



Mathematica

Advancing Probation Reform

A Deep-End Evaluation Feature Brief

Sino Esthappan and Janine Zweig

September 2020

Probation plays a critical role in the juvenile justice (JJ) system, but the absence of clear intended outcomes for youth who are justice involved might contribute to the unnecessary use of judicial dispositions to probation and out-of-home placement, as well as to high rates of recidivism. In this brief, we describe findings from a developmental evaluation of the Annie E. Casey Foundation's (the Foundation's) expansion of the Juvenile Detention Alternatives Initiative® to the deep end of the JJ system. Through its deep-end work, the Foundation aims to safely and significantly reduce the use of out-of-home placements for youth, especially youth of color. The findings in this brief build on those presented in *Keeping Youth Out of the Deep End of the Juvenile Justice System: A Developmental Evaluation Overview of the Annie E. Casey Foundation's Deep-End Reform*, which provides an overview of the evaluation of the deep-end reform and its findings (appendix A provides details on the methods used for the evaluation). Qualitative and quantitative data collection occurred between April 2014 and August 2018. In addition, the Foundation provided additional supports to two deep-end sites—Lucas County, Ohio, and Pierce County, Washington—as part of their probation transformation focus (the Foundation details the rationale for this work in a 2018 [report](#)). Our analysis of these sites' efforts to transform probation can be found [here](#).

In this brief, we explore the reasons for addressing probation as part of deep-end reform and the activities sites developed to address it. Then, we reflect on how site staff beliefs aligned with the deep-end mission and vision, and end by discussing considerations for other jurisdictions interested in deep-end reform.

BOX 1

Key Findings

- Sites participating in deep-end reform minimized probation dispositions for youth with misdemeanor charges and developed meaningful interventions for youth assessed as being at high risk of rearrest.
- Sustaining changes to deep-end policy and practice required buy-in from frontline probation staff and a shared understanding of the purposes of probation. Nearly all sites engaged in discussions that aimed to establish deep-end staff's and stakeholders' views about the purposes of probation through technical assistance sponsored by the Foundation.

Why Address Probation as Part of Deep-End Reform?

In many juvenile court systems, probation officers are involved in various aspects of case processing, such as conducting investigations, making recommendations to judges, and working with youth placed on probation or returning from confinement. Probation is the most commonly used disposition in juvenile courts (Hockenberry and Puzanchera 2018), but it is often ordered for youth whose behavior is typical of most adolescents and who pose little risk to public safety. One stakeholder reflected that the most important change the JJ system could make to help youth succeed is to “develop [...] more robust community-based alternatives for youth. [Stakeholders need to understand] that noncompliance with court/probation orders does not mean there is a public safety risk, that some level of noncompliance is normative adolescent behavior.”¹

The overuse of probation creates large caseloads for probation staff with limited time and resources to effectively promote behavior change. This was the case in sites participating in deep-end reform, where a survey of probation staff in 2015 and 2016 showed that less than 50 percent agreed or strongly agreed that their departments' caseloads were kept to a size permitting officers to provide appropriate levels of supervision. Ineffective probation practices stemming from limited staff capacity can fuel probation revocations, which can result in out-of-home placements and drive youth back into the justice system after probation termination. One stakeholder commented that the most important goal of the deep-end reform was to “improve probation.”

How Did Deep-End Sites Reform Juvenile Probation?

Though the deep-end approach addressed key decision points throughout the JJ system, most investments were directed toward narrowing the pipeline of referrals to the system, rethinking dispositional decisionmaking, and improving probation practices. Sites implemented numerous changes to policy and practice to minimize judicial dispositions to probation and out-of-home placement by increasing preadjudication diversion, limiting probation recommendations to out-of-home placement, and reducing the use of probation revocations.

Changes to Policy

Some sites, such as Lucas and Summit Counties in Ohio, refined their probation departments and assigned staff to newly developed units designed to help **divert youth with misdemeanor charges from probation** to services (i.e., case management, wraparound services, and restorative justice programming) outside the juvenile court to connect youth with resources in their own communities. Other sites made less formal changes to diversion practices, such as developing strong relationships with community partners to establish a robust system of alternatives to court involvement.

