

**Advancing Balanced and Restorative Justice through the
Juvenile Justice System Enhancement Strategy
(JJSES)**

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Pennsylvania

Balanced and Restorative Justice

**“Community Protection
Victim Restoration
Youth Redemption”**

Three Clients:

Community – Victims – Youth

Balanced Attention

Three goals:

Community Protection

Accountability

Competency Development

Balanced and Restorative Justice 1995 (Law and Mission)

Balanced and Restorative Justice

- The protection of the community
- The imposition of accountability for offenses committed
- The development of competencies to enable children to become responsible and productive members of the community

System Enhancement Strategy

- Risk Reduction
- Harm Reduction
- Earned Redemption

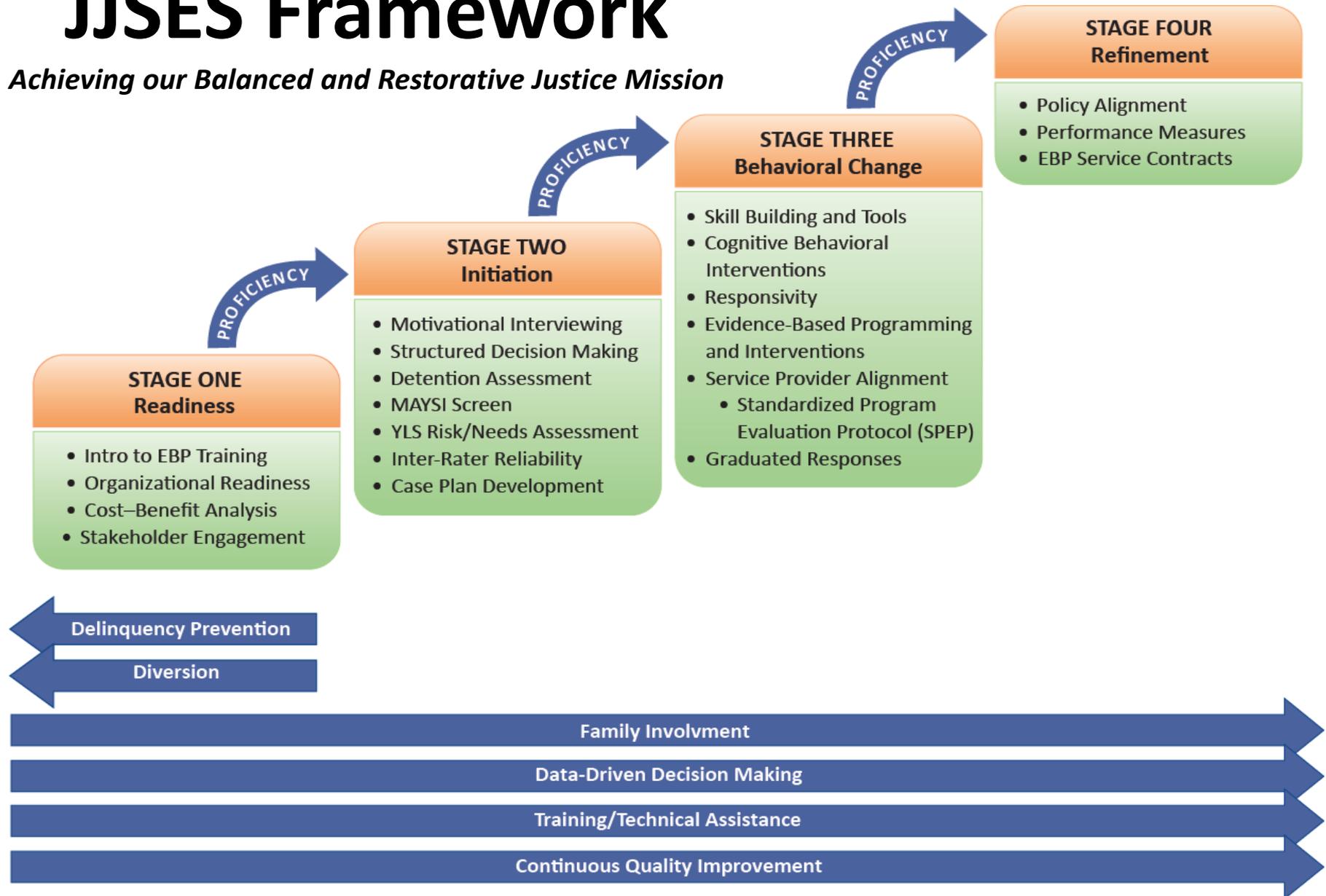
JJSES Statement of Purpose

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.**

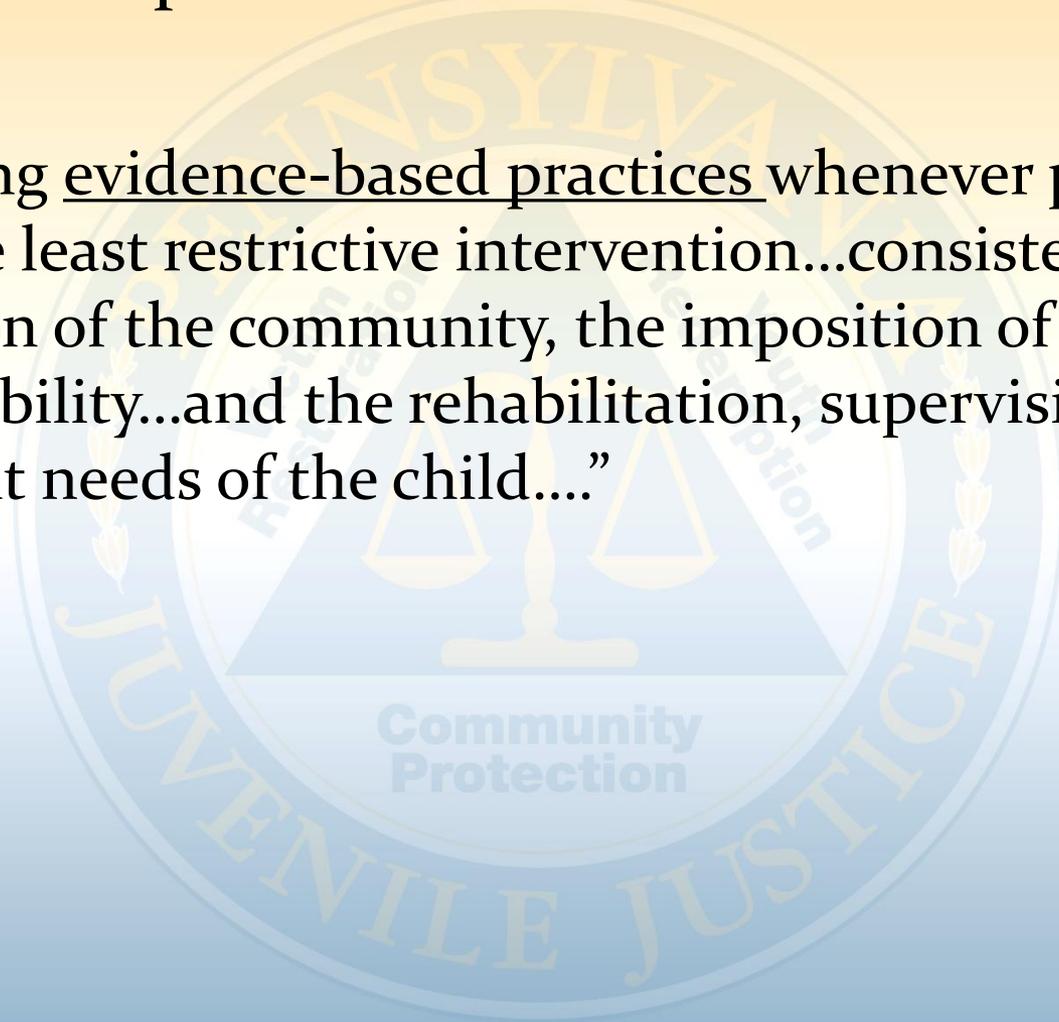
JJSES Framework

Achieving our Balanced and Restorative Justice Mission



Purpose Clause Revised in 2012

- Employing evidence-based practices whenever possible...by using the least restrictive intervention...consistent with the protection of the community, the imposition of accountability...and the rehabilitation, supervision, and treatment needs of the child....”



Grant in Aid and JJSES

- Juvenile Justice Reinvestment Initiative has increased funding to Probation Departments that implement JJSES
- JPO must submit a JJSES implementation plan
- JCJC must approve JPO implementation plan before funds are released

Increased knowledge around “what works” in reducing recidivism

