

# Advancing Balanced and Restorative Justice

THROUGH PENNSYLVANIA'S

# Juvenile Justice System Enhancement Strategy

NOVEMBER 2015

The preparation of this monograph was supported by Pennsylvania Commission on Crime and Delinquency Subgrants 2012-JG-03-24971 and 2013-JG-02-25847, awarded to Shippensburg University for implementation by the Center for Juvenile Justice Training and Research, and by Subgrant 2011/2012-J-04-25690, awarded to the Pennsylvania Council of Chief Juvenile Probation Officers. The awarded funds originate with the Office of Justice Programs, U.S. Department of Justice. Points of view or opinions contained within this document are those of the authors and do not necessarily represent any official position, policy, or view of the U.S. Department of Justice.

## ► FOREWORD AND ACKNOWLEDGEMENTS

For two decades, Pennsylvania's juvenile justice system has aspired to achieve the mission of balanced and restorative justice (BARJ) by advancing the goals of community protection, competency development, and accountability. As we commemorate 20 years of BARJ, we can point to a number of milestones that have clarified our mission and focused our efforts. Three White Papers defined each of the BARJ goals and served as guideposts to help orient and direct the system. In addition, several important initiatives, such as the MacArthur Foundation's *Models for Change* initiative, moved us forward in achieving our BARJ mission. After years of steady progress, Pennsylvania's juvenile justice system was uniquely positioned to embrace evidence-based practices, especially after witnessing the successful impact of evidence-based approaches and programs within the field of prevention science in Pennsylvania.

In 2010, Pennsylvania initiated the Juvenile Justice System Enhancement Strategy (JJSES), supported by a plethora of research regarding "what works" to reduce risk of recidivism among youth. The JJSES Statement of Purpose outlined our vision for collecting and analyzing data, relying on and incorporating research evidence into practice, and demonstrating a commitment to continuous improvement. Since that time, probation departments—small and large, rural and urban—have been reviewing their practices under the guidance of the JJSES and are in the process of retooling their operations to improve outcomes.

There is no doubt that the JJSES has produced a seismic shift in how we conduct business in Pennsylvania. Our sights remain firmly fixed on the BARJ goals but our path forward has been forever altered by the JJSES.

Research and practice are interwoven as never before. Criminogenic needs, static risk, dynamic risk, responsiveness, drivers, service matrices, motivational interviewing, and a host of other concepts that were unheard of a few years ago are now part of our everyday vernacular. Implementing the many facets of the JJSES has been challenging. Change is never easy, but the extraordinary level of commitment among Pennsylvania's juvenile justice practitioners has produced impressive results in just a few years.

This monograph seeks to highlight the interrelationship between the JJSES and BARJ. The JJSES is a means to an end—a means to achieving our statutory mission and our BARJ goals. The success of the JJSES initiative is not measured by the number of counties using actuarial assessment instruments, engaged in motivational interviewing, or delivering cognitive behavioral interventions; rather, the success of the JJSES initiative is determined by how it improves our ability to achieve the goals of balanced and restorative justice—community protection, competency development, and accountability.

We are grateful to the following individuals and organizations for their outstanding leadership, insight, writing, and editing contributions to this monograph: Susan Blackburn (Policy and Program Development Specialist, Juvenile Court Judges' Commission), Russell Carlino (Chief Juvenile Probation Officer, Allegheny County), Melanie King (Allegheny County Juvenile Justice Planner), Marcella Szumanski (Program Manager, Pennsylvania Commission on Crime and Delinquency), Richard Steele (Deputy Director, Juvenile Court Judges' Commission), and Mark Carey (President, The Carey Group).

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**P**ennsylvania's juvenile justice system consists of a robust and ever-changing coalition of stakeholders who have advanced effective and progressive juvenile justice practices. Three key events spurred this advancement: first and foremost, the enactment of Act 33 of Special Session No. 1 of 1995, which statutorily established the goals of balanced and restorative justice (BARJ) as the mission of Pennsylvania's juvenile justice system; second, the selection of Pennsylvania in 2004 by the John D. and Catherine T. MacArthur Foundation as the first state to participate in its *Models for Change* juvenile justice reform initiative; and third, the development and promotion of the Juvenile Justice System Enhancement Strategy (JJSES), initiated in 2010 by the Juvenile Court Judges' Commission (JCJC) and Pennsylvania Council of Chief Juvenile Probation Officers.

The passage of Act 33 required that Pennsylvania's juvenile justice system "provide for children committing delinquent acts programs of supervision, care and rehabilitation which provide balanced attention to the protection of the community, the imposition of accountability for offenses committed and the development of competencies to enable children to become responsible and productive members of the community." Stakeholders needed to learn new skills to translate these changes into practice. Consequently, a partnership of key agencies, known as the Juvenile Advisory Committee, formed to guide and educate stakeholders in balanced and restorative justice, and created a mission statement to reflect these profound changes.

The JCJC and Pennsylvania Council of Chief Juvenile Probation Officers created the Juvenile Justice System Enhancement Strategy largely out of recognition that the growth of knowledge derived from research evidence required juvenile justice stakeholders to adapt their practices in order to become more effective at achieving BARJ goals. This advanced state of knowledge caused policy-makers and practitioners to examine existing practices and ask themselves if they aligned with the research evidence. The result was a sobering realization that existing practices were often not in alignment with research and were often not cost-effective. Most importantly, it was discovered that current practices could, in some cases, actually increase the risk of recidivism.

## PENNSYLVANIA'S JUVENILE JUSTICE MISSION STATEMENT

- ▶ "Community protection" refers to the right of all Pennsylvania citizens to be and feel safe from crime.
- ▶ "Victim restoration" emphasizes that, in Pennsylvania, a juvenile who commits a crime harms the victim of the crime and the community, and thereby incurs an obligation to repair that harm to the greatest extent possible.
- ▶ "Youth redemption" embodies the belief that juvenile offenders in Pennsylvania have strengths, are capable of change, can earn redemption, and can become responsible and productive members of their communities.

The first step in developing the JJSES was to establish a statement of purpose; the next step was to develop a framework followed by a monograph describing the strategy's four stages and the numerous steps needed to integrate this growing research knowledge into existing practices. (Juvenile Court Judges' Commission, Pennsylvania Commission on Crime and Delinquency, & Pennsylvania Council of Chief Juvenile Probation Officers, 2012)

The JJSES initiative ignited a number of changes, including the revision of the purpose clause of Pennsylvania's Juvenile Act of 2012. This revision mandated the employment of evidence-based practices (EBP) whenever possible. The use of evidence-based juvenile justice practices is the cornerstone of the JJSES, compelling juvenile justice systems to achieve BARJ goals by aligning practices with research evidence and by using the least restrictive intervention consistent with the protection of the community; the rehabilitation, supervision, and treatment needs of youth; and the imposition of accountability. (Figure 1 illustrates how the emphasis on research evidence under the JJSES informs the practices leading to the achievement of BARJ goals.)

The scope and pace of the JJSES has prompted questions by some juvenile justice system stakeholders regarding the state's commitment to the principles of balanced and restorative justice. **This monograph confirms Pennsylvania's continuing dedication to its statutory BARJ mission and conveys how the JJSES advances these goals.** The JJSES does not supplant BARJ; instead, it advances it. The 20th anniversary of BARJ in Pennsylvania presents an opportunity to reaffirm the Commonwealth's commitment to the vision of a balanced and restorative juvenile justice system.

## JUVENILE JUSTICE SYSTEM ENHANCEMENT STRATEGY STATEMENT OF PURPOSE

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We dedicate ourselves to working in partnership to enhance the capacity of Pennsylvania's juvenile justice system to achieve its balanced and restorative justice mission by

- ▶ employing evidence-based practices with fidelity at every stage of the juvenile justice process;
- ▶ collecting and analyzing the data necessary to measure the results of these efforts; and, with this knowledge,
- ▶ striving to continuously improve the quality of our decisions, services, and programs.

Figure 1: Integration of BARJ and JJSES

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**A**ct 33 of Special Session No. 1 of 1995 redefined the very mission of Pennsylvania's juvenile justice system to formally establish community protection, accountability, and competency development as its goals. Specifically, the goals are:

**1. To protect the community (with a particular emphasis on known delinquent youth).** The public has the right to a safe and secure community. Community members and organizations can take an active role in juvenile crime prevention and intervention efforts through partnerships with juvenile justice practitioners. Schools, employers, and other community groups can offer opportunities to youth so that their time in the community is structured around education, community-valued work, and service. Through these joint endeavors, the community works to reintegrate youth. In addition, there is a wide range of supervision and control options that address youths' risk of committing future illegal acts.

**2. To hold youth accountable for offenses committed.** Delinquent youth in Pennsylvania incur obligations to their victims and the communities they harmed. Victims and communities assume active roles in defining both the harm and the appropriate response. Youth exhibit true accountability by learning about and acknowledging the harm caused by their behavior, actively assuming and fulfilling their responsibilities for making reparation, paying restitution, and participating in structured activities that benefit the community. Courts and communities support, facilitate, and enforce reparative agreements.

**3. To assist youth in developing competencies.** Youth should leave the juvenile justice system more capable of being productive and responsible members of their communities. Priority is attached to activities that build skills, strengthen relationships with law-abiding adults, and offer opportunities to contribute to the community. These activities build on youths' strengths and allow them to practice and demonstrate competent behavior. In addition, fostering competencies in youth increases self-esteem and reduces behaviors that put them and their communities at risk.