Developing and institutionalizing **tools to standardize the decisionmaking process** were central to deep-end reforms. Stakeholders in Lucas County, Marion County, Indiana, and St. Louis City implemented or revised structured decisionmaking tools that informed dispositional decisionmaking and aimed to limit probation and placement among youth at greater risk of system reentry. Although the reported utility of these tools was mixed across and within sites, they provided empirically informed guidance to the recommendations that probation staff made to the court. Several sites also either developed or revised existing sanctions and incentives grids. Stakeholders in one site facilitated these changes by working closely with families and community-based partners, who provided services and incentives. In some cases, changes to incentives required buy-in from court leadership. In Pierce County, for example, this incentive structure—coupled with efforts to reduce the time youth spend on probation—led to the option of terminating probation early for youth who demonstrate behavior change while on probation.

Youth on probation often face challenges with understanding and remembering the numerous terms and conditions they must comply with. Deep-end sites addressed this by **changing probation conditions** to make them more developmentally appropriate and easier for youth to understand. Bernalillo County, New Mexico, for example, was instrumental in the work of a state-level effort to streamline the state's standard probation agreement to only six probation conditions. The types of conditions were also revised to encourage behavior change by focusing on youths' strengths.

BOX 2

Site Spotlight: Diversion

Since 2018, all youth facing misdemeanor charges in Summit County (Ohio) Juvenile Court have been referred to the diversion services unit, where they are screened and referred to appropriate alternatives to probation, such as community service, restitution, and referrals for assessment and treatment services. Youth referred to the misdemeanor services unit also have access to case management services (including referrals to community-based services, home and school visits, peer and family conflict mediation, and workforce development preparation) from staff in the court's Family Resource Center. This center is a county-funded, community-based program for youth who are court involved. By triaging the juvenile court's resources and partnering with community stakeholders, this structure has allowed probation staff in Summit County to focus on youth facing the most serious charges and who have been assessed as being at greater risk of system reentry.

Changes to Practice

Sites' deep-end activities changed several dimensions of probation practice. Numerous sites modified existing **case planning** protocols to include meetings with youth, family members, and other community resources to give these parties input in the development of a youth's case plan and ensure youth have the supports they need to succeed on probation. This team-based approach to case planning included a diverse set of stakeholders unique to each site, though youth and family involvement were common across all sites that made these changes. Roughly 80 percent of probation staff in deep-end sites who participated in our 2018 Probation Policies and Practices Survey reported very often or always engaging youth in developing case plans, and 75 percent reported very often or always engaging families (box 4 offers additional survey findings).

Probation departments in deep-end sites also improved their capacities for **family engagement**, and when asked to note the most important changes the JJ system could make to improve youth success, some stakeholders cited "more family engagement," "engaging families in a different way," and "much deeper parental impact during probation." One way sites worked to engage families was through training. Roughly 75 percent of probation staff in deep-end sites agreed or strongly agreed that they regularly received training on communication skills, motivational interviewing, and other relationship-building techniques to engage families of youth on probation. In addition, many of the trainings provided as part of deep-end technical assistance were directly related to family engagement. For example, one organization, Justice for Families, provided technical assistance on family engagement through trainings in several sites, covering topics such as trauma and systemic inequality. Sites also engaged in innovative practices to support families as they navigated juvenile court. Sites developed family newsletters and resource guides, embedded parents of youth formerly involved with probation in the court for guidance and support, engaged parents and caregivers to provide input on probation policies and practices, and hosted family dinners to build relationships with agency staff and support parents and caregivers of youth who are system involved.

BOX 3

Site Spotlight: Youth Advocate Program

The Youth Advocate Program has been in place in Marion County (Indiana) Juvenile Court since January 1, 2016. The program is intended to serve youth who would otherwise face residential placement or commitment to the Indiana Department of Corrections. It provides cognitive-behavioral approaches, motivational counseling, and support services, in addition to linkages to community resources, such as schools, employment, and life skills development services. Some of the advocacy and support services that the Youth Advocate Program offers include weekly in-house activities aimed at fostering dialogues on topics such as racism and racial inequity, employment, and violent law enforcement behavior. The program also holds drop-in family nights, meets parents and other caregivers informally in the community, and collaborates to build individualized service plans for youth. The program serves 15 youth at any given time and approximately 30 youth a year.

