



Executive Summary

Introduction

Driven by a large body of research, probation departments across the country are beginning to implement new strategies and processes including evidence-based practices and community-based services, and placing increased emphasis on rehabilitation and youth development as a means for promoting public safety.^{1 2} Within this landscape, probation agencies are now focusing on harm reduction by supervising only those who are appropriate for probation supervision, for only the amount of time that is appropriate and effective, and by relying more on incentives like shortening probation terms for good behavior, rather than sanctions like revocation and incarceration.

With the probation profession experiencing a shifting paradigm, there is great need for guidance around identifying and implementing evidence-based and best practices to promote public safety, affect positive behavior change, and minimize the risk of reoffending.³ This document is organized into four distinct sections focusing on evidence-based and best practices in:

- Probation Department Management, Structure, and Systems;
- Adult Service Delivery;
- Juvenile Service Delivery; and,
- Transitional Age Youth.

Section 1. Probation Department Management, Structures, and Systems

In this shifting environment, probation departments find themselves having to make extensive changes, including shifts in organizational culture; staff hiring and training policies and practices; personnel management and supervision; the use of data and data systems; internal and external communication strategies; collaboration and partnerships; and contract procurement and management. Moreover, at the same time that the probation profession is changing,⁴ the American workplace is also under transformation. The use of computers and the practice of using data to inform all decision-making are now common practice both in the private and public sectors, and new generations of workers require that their jobs have purpose and be driven by a mission that they feel passionate about.^{5 6}

Organizational Culture

A critical component of any organizational culture is the establishment, implementation, and ongoing communication of a compelling and aspirational mission and vision for the future of the organization, as well as articulated values that are constantly reinforced. These statements guide organizational operations, progress, and shifts in practice.⁷ Probation departments should reframe their mission toward the direct goals of being rooted in the community,⁸ affecting positive behavior change, and minimizing risk of reoffending.⁹ To achieve these goals, a probation department must explicitly embrace these concepts in its mission, vision, and values.¹⁰



Collaboration, Partnerships, and Linkages

Successful case planning, diversion, and reentry planning and support reduce recidivism and require authentic collaboration and coordination among multiple public agencies and community-based organizations. Probation departments should intentionally foster structured partnerships with multiple public agencies and community-based organizations in order to meet the treatment, housing, educational, employment, and health-related needs of clients, and to result in better outcomes and reduced costs associated with these services.¹¹ In addition, probation departments should identify neighborhoods where large numbers of probation clients live and establish offices and other operations in these neighborhoods in order to engage with indigenous supports, business associations, neighborhood organizations, faith leaders, and local service providers, and become more familiar with the types of services, supports, and opportunities available within the community.

Staffing Standards in Probation

Probation officers' work should be oriented towards rehabilitation, and this should be reflected in job descriptions, recruitment efforts, and department trainings. Research demonstrates that higher educational attainment among probation officers is associated with increased effectiveness working with youth;¹² and that probation officers working with youth (and TAY populations) should be trained in and implement developmentally appropriate supervision and intervention strategies. Probation staff should be diverse and reflect the communities they serve.^{13 14 15}

Management Systems and Practices

Management practices in probation include the management of both programs and personnel, as research shows that an evidence-based approach to program and personnel management, aligned with the principles of risk/need/responsivity, results in better outcomes and cost savings.^{16 17} Best practice recommends that probation departments put in place performance-driven personnel management practices that promote and reward recidivism reduction, as well as the intermediary steps required to get there (e.g., use of new tools and strategies designed to target risks and needs).^{18 19}

Collection and Use of Data

Any organization concerned with the quality and impact of its services must track critical data elements over time to monitor improvements and identify areas of need.²⁰ Client and agency-level data are needed to conduct performance assessments of a probation department as a whole, and to assess the effectiveness of specific units, strategies, and staff members.²¹ The probation department's executive management team should have a set of measurable goals (e.g., increased use of EBPs, reduced recidivism, reduced disproportionate minority contact, increased community collaboration) to collect data on, and should hold regular meetings to assess the data and decide what practices to change, maintain, and/or amend in order to meet goals.^{22 23}



Section 2. Adult Probation Services

Research demonstrates that in order to reduce rates of recidivism, probation officers should utilize validated risk assessment and need assessment tools. These tools determine each client's risk for recidivism and supervision intensity, including static and dynamic risk factors as well as service needs to be addressed through strengths-based case management and connections with services.²⁴ A move toward a strengths-based case management approach which targets criminogenic needs, coupled with the utilization of validated risk assessments to guide supervision intensity and needs assessments to guide referrals to services has been one of the greatest shifts in community supervision.