## BALANCED AND RESTORATIVE JUSTICE WHITE PAPERS

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The BARJ mission represented a dramatic new direction for Pennsylvania's juvenile justice system, which for generations had been predicated on the traditional *parens patriae*<sup>1</sup> philosophy and best interests of the youth. As a result, there was, at the beginning, a fair bit of confusion regarding exactly what these new goals meant and how to achieve them. To alleviate the confusion, the Juvenile Justice and Delinquency Prevention Committee (JJJPC) of the Pennsylvania Commission on Crime and Delinquency (PCCD) commissioned a series of "White Papers" to lay out the legal, philosophical, and practical foundations of the goals of balanced

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<sup>1</sup> *Parens patriae* philosophy considers illegal behavior on the part of juveniles a sign of a lack of parental care and control and allows the state to step in and exercise supervision and control in the best interests of the child, *in loco parentis* (in the place of a parent).

## **BARJ WHITE PAPERS**

**The BARJ White Papers were not intended to be the last word on the goals. Rather, they were to be the start of an extended statewide discussion that would lead to continued collaboration, refinement, understanding, and action.**

and restorative justice.<sup>2</sup> Each paper served to “plant a flag” that defined specific positions on policy implications and programmatic applications surrounding the Commonwealth’s juvenile justice goals. The positions advanced in the White Papers informed policy, practice, and program development by focusing statewide system enhancement efforts on implementation and served as a foundation for establishing statewide and local measures of performance, as well as the framework for evaluating system outcomes.

These White Papers were not intended to be the last word on the goals. Rather, they were to be the start of an extended statewide discussion that would lead to continued collaboration, refinement, understanding, and action. Table 1 provides a summary of the White Papers.

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<sup>2</sup> The National Center for Juvenile Justice (NCJJ) produced these White Papers in conjunction with stakeholders from Pennsylvania’s juvenile justice system, with funds from the Pennsylvania Commission on Crime and Delinquency. The documents are available on NCJJ’s website, <http://www.ncjj.org>, and on the Juvenile Court Judges’ Commission website, <http://www.jcjc.pa.gov/Balanced-Restorative-Mission/Pages/default.aspx#i8VyqmWc>.



**Table 1: White Papers Summary**

White Paper Title/BARJ Goal Definition	Juvenile Justice System Role	Practices and Programs
<p>► <b>Advancing Competency Development (2005)</b></p> <p>“Competency development” is the process by which delinquent youth acquire the knowledge and skills that make it possible for them to become productive, connected, and law-abiding members of their communities. Five core competency domains were identified:</p> <ul style="list-style-type: none"> <li>■ prosocial skills;</li> <li>■ moral reasoning skills;</li> <li>■ academic skills;</li> <li>■ workforce development skills; and</li> <li>■ independent living skills.</li> </ul> <p>One could reasonably expect that young people in trouble with the law could build these skills and demonstrate competencies, depending on their age and stage of development.</p>	<p>Facilitate efforts that advance youths’ competencies so that they are less likely to take part in antisocial, delinquent behaviors and better able to become responsible and productive members of their communities.</p>	<p>Standardized needs (and strengths) assessment            Supervision plans based upon assessment results            Cognitive behavioral approaches            Structured and specific skill-training programs            Incentives and sanctions            Opportunities to practice and demonstrate new skills            Documentation of intermediate outcomes at case closing</p>
<p>► <b>Advancing Accountability: Moving Toward Victim Restoration (2006)</b></p> <p>Accountability requires purposeful attention to participation in a process whereby youth understand and acknowledge:</p> <ul style="list-style-type: none"> <li>■ the wrongfulness of their actions;</li> <li>■ the impact of the illegal behavior on the victim and the community; and</li> <li>■ their responsibility for causing harm and for taking action towards repairing that harm.</li> </ul>	<p>Determine what obligations youth incur, and provide the support and services necessary for them to fulfill those obligations while honoring and protecting victims’ rights.</p>	<p>Victim impact statements            Victim/Community Awareness curriculum/classes            Community Justice Panels/Youth Aid Panels            Victim Impact Panels            Apology statements            Restitution            Meaningful community service            Crime Victims’ Compensation Fund payments            Restorative processes (such as Restorative Group Conferences and Victim/Offender Dialogue), with sensitive inclusion of the victim and voluntary participation of all parties</p>
<p>► <b>Advancing Community Protection (2008)</b></p> <p>“Community protection” is the process of contributing to safe communities—with particular emphasis on known delinquent youth—through prevention, supervision, and control.</p>	<p>Identify static risk factors and dynamic risk factors (criminogenic needs) that put youth at risk for continued delinquent behavior.</p> <p>Manage risk by using the least restrictive setting required to protect the community.</p> <p>Minimize risk by selecting interventions that address the most critical criminogenic needs.</p>	<p>Standardized risk assessments            Cognitive behavioral approaches            Skill-training programs            “Blueprints” programs            Treatment protocols for mental illness, substance abuse, and sexual aggression            Services and supports that help parents set clear expectations for, and monitor the behavior of, their children and learn other parenting skills</p>

# THE EMERGENCE OF PENNSYLVANIA'S JUVENILE JUSTICE SYSTEM ENHANCEMENT STRATEGY

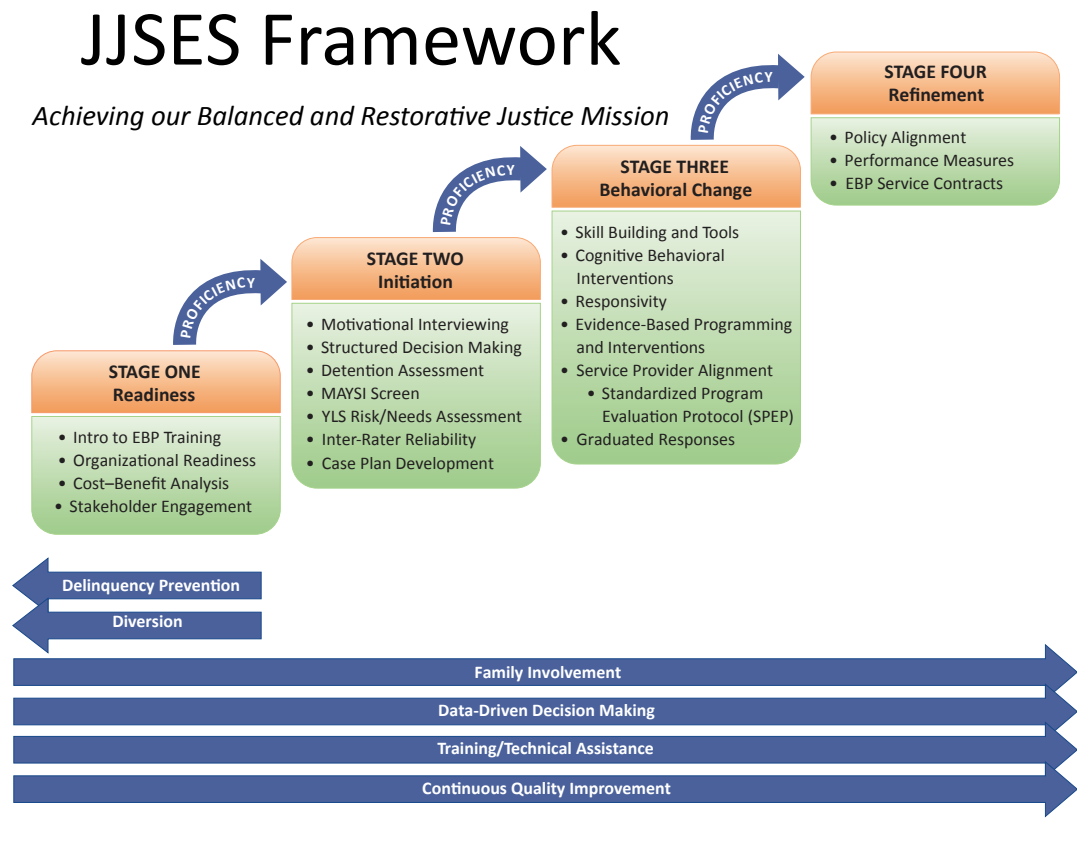
In 2004, Pennsylvania became the first of four states chosen to participate in the MacArthur Foundation's *Models for Change (MfC)* juvenile justice system reform initiative. Although the Foundation had provided grants in the field of juvenile justice since 1996, the focus had been primarily in the areas of adolescent development, juvenile justice research, and the advancement of related laws, policies, and practices. The new focus of the *MfC* initiative was to assist selected states to become national models of juvenile justice reform. Pennsylvania was chosen because of its reputation as a progressive juvenile justice state with a favorable climate for system reform, a collaborative history and infrastructure of system partners, and a consensus about the issues to be targeted for action.

Over a five-year period, significant progress occurred in addressing Pennsylvania's three targeted areas of improvement: the coordination of mental health and juvenile justice systems; the system of aftercare services and supports for youth who had been in trouble with the law; and disproportionate minority contact with the juvenile justice system. Virtually every county engaged in reform activities in one or more of the targeted areas. As the work progressed, a rippling effect occurred whereby multiple juvenile justice disciplines and stakeholder groups became involved in reform activities, and new initiatives that incorporated "lessons learned" grew as a result.

The MacArthur Foundation's direct support to Pennsylvania was scheduled to end by December 2010. That summer, during the annual strategic planning session held by the Executive Committee of the Pennsylvania Council of Chief Juvenile Probation Officers and the management staff of the Juvenile Court Judges' Commission, the need for a viable sustainability plan for all of the various related activities and efforts became the focus of discussion. In addition to the need for sustainability, it was also decided that any such plan should be required to serve as an umbrella under which the entire juvenile justice system could engage. It was at this meeting that the Juvenile Justice System Enhancement Strategy (JJSES) was born and a JJSES leadership team was appointed to steer the work through key elements of the transition.