Deep-end stakeholders viewed **community engagement** as a critical component of probation. Such engagement involves directly connecting youth to community-based resources, agencies, and services, and building relationships with service providers and programs in the community. Although not all staff incorporated this value, a majority (more than 60 percent of probation staff in deep-end sites) reported very often or always working with youth to improve their connections with local community centers, support groups, faith-based organizations, or services in the neighborhood. Furthermore, some department leaders encourage probation staff to build connections with providers, with an eye toward partnership. These partnerships, where present, helped sites develop a robust set of services for youth who are probation involved, services including enrichment opportunities, workforce readiness and other vocationally oriented programs, and behavioral and mental health treatment services. However, the sustainability of community-based programs was often inhibited by a dearth of funding streams. Some sites, like Marion County and Ramsey County, Minnesota, addressed this challenge by maximizing resources to support community-based programming. Ramsey County garnered support through a line item in the county budget specifically for programs creating alternatives to placement. Marion County reached a Pay for Success–like agreement with Indiana’s Department of Child Services, which provides ongoing funding to the county’s alternatives-to-confinement programming if the court achieves targeted reductions in bed days for youth in residential placement.

BOX 4

Findings from the 2018 Probation Policies and Practices Survey (n=333)

The survey found shares of probation staff in deep-end sites reporting that they very often or always do the following:

- **talk directly with youth** about their probation terms and conditions **(90 percent)**
- focus on youths' **strengths and assets** to help motivate change **(86 percent)**
- work closely with **youths' parents/caregivers** to achieve the desired outcome **(84 percent)**
- develop an **individualized service plan** based on youth's unique needs **(81 percent)**
- where applicable, talk with youth about **repairing the harms** they may have caused to victims, family members, or other members of the community **(60 percent)**
- **develop personal relationships** with community groups, faith-based organizations, or other supportive agencies that are located where probation youth reside **(57 percent)**
- review data about possible **racial and ethnic disparities** that occur in probation violations and other supervision decisions in their agencies **(29 percent)**

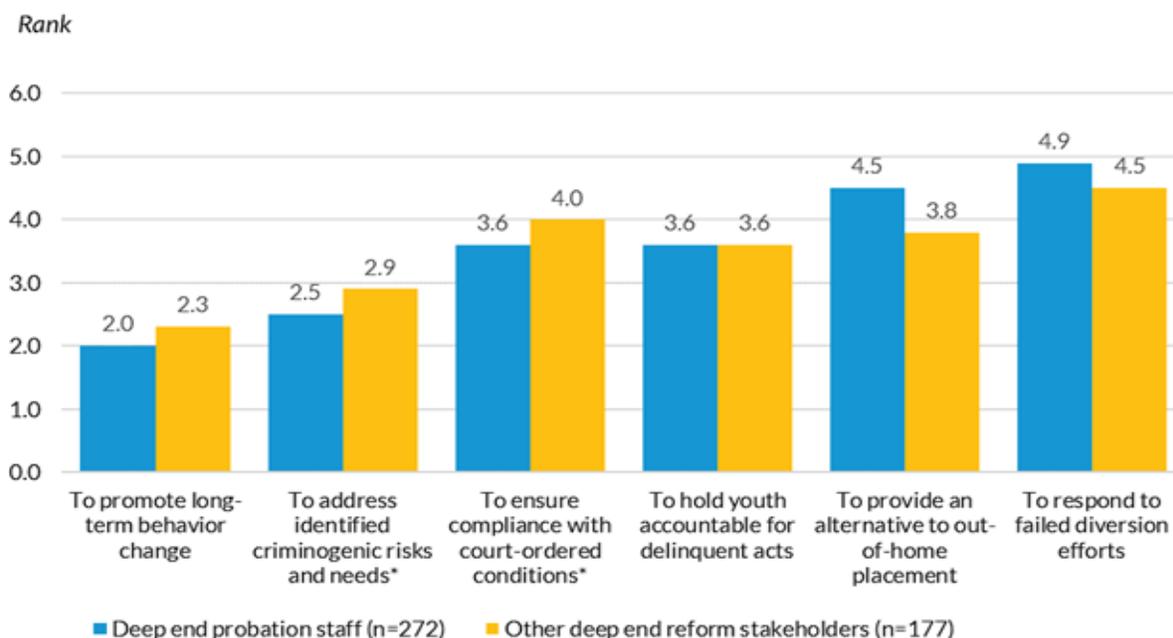
To advance probation reform, sites also routinely **collected data and used findings** to inform case processing and case planning decisions. More than 60 percent of probation staff in deep-end sites agreed or strongly agreed that their leaders made sure they used data and research to make better decisions. More information on how data was used as part of the site activities can be found [here](#).