- Based on over thirty years of research
- Well designed programs that meet certain conditions can reduce recidivism
 - Risk Principle (Who to Target)
 - Need Principle (What to Target)
 - Responsivity Principle (How to Match)
 - Treatment Principle (Which Programs to Use)

A Broader View:

8 Evidence-Based Principles of Effective Intervention

1. Assess risk and needs
2. Enhance intrinsic motivation
3. Target interventions
4. Skill train with directed practice using cognitive behavioral treatment methods
5. Increase positive reinforcement
6. Engage ongoing support in natural communities
7. Measure relevant processes and practices
8. Provide measurement feedback

**SOURCE: Implementing Evidence-Based Practices In Community Corrections:
The Principles of Effective Intervention, National Institute of Corrections**

Criminogenic Needs Identified in YLS PA's JJ Risk/Needs assessment

Top 4 + one

1. Attitudes/Orientation
2. Personality/Behavior
3. Peer Relations
4. Family Circumstances

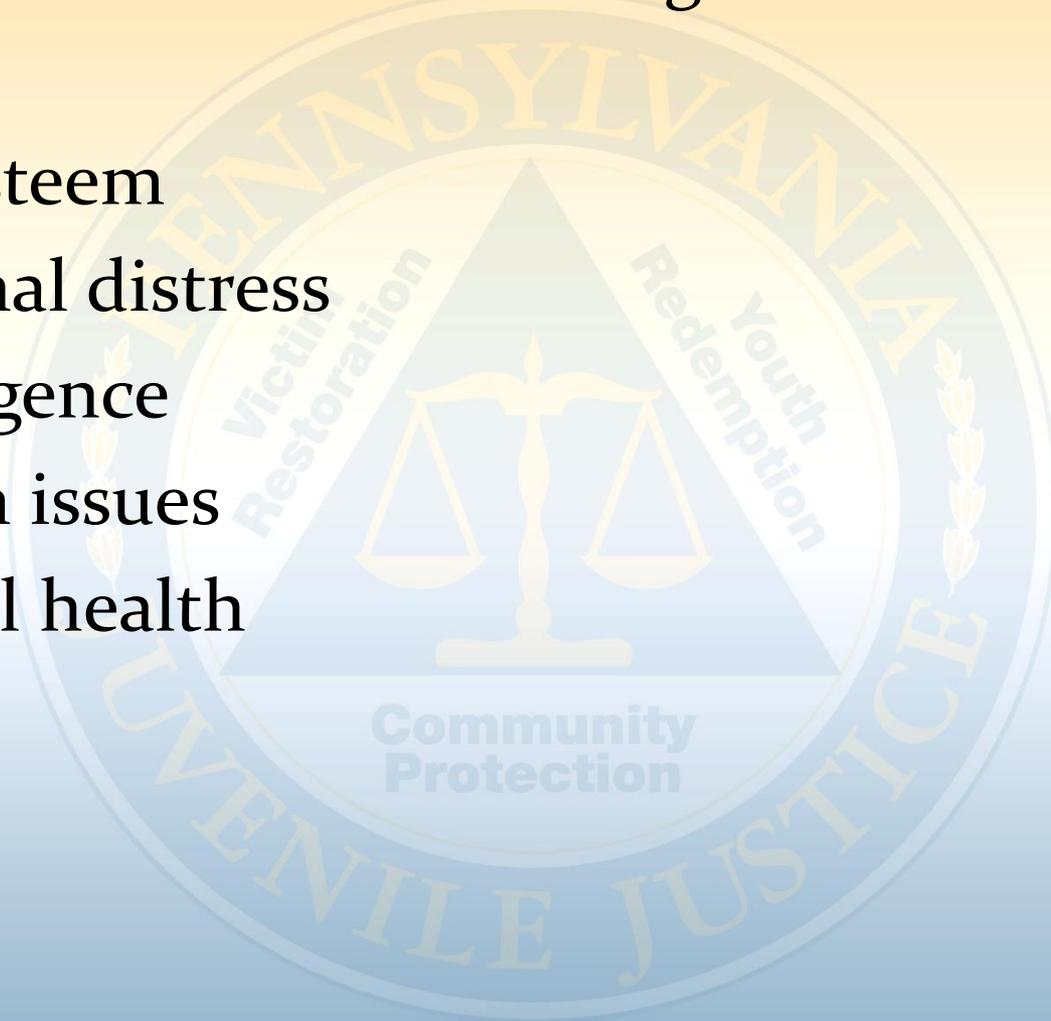
Next 4

1. Substance Abuse
2. School/Education
3. Employment
4. Leisure

- Prior/Current Offenses
(static)

Non-Criminogenic

1. Self-esteem
2. Personal distress
3. Intelligence
4. Health issues
5. Mental health



The Case Plan – Tying it all Together

- No YLS without Case Plan and vice versa.
- Blueprint for juvenile, family, provider
- Includes conditions of supervision, judicial directives, and specific (SMART) goals, objectives, activities
- BARJ Framework
- Establishes priorities and directs all parties toward specific activities
- Focuses on “what works”
- POs need flexibility to develop CP based upon YLS results, etc.