Over the next two years, the JJSES work focused on the development of a statement of purpose, the formation of a framework and graphic illustrating the four stages of implementing the JJSES, and, perhaps most importantly, the writing of the JJSES monograph, *Pennsylvania's Juvenile Justice System Enhancement Strategy: Achieving Our Balanced and Restorative Justice Mission Through Evidence-Based Policy and Practice*, which provided the background and narrative of the entire framework. Figure 2 shows the four stages and the core activities to be employed therein.

Figure 2: The JJSES Framework



At the Pennsylvania Conference on Juvenile Justice held in November 2010, the afternoon plenary session formally introduced juvenile justice system stakeholders to the initial framework of the JJSES. The JJSES was the main theme of the conference in 2011. And, in the spring of 2012, six regional “kickoff” events were held throughout Pennsylvania, highlighted by the distribution of the JJSES monograph. Teams of individuals representing key juvenile justice stakeholders from each of Pennsylvania’s 67 counties participated in these events. It was at this time that the JJSES was officially introduced into each jurisdiction.

# THE INTERSECTION OF BARJ AND THE JJSES

Since the enactment of its balanced and restorative justice mission in 1995, Pennsylvania’s juvenile justice system has been dedicated to aligning its policies and practices with this mission. The JJSES is a significant step in that process. It refocuses and energizes probation officers and juvenile justice stakeholders by leaning on empirical, data-driven tactics to guide structured decision making, applying validated and reliable risk/needs actuarial assessments, making available evidence-based interventions, utilizing research evidence to shape case planning, and using data to inform performance measures, evaluation, and continuous quality improvement.

## THE JJSES EMPHASIS

The JJSES leans on empirical, data-driven tactics to guide structured decision making, apply validated and reliable risk/needs actuarial assessments, make available evidence-based interventions, utilize research evidence to shape case planning, and use data to inform performance measures, evaluation, and continuous quality improvement.

The essence of the JJSES can be summarized as follows: it uses research-based evidence and data to guide policy and practice in all aspects of juvenile justice and, as such, enhances the capacity of Pennsylvania’s juvenile justice system to achieve its BARJ goals. Evidence-based practices should guide stakeholders’ actions at each decision point, whether those actions are to protect the community from further harm, develop competencies in youth to enable them to become productive members of their communities, and/or restore the harm done to victims and the community.

Ultimately, a key juvenile justice system goal is for delinquent youth to take full responsibility for their actions and gain the motivation and competencies to change their conduct in the future. Probation officers, treatment providers, family members, and other prosocial people involved with juveniles must take advantage of the best available research and knowledge as they work toward these goals.

The following discussion reviews some of the areas of alignment between the JJSES and the specific BARJ goals by examining evidence-based practices, structured decision making, and other data-driven strategies.

## COMMUNITY PROTECTION

Community protection is a fundamental goal of Pennsylvania’s juvenile justice system. Identification of risk to reoffend is critical to achieving this goal. The JJSES has produced an array of evidence-based tools and protocols for juvenile justice stakeholders to *identify, manage, and minimize risk* at major system decision points.

**Identify Risk:** Both BARJ and the JJSES call for an assessment of the risk that youth pose to persons or property using structured decision making tools that consider static risk factors as well as dynamic risk factors, also known as “criminogenic needs.” For example, the use of the Pennsylvania Detention Risk Assessment Instrument (PaDRAI) to inform and guide decision making about the placement of youth in secure detention facilities and the diversion of low risk youth from further juvenile justice system penetration are aligned with the principles of both BARJ and the JJSES.

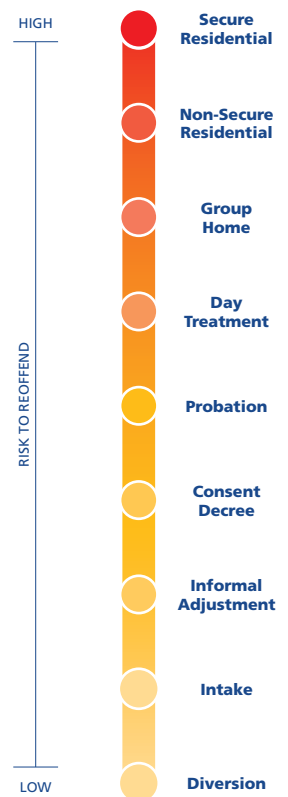
**Manage Risk:** Strategies need to be employed to manage risk both in the short term and long term. Managing risk refers to the application, by the juvenile justice system, of restrictions or constraints to stabilize or control delinquency. External liberty-reducing measures, such as curfews, shelter, house arrest, electronic monitoring, day/evening center reporting, and secure detention, provide short-term, temporary community protection. These strategies should be offered based on a continuum from minimal to intensive, and the least restrictive alternative that is consistent with public safety should be used, with control and custody options reserved for managing higher risk youth. Figure 3 illustrates a model whereby lower risk youth receive less intensive interventions than higher risk youth unless aggravating conditions (such as the commission of a violent offense) require a different response. Incentives and sanctions to encourage compliance and responses to noncompliance are also important for shaping behavior. Maintaining strong community ties and building upon the juvenile’s and family’s strengths and the protective factors within the community are additional ways the system can effectively manage youth and achieve more successful outcomes for youth and communities.

**Minimize risk:** “Minimizing risk” refers to the long-term internal change that can occur when specific criminogenic needs are identified and matched with effective interventions. Long-term risk reduction is evidenced by a law-abiding lifestyle that extends well beyond the point of case closing. Minimizing risk produces long-term change through internal controls and fosters resistance to recidivism through cognitive behavioral interventions and augmented forms of probation supervision. In order to reduce the probability of delinquency and recidivism, a juvenile’s criminogenic needs must be accurately assessed and then continuously addressed through individual supervision and programmatic interventions. This will be further discussed under the goal of competency development.

The JJSES initiative has expanded the juvenile justice system’s knowledge and application of these components of community protection. Structured decision-making tools, such as the Youth Level of Service/Case Management Inventory (YLS/CMI) risk/needs assessment and the Pennsylvania Detention Risk Assessment Instrument (PaDRAI), are elements of the JJSES that foster risk identification, management, and minimization of juvenile justice system penetration.

The community protection goal requires continuous attention to these issues throughout the supervision period. The probation officer’s work—from intake, initial assessment, case plan development, pre-disposition reports, supervision, and reassessment to case closing—must always consider how best to identify, manage, and ultimately minimize the risk to public safety.

**Figure 3: Penetration in the Juvenile Justice System by Risk to Reoffend**



## COMPETENCY DEVELOPMENT

Most delinquent youth outgrow their offending behaviors (Elliott, 1992). As they mature, they acquire skills, get jobs, develop close, caring personal relationships, and form attachments and bonds to prosocial groups and institutions. In defining competency development, the White Paper (Torbet & Thomas, 2005) identified five fundamental skill areas required for successful integration in school, work, and life. These “domains” are: prosocial skills, moral reasoning skills, academic skills, workforce development skills, and independent living skills. These skill areas are most effectively taught when interventions actively engage youth in structured and specific approaches that provide opportunities for them to practice and demonstrate these skills. However, these domains do not represent a complete list of all the competency areas or skills that young people need in order to succeed in life. For example, three of the criminogenic need areas identified in the YLS/CMI are not included in the competency development domains: family circumstances/parenting, substance abuse, and engagement in prosocial leisure activities. Nonetheless, these BARJ competency development areas are important for youth adjustment and quality of life. Table 2 shows how the five competency development domains are related to the criminogenic needs, as identified by the YLS/CMI.

**Table 2: Connection Between BARJ Competency Development Domains and YLS/CMI Domains**

BARJ Competency Development Domains	Link to YLS/CMI Criminogenic Need Domains
1. Prosocial Skills	Personality/Behavior and Peer Relations
2. Moral Reasoning Skills	Attitudes/Orientation
3. Academic Skills	Education/Employment
4. Workforce Development Skills	Education/Employment
5. Independent Living Skills	n/a (stabilization factor)

Competency development is not a synonym for “treatment” in the sense of clinical interventions addressing substance abuse, mental illness, sexual aggression, and violence. Many youth involved with the juvenile justice system do not need treatment for specific offending behaviors, but nearly all of them could benefit from learning competency development skills. Furthermore, certain treatments help address responsivity factors such as learning disabilities, mental health, and self-esteem; these treatments are required to stabilize youth but do not necessarily advance competency development. Once youth are stabilized, skill building leading to successful community living can be conducted.

The JJSES substantially advances the competency development goal by utilizing actuarial assessments that identify the criminogenic needs which, when addressed, reduce recidivism. Pennsylvania selected the Youth Level of Service/Case Management Inventory (YLS/CMI) risk/needs assessment to identify these criminogenic

needs and pinpoint the skill areas requiring development. The criminogenic needs (dynamic risk factors) assessed by the YLS/CMI are: attitudes/orientation, personality/behavior, peer relations, family circumstances/parenting, substance abuse, education/employment, and leisure/recreation. The JJSES endorses the effective model of skill enhancement: teaching, modeling, role-playing, coaching, and providing feedback in key competency skill areas. Furthermore, the JJSES provides training and tools to probation officers and other stakeholders to help them develop youths' skills, such as impulse control and problem solving, in order to reduce the likelihood that those involved in the juvenile justice system will commit delinquent acts in the future.