To What Extent Did Deep-End Stakeholders and Probation Staff Beliefs Correspond with the Deep-End Mission and Vision?

Sustaining changes to deep-end policy and practice requires buy-in from frontline probation staff and a shared understanding of the purposes of probation. As part of their technical assistance for deep-end reform, Foundation staff facilitated structured discussions within sites about the purposes of probation to forge common ground among stakeholders. Although not all probation staff and stakeholders reached consensus in these discussions, survey results show that stakeholders (e.g., staff from community-based agencies, court administrators, judges, magistrates, prosecutorial staff, detention staff, and other deep-end stakeholders) largely agreed that the primary purpose of probation is to promote long-term behavior change (figure 1).

FIGURE 1

Deep-End Stakeholders' Views on the Purposes of Juvenile Probation



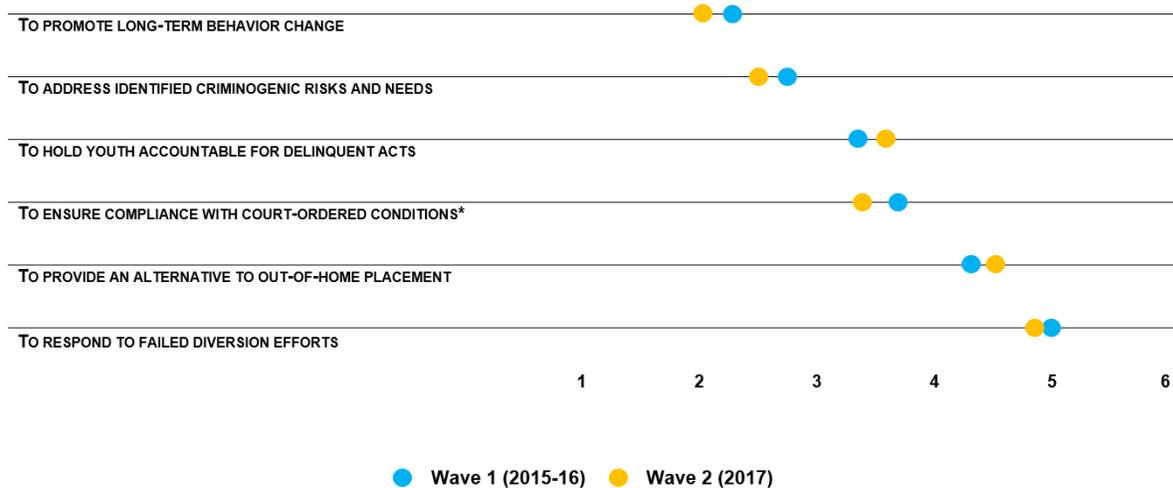
URBAN INSTITUTE

Notes: Respondents rank ordered probation purposes from 1 to 6; a lower score indicates the item was considered a more important purpose and a higher score indicates the item was considered a less important purpose of probation. Yellow bars represent deep-end reform stakeholders other than probation staff. Data in this category were collected in 10 sites (Bernalillo County, Camden County, Hennepin County, Jefferson Parish, Lucas County, Marion County, St. Louis City, Pierce County, Ramsey County, and Summit County) through one wave of the Stakeholder Survey of Juvenile Probation Policies and Practices (summer to fall 2017; n=242; 79 percent response rate; these statistics omit 65 probation staff from the survey responses because similar statistics for probation staff, calculated from a different survey, are shown separately). N=177 for this particular analysis because probation staff that participated in the stakeholder survey were not included in that sample to distinguish input from other stakeholders (e.g., court staff, community-based youth-serving agencies) participating in that survey from the probation staff (participating in the probation survey). Blue bars represent deep-end probation staff. Data in this category were collected in 12 sites (Bernalillo County, Camden County, Dakota County, Franklin County, Hennepin County, Jefferson Parish, Lucas County, Marion County, St. Louis City, Pierce County, Ramsey County, and Summit County) through the 2018 Probation Policies and Practices Survey (n=332 [75 percent response rate]). N=272 for this particular analysis because only 10 sites were included to be parallel to the sites included in the stakeholder survey.

The evaluation team surveyed probation staff members at two points to assess whether their views about the purposes of probation changed (figure 2). Although staff members did not report holding significantly different views about the purposes of probation between the two points, we found movement in their views in the direction intended by the deep-end reform across most measures. Staff were asked to rank order a set of purposes of probation based on importance from one (most important) to six (least important). These rankings are depicted in figure 2, with the data points representing averaged rank ordered scores (those closer to one being considered more important). A

