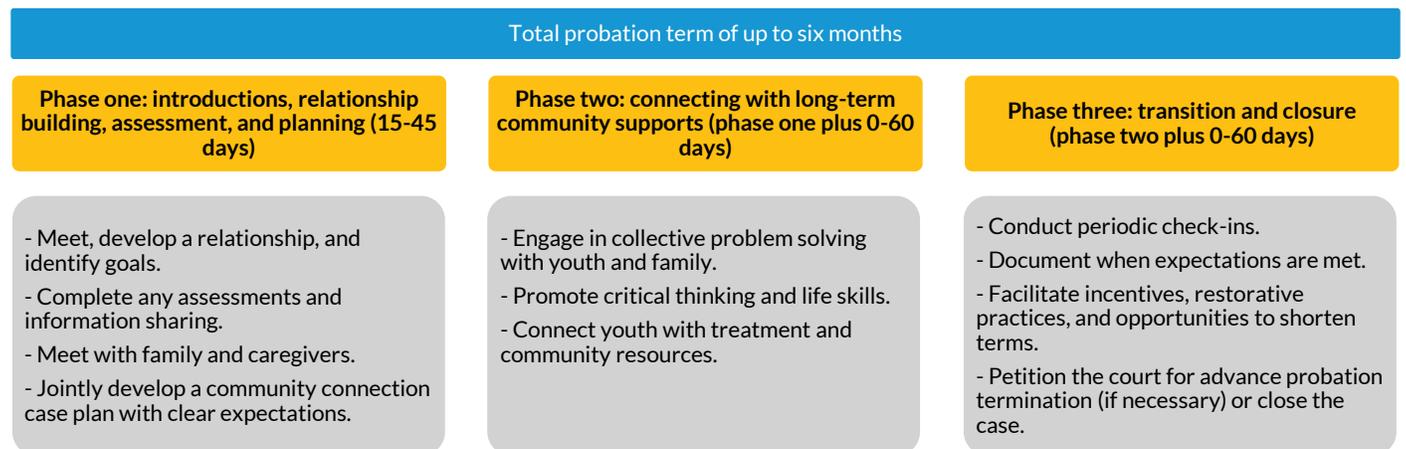
- **Minimize harm to youth.** Juvenile probation can impose onerous requirements on youth and families, subject youth to harmful biases, and lead to deeper entrenchment in the juvenile justice system.
- **Use limited resources inside and outside the justice system efficiently.** Reducing probation caseloads by shortening terms creates time for probation officers to forge stronger connections with community-based service providers and frees up resources that can reinforce community capacity outside the justice system.
- **Advance racial equity.** Prioritizing youth access to the community-based supports and services they need can minimize the likelihood of justice system entrenchment for youth of color.

A FRAMEWORK FOR TIME-LIMITED, COMMUNITY-CENTERED PROBATION

The framework we propose is structured around **three phases** (figure 1). With the appropriate structures and supports, the vast majority of youth can accomplish all three phases in six months or less, and much faster in many cases. To measure their progress implementing this framework, probation departments should track data on term lengths, disaggregated by gender, race, and ethnicity.

FIGURE 1

Proposed Structure and Timeline for Time-Limited, Community-Centered Probation



OPERATIONALIZING TIME-LIMITED, COMMUNITY-CENTERED TERMS

Adopting this approach requires probation agencies and practitioners to **identify and coordinate with community partners**, which can advance racial and geographic equity. The approach requires significant shifts in policy and practice, and juvenile probation agencies around the country are finding creative ways to put the two core principles of the approach in action.

Principle 1: limit probation terms to the minimum time needed to connect family with community supports for youth.

System involvement of any kind harms youth, and longer terms are no more effective than shorter ones in achieving positive outcomes and increase the risk of revocation. Though there is no national standard for the length of juvenile probation terms, practitioners can incorporate what we know about supporting positive youth outcomes into probation practice by doing the following:

- ensure that each youth receives a determinate probation term
- base term length on the minimum time needed to collaboratively establish goals, identify and connect youth and their families/caregivers with needed supports, and establish or reinforce links to community supports
- minimize delays in case processing that could extend terms

Principle 2: make it as easy as possible to shorten probation terms and as hard as possible to extend them.

Overemphasizing compliance with probation terms leads to worse outcomes, and incentives (including opportunities for early probation termination) can be more powerful than sanctions in shaping youth choices. To structure terms to foster youth agency, practitioners can do the following:

- develop limited, relevant probation rules and requirements in partnership with youth and their caregivers
- give youth pathways to shorten their time on probation and provide as many opportunities as possible for them to exercise that agency
- implement departmental policies that limit the circumstances in which probation terms can be extended (to the extent possible under existing law)
- incentivize probation officers to work with youth to build community connections and shorten probation terms

ADDITIONAL READING

Transforming Juvenile Probation: Restructuring Probation Terms to Promote Success

Samantha Harvell, Leah Sakala, and Andreea Matei <https://urbn.is/3ahJDd8>. For additional resources on topics including diversion and rule violations, please see: www.aecf.org/topics/juvenile-probation/.

PRINCIPLES IN ACTION

Utah set statewide presumptive juvenile probation terms of **one to three months for intake probation and four to six months for formal probation**.

Pierce County, Washington, **limits probation terms to the time necessary to engage in services and connect youth to long-term community supports**.

Hawaii **cut standard probation conditions almost in half and wrote them more clearly for young people** and violations subsequently dropped.

In Kansas, **monthly court reports are delivered to each youth, their caregiver, their attorney, and the judge and prosecutor summarizing good time earned and the new target release date**. Youth can earn up to one week off of their term for every successful month.

Marion County, Indiana, creates **individualized visual displays to track youth progress and incentivize completion of core probation requirements**.