The primary tool for establishing and accomplishing these competency development goals is a comprehensive case plan designed to describe the steps that the probation officer and juvenile must take to reduce the risk of recidivism. Case plans must target interventions to the youth's most pressing criminogenic needs and engage youth using effective skill-training interventions and activities such as cognitive behavioral approaches. Additionally, capitalizing on the juvenile's and family's strengths and on the protective factors within their communities will result in more successful outcomes. (For examples of competency development interventions, see page 15.)

## ACCOUNTABILITY

It is important to understand that a reduction in recidivism is not the only goal of an effective juvenile justice system. Accountability, as measured by the degree to which youth understand, acknowledge, and have worked to repair the harm caused by their actions, is critical to a community that sees all of its members as vital contributors to healthy families and safe neighborhoods.

Most of the system enhancements put forth through the JJSES until now have addressed community safety and competency development goals. The JJSES's lack of specific activities related to accountability can be explained, in part, because the JJSES is driven by available research, and there is scant research to guide and inform juvenile justice system stakeholders around accountability measures. The Standardized Program Evaluation Protocol (SPEP)—a validated ratings system developed by Mark Lipsey, PhD, that assesses how well an intervention matches the research regarding risk reduction—was implemented through the JJSES. While it includes a review of the degree to which restorative programs provide therapeutic intervention, few research-based practices have been identified that address how to improve the experience of a

### WHAT IT MEANS TO BE ACCOUNTABLE

It is important to understand that a reduction in recidivism is not the only goal of an effective juvenile justice system. Accountability, as measured by the degree to which youth understand, acknowledge, and have worked to repair the harm caused by their actions, is critical to a community that sees all of its members as vital contributors to healthy families and safe neighborhoods.

## **ACCOUNTABILITY**

**The obligation of the system toward offender accountability exists independently of the level of attention that needs to be paid to the system's other goals. Consequently, every delinquent youth should be required to participate in appropriate restorative-based accountability activities.**

victim and how youth can best repair the harm caused by their illegal behavior. The fourth stage of the JJSES emphasizes the need to collect and analyze data to inform practice—especially where existing research is limited—and to institute quality assurance measures. The need for further research about accountability measures must be a focus of further work.

Restoration is a central tenet of BARJ. At the core of the juvenile justice system is its responsibility to three clients: victims, communities, and young people in trouble with the law. Restoration, then, encompasses two objectives: 1) attending to victims' needs, honoring their rights, and ensuring services are available to support them; and 2) providing opportunities for youth to repair the emotional, physical, and financial harm caused by their behavior. Restorative practices, such as restitution, meaningful community service, and victim impact statements, are integral components of Pennsylvania's juvenile justice system. Diversionary programs that involve victims and/or address actions to help restore victims, such as Community Justice Panels or Youth Aid Panels, have become widespread. Victim Impact Classes, such as those based on the Victim/Community Awareness curriculum, have been implemented in the majority of Pennsylvania's juvenile probation departments and provider programs. Other restorative processes and programs have slowly begun to gain attention (e.g., Family Group Decision Making, Restorative Group Conferences, Victim/Offender Dialogue, and Community Circle processes). Restorative justice programs can take place in many settings, including faith-based, community-based, or social service and educational settings.



## COMPETENCY DEVELOPMENT EXAMPLES

The following examples of competency development interventions, initiatives, and resources align with evidence-based principles and are used by Pennsylvania to address youths' criminogenic needs. These examples are illustrative and not meant to be a comprehensive list of all available interventions. Further examples can be found in resource directories such as the *Competency Development Resource Guide*, developed by the National Center for Juvenile Justice and supported by the Pennsylvania Commission on Crime and Delinquency (see [http://www.ncjj.org/PDF/resourceguide/full\\_competencybook\\_10\\_09.pdf](http://www.ncjj.org/PDF/resourceguide/full_competencybook_10_09.pdf)).

### **Pennsylvania Academic and Career/Technical Training (PACTT) Alliance**

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PACTT ensures that delinquent youth living in Pennsylvania's residential facilities and being supervised in the community receive rigorous, relevant, and high-quality education that prepares them for graduation, post-secondary education, and family-sustaining careers. Further, PACTT is committed to ensuring that their education and employment opportunities continue seamlessly as part of their aftercare reentry plans. It designates providers as "affiliates" when they meet specific criteria related to academic programming and certificate-bearing career and technical training. Affiliates also agree to collect key data related to competency development outcomes.

### **Aggression Replacement Training**

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Aggression Replacement Training (ART) is an evidence-based intervention designed to alter the behaviors of chronically aggressive individuals, reduce antisocial behaviors, and offer alternatives of prosocial skills. The curriculum consists of three interventions: skillstreaming (prosocial behavioral skills training), anger control training, and moral reasoning training. Skillstreaming uses several techniques to teach prosocial skills, including modeling, role-playing, performance feedback, and transfer training; anger control training uses a five-step sequence of behaviors to teach anger replacement skills; and moral reasoning training uses guided group discussions and debates of moral dilemmas to facilitate mature

moral reasoning and to correct antisocial thinking. ART may be conducted in small-group settings in probation departments, community-based programs, and residential facilities. It consists of 30 hours of coursework designed to be taught in 10 weeks, during which participants attend three 1-hour sessions per week.

### ***Carey Guides and Brief Intervention Tools (BITS)***

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The *Carey Guides* are cognitive behavioral workbooks designed to equip case managers and probation officers with the information and tools they need to support behavioral change among the individuals they supervise. The 33 handbooks include worksheets that address youths' criminogenic needs. The *Carey Guides* were developed to be practical, easy to use, and deliverable in short time frames, since case managers have limited interaction time with youth. *Brief Intervention Tools (BITS)* are similar to the *Carey Guides* but are shorter (one page—front and back—in length). They are designed to help case managers and probation officers address key skill deficits with youth in short, structured interventions. *BITS* can be used as a supplement to the *Carey Guides*, and are also useful to practitioners who do not yet have the training or comfort level to follow the longer-term case management strategies that the *Carey Guides* support.

### **National Curriculum and Training Institute (NCTI)**

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NCTI provides a series of curricula designed for medium risk offenders in the areas of anger, cognitive life skills, and life skills. Each curriculum provides an extended and comprehensive educational process to help participants overcome negative behavioral patterns and enable them to be more productive in their environment. Through behavioral activities that target criminogenic needs, participants learn how to establish positive, goal-directed behavior patterns and understand the process necessary to change negative behavior. Each curriculum contains a facilitator guide that leads the instructor through the various components of the curriculum and features detailed activity instructions.

# THE JJSES ENHANCEMENTS TO BARJ: TEN DECISION POINTS

**Figure 4: Ten Key Decision Points in Juvenile Justice**



One way to examine the nexus between BARJ and the JJSES is to explore the activities conducted at each of ten critical juvenile justice system decision points, shown in Figure 4. While there are many considerations to take into account at each of these decision points, advancing the goals of balanced and restorative justice is the chief motivating factor throughout. This focus on BARJ will prompt the juvenile justice stakeholder to ask a series of questions such as the following: What risk does the juvenile pose and what action must be taken, if any, to *manage and minimize* risk? Is there an identifiable victim? What harm has been caused? What is necessary to restore the victim? What competency development skill areas need to be addressed to move the juvenile toward a law-abiding and productive lifestyle?

The JJSES encourages jurisdictions to examine the research evidence to determine which practices can best promote the desired outcomes. Some local Pennsylvania juvenile justice departments have implemented some of these solutions, while others have not due to timing, resources, or other reasons. At the end of the discussion about each decision point is a list of actual JJSES practices that have been added to help achieve Pennsylvania’s BARJ mission and examples of research-based improvements that could be implemented over time. The listed JJSES enhancements are not meant to be all-inclusive but rather are an illustration of how the JJSES advances BARJ goals.

## 1 PREVENTION

BARJ and the JJSES promote interventions and practices that deter youth from committing delinquent acts. In 1996, the Center for the Study and Prevention of Violence began identifying programs to prevent youth violence, delinquency, and drug use that met a very high scientific standard of effectiveness. The Blueprints for Violence Prevention project evolved into what is now known as Blueprints for Healthy Youth Development, and has expanded its scope to reviewing programs that foster other aspects of healthy youth development, including mental and physical health, self-regulation, and educational achievement outcomes. Blueprints has reviewed more than 1,300 programs in search of ones that (1) have been experimentally evaluated; (2) have clear findings of positive impact; (3) have carefully defined goals; and (4) have sufficient resources to help users (<http://www.blueprintsprograms.com>). These programs are at the heart of Communities That Care (CTC), a preventative public health approach based on social development research that has been widely adopted in Pennsylvania ([www.comunitiesthatcare.net](http://www.comunitiesthatcare.net)). CTC allows the community to identify its risk and protective factors based on data gathered primarily from the Pennsylvania Youth Survey (PAYS), determine what current resources do or could address these factors, create an action plan for prevention work using effective programs identified through Blueprints for Healthy Youth Development, and evaluate outcomes. The processes involved in the Communities That Care model are similar to many of the processes within the Juvenile Justice System Enhancement Strategy. In the prevention arena, evidence- and research-based programs selected through the CTC model deter

unhealthy behaviors and foster positive behaviors in youth, just as evidence-based practices and programs foster positive adjustment and behaviors with system-involved youth.

## 2 ARREST/REFERRAL

Law enforcement officers are usually the first point of contact and must make critical decisions that could have long-term impacts on a youth who has offended or on the victim, such as whether to release the youth with a warning, release the youth and file a written allegation with the juvenile court, take the youth to the police station or a juvenile processing center, or request detention. A strong collaborative relationship between law enforcement and the courts is necessary to ensure that low-risk youth who may best be supervised in the community do not pass through what often appears to be a one-way door to the formal juvenile justice system.