In addition to shifts in case management approaches, probation officers are currently taking on additional responsibilities. Probation officers are supervising larger numbers of pretrial individuals in order to help reduce jail crowding and minimize disruption in the lives of people who pose minimal risk to public safety and have not yet been convicted of criminal offenses,²⁵ while also participating in pre-release planning for individuals who do spend time in custody.

Assessment and Case Planning

Probation should minimize the length of formal supervision, as research indicates there are diminishing returns to supervision after fifteen months.²⁶ Probation departments should shorten the length of supervision for individuals who follow the conditions of their supervision in order to help reduce caseloads and allow for increased supervision intensity and access to resources for the highest risk clients.²⁷

For individuals under community supervision, probation officers should take a strengths-based case management approach and use validated risk assessment and needs assessment tools to guide supervision practices (e.g., supervision intensity, referrals for services). Several risk and needs assessment tools follow the risk, need, responsivity (RNR) model that identifies criminogenic risks, needs, and responsivity as key principles for reducing recidivism.²⁸ Probation officers should also implement structured decision-making processes in their approach in order to guide the provision of incentives and graduated sanctions.

Pre-Release Planning

Jail and prison staff, probation staff, and other county and community-based service providers must work together to meet the needs of individuals transitioning from custody to the community in order to help reduce recidivism and improve reentry outcomes. Probation officers should have a large role supporting the custody to community transition for individuals who will be under community supervision upon release. In order to help establish a smooth custody to community transition, probation officers should be staffed to work in county jails, if resources allow. Additionally, all probation officers should provide "in-reach" services to individuals they will be supervising prior to their release. "In-reach" services should include clarifying expectations, conditions, and terms of supervision; reviewing individualized case plans; and, establishing referrals to community-based providers.²⁹



Pretrial Services and Court Assistance

Assigned probation officers should collaborate with the court by conducting pretrial investigations in order to help make evidence-based, informed decisions about releasing or detaining individuals pretrial.³⁰ As a part of the investigation, evidence-based agencies conduct objective pretrial risk assessments in order to evaluate the risk of flight and re-offense.³¹ Moderate and high risk individuals should receive active supervision and meet with a probation officer regularly (high risk more frequently than moderate risk individuals), either weekly or bi-weekly. To the extent possible, probation officers should connect individuals released pretrial to services such as employment services and medical care, but their release should not be conditioned on these services unless it can be shown that they are reasonably related to their likelihood of flight and/or re-arrest.

Section 3. Juvenile Service Delivery

Research on juvenile justice service delivery over the last 15 years reflects a shifting paradigm acknowledging that youth should be diverted from formal processing to the greatest extent possible because youth on probation experience higher reoffending rates than comparable youth whose cases are diverted rather than processed in juvenile court.³²

For youth who are justice involved, probation officers should seek to promote public safety through the prosocial development of youth, while utilizing evidence-based systems and practices informed by a youth developmental approach. The youth developmental approach highlights key behavioral differences between youth and adults, which suggest that the treatment and supervision of juveniles should not mimic adult criminal punishment models, but rather should maintain focus on programming and intervention. Research has verified that the brains of adolescents do not mature until young adulthood or the late twenties, and that adolescents differ from adults and children such that they prefer and engage in risky behaviors that have a high probability of immediate reward but can have harmful consequences. As such, adolescent therapeutic interventions need to be developmentally appropriate and responsive in order to be rehabilitative and promote improved outcomes.³³

Pre-Adjudication Diversion

Diverting youth from unnecessary contact and involvement with the front-end of the juvenile justice system should be one of probation's objectives in working with young people. Across the nation, the implementation of programs diverting youth from juvenile justice system has become an emerging response to the recognition of the harm it causes. Probation should collaborate with other county and community-based partners to establish juvenile justice diversion programs within the county, and to establish decision points for diversion in order to systematize the process by which youth are diverted from the juvenile justice system.^{34 35} Probation officers should use intake as an opportunity to screen, identify, and divert eligible youth from entering the juvenile justice system by collecting information about the case, and balancing the interests of the youth, the victim, and the safety of the community.