Accountability Goal White Paper

- Process of defining and repairing harm with input from the crime victim
- Juvenile Justice has responsibility to ensure offenders meet their obligations and to honor and protect victims' rights
- Restoring victims to their pre-crime status to the degree possible
 - Victims Rights
 - Restitution
 - Meaningful Community Service
 - Opportunities for Victim/Offender Dialogue

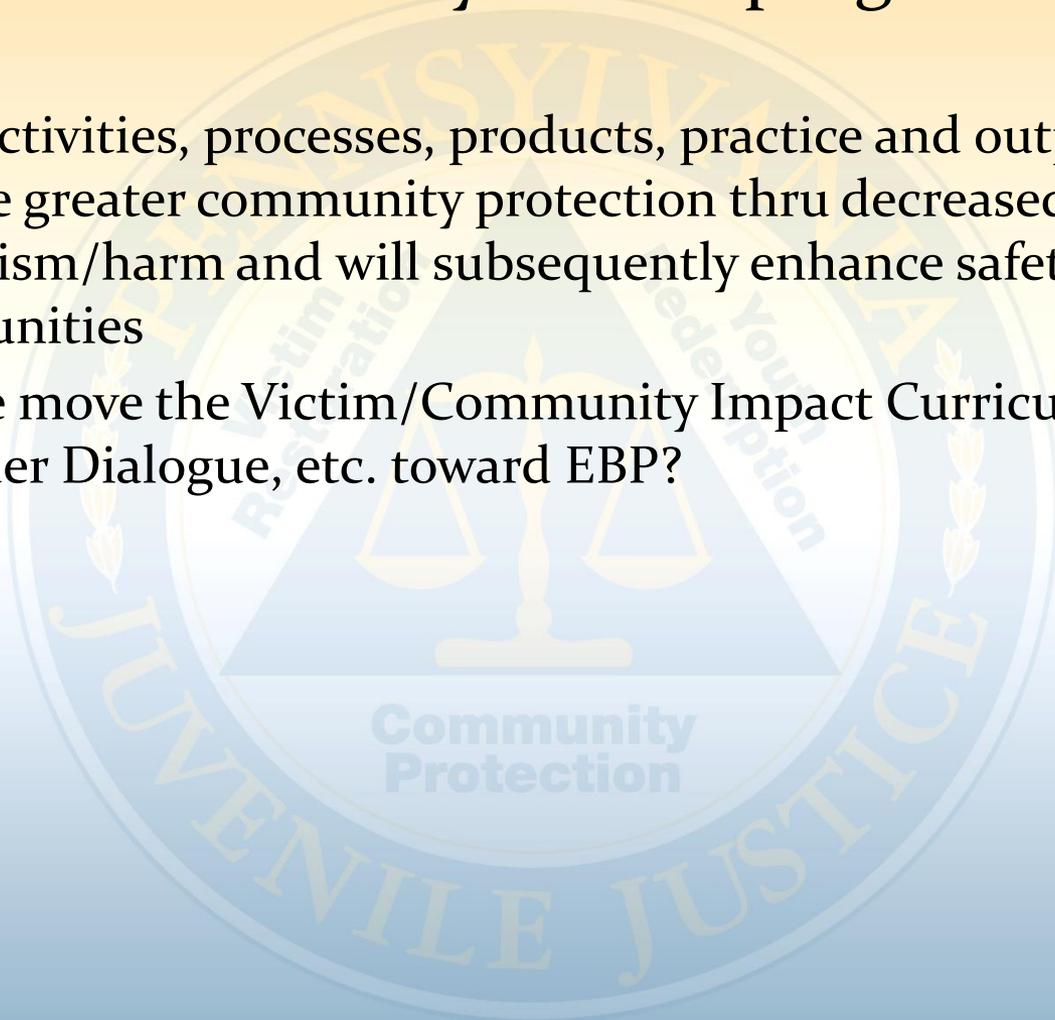
Accountability Goal

The process of understanding and acknowledging

- The wrongfulness of their actions
- The impact of the crime on the crime victim and the community
- The obligation to take action to repair the harm

Accountability related programs

- JJSES activities, processes, products, practice and outputs will achieve greater community protection thru decreased recidivism/harm and will subsequently enhance safety in our communities
- Can we move the Victim/Community Impact Curriculum, Victim Offender Dialogue, etc. toward EBP?

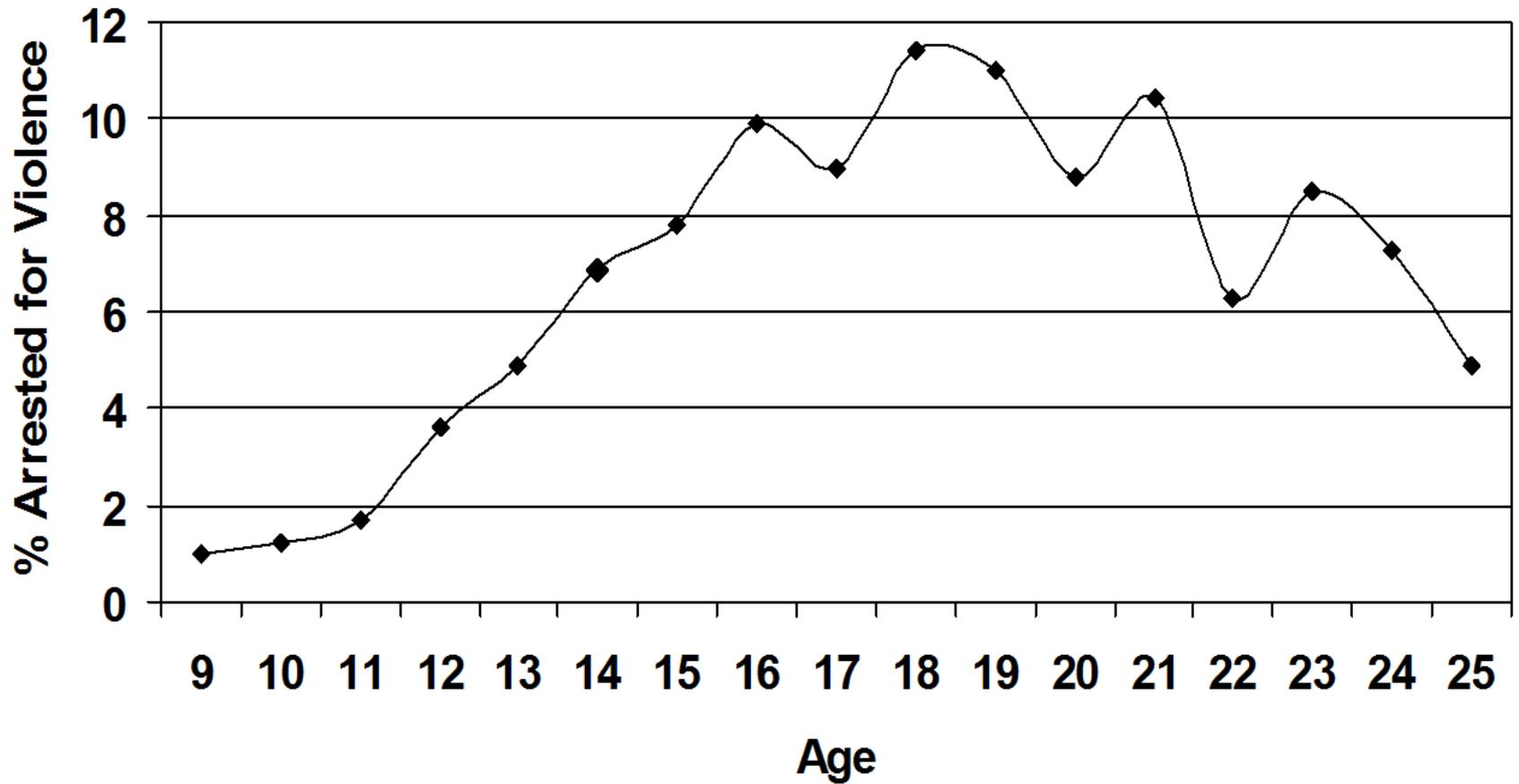


Community Protection White Paper

The process of contributing to safe communities through prevention, supervision, and control.

