



Using Graduated Responses for Youth on Probation

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Goals for Today

- Understand the benefits of standardizing the approach to positive and negative behaviors of youth on probation
- Gain knowledge from national experts in juvenile justice regarding utilizing a graduated response approach
- Identify lessons from research on effective ways of changing behavior
- Gain knowledge regarding The Administrative Office of the Courts and Probation Graduated Response Matrix



What Are “Graduated Responses?”

Provide incentives to youth for making progress toward short- and long-term positive goals, but also hold youth accountable for misconduct using a wide array of sanctions



The Approach

From the start,
encourage youth to
succeed, not just
“comply”

Anticipate
challenges and plan
strategies to
address them with
youth and families

Provide ongoing
reinforcement for
positive behavior
and swift,
proportionate
responses to
negative behavior

If youth are
struggling, identify
effective tools to
hold youth
accountable and
improve behavior

What Are the Benefits?

- Higher successful probation completion rates and lower recidivism rates
- Reduced use of detention and placement for technical violations
- Consistency and equity in approach to violations
- Strengthening of youth's ability to succeed when no longer under supervision
- Creating long term behavior change



We will have more tools in the toolbox to help us achieve our goals

Who are the National Experts in
Juvenile Justice?

What do they say about Graduated
Response?

The Council of State Governments and Center for Juvenile Justice Reform, Georgetown University

Address noncompliance through graduated responses rather than technical violations

- If conditions are enforced and youth fail to comply, agencies should view such failures as a normal part of adolescent development and can seek to address youth's noncompliance through a **continuum of appropriate, graduated responses**, such as working with families to limit youth's privileges, increasing supervision contact, and requiring additional restorative justice activities.
- Graduated response systems can ensure that such sanctions are swift, certain, consistently applied, and proportionate to youth's risk of reoffending and the frequency and severity of their misbehavior.
- Such responses are more likely to effectively hold youth accountable and reduce recidivism than further court oversight and sanctions.

Robert F. Kennedy National Resource Center for Juvenile Justice

Probation System Review Guidebook: 2nd Edition, August 2016

- The best practice approach also includes the commitment to the use of structured decision-making instruments that informs professional judgement at key decision points (e.g., risks-needs-responsivity tools), **a continuum of graduated levels of supervision and responses to behavioral transgressions**, monitoring that is integrated with effective behavior change service interventions and programs, and an effective system of departmental management and supervision practices.

Annie E. Casey Foundation

Rewards for Goal Achievement and Positive Behavior

- Instead of focusing on rules and relying solely or primarily on the threat of violations or other sanctions to minimize noncompliance with court-ordered conditions, case management should be driven by incentives encouraging positive behavior and promoting meaningful personal growth by offering opportunities and rewards valued by youth.

Limited and Constructive Use of Rules and Sanctions

- Every probation department should develop and follow a detailed response grid offering predictable, calibrated and constructive responses to any type of noncompliant behavior.
- Consequences for negative behavior spelled out in the response grid should be meaningful to the young people but — unlike the threat of a violation and possible confinement — should not involve punitive sanctions that harm the young person's healthy development or unfairly deny his or her liberty.

The Juvenile Brain

What the research tells us



What Does the Research Tell Us?

In 2012, the American Probation and Parole Association, the Pew Charitable Trusts, and the National Center for State Courts examined the most up-to-date research on effective probation and parole practices . . .

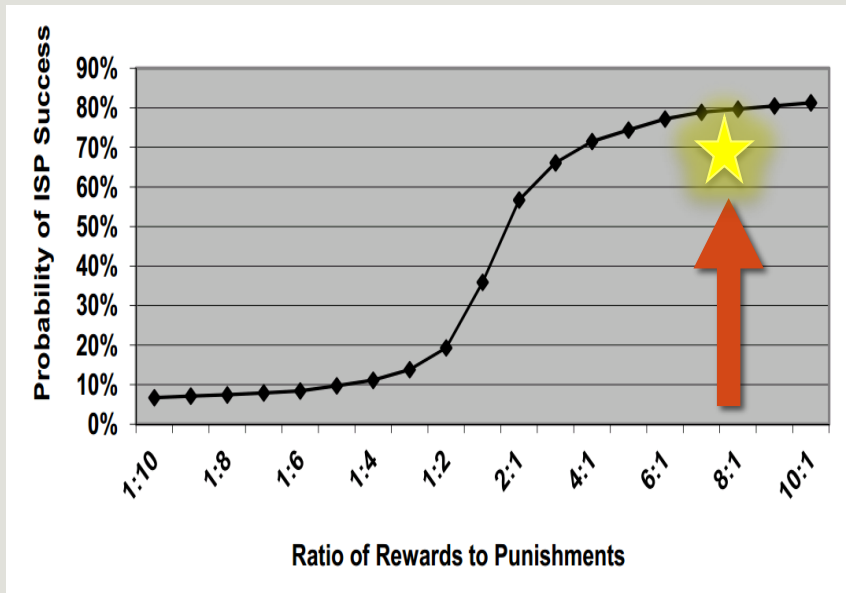
Their Findings . . .