In addition, law enforcement officers are receiving special training and are implementing policies and practices to support effective decision making with respect to delinquent youth. For example, since 2009, law enforcement officers and recruits in some areas of Pennsylvania have been trained using the Pennsylvania Disproportionate Minority Contact (DMC) Youth/Law Enforcement Curriculum. The curriculum serves to open dialogue between young people and law enforcement by identifying issues and concerns regarding youth and law enforcement interactions; teaching law enforcement about adolescent development, ethnic and cultural differences, and how to work more effectively with youth; and teaching youth how to interact with law enforcement in a positive way.<sup>3</sup>

Act 25 of 2015<sup>4</sup> requires magisterial district judges and municipal police officers to receive training in mental health, autism, and intellectual disabilities. This law was based on the Front-End Diversion Initiative (FEDI) which CrimeSolutions.gov rated as “promising.”<sup>5</sup> Officers are trained on how to interact with a youth who is experiencing a serious mental health crisis, which often involves taking the youth to a hospital or mental health facility rather than to a secure facility. This initiative also uses specialized juvenile probation officers as a diversion strategy. Another promising initiative is the use of Crisis Intervention Team (CIT) programs by law enforcement agencies, in response to research that those with mental health disorders are less capable of understanding the juvenile justice system, are treated more harshly than those without a mental illness, and are more vulnerable to becoming further involved in the system as a result of their disorder (Colwell, Villarreal, & Espinosa, 2012). In addition, the Diversion Subcommittee of the Mental Health/Juvenile Justice state work group of the Models for Change Initiative in Pennsylvania published the *Guide To Developing Pre-Adjudication Diversion Policy And Practice In Pennsylvania* in 2010 as a resource to assist counties in developing local policies and protocols that are consistent with the mandates of current law and best practice standards.

<sup>3</sup> For more information on the Pennsylvania DMC Youth/Law Enforcement Curriculum, see [www.padmcc.org](http://www.padmcc.org).

<sup>4</sup> For more information on Act 25 of 2015, see <http://www.legis.state.pa.us/cfdocs/Legis/LI/uconsCheck.cfm?txtType=HTM&yr=2015&sessInd=0&smthLwInd=0&act=25>.

<sup>5</sup> For more information on the Front-End Diversion Initiative, see <https://www.crimesolutions.gov/ProgramDetails.aspx?ID=357>.

**3****SECURE DETENTION/ALTERNATIVES TO DETENTION**

The community protection goal of BARJ suggests that it may be necessary, in some circumstances, to briefly detain a youth who is a high risk to himself/herself or others. However, Pennsylvania law requires that the juvenile justice system respond with the least restrictive intervention that is consistent with the protection of the community, the imposition of accountability for offenses committed, and the rehabilitation, supervision, and treatment needs of the youth. In addition, the Juvenile Act requires that confinement of any type be imposed only if necessary and for the minimum amount of time required to achieve the Act's purposes. Structured decision-making tools aligned with the goals of balanced and restorative justice can help juvenile justice system practitioners make better decisions about youth detention and alternatives to detention and improve system outcomes. These tools allow detention decisions to be based on clearly defined, objective criteria that all juvenile court staff understand and employ, and they ensure that detention decisions are consistent, fundamentally fair among youth with a similar risk to reoffend, and racially and ethnically neutral.

In Pennsylvania, probation officers can use the PaDRAI to help them decide whether to securely detain a juvenile or release him/her to an alternative to detention (ATD) pending a detention hearing. Developed in conjunction with the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative (JDAI), the PaDRAI assesses static risk factors, yielding a score related to the juvenile's risk to reoffend prior to the court hearing and/or fail to appear for the court hearing. Risk scores are correlated to a continuum of options ranging from "release without restrictions" to "admit to secure detention."

**4****JUVENILE COURT INTAKE**

The intake decision is the point at which a great deal of information becomes available, and structured decision making becomes absolutely essential. Upon receiving a written allegation, the probation officer or district attorney must decide whether to divert the case, handle it informally, or file a petition. BARJ emphasizes caution in utilizing the juvenile justice system to address cases that can be dealt with informally or more effectively by other social services or community-based programs. However, historically, these decisions were often based solely on the seriousness of the charge and delinquent history. Now, JJSES tools help probation officers categorize and consider these and other important factors at the intake decision point. For example, more than a third of Pennsylvania counties have adopted the Massachusetts Youth Screening Instrument (MAYSI-2) to identify youth with possible special mental health needs at intake. In addition, a victim impact statement assists the court in addressing the necessary reparation for victims.

Pennsylvania's juvenile probation departments also conduct the YLS/CMI assessment upon receiving a written allegation. Low risk cases require minimal supervision or intervention and can be diverted or handled

informally with little risk to public safety. Moderate and high risk cases often require more formal processing, including the filing of a petition and a hearing before the Court. All Pennsylvania counties have the ability to administer the YLS/CMI at the juvenile court intake stage.

Assessment and planning begins when the allegation of delinquency is received and continues throughout the supervision period. The case plan is the blueprint for action as the juvenile moves through the system, whether supervised in the community or placed in a residential setting. It directs the actions of the juvenile, parent, and service provider(s) toward a successful outcome.

A key objective of the JJSES is to improve case planning. The function of case planning under the JJSES emphasizes the role of the probation officer as a “change agent” and not simply a monitoring and service referral agent. Effective case planning is one of the “four core competencies” for juvenile justice practitioners specified by JJSES-sponsored training.

## 5

### PRE-DISPOSITION INVESTIGATION AND RECOMMENDATION

An essential function of a juvenile probation officer is to gather information that the department and stakeholders need in order to address the goals of community protection, competency development, and accountability—in ways that provide balanced attention to the interests of the juvenile, the victim, and the community. To gather information related to community protection, questions such as “What are the youth’s risk score and level?,” “What must the probation department do to manage and minimize the risk?,” and “What level of external control is required?” should be asked. Questions such as “What, according to the YLS/CMI, are a youth’s specific criminogenic risk factors?,” “What specific interventions are most appropriate to address a youth’s most influential needs (i.e., drivers)?,” “What skill development activities are necessary to improve competencies and increase the juvenile’s decision to lead a prosocial lifestyle?,” and “What academic and/or workforce development activities would benefit the youth?” should be used to gather information to address the goal of competency development. Finally, questions such as “Who was affected by the youth’s behavior?” and “How will the youth acknowledge and repair the harm caused?” should be used to gather information to address the goal of accountability. This information-gathering culminates with a recommendation for the dispositional option that best serves the interests of the juvenile, victim, and community in the least restrictive way.

An interface between the YLS/CMI assessment and the JCMS provides Pennsylvania with the ability to collect and compile data on an individual county and aggregated statewide basis. Given that the JCJC now requires the use of the YLS/CMI as a condition of participation in its Juvenile Probation Services Grant Program, comprehensive case management data is available statewide.

## 6 PROBATION SUPERVISION

As noted earlier, the traditional role of the probation officer, which emphasizes external control of the youth's behavior through monitoring, supervision, and imposition of restrictions, was generally found non-effective at reducing antisocial behavior if used as the sole intervention strategy. As a result, BARJ promotes the use of techniques that teach and reinforce prosocial behavior through working relationships marked by

strong rapport. In addition, the probation officer seeks to enhance the intrinsic motivation of youth to participate in treatment and to prepare youth for treatment using strength-based approaches, motivational enhancement skills, and the appropriate use of rewards and sanctions.

The essence of probation supervision is to foster positive adjustment and behavior. Case plans provide a constructive framework or blueprint to change behavior and restore those harmed by the illegal activity. The officer uses the case plan as a roadmap for evidence-based supervision and interventions that reflect the goals of balanced and restorative justice, such as the use of cognitive behavioral worksheets, referral to treatment services, and development of a restitution plan.

Research shows that response protocols using a system of rewards and sanctions can improve outcomes (Loughran et al., 2015). Probation officers are more effective when they have a range of options from which to choose in order to encourage positive behavior and deter negative behavior. Selecting the most appropriate response to violation behavior requires a thoughtful process that identifies risk of future harmful behavior, severity of violation behavior, and behavioral change interventions that directly address the causes of the violation behavior. This process is often referred to as a graduated response.

Incrementally changing behavior through rewards and incentives is not a new approach. Research conducted by behaviorists such as B. F. Skinner and others since the 1930s has shown that behaviors can be modified and reinforced through the use of incentives and sanctions, especially when the response is:

- Swift: administered promptly following the behavior;
- Certain: clearly articulated and predictable; and
- Proportionate: measured to meet the behavior exhibited. The consequence of the sanction need only outweigh the benefit of the infraction in the juvenile's mind in order to be effective.

### GRADUATED RESPONSES

The Pennsylvania Council of Chief Juvenile Probation Officers' (PCCJPO) Graduated Response Workgroup developed a document entitled *Graduated Response Guiding Principles and Protocol Development* to provide the foundation for the development of a graduated response system in the Commonwealth's juvenile justice system. The PCCJPO Graduated Response Workgroup encouraged the juvenile probation department, which is planning to develop a graduated response system, to adopt or adapt the following:

■ A graduated response system uses incentives and sanctions to foster the pro-social behavior of juvenile justice-involved youth, promote accountability, restore victims, and decrease recidivism. Through a structured process that accounts for a youth's level of risk, needs, and responsivity, graduated responses recognize and reinforce positive behaviors and provide proportional responses to negative behaviors to improve short- and long-term outcomes. Responses are certain, swift, targeted, proportionate, and fair. ■

## 7 COMMUNITY-BASED SERVICES

The BARJ competency development principle emphasizes the importance of providing youth with the skills necessary to not only refrain from engaging in illegal activities but also to be successful and contributing members of their families and communities. Youth must be engaged in the prosocial community and be seen as assets to the community's members. This objective is best realized when youth have the opportunity to participate in skill building, community engagement, and leadership activities. Pennsylvania is working at both the state and county level to ensure that residential and community-based providers understand and have the resources to address youths' needs and skill development areas.