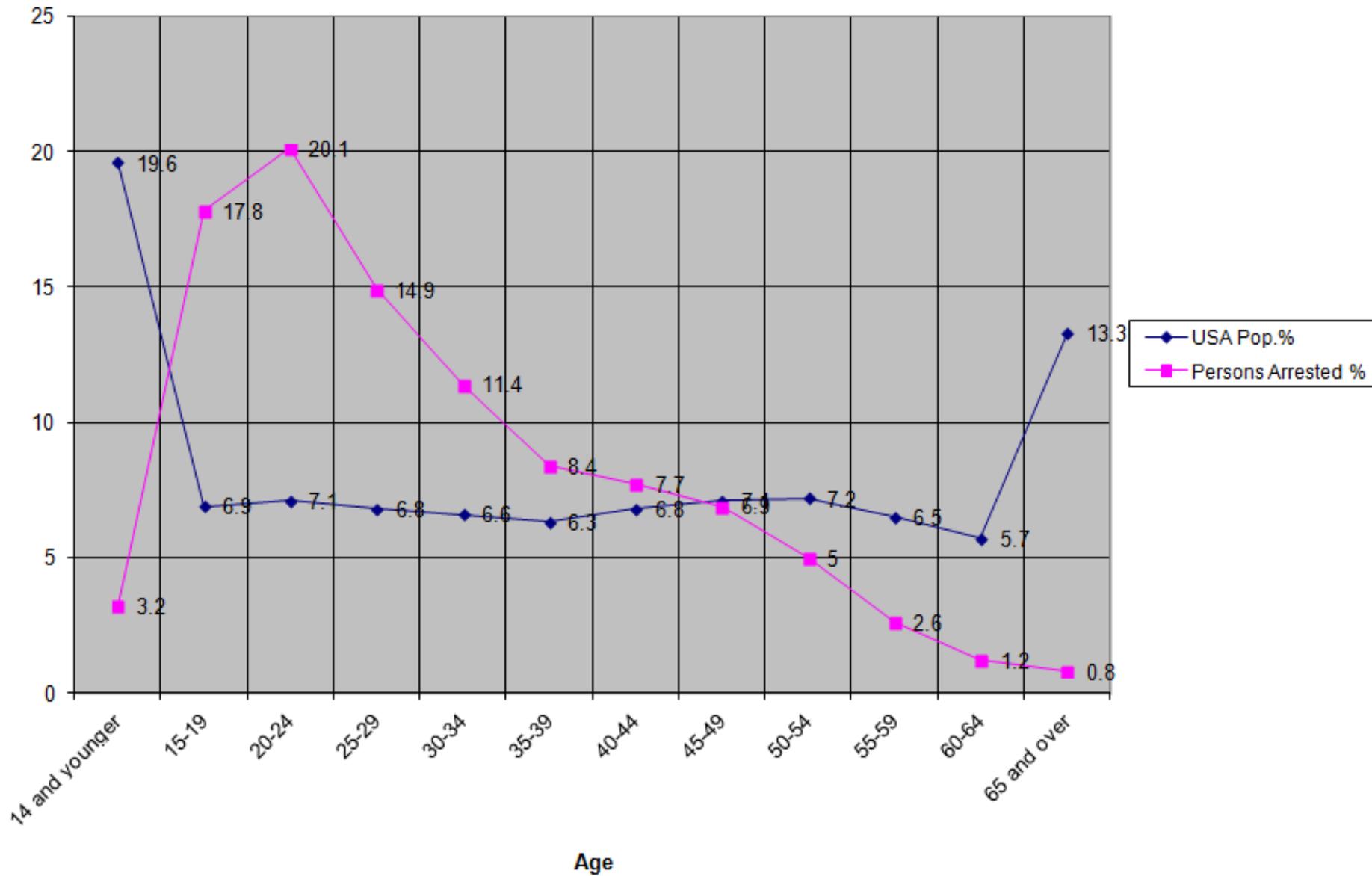
- Identify the Risk
- Manage the Risk
- Minimize the Risk
- Communities are a key partner in public safety by being actively engaged in the juvenile justice system and crime prevention.

A BIG challenge: Reducing the age-crime curve violent crime



Source: Loeber & Farrington, 2012

USAPop % and Persons Arrested % 2011 sourcebook



Community Protection and JJSES

Surveillance techniques alone - Ineffective

- Surveillance and control measures alone provide short term suppression effect only.
- Restrictions on liberty **AND** treatment can yield positive long term results
- Used in conjunction with CBT, sanctions and controls can be very effective

Community Protection and JJSES

Sanctions and Rewards

Sanctions

Must be:

- Swift
- Certain
- Proportionate

Rewards

- Research supports the use of rewards at 4:1 ratio with sanctions
- Don't need to be costly (word of praise, token of appreciation, etc.)

Community Protection Responding to Violations

- PO must be clear in explaining rules expectations (Case Plan).
- Respond promptly to every violation
 - Ignoring violations encourages more violations

Response must consider:

- Offense history
- Risk level
- Nature of violation

Violations are most often associated with a risk factor

1. It is usually one of the top five most influential risk factors.
 1. Antisocial cognitions
 2. Coping skills (poor problem solving, impulsivity, emotional regulation)
 3. Antisocial peers
 4. Family stressors
 5. Substance abuse
2. Effective responses to non-compliance address the **risk factor** rather than purely focusing on the behavior.

The Carey Group

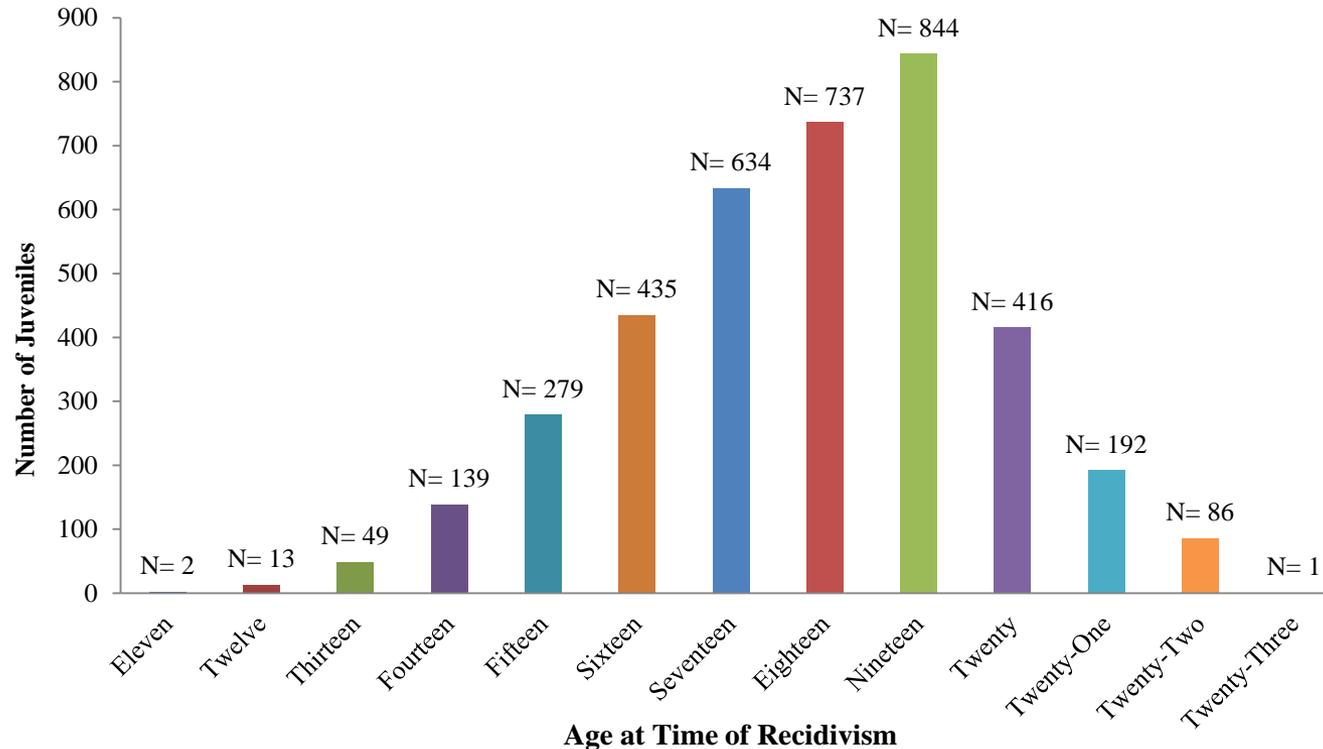
Statewide Recidivism Measure – Looks beyond Case Closure