Detention Diversion

Detention alternative programs within the juvenile justice system aim to provide highly structured and well-supervised activities for youth in pending delinquency proceedings. These programs ensure court appearances and reduce the likelihood of re-arrest, while allowing youth to continue attending school without disruption and remain at home during this time period.³⁶ Probation should consider contracting community-based providers to help generate successful detention alternative programs, as partnerships and contracts with local community-based agencies are ideal because these organizations may have easier access to youth and can often supervise youth within their own neighborhoods.³⁷ Probation or detention alternative program staff should use an age appropriate validated risk assessment tool, such as the Detention Assessment Instrument (DAI), to identify cases that are low to medium risk and diversion eligible to determine overall eligibility of youth placement in alternative programs.

Assessment and Case Management

All probation officers working with the juvenile population should receive specialized training such as brain development, moral decision-making, and impulsivity in order to better understand the psychosocial development and social contexts of youth.³⁸ ³⁹ Probation should minimize the length of formal supervision and shorten the length for youth who follow the conditions of supervision in order to help reduce caseloads and allow for increased supervision intensity and resources allocated for higher risk clients.⁴⁰ ⁴¹ Probation officers working with youth should implement a strength-based, developmentally appropriate case management approach and conduct risk and needs assessments to guide their case management practices.⁴² Probation officers should also implement structured decision-making tools to guide the provision of incentives and graduated sanctions.

Juvenile Detention and Placement Facilities

Juvenile detention and placement facilities should be clean and offer youth appropriate living conditions. If at all possible, facilities should be located in close proximity to youths' prosocial supports and not look like or operate as jails, but rather as developmentally-appropriate environments conducive to the rehabilitate goals of the probation department.⁴³ Facilities should ensure that youth receive medical care, mental health treatment, translation services, and access to religious services, as needed and required by law.⁴⁴ Additionally, every effort should be made to ensure that juvenile detainees receive high-quality education, and rigorous efforts should be made to assure a smooth "hand-off" between in custody schooling and the community school so that credits transfer over and youth make a successful transition.⁴⁵ Staff should only use room confinement as a brief and temporary response to behavior that threatens immediate harm to youth or others

Section 4. Transition Aged Youth

Young adulthood is a transitional period that can range from age 18 to 25, and research indicates that transitional age youth (TAY) are developmentally distinct from older adults and more similar to their younger counterparts. Significant brain development continues well into the 20s so that the TAY population demonstrates heightened risk taking and poor decision-making, in a manner that is more



akin to youth than to other adults.⁴⁶ When someone between the ages of 18 and 25 commits a crime, neither the juvenile nor the adult criminal justice system is exclusively responsible for providing services and supervision to this individual, yet research increasingly indicates the importance of implementing a developmentally appropriate approach working with TAY, as indicated by a number of TAY-specific programs highlighted in Appendix A.

¹ James C. Howell et al., eds., *Serious, Violent, and Chronic Juvenile Offenders: A Sourcebook*, 1st ed. (Thousand Oaks: SAGE Publications, Inc., 1995).

² Meghan Guevara and Enver Solomon, "Implementing Evidence-Based Policy and Practice in Community Corrections, 2nd ed." (Washington, DC: National Institute of Corrections: Crime and Justice Institute at Community Resources for Justice, October 2009), <http://static.nicic.gov/Library/024107.pdf>.

³ Scott Walters et al., "A Guide for Probation and Parole Motivating Offenders to Change. National Institute of Corrections" (U.S. Department of Justice National Institute of Corrections, June 2007), <http://static.nicic.gov/Library/022253.pdf>.

⁴ Guevara and Solomon, "Implementing Evidence-Based Policy and Practice in Community Corrections."

⁵ Jeanne C. Miester and Kevin J. Mulcahy, *The Future Workplace Experience: 10 Rules for Mastering Disruption in Recruiting and Engaging Employees* (McGraw-Hill Education, 2017).

⁶ Gallup, "State of the American Workplace," 2017.

⁷ Hildy Gottlieb, "3 Statements That Can Change the World: Mission / Vision / Values," *Help 4 NonProfits*, 2017, http://www.help4nonprofits.com/NP_Bd_MissionVisionValues_Art.htm.

⁸ Vincent Schiraldi, 2017.

