

# **Winning Combinations**

## ***Establishing Benchmarks for Success in Juvenile Probation***

**By John Franz**

*Without objective benchmarks, comparing alternative approaches for invigorating our communities' juvenile justice systems can devolve into a campaign of competitive rhetoric. But by identifying the basic functions and attributes held in common by effective juvenile justice programs throughout the country, communities can not only compare potential models, but also develop frameworks for combining the best aspects of the various alternatives.*

### **Paradigms on parade**

A battle is being waged in the worlds where juvenile justice systems are designed. The retribution approach, with its narrow emphasis on confinement and its disdain for community-based services, is beginning to falter. New alternatives are vying to replace it. Certain treatment approaches, most notably those using a cognitive-behavioral or a family-systems methodology are gaining increased attention. Some comprehensive case management strategies are demonstrating good results. A new philosophy, the balanced approach to restorative justice, is continuing to pick up steam even a decade after its introduction. The conflict is being waged in grant proposals, pilot projects, draft statutes, and research studies. The punitive model won the hearts of the public by convincing them that treatment doesn't work and is a waste of money. The various approaches struggling to overcome that perception must do so not only with solid outcome data but also with a vision of what justice means that makes sense to citizens, policy makers and the men and women who work in the various segments of our juvenile justice systems. At present, however, the contenders seem to be taking as many shots at each other as they are at the dominant paradigm.

The ground rules for resolving these conflicts have been murky. Although everyone wants to demonstrate improved outcomes, they disagree about what outcomes to measure. In addition, the various models don't really compare that easily with one another. And while there are many similarities among the proposals, critical differences in structure, operations and purpose remain. What's needed is a meaningful yardstick that would allow us to compare and contrast all of these efforts within a consistent context. Fortunately, a prototype for just such a tool has been suggested.

### **Consider the gauntlet tossed**

In a recent article in the journal *Crime and Delinquency*, a group of authors associated with the new treatment models issued a challenge to advocates for the balanced approach to restorative justice philosophy (BARJ). Sharon Levrant, Francis Cullen, Betsy Fullen and John Wozniak urged caution in its rapid adoption. "Although this approach has value," they wrote, "its ready embrace as a progressive reform is problematic in two respects. First, the risk exists that restorative justice programs will be corrupted to serve nonprogressive goals and thus do more harm than good. Second, there is little reason to anticipate that restorative justice programs will have a meaningful effect on recidivism. Thus, restorative justice should be viewed and implemented with caution."<sup>1</sup>

The article has four sections. The first summarizes the authors' sense of the key values of BARJ. The second identifies four ways the authors feel that the adoption of BARJ principles could

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<sup>1</sup> Levrant, S., Cullen, T., Fulton, B. & J. Wozniak (1999). "Reconsidering Restorative Justice: The Corruption of Benevolence Revisited?" *Crime and Delinquency*, vol 5, n. 1, pp. 3-27.

cause more harm than good. The third extracts a series of functional benchmarks for juvenile justice systems from the results of current research and assesses BARJ using this