The JJSES has enhanced the BARJ objective of building youth skills by encouraging the development and implementation of service matrices and placement guidelines. Service matrices link specific services deemed to be effective in addressing specific criminogenic needs; placement guidelines provide criteria to identify what kinds of cases warrant placement and, if appropriate, which placements would be best. One of the tools provided to local departments is the *Case Planning Handbook: YLS/CMI Version* (Pennsylvania Council of Chief Juvenile Probation Officers, Juvenile Court Judges' Commission, & The Carey Group, 2015). The *Handbook* suggests possible goals and activities to include in a youth's case plan, as well as potential services linked to the YLS/CMI criminogenic needs.

As mentioned earlier, the Standardized Program Evaluation Protocol (SPEP) is another JJSES enhancement that provides an effective way to help community-based and residential providers and probation departments examine the effectiveness of their juvenile justice services. SPEP is a validated, data-driven ratings system that assesses how well an intervention matches the research regarding risk reduction. The SPEP is based on a meta-analysis conducted by Mark Lipsey of over 600 studies of interventions for juveniles conducted over the last 20 years. The four factors most strongly related to reducing recidivism are: program type, quality of service delivery, amount of service, and the risk level of the youth. The SPEP helps probation and community-based and residential service providers match the assessed needs of youth to the right intervention, at the right intensity, and for the right amount of time (i.e., dosage and duration).

## 8 RESIDENTIAL PLACEMENT

In relatively rare cases, residential placement must occur, but the basic BARJ goals remain the same, even for high risk youth. While a "balanced response" may require an emphasis on protecting the community, juvenile justice practitioners are still duty-bound to address basic competencies, apply evidence-based practices to reduce dynamic risk factors, and address accountability to victims. All jurisdictions must ensure that they have a range of options—from least to most restrictive—available for youth and ensure that residential placement occurs only after consideration of least restrictive alternatives. Research and experience demonstrate that the many youth placed in residential settings do not need to be in secure facilities to ensure community protection.

The JJSES provides a strategy and suggests tools, such as the YLS/CMI, service matrices, placement guidelines, and SPEP, for more accurately matching youth to the most appropriate service. The strategy and tools help jurisdictions better identify the moderate to high risk youth who may be appropriate for placement as well as the specific criminogenic needs that must be addressed while these youth remain in the system. In the few instances where placement is necessary, certain factors must be considered when determining the appropriateness of the placement, including the service provider's use of evidence-based practices, their ability to specifically address the youth's criminogenic needs, and their ability to customize their approach to the youth's responsivity factors.

## 9

## AFTERCARE

BARJ emphasizes the community's obligation to accept youth back into the community after they have addressed the harm their actions have caused and improved their competencies so they are prepared to live safely with their family and in their community. Part of this "contract" between a youth and the community is an assurance that the youth will continue to utilize the skills he/she learned to live freely in society. Aftercare helps this obligation become a reality. Aftercare consists of the combination of services, planning, support, and supervision that begins at disposition and continues through placement and return to a community setting. It prepares the youth by providing opportunities to utilize the behavioral skills learned in treatment and to successfully apply them as the youth reintegrates into his/her home community. It also aids the youth in stabilizing and transitioning—for example, re-enrolling in school, maintaining medications, continuing treatment, obtaining employment, reuniting with family, and finding suitable independent living opportunities. Continuous attention to the victim's needs remains an important component of a youth's pending return to the community. If requested, it should include informing the victim of a youth's release and of components of the youth's plan that are important for the victim to know for his/her protection, as well as preparing safety plans when warranted.

Aftercare has been enhanced through funding that PCCD provided to counties from 2005 to 2010. It was one of the three targeted areas of improvement (TAI) of the original *MfC* work. In addition, through funding provided by the Pennsylvania Department of Human Services, PCCD supports agencies having affiliate status with the Pennsylvania Academic and Career Technical Training (PACTT) Alliance to improve the academic and career and technical training that delinquent youth receive while in residential placement and upon their return to their home communities.<sup>6</sup>

<sup>6</sup> PACTT grew out of the MacArthur Foundation's *Model for Change* work and the desire to continue developing aftercare reforms. It was originally sponsored by the Pennsylvania Council of Chief Juvenile Probation Officers and received funding from the John D. and Catherine T. MacArthur Foundation and the Pennsylvania Commission on Crime and Delinquency, as well as a fellowship provided to PACTT's Project Director by the Stoneleigh Center. PACTT was formally transitioned to the Department of Human Services' Bureau of Juvenile Justice Services (BJJS) in 2014, where it has flourished.



## 10 CASE CLOSING

Reduction in recidivism is a core goal of the juvenile justice system. Pennsylvania defines recidivism as a criminal court conviction or adjudication of delinquency for a misdemeanor or felony offense within two years of case closing. The JJSES has emphasized the use of research and data to inform policy and practice and reduce recidivism. Naturally, its enhancement to BARJ, then, includes a priority to track not only key outcome data such as recidivism and technical violations but to also track improvements in competency development, victim satisfaction, and reduction in risk as measured by the YLS/CMI to provide greater confidence in the juvenile justice system.

Ultimately, the juvenile justice system must do whatever it takes to demonstrably increase perceptions about citizen safety and confidence in the system. The BARJ goals cannot be reached without a partnership between juvenile justice practitioners, local service providers, victims, delinquent youth, delinquent youths' families, and the community at large. In order to become engaged, families, neighborhoods, and the public must be assured that the juvenile justice system's values, goals, motives, and priorities align with those of local communities. While reducing recidivism is a key outcome measure of the juvenile justice system, other indicators, such as increased community capacity to address local concerns, availability of an array of diversionary programs/practices, strengthened families, reductions in violations of probation, increased educational or employment achievement, and victim satisfaction, are equally important to communities.

Table 3 identifies specific BARJ and JJSES practices in six key areas (assessment, victim input and restoration, interventions, case planning, community engagement, and implementation fidelity/quality assurance) that the Pennsylvania juvenile justice system has incorporated at each of the ten major decision points in order to effectively meet BARJ goals.

**Table 3: BARJ and JJSES Practices by Decision Point**

BARJ/JJSES Practices		Prevention	Arrest/Referral	Secure Detention Intake	Pre-Dispositional Investigation	Probation Supervision	Community-Based Services	Residential Placement	Aftercare	Case Closing
<b>ASSESSMENT</b>	Use of Pennsylvania Detention Risk Assessment Instrument (PaDRAI) to guide decisions regarding secure detention or alternatives to detention									
	Use of MAYSI-2 screening to identify youth with mental health needs									
	Use of Youth Level of Service/Case Management Inventory (YLS/CMI) to determine intensity of system responses based on risk level and to develop case plans based on criminogenic needs									
	Use of additional assessments to identify factors not identified by general risk/needs assessments (e.g., motivation, sex offender risk/needs, level of substance abuse involvement, psychological concerns, psychiatric issues, etc.)									
<b>VICTIM INPUT AND RESTORATION</b>	Ensuring victims' rights, including but not limited to notification and input									
	Use of delinquent youth apology statements									
	Providing victims the opportunity to submit oral and/or written victim impact statements									
	Assisting victims in developing safety plans									
	Addressing victim needs for reparation of harm, such as the ordering and payment of restitution, use of the Crime Victims' Compensation Fund, etc.									
	Use of restorative community service for harm caused to individuals or to the community (e.g., victim providing input into the type of community service to be completed by the youth)									
	Use of Victim Impact Panels									
	Use of victim notification and safety plans									
	Development/implementation of Victim/Community Awareness classes									
	Use of Restorative Group Conferences									
Use of Victim/Offender Dialogue										
<b>INTERVENTIONS: RISK REDUCTION, COMPETENCY DEVELOPMENT, AND STABILIZATION</b>	Use of Blueprints for Healthy Youth Development programs									
	Use of treatment protocols for mental illness, substance abuse, and sexual aggression									
	Use of group cognitive behavioral programs such as NCTI, ART, and T4C									
	Use of skill practice and individual cognitive behavioral approaches such as <i>Carey Guides</i> , <i>BITS</i> , <i>Change Companies</i> journals									
	Use of PACTT-affiliated programming for academic advancement and workforce development									
	Use of educational programs									
	Implementation of practices to address disproportionate minority contact									