⁹ Scott T. Walters et al., "A Guide for Probation and Parole Motivating Clients to Change. National Institute of Corrections," (U.S. Department of Justice, National Institute of Corrections, June 2007) <http://static.nicic.gov/Library/022253.pdf>

¹⁰ "Program Evaluation," University of Cincinnati, 2016, http://www.uc.edu/corrections/services/program_evaluation.

¹¹ Vincent Schiraldi, Bruce Western, and Kendra Bradner, "Community-Based Responses to Justice-Involved Young Adults. New Thinking in Community Corrections," *New Thinking in Community Corrections Bulletin* (Washington, D.C.: Harvard Kennedy School of Government, National Institute of Justice, 2015), <https://www.ncjrs.gov/pdffiles1/nij/248900.pdf>.

¹² Laura E. Berk, "Relationship of Care Giver Education to Child-Oriented Attitudes, Job Satisfaction, and Behaviors toward Children," *Child Care Quarterly* 14, no. 2 (June 1985): 103–129, doi:10.1007/BF01113405.

¹³ Tony Fabelo, Geraldine Nagy, and Seth Prins, "A Ten-Step Guide to Transforming Probation Departments to Reduce Recidivism."

¹⁴ Guevara and Solomon, "Implementing Evidence-Based Policy and Practice in Community Corrections."

¹⁵ James Bonta and D. A. Andrews, "Risk-Need-Responsivity Model for Offender Assessment and Rehabilitation."

¹⁶ Guevara and Solomon, "Implementing Evidence-Based Policy and Practice in Community Corrections."

¹⁷ Nancy La Vigne et al., "Release Planning for Successful Reentry A Guide for Corrections, Service Providers, and Community Groups."

¹⁸ Guevara and Solomon, "Implementing Evidence-Based Policy and Practice in Community Corrections."

¹⁹ Tony Fabelo, Geraldine Nagy, and Seth Prins, "A Ten-Step Guide to Transforming Probation Departments to Reduce Recidivism."

²⁰ Tony Fabelo, Geraldine Nagy, and Seth Prins, "A Ten-Step Guide to Transforming Probation Departments to Reduce Recidivism."

²¹ California Juvenile Justice Data Working Group, "Rebuilding California's Juvenile Justice Data System: Recommendations to Improve Data Collection, Performance Measures and Outcomes for California Youth."



- ²² “An Introduction to New York City’s NYCStat Reporting Portal and the Citywide Performance Reporting (CPR) Tool” (New York, NY: Mayor’s Office of Operations, February 2011), http://www.nyc.gov/html/ops/cpr/downloads/pdf/cpr_fact_sheet.pdf.
- ²³ “Collaborating to Deliver Results: Mayor’s Action Plan for Neighborhood Safety” (Center for Economic Opportunity, Mayor’s Office of Criminal Justice, and Mayor’s Office to Combat Domestic Violence, n.d.), http://www1.nyc.gov/assets/operations/downloads/pdf/pmmr2016/mayors_action_plan_for_neighborhood_safety.pdf.
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- ²⁷ Ibid.
- ²⁸ Ibid.
- ²⁹ Kevin Warwick, Hannah Dodd, and Rebecca Neusteter, “Case Management Strategies for Successful Jail Reentry.”
- ³⁰ “An Updated CPOC Adult Probation Business Model to Improve Criminal Justice Outcomes in California.”
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- ³² Ryan C. Wagoner, Carol A. Schubert, and Edward P. Mulvey, “Probation Intensity, Self-Reported Offending, and Psychopathy in Juveniles on Probation for Serious Offenses,” *Journal of the American Academy of Psychiatry and the Law Online* 43, no. 2 (June 1, 2015): 191–200.
- ³³ Ibid.
- ³⁴ “Alternatives to Arrest for Young People,” National League of Cities, 2016, <http://www.nlc.org/alternatives-to-arrest-for-young-people-0>.
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- ⁴⁰ Wagoner, Schubert, and Mulvey, “Probation Intensity, Self-Reported Offending, and Psychopathy in Juveniles on Probation for Serious Offenses.”
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- ⁴³ Ibid.
- ⁴⁴ “Juvenile Detention Facility Assessment: A Guide to Juvenile Detention Reform.”
- ⁴⁵ Schiraldi, interview.
- ⁴⁶ Ibid.