- While our intermediate outcomes are good, what is the recidivism rate following case closure?
- JCJC and the Chief's Council have agreed on a measure of recidivism.
 - Any Misdemeanor or Felony adjudication or conviction within two years after a case is closed.

Community
Protection

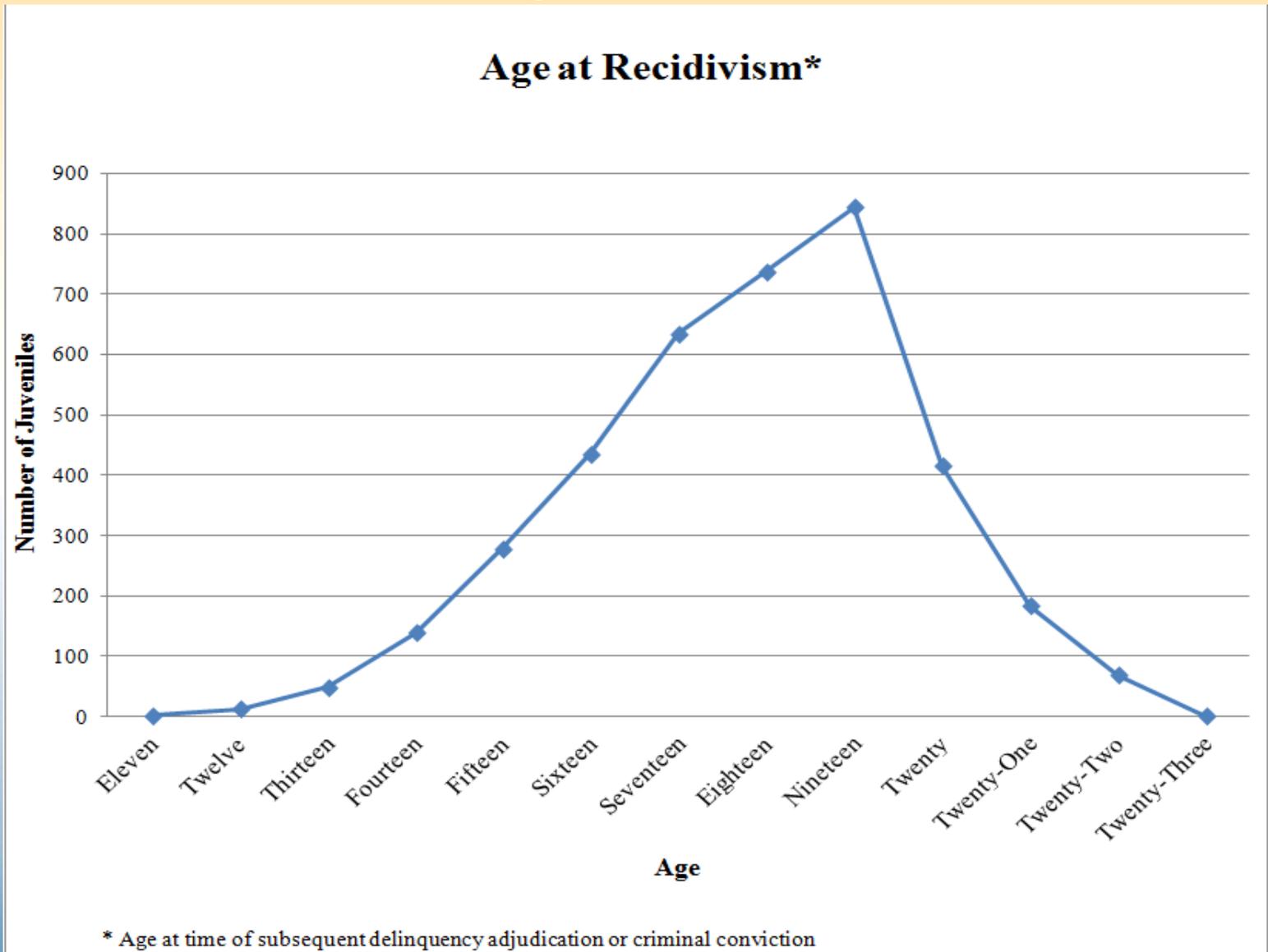
Age at Time of Recidivism

Age at Time of Recidivism for Juveniles with a 2007 Case Closure



- The average and median age at the time of re-offense was eighteen years.
- More than half of recidivists (N= 2,215) were between the ages of seventeen and nineteen when they re-offended.

Goal: Bend the age-crime curve in PA



Definitions

- Serious offender: a juvenile who was ever adjudicated delinquent for one of the following offenses: burglary, theft (felonies only), arson, drug trafficking (manufacture/deliver/possession with intent to deliver), and extortion (theft by extortion).
- Violent offender: a juvenile who was ever adjudicated delinquent for one of the following violent offenses: homicide or non-negligent manslaughter, rape, robbery, aggravated assault, kidnapping, and select firearms/weapons offenses.
- Chronic offender: a juvenile who has four or more previous written allegations for separate incidents (including the written allegation for the 2007 case closure).
- Child offender: a juvenile who was adjudicated delinquent under the age of 13.

Offending Career Paths of Child Offenders: Juveniles with a 2007 Case Closure

Justine Fowler, JCJC

- 4% (N= 786) of all juveniles with a 2007 case closure were **child** offenders.
- 17% (N= 130) of child offenders became **serious** offenders (versus 5% of non-child offenders).
- 18% (N= 142) of child offenders became **violent** offenders (versus 5% of non-child offenders).
- 43% (N= 339) of child offenders became **chronic** offenders (versus 13% of non-child offenders).