		Prevention	Arrest/Referral	Secure Detention	Intake	Pre-Dispositional Investigation	Probation Supervision	Community-Based Services	Residential Placement	Aftercare	Case Closing
<b>BARJ/JJSES Practices</b>											
<b>CASE PLANNING</b>	Use of case plans and conditions of supervision that address the three goals of BARJ and that utilize risk/needs assessment information										
	Differentiation of supervision intensity based on youth risk to reoffend										
	Selection of the driver when prioritizing case plan goals										
	Use of service matrices and preferred provider lists										
	Engagement of family/Family Group Decision Making										
	Provision of the right intervention dosage and duration based on risk to reoffend										
	Use of the <i>Case Planning Handbook: YLS/CMJ Version</i> to develop clear goals linked to criminogenic needs and accountability										
	Development of graduated responses to reward and sanction youth as appropriate										
<b>COMMUNITY ENGAGEMENT</b>	Collaboration through probation/police partnerships										
	Use of the Communities That Care (CTC) model										
	Use of Community Justice Panels or Youth Aid Panels										
	Assignment of meaningful community service										
	Use of Community Circle processes										
<b>IMPLEMENTATION FIDELITY/ QUALITY ASSURANCE</b>	Use of inter-rater reliability processes on all actuarial assessments										
	Use of performance measurements such as process and outcome measures, dashboards, outcome reports, and report cards										
	Use of quality assurance processes for key staff skill areas such as observation and coaching										
	Use of the Standardized Program Evaluation Protocol (SPEP) to develop the most effective programs and create a preferred provider network										
	Use of learning teams (communities of practice)										
	Use of behavioral response matrices										
	Use of victim satisfaction surveys and of youth and family exit surveys										
	Development and implementation of EBP job descriptions and performance appraisals										

**P**ennsylvania is striving for a juvenile justice system that is mission-driven around the principles of balanced and restorative justice (BARJ), performance-based, and outcome-focused. It has embraced the Juvenile Justice System Enhancement Strategy (JJSES) as the framework through which this can best be accomplished. The relationship between BARJ and the JJSES is clear. BARJ is the mission of Pennsylvania's juvenile justice system and defines its essential goals—community protection, enhancing the competencies of delinquent youth, and accountability to victims. The JJSES is Pennsylvania's most important strategy for achieving that mission, especially regarding community protection and competency development, by addressing the criminogenic needs of youth through structured decision making, risk/needs assessment, case planning, and evidence-based practices and programs. It also emphasizes the need to use research, data, performance measures, and evaluation to inform stakeholders' decisions around the BARJ goals of community protection and accountability.

Achieving the system's mission requires constant attention. Implementation challenges are never-ending; conditions are dynamic; resources ebb and flow; leadership changes. In addition, new research evidence continually provides the juvenile justice system with information that requires modification of practice. Much work remains to be done. The following are some of Pennsylvania's immediate next steps as it works to achieve its BARJ mission:

- 1. Staying informed of and incorporating emerging research.** As the body of knowledge continues to grow and issues come to the attention of juvenile justice system stakeholders, all players must adapt and evolve. Stakeholders will have to apply new strategies while adhering to the aforementioned values and goals. Some examples of stakeholder strategies include further developing probation/police partnerships, improving restitution collection efforts, enhancing community service projects, improving victim satisfaction, and more fully engaging families. In addition, an evaluative process similar to the Standardized Program Evaluation Protocol (SPEP) could be developed to assess practices that address the BARJ goal of accountability, such as Victim/Offender Dialogue, restitution payment, or meaningful community service work.
- 2. Assisting all counties in the Commonwealth to fully engage in the JJSES process.** Many counties are still in Stage One or Two of the full JJSES implementation plan. Full outcomes will not be achieved until these counties adopt the activities described in Stage Three (Behavioral Change) and Stage Four (Refinement).
- 3. Addressing implementation challenges.** The greatest challenge in any technology transfer is not in understanding what needs to be done but rather in implementing the change successfully. Obstacles such as limited resources, lack of buy-in, leadership difficulties, and shifting priorities abound. The JJSES will need to continue to support county probation departments through consultation services, leadership events, trainings, etc., as departments work to address challenges.
- 4. Developing and accessing additional products and tools.** As juvenile justice system players learn about evidence-based practices that yield more effective outcomes, they recognize the need for tools that increase

the likelihood that these practices will be effectively applied. Products and tools such as service matrices, case planning manuals, dashboards, coaching and learning team protocols, Impact of Crime curriculum models, satisfaction surveys, Restorative Group Conferences, and Victim/Offender Dialogue will be needed. In addition, existing practices and tools should be examined for enhancements. An example of an existing practice is Pennsylvania's Victim/Community Awareness curriculum. This curriculum, developed for low risk youth, could be adapted for high risk youth.

**5. Putting in place quality assurance processes.** Stage Four of the JSES implementation plan calls for the use of continuous quality improvement activities. Once assessment tools, case planning, skill practice, rewards and sanctions matrices, and other processes are put in place, and once staff have been trained on these measures, it is incumbent on local departments to ensure that these processes are applied in the manner intended. A quality assurance infrastructure that includes learning teams, coaching, dashboard measures, and other techniques will need to be put in place.

**6. Focus on accountability-oriented practices.** There is a clear need to collect and organize the available research about practices that meet the goal of accountability. This is perhaps the least researched of the three BARJ goals. However, the limited research that has been conducted can be communicated with greater clarity and, where research does not exist, data should be collected and analyzed to advance the accountability goal.

**7. Link employee performance reviews to BARJ goals and JSES practices.** Change takes time. As staff are trained on effective practices, skills improve. At some point, new learning becomes part of accepted practice. As these practices and skills are expected, they should be integrated into performance evaluation mechanisms.

The BARJ mission obligates every person involved in Pennsylvania's juvenile justice system to do their part, at every critical decision point, to protect the community, hold youth and the juvenile justice system accountable to victims and communities, and develop and enhance basic competencies of juvenile court-involved youth. Ultimately, all of Pennsylvania's juvenile justice stakeholders should be working individually and collectively to make sure that any youth who enters the juvenile justice system leaves it as a more productive, more connected, and more law-abiding citizen and that the rights and needs of victims and communities are met and addressed. BARJ has always been recognized as an evolutionary process for Pennsylvania's juvenile justice system and its stakeholders. As more is learned, sometimes through research evidence and sometimes through trial and error, Pennsylvania's juvenile justice practitioners will continue to evolve and implement the Juvenile Justice System Enhancement Strategy to advance balanced and restorative justice goals. As our knowledge base grows, additional tools and guides will likely be forthcoming to better help practitioners navigate this journey. These tools will lead to improved outcomes—whether that is reduced recidivism, fewer victims, stronger families, successful lives, reduced taxpayer costs, or more confidence in the juvenile justice system.

## APPENDIX: TIMELINE OF BARJ- AND JJSES-RELATED EVENTS

1995

Act 33 of Special Session No. 1 of 1995 was signed into law by Governor Tom Ridge, changing the purpose clause of the Juvenile Act to incorporate the goals of balanced and restorative justice.

1996

The PCCD, Center for the Study and Prevention of Violence, Colorado Division of Criminal Justice, and Centers for Disease Control initiated a project to identify evidence-based “blueprint” violence prevention programs.

In a letter to Dr. Ronald Sharp, Chair of PCCD’s Juvenile Advisory Committee (JAC), dated June 25, 1996, Governor Ridge charged the JAC with the responsibility of “developing a strategic plan to take Pennsylvania’s juvenile justice system into the next century.”

1997

The JCJC convened a statewide policy forum, led by Dennis Maloney and Dr. Gordon Bazemore of the national Balanced and Restorative Justice Project, to explain the underlying philosophy of the new purpose clause.

Members of the JAC met personally with Governor Ridge to present the results of its previous 13 months of work, including its proposed system mission statement, “Juvenile Justice: Community Protection; Victim Restoration; Youth Redemption”; a set of guiding principles in support of that mission; and 25 recommendations for system reform.

A statewide conference entitled *Managing Change Toward Balanced and Restorative Justice: Preparing for the New Millennium* was held in Seven Springs.

1998

The JCJC created a Balanced and Restorative Justice Specialist position to coordinate the development of balanced and restorative justice throughout the Commonwealth.

A strategic planning process to implement balanced and restorative justice principles and practices at the local level was convened by the Pennsylvania Council of Chief Juvenile Probation Officers, resulting in the first strategic planning document.

1999

Members of the JAC met again with Governor Ridge to provide an update regarding the progress being made in response to the JAC’s mission statement and guiding principles, and regarding implementation of the 25 recommendations contained in the 1997 plan. In addition, the JAC presented Governor Ridge with a series of recommendations for FY 1999–2000 and beyond.

BARJ programs and the first Balanced and Restorative Justice Coordinator positions at the county level were funded through PCCD.

The National Center for Juvenile Justice completed a statewide process evaluation regarding the adoption and implementation of balanced and restorative justice principles and practices at the local level.

A statewide training entitled *Enhancing Your Juvenile Court’s Response to Victims* was conducted for county teams of juvenile justice stakeholders.

2000

The balanced and restorative justice goals were included in the Needs-Based Plan and Budget process through the Department of Public Welfare.

2001

The BARJ logo was unveiled at the statewide BARJ Conference in Philadelphia.

By 2001, the PCCD had awarded over \$6.2 million to 32 counties specifically for the purpose of developing, implementing, and expanding BARJ programs, services, and initiatives.

Act 86 of 2000 created a “Bill of Rights” for victims of juvenile offenses. Subsequently, Victims of Juvenile Offenders (VOJO) advocate positions were established and fully funded through the state budget.

The video *Achieving Balanced and Restorative Justice in Pennsylvania’s Juvenile Justice System* and the accompanying guide were produced and widely disseminated.

The National Center for Juvenile Justice led the development of intermediate outcomes along with the protocol for probation departments to collect, analyze, and present immediate outcome data. This data later became the basis for the local and statewide “report cards” for the juvenile justice system.

2002

The results of a public opinion poll conducted on behalf of the PA Council of Chief Juvenile Probation Officers and released in January 2002 showed that Pennsylvanians clearly agreed with the three-part mission of the state’s juvenile justice system.

The *Balanced and Restorative Justice Resource Guide for the Service Provider Community* and an accompanying reporting form were published and distributed.