“The use of incentives is equally important (and often not sufficiently considered) in probation and parole supervision”

“[S]anctions and incentives should be used in conjunction with one another to promote positive behavior”



Why focus on incentives?



In one study, a ratio of **4 rewards to every sanction** continued to increase the chance of successful probation completion

What Else Do We Know From the Research?



To be most effective, a system of sanctions and incentives must be:

- Certain
- Immediate
- Fair
- Of the appropriate intensity
- Tailored to be effective for individual youth

The Philosophy

Save the most serious responses for behaviors that are concerns for public safety

Put tools to handle the other behaviors in the hands of probation officers

Leave flexibility to handle special cases by working with supervisors



Administrative Office of the Courts and Probation:

**GRADUATED RESPONSE MATRIX: INCENTIVES AND
SANCTIONS**

Motivating Youth with Incentives

Nebraska Administrative Office of Probation- Graduated Response Matrix - JUVENILE					
BEHAVIORS	Behavior Change/Safer Communities	Overall Risk Level			INCENTIVES
		Low (0-8)	Moderate (9-21)	High (22+)	
	Fulfilled financial obligation to the court	T	T	T	Terrific Level*
	No law enforcement contacts	T	T	F	
	Demonstrated compliance with monitoring interventions (examples: curfew, EM, etc.)	T	T	F	
	Consistent attendance at probation related activities (examples: appointments, drug testing)	T	F	F	Fantastic Level**
	Prosocial Attitude: <ul style="list-style-type: none"> • Display of positive attitude • Cooperation with probation and/or services • Utilization of a prosocial support 	T	F	O	
	Reduction in overall risk score	F	F	O	
	Completion of probation programming or community service	F	F	O	
	Academic area: <ul style="list-style-type: none"> • Improved/consistent attendance • Improved grades/honor roll • Graduation or completion of GED • Successfully attaining an IEP or BIP objectives 	F	F	O	
	Stability or accomplishment in employment	F	F	O	Outstanding Level***
	Completion of treatment programming	O	O	O	
	Reaching sobriety or treatment milestones	O	O	O	
	Sustained engagement in prosocial activity	O	O	O	
	Noteworthy achievement in placement	O	O	O	
	Successful completion of court-ordered items	O	O	O	

- Verbal acknowledgement
- Positive praise/reinforcement
- Special privilege suggested by youth and/or parent
- Travel authorization
- Restore personal privileges (parent supported)

- Certificate of success
- Employment privileges
- Extended curfew (parent supported)
- Increased visits
- Prosocial outing, event and/or membership
- Recommendation letter
- Restored driving privileges
- Special privilege suggested by youth and/or parent
- Travel authorization
- Restore personal privileges (parent supported)

- Court recognition of achievement
- Early discharge from a service or placement
- Leadership role in a probation program/group
- Peer mentor
- Reduction of community service
- Reduction of a drug testing level
- Reduction in probation supervision
- Small tangible rewards (gift card, movie pass, food)
- Special privilege suggested by youth and/or parent
- Travel authorization
- Removal of court-ordered conditions+
- Early termination from probation supervision+

***Represents the highest incentive that can be given, less stars is considered a lesser incentive. +Indicates that the court must approve prior to the incentive being utilized.