greater share of probation staff members in deep-end sites ranked “promote long-term behavior change” as a more important purpose of probation on the second of the two survey waves. In contrast, staff members on average ranked “to hold youth accountable for delinquent acts” as a lower priority in the second wave. The direction of these changes suggests the sites made minor, though promising progress in aligning the beliefs of probation staff with the deep-end mission and vision. As one site staff member noted, “[We are] beginning to reap the benefits of an attitude change. Probation [staff are] starting to view themselves differently—not as corrections-based, but instead as the experts in how to build community-based consequences that work.”

FIGURE 2
Changes in Probation Staff Members' Views on the Purposes of Juvenile Probation
Average rank order score, with low scores representing more important purposes (respondents rank ordered purposes of probation from 1 to 6)



URBAN INSTITUTE

Notes: Respondents rank ordered items from 1 to 6, meaning a lower score indicates the item was considered a more important purpose of probation and a higher score indicates the item was considered a less important purpose. Differences between waves were assessed using t-tests; *p < 0.05. Data were collected in 12 sites (Bernalillo County, Camden County, Dakota County, Franklin County, Hennepin County, Jefferson Parish, Lucas County, Marion County, St. Louis City, Pierce County, Ramsey County, and Summit County). Figure shows data from two waves of the Probation Policies and Practices Survey (2015–16, n=379 [72 percent response rate]; 2018, n=332 [75 percent response rate]).

Considerations for Other Jurisdictions: What Can Communities Interested in Probation Reform Learn from This Evaluation?

The deep-end sites' experiences with probation reform illustrate many hard-earned lessons applicable for other jurisdictions interested in similar reforms. Central to any collective change process is a unified vision for change; a lack of consensus among stakeholders on that vision can hinder progress. When various court stakeholders hold conflicting views about the purposes of probation, their practices can send mixed signals to probation staff, families, youth themselves, and other stakeholders and undermine progress that youth might be making. The conversations facilitated across sites relied on a base of trust and respect among probation staff, court administrators, and the judiciary. Even though stakeholders did not always reach consensus, these discussions promoted collaboration and helped generate buy-in for the deep-end reform.

Inconsistencies in stakeholders' beliefs about probation might be a cause or a consequence of the lack of standard tools, policies, and practices in juvenile probation. Implementing changes to juvenile probation requires culture change. However, culture change in probation departments can be difficult when frontline probation staff receive mixed signals about the need for reform. Department leaders should first and foremost recognize the training and experience that probation staff already bring to their work, while acknowledging and working to fill existing gaps. Efforts to fill these gaps might include training opportunities focused on adolescent brain development, distinctions between typical youth behavior and delinquency, and adolescent responses to monitoring and compliance. Such efforts in staff development can help staff understand the reason for reform. Sites' use of data to drive decisionmaking also facilitated culture change in probation departments. Disseminating the results of data analyses helped staff identify inequities and gaps in the system and provided them with insights to address them.

The sites implemented a wide range of activities to change probation policy and practice. Elements that made these changes possible included strong leadership and committed frontline staff, including at-the-top leadership who demonstrated a commitment to the reform vision and created opportunities to hire probation supervisors committed to deep-end reform. Other elements included the creativity and will to build the court's capacity for reform, and a strong cross-system collaborative structure. **Changes to probation policy and practice should therefore involve the people and institutions most affected by it. Engaging youth and families as key partners is critical for advancing REEI and improving outcomes for youth.**

Juvenile probation does not operate in a silo. It intersects with institutions inside and outside the JJ system and affects family members of youth and their communities. In addition, collaboration across a diverse set of stakeholders who represent the court, law enforcement, schools, child welfare agencies, community-based service providers, and others who have contact with youth who are probation involved was critical to deep-end reform. These stakeholders can offer expertise that can help inform dispositional decisionmaking, case planning, and other probation policies and practices.

Note

¹ Quotes from stakeholders throughout this brief are drawn from interviews or open-ended comments from surveys of stakeholders conducted by the evaluation team, August 2014 to August 2018.

Reference

Hockenberry, Sarah, and Charles Puzzanhera. 2018. "Juvenile Court Statistics 2015." Pittsburgh: National Center for Juvenile Justice.

About the Authors

Sino Esthappan is a former research analyst in the Justice Policy Center at the Urban Institute, where he worked on evaluations of criminal and juvenile justice programs, policies, and practices.

Janine Zweig is associate vice president for justice policy in the Justice Policy Center and has over 25 years of research and evaluation experience. Her work has focused on addressing juvenile and adult justice-related programs, interpersonal violence, substance use, and adolescent and young adult development. She has led projects focused on juvenile justice reform (such as the Annie E. Casey Foundation-funded Evaluation of the Expansion of the Juvenile Detention Alternatives Initiative to the Deep End), sexual victimization of youth held in juvenile detention and other facilities, and workforce development programs for youth and adults returning to communities from prison and jail. She also currently co-leads a project funded by the Administration on Children and Youth-funded project to evaluate the Promoting Adolescent Sexual Health and Safety Project and has studied federal, state, and local community responses to sexual assault and other forms of interpersonal violence.

Acknowledgments

This brief was funded by the Annie E. Casey Foundation. We are grateful to them and to all our funders, who make it possible for Urban to advance its mission.

The views expressed are those of the authors and should not be attributed to the Urban Institute, its trustees, or its funders. Funders do not determine research findings or the insights and recommendations of Urban experts. Further information on the Urban Institute’s funding principles is available at urban.org/fundingprinciples.

The authors would like to thank current and former staff from Urban and Mathematica who participated in this project as data collectors, advisors, and product reviewers, as well as staff from the Annie E. Casey Foundation for their input and advice throughout the life of the project. Also, the authors are deeply indebted to the deep-end coordinators, probation staff, court staff, judges, other juvenile justice system actors, and community-based partners from all the deep end sites, whose day-to-day efforts form the basis of this research, and who graciously gave of their time to provide input to this evaluation.

The Urban Institute and Mathematica collaborated on the evaluation of the Annie E. Casey Foundation’s deep-end reform. Project staff from both organizations contributed to the research underlying this brief.



500 L’Enfant Plaza SW
Washington, DC 20024

www.urban.org

ABOUT THE URBAN INSTITUTE

The nonprofit Urban Institute is a leading research organization dedicated to developing evidence-based insights that improve people’s lives and strengthen communities. For 50 years, Urban has been the trusted source for rigorous analysis of complex social and economic issues; strategic advice to policymakers, philanthropists, and practitioners; and new, promising ideas that expand opportunities for all. Our work inspires effective decisions that advance fairness and enhance the well-being of people and places.

Copyright © September 2020. Urban Institute. Permission is granted for reproduction of this file, with attribution to the Urban Institute.