2003

County juvenile probation departments began publishing report cards highlighting their juvenile justice outcomes based on balanced and restorative justice goals.

The first train-the-trainer session of the Victim/Community Awareness: An Orientation for Juveniles curriculum was held.

The *Pennsylvania Juvenile Delinquency Benchbook* was published.

*Building Bridges Between Your Court and Your Community* was published.

2004

Two regional forums were held to encourage the inclusion of balanced and restorative justice principles in university and college juvenile justice curricula.

The JJC required all counties to report, on a quarterly basis, outcome data on all delinquency cases at case closing.

Pennsylvania was chosen as the first state to participate in the MacArthur Foundation’s national *Models for Change (MfC)* system reform initiative.

2005

The White Paper *Advancing Competency Development: A Resource Guide for Pennsylvania* was published and widely distributed throughout Pennsylvania and to a national audience.

2006

The White Paper *Advancing Accountability: Moving Toward Victim Restoration* was published and widely distributed throughout Pennsylvania and to a national audience.

Pennsylvania’s Detention Risk Assessment Instrument (PaDRAI) was piloted.

2008

The White Paper *Advancing Community Protection: A White Paper for Pennsylvania* was published and widely distributed throughout Pennsylvania and to a national audience.

The Youth Level of Service/Case Management Inventory (YLS/CMI) was chosen as the risk/needs assessment tool to be piloted statewide.

The Pennsylvania Academic and Career/Technical Training (PACTT) Alliance was initiated as a project of the PA Council of Chief Juvenile Probation Officers.

Act 109 of 2008 amended the Juvenile Act to provide self-incrimination protections to children for statements made during screening and assessment.

*Building Pennsylvania's Comprehensive Aftercare Model: Probation Case Management Essentials for Youth in Placement*, which outlined the five phases of comprehensive aftercare for statewide use, was published by the National Center for Juvenile Justice.

2009

Ten Phase 1 counties were trained on the use of the YLS/CMI risk/needs assessment instrument.

*Family Involvement in Pennsylvania's Juvenile Justice System* was published as part of Pennsylvania's *MfC* initiative.

2010

During the annual strategic planning meeting of the JCJC and Executive Committee of the PA Council of Chief Juvenile Probation Officers, the concept of the Juvenile Justice System Enhancement Strategy (JJSES) as a plan to sustain and enhance the initiatives begun under *MfC* and to implement evidence-based practices was born.

Phase 2 counties were trained on the use of the YLS/CMI risk/needs assessment instrument.

A leadership team was established and tasked with developing the concept and establishing an implementation plan for the JJSES. The Carey Group was retained as project consultant.

The JJSES Statement of Purpose was developed and widely endorsed.

An overview of the JJSES was featured in an afternoon plenary session of the annual Pennsylvania Conference on Juvenile Justice, the first time the JJSES was presented to a large group of juvenile justice system stakeholders.

*Guide To Developing Pre-Adjudication Diversion Policy And Practice In Pennsylvania* was published.

2011

PA received a grant to participate in the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative (JDAI). Four counties volunteered as pilot sites to further develop Pennsylvania's Detention Risk Assessment Instrument (PaDRAI).

The JJSES framework to guide implementation was created and distributed.

PA was chosen as one of four states to participate in Georgetown University's Center for Juvenile Justice Reform initiative entitled Juvenile Justice System Improvement Project (JJSIP). Berks County served as the project pilot site, eventually bringing the Standardized Program Evaluation Protocol (SPEP) to Pennsylvania.

Phase 3 counties were trained on the use of the YLS/CMI risk/needs assessment instrument.

A standardized case plan format, incorporated into the Pennsylvania Juvenile Case Management System (PaJCMS), was rolled out to pilot counties in anticipation of full statewide utilization.

The JJSES served as the main theme for the annual Pennsylvania Conference on Juvenile Justice.



## 2012

A Pennsylvania-specific motivational interviewing (MI) protocol was established to assist counties in implementing motivational interviewing skills.

The JJSES monograph *Pennsylvania's Juvenile Justice System Enhancement Strategy: Achieving Our Balanced and Restorative Justice Mission Through Evidence-Based Policy and Practice* was published and distributed.

Six regional "kickoff" events were held across Pennsylvania to introduce the JJSES implementation strategy. All 67 counties participated and were represented by juvenile justice teams.

The JJSES implementation survey was developed and administered to serve as a benchmark against which to measure future progress.

Phase 4 counties were trained on the use of the YLS/CMI risk/needs assessment instrument.

PCCD announced the availability of \$1.5 million to support local JJSES planning and implementation grants and awarded first-round grants to 29 counties.

Act 42 of 2012 amended the Juvenile Act to require the JCJC to expand the collection and analysis of data related to the effectiveness of programs and practices, and to "make recommendations concerning evidence-based practices" to judges, the Administrative Office of Pennsylvania Courts, and other entities.

The EBP 101 curriculum was developed and distributed statewide through train-the-trainer events.

Act 204 of 2012 amended the purpose clause of the Juvenile Act to require the employment of evidence-based practices whenever possible.

The JJSES Provider Workgroup was established in order to share information about evidence-based practices and the SPEP.

The publication *A Family Guide to Pennsylvania's Juvenile Justice System* and a "family involvement" curriculum were completed and distributed.

Chapter 1 of the *JJSES Implementation Manual*, which included Stage 1 "tools," was developed and distributed.

## 2013

The PA Council of Chief Juvenile Probation Officers supported the implementation of the PaDRAI.

JCJC conditioned eligibility for participation in its Juvenile Probation Services Grant Program upon implementation of the YLS/CMI risk/needs assessment instrument.

The Juvenile Justice Reinvestment Initiative (JJRI) provided additional funding to counties in support of JJSES implementation and PCCD's evidence-based programming, and to expand/sustain the PACTT initiative.

The *Restitution in Pennsylvania Task Force Final Report* was published and widely distributed throughout the Commonwealth.

The Balanced and Restorative Justice Implementation Committee and the JJSES Workgroup were merged into one entity with responsibility for overseeing the advancement of the goals of balanced and restorative justice using a comprehensive approach.

JCJC required FY 2013/14 Juvenile Probation Services funding to be contingent on the implementation of specific evidence-based practices and on the general implementation of the JJSES.

PCCD awarded second and third rounds of grants to support county JJSES planning and implementation.

JCJC released recidivism data for the years 2007–2009.

Chapter 2 of the *JJSES Implementation Manual*, including Stage 2 "tools," was developed and distributed.

SPEP counties were expanded to include Allegheny, Bucks, Dauphin, and Lehigh, in addition to the pilot county, Berks.

Train-the-trainer sessions were held on the Four Core Competencies curriculum.

The first annual JJSES Leadership Forum was held in order to focus on JJSES implementation support for administrators.

The JJSES Rural County Summit, sponsored by McKean County, was held and a report entitled *Juvenile Justice Evidence-Based Practices in Rural Communities: Challenges and Solutions* was distributed.

## 2014

The JCJC Orientation of New Probation Officers curriculum was redesigned to incorporate JJSES concepts.

The PaDRAI was incorporated into the PA Juvenile Case Management System (PaJCMS).

A workgroup was formed to develop guiding principles and protocols for implementing graduated responses.

PA was one of three states chosen to participate in the Council of State Governments' national Positioning Juvenile Justice Systems to Track Youth Outcomes Pilot Project.

The Quality Case Planning curriculum was developed and distributed statewide through a train-the-trainer event.

The motivational interviewing (MI) protocol was updated.

## 2015

PA's Detention Risk Assessment Instrument (PaDRAI) validation study was completed and a statewide rollout strategy was developed.

The series of JJSES key concept "bench cards," including cards on topics such as the YLS/CMI, professional alliance traits, evidence-based practices in juvenile justice, and SPEP, continue to be developed and distributed.

The *Case Planning Handbook—YLS/CMI Version* was created and distributed statewide.

The *Motivational Interviewing Handbook* was completed.

The report *Juvenile Justice System Enhancement Strategy Evidence-Based Practices Implementation (2012–2014)* was distributed.

Chapter 3 of the *JJSES Implementation Manual*, including Stage 3 "tools," was developed and distributed.

A consultant was hired to support statewide implementation of MI.

Lifetime access to the *Brief Intervention Tools (BITS)* resource was provided statewide to juvenile probation departments.

Five counties served as pilots for the use of newly developed iDashboard technology; statewide distribution to be ongoing.

EBP Personnel Performance Evaluations were distributed in conjunction with the annual JJSES Leadership Forum.

Five regional motivational interviewing (MI) training sessions for juvenile court judges and juvenile court masters were conducted across the state.

The monograph *Advancing Balanced and Restorative Justice Through Pennsylvania's Juvenile Justice System Enhancement Strategy* was distributed in conjunction with the 2015 James E. Anderson Pennsylvania Conference on Juvenile Justice.

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## ADDITIONAL RESOURCES

The additional resources below may be useful for those wishing to learning more about Pennsylvania's balanced and restorative justice goals.

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## USING RESEARCH TO INFORM PRACTICE

This monograph highlights the interrelationship between Pennsylvania's Juvenile Justice System Enhancement Strategy (JJSES) and Balanced and Restorative Justice (BARJ). The JJSES is a means to an end—a means to achieving our statutory mission and our BARJ goals. The success of the JJSES initiative is not measured by the number of counties using actuarial assessment instruments, engaged in motivational interviewing, or delivering cognitive behavioral interventions; rather, the success of the JJSES initiative is determined by how it improves our ability to achieve the goals of balanced and restorative justice—community protection, competency development, and accountability.

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