Applying Sanctions

Nebraska Administrative Office of Probation – Graduated Response Matrix - JUVENILE								
Non-Compliant Behavior	Domain Risk Score			Severity and Cognitive	Minor	Intermediate	Serious	
	Low	Mod	High		Cognitive Social Skills Train and Practice	Cognitive Change Talk Assignment (Thinking Report)	Cognitive Problem Solving Assignment with Feedback and Review	
Other Probation Condition Missed Timeline or Directive: • Missed office visits • Community service	M	M	M	SANCTIONS	Family Parenting/ Circumstances	<ul style="list-style-type: none"> Parent/youth facilitated discussion Parent established curfew Parent removal of privileges Helping hours at home Apology letter 	<ul style="list-style-type: none"> Increase probation supervision Parent/youth problem solving conversation (family goal setting and schedule development) Probation officer determined curfew 	<ul style="list-style-type: none"> Parent/child problem-solving conversation (behavioral contract) Provider engagement to implement a collaborative plan Implement a targeted service (examples: family support worker, EIHF, IFP, MST and etc.)
Law Enforcement Contact: • No citation • Traffic infraction	M	M	I					
Substance Use related violations: • Missed drug test • Tampering with a drug test • Admission of use • Positive drug test	❖ M	❖ I	❖ S		Education/ Employment	<ul style="list-style-type: none"> Homework/attendance verification Increase parental contacts focused on school/work progress Parent removal of privileges 	<ul style="list-style-type: none"> Increased probation supervision with school/work contacts Parent developed schedule (example: homework time, alarm, etc.) School/work team meeting (goal setting) Referral to the RISE Program 	<ul style="list-style-type: none"> School/family problem-solving and behavioral contract Temporary peer and curfew restriction Activity/event restriction Provider engagement including school counselor, employer and/or therapist Implement a targeted service (examples: tracker, tutoring, day/evening reporting)
Unaccounted time: • Missed curfew • Extended absence without permission/runaway behaviors • Leaving jurisdiction without permission	M	I	S		Peer Relations	<ul style="list-style-type: none"> Parent established curfew Create friend list (identify youth that are positive and negative influences) Motivational intervention regarding peer choices 	<ul style="list-style-type: none"> Parent enforced peer restrictions Temporary travel restrictions 	<ul style="list-style-type: none"> Cognitive behavioral group: MRT, T4C, etc. Skill train with youth regarding peer choices and follow up assignment
Unauthorized Violations: • Associating with unapproved peers • Presence at restricted location	M	I	S		Substance Abuse	<ul style="list-style-type: none"> Increased drug testing one level and Probation Supervision Substance use focused parent/child discussion Provider and sponsor contact 	<ul style="list-style-type: none"> Collaborative planning w/support services Drug/alcohol education class Community support groups participation Temporary activity restriction Obtain a sponsor/positive support 	<ul style="list-style-type: none"> Specialized treatment/assessment Implement a targeted service (examples: education, outpatient and intensive outpatient treatment)
Disengaged/Terminated from Service	M	I	S		Leisure/ Recreation	<ul style="list-style-type: none"> Parent established curfew Create a list of activities that youth enjoys and select one for youth to participate in 	<ul style="list-style-type: none"> Parent established temporary activity restriction Temporary travel restrictions Create a time journal of activities 	<ul style="list-style-type: none"> Creation and submission of weekly schedule for approval Probation officer facilitated prosocial activity Implement a targeted service (examples: mentor, tracker, day/evening reporting)
Education or Employment: • Unauthorized absence • Violation of rules	M	I	S		Personality/ Behavior	<ul style="list-style-type: none"> Motivational intervention to address problematic behavior Apology letter 	<ul style="list-style-type: none"> Development of a behavioral contract with youth and family Accountability statement on harm causing behavior 	<ul style="list-style-type: none"> Specialized treatment assessment Implement a targeted service (mental health services) Skill train with youth regarding appropriate behaviors and follow up assignment
Displayed Aggression: • Threats • Destruction of Property • Physical	I	I	S		Attitudes/ Orientation	<ul style="list-style-type: none"> Motivational intervention to address thinking errors 	<ul style="list-style-type: none"> Victim empathy programming 	<ul style="list-style-type: none"> Cognitive behavioral group: MRT, T4C, etc. Implement a targeted service (examples: EIHF, IFP, MST and etc.)
Victim and Technology Violations	I	I	S					
Possession of a Weapon	I	I	S					

Instructions: May select a sanction or combination of sanctions lower than the prescribed sanction on the grid. If a probation officer determines a response to a violation may include multiple domains, a selection(s) can be made from the effected domain with supervisor approval.
 Legend: EIHF (Ecological In-Home Family Treatment Services), IFP (Intensive Family Preservation), MST (Multisystemic Therapy); RISE (Rural Improvement for Schooling and Employment); MRT (Moral Reconciliation Therapy); T4C (Thinking for a Change).
 Out-of-home placement is not a service that can be accessed through the sanctioning process. Electronic Monitoring is considered an alternative to detention and if utilized, the PO will request a detention hearing within 24 hours of the youth placed in the service.

Graduated Response Matrix: Incentives and Sanctions: Overview of the 5-Step Process

Identify Behavior(s)

- **Incentive:** Encourage all parties to share positive behaviors that are displayed by the youth to ensure that incentives can be issued and reinforce the youth's desired behavior change.
- **Sanction:** Talk with youth, family and collateral contacts to determine if the youth has committed an alleged violation of probation and what was driving that youth towards that behavior.

Determine Risk

- **Incentive:** Identify the youth's overall risk to reoffend based off of the most current YLS assessment.
- **Sanction:** Identify the domain in which the youth's behavior is influenced by and the risk of that domain for that youth, low, moderate or high.

Severity

- **Incentive:** Determine the appropriate response to apply an incentive, terrific, fantastic or outstanding. For each of the positive behavior changes displayed by a youth an incentive should be issued. Remember the 4:1 ratio rule!
- **Sanction:** Determine the severity, minor, intermediate or serious. If multiple violations occur from a single event, the most serious violation should be utilized to determine the applied sanction.

Individualized Response

- **Incentives:** When determining the appropriate response from the approved list, keep in mind the youth's responsivity factors, input from youth and family, possible need for court's approval and impact on youth's desired behavior change.
- **Sanction:** When determining the appropriate response from the approved list, keep in mind the youth's responsivity factors, input from youth and family, previously issued sanctions, possible need for court's approval and impact on youth's problematic behavior.

Documentation

- **Incentive:** Present the incentive to the youth, and enter all information regarding the positive behavior and incentive into the Nebraska Probation Information Management System.
- **Sanction:** Document the alleged violation by completing the Sanction Agreement Form with the youth and family and enter all information regarding the alleged violation into the Nebraska Probation Information Management System.

Questions?

THANK YOU FOR YOUR PARTICIPATION AND ATTENDANCE