Serious Offenders in Pennsylvania: Juveniles with a 2007 Case Closure Justine Fowler, JCJC

- 6% (N= 1,086) of ALL juveniles with a 2007 case closure were **serious** offenders; 34% of **serious** offenders were recidivists.
- 6% (N= 1,067) of ALL juveniles with a 2007 case closure were **violent** offenders; 31% of **violent** offenders were recidivists.
- 14% (N= 2,608) of ALL juveniles with a 2007 case closure were **chronic** offenders; 37% of **chronic** offenders were recidivists.

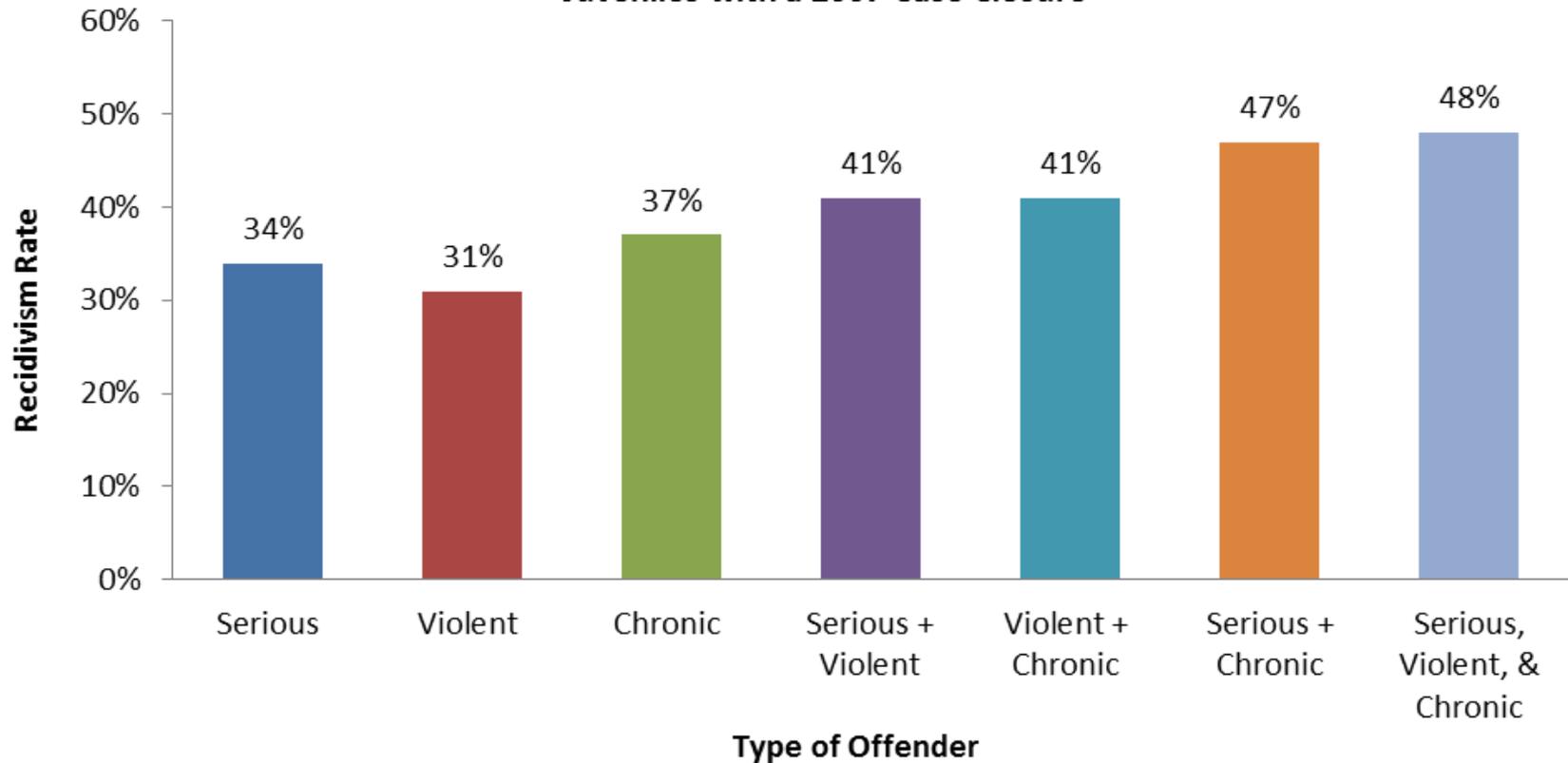
Serious, Violent, and Chronic Offenders

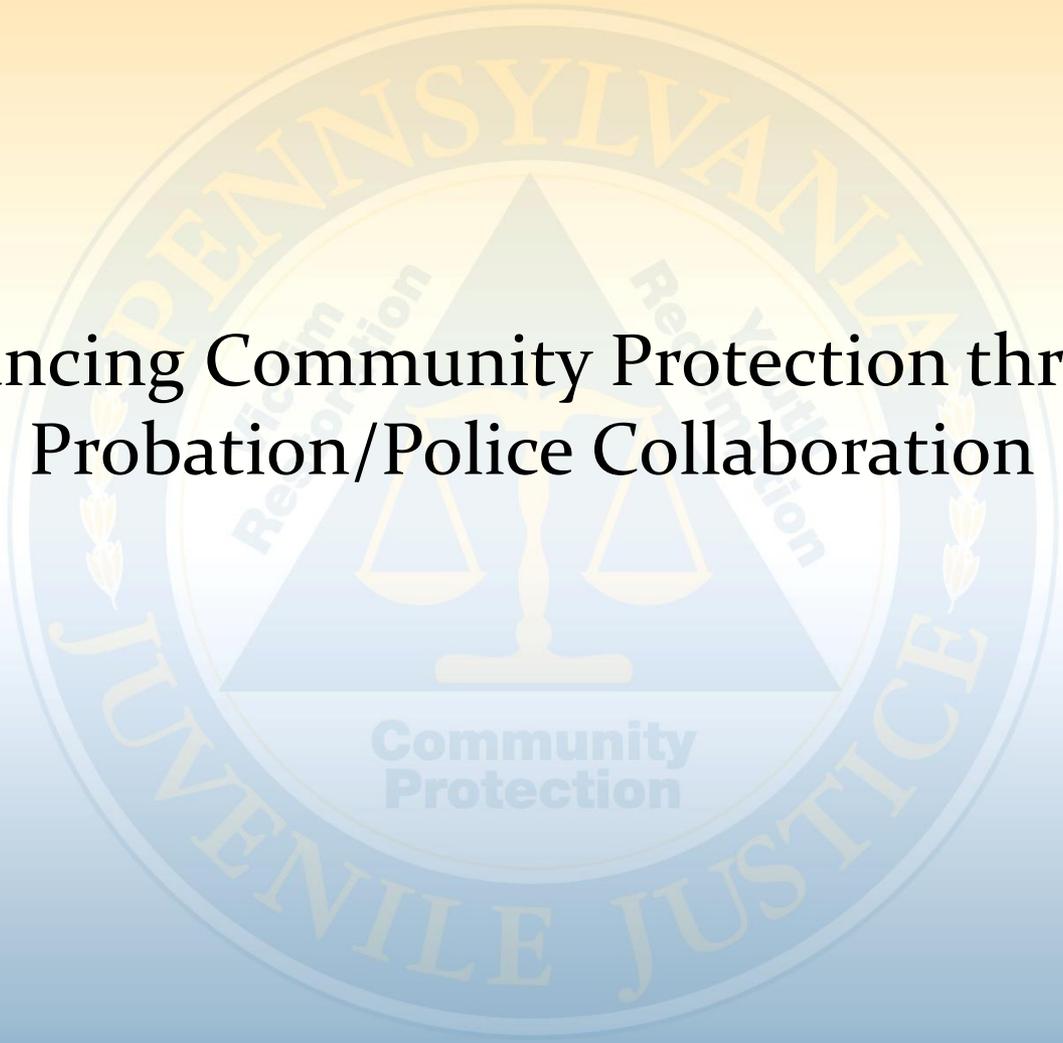
Justine Fowler, JCJC

2007 Case Closure data

- Of the 3,825 juvenile recidivists in the 2007 data, 1% (N=37) were serious, violent, and chronic offenders
- 48% of these offenders recidivated.
- Single strongest risk factor: prior delinquent behavior
- Best predictor of future behavior is past behavior

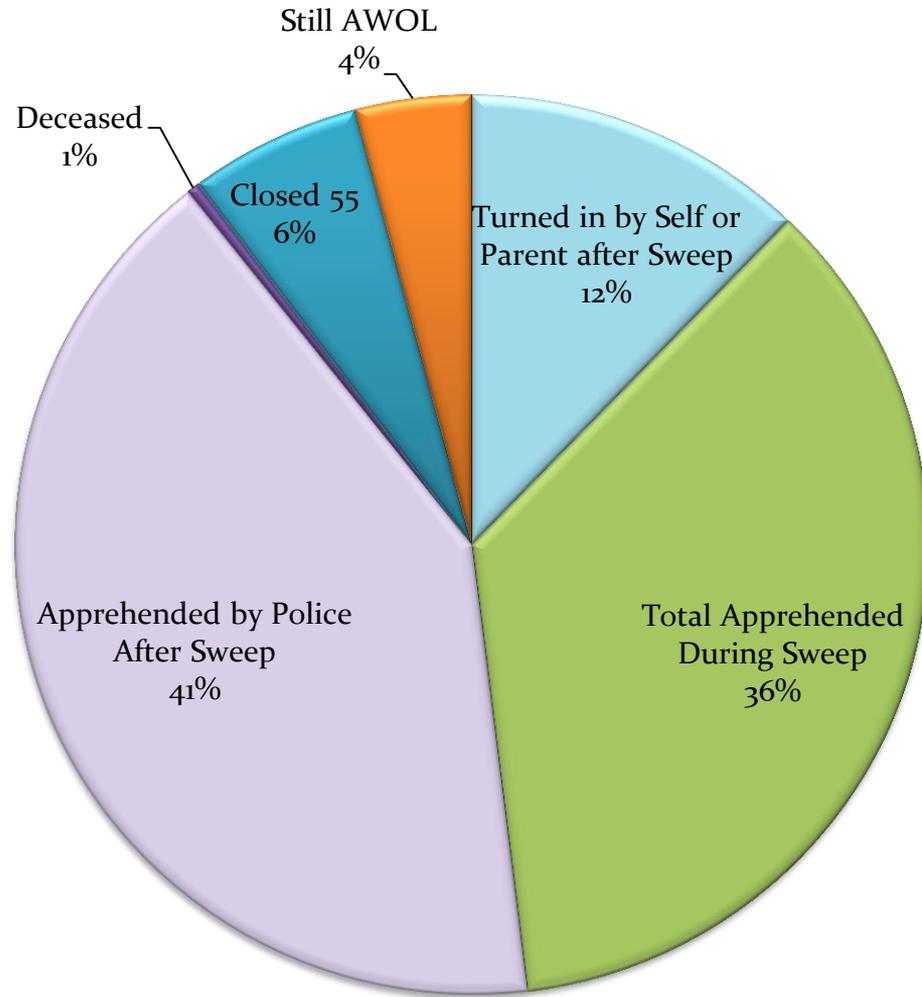
**Figure 50: Recidivism Rates of Serious, Violent, and/or Chronic Offenders:
Juveniles with a 2007 Case Closure**



The seal of the Pennsylvania Department of Juvenile Justice is a circular emblem. It features a central golden scale of justice set against a blue triangle. The words "RESTITUTION" and "REPARATION" are written in a circular path around the scales. Below the scales, the words "Community Protection" are written in a blue, sans-serif font. The outer ring of the seal contains the text "PENNSYLVANIA" at the top and "JUVENILE JUSTICE" at the bottom, separated by decorative flourishes.

Enhancing Community Protection through Probation/Police Collaboration

Allegheny Warrant Unit totals 2004 through July of 2013

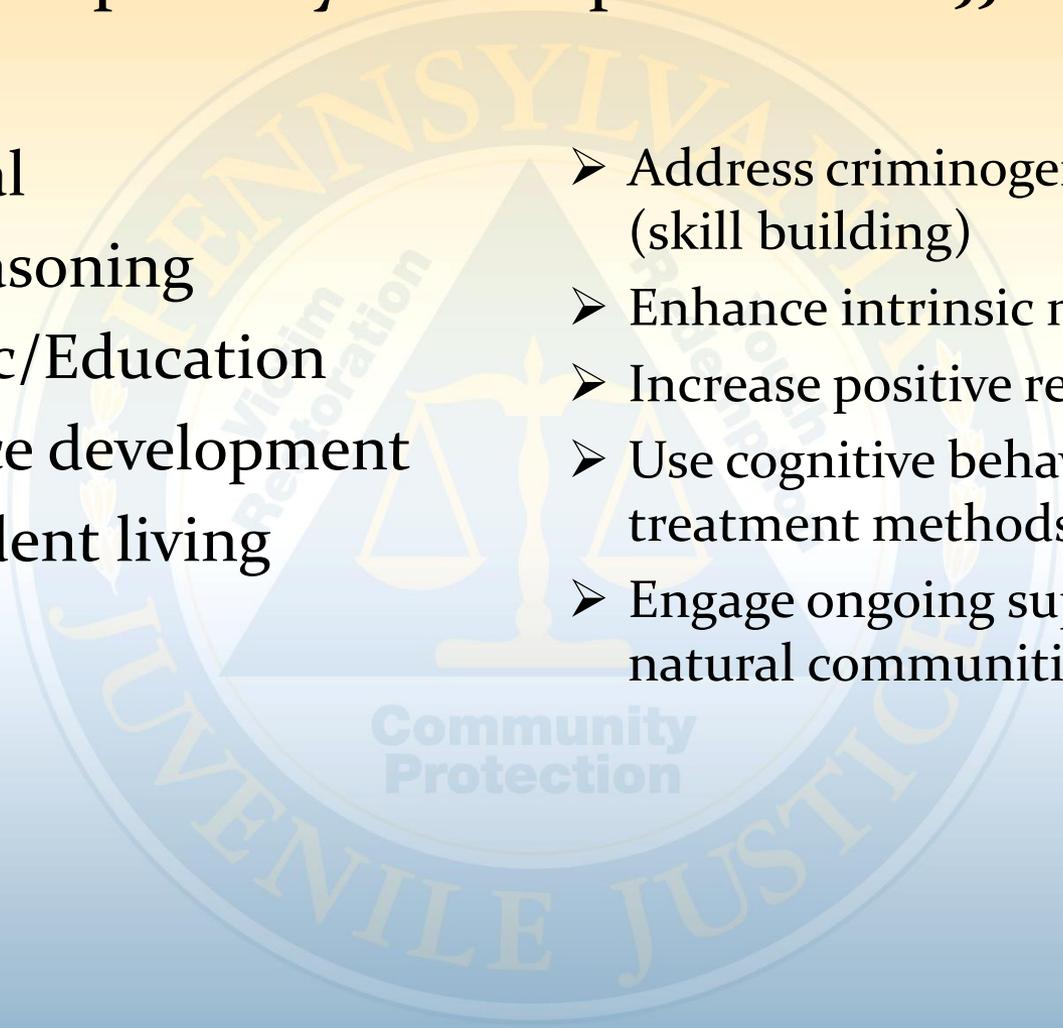


Pittsburgh Initiative to Reduce Crime (PIRC) began 2010

- PIRC deterrence strategy designed to reduce gun violence in the City of Pittsburgh
- Pittsburgh Police/Probation identified gang involved offenders to target
- Those id'd were called in and advised of the program
- PIRC “Responses or Sweeps” with Pgh Police, JPO, APO, Parole, State Police, Sheriff’s, others
- Police/Probation Collaboration

Competency Development and JJSES

- Pro-Social
 - Address criminogenic needs – (skill building)
- Moral reasoning
 - Enhance intrinsic motivation
- Academic/Education
 - Increase positive reinforcement
- Workforce development
 - Use cognitive behavioral treatment methods
- Independent living
 - Engage ongoing support in natural communities



Competency Development

Academic and Workforce Development

- Important regardless of Risk level
- PACTT Focus
- Credit Recovery and academic advancement
- Career and technical training
- For those entering placement –
 - Curriculum Alignment and Credit Recovery
 - CTE
 - Transition to Home School/Tech Training/Job
- Key BARJ component leading to productive citizenship

PACTT Transition to BJJS

- BJJS to assume PACTT (JJRI)
- Build on work PACTT has done since its inception
- Align academic programming with state standards
- Coordinate provider schools with local school districts
- Promote remediation and credit recovery and transfer
- Develop employability skills and job readiness skills
- Develop CTE programs that lead to industry recognized certification
- Obtain job that leads to productive citizenship

PACTT Transition to BJJS contd

- Transitioning through 6/30/14
- Current PACTT staff working with BJJS through June 2014
 - Executing Steering Committee Oversight (DPW, JCJC, Chief's Council, PCCD, PCCYFS, PDE, PA Council of CYF, others)

New BJJS Structure:

- 3 CTE Associates (west, central, east)
- 1 Basic Education Advisor

PACTT Transition to BJJS contd

Work with affiliates (36), PDE, IU, Probation, etc.

- Support and expand programming, remove barriers, connect to resources and be available to consult with affiliates
- Work with those seeking affiliation
- Train and educate probation departments
- BARJ strategic plan will reflect PACTT goals and benefit from its structure

PACTT Transition to BJJS contd

- \$600,000 in “Micro Grants” made available to affiliates through PCCD
- Grants of up to \$25,000 made available to community based (day/evening) and residential providers
 - Improve, expand current CTE programming
 - Purchase/upgrade equipment (computers, culinary program, woodshop, graphic design, fiber optics, greenhouse, automotive)

PACTT Transition to BJJS contd

PACTT and Probation

Develop training for JPO

- Enhancing understanding and connection to PACTT
- Improve Case Planning and compliance monitoring of academic and career/technical training, a fundamental BARJ tenet
- Three Education Specialists in Allegheny County (Needs Based Budget)
 - How to develop these capabilities in your jurisdiction

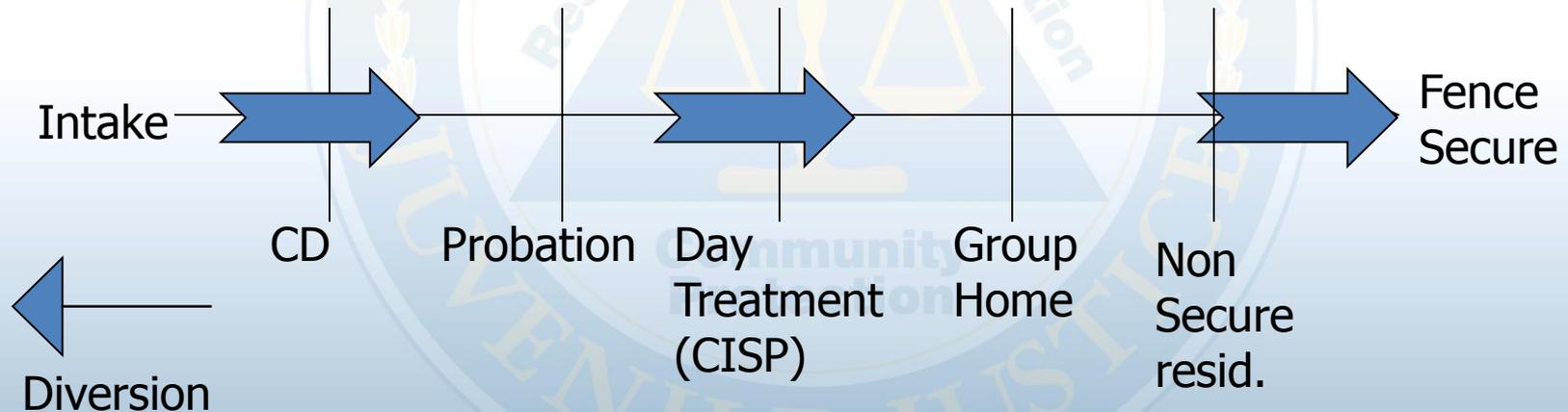
PACTT Transition to BJJS contd

Technical Assistance and Support for Affiliates:

- Provide literacy and learning strategies program
- Provide Career Pathways Training
- Apprise affiliates of training and career networking opportunities
- Provide updates/feedback at Chiefs/Provider Meeting
- Coordinate and clarify data requirements
- Connect to community colleges and trade schools and ID online opportunities

Risk/Needs Results
Continuum of Services
Least Restrictive Alternative

Risk determines system penetration



Needs determine services within each level

RESULTS DRIVEN PRACTICE

Professional judgment alone



Use of actuarial tool



Actuarial tool and professional judgment



Balanced and Restorative Justice Goals for 2014

- **Align work with Stage 3 and Stage 4 of JJSES**
- **Develop a white paper on BARJ/JJSES integration**
- **Develop measures for Productive, Connected Citizenship**
- **Assess gaps in services as per the BARJ survey**
- **Advance the use of the Victim/Community Awareness Curriculum and other victim related services**
- **Advance the Family Involvement training and continue to distribute the PA Family Guide**
- **Enhance restitution practices**
- **Promote additional research regarding the influence of Balanced and Restorative Justice**

What Can We Expect?

**Harm reduction =
reduced recidivism,
fewer victims,
involved families
safer and stronger communities,
reduced taxpayer costs,
more confidence in our juvenile justice system**

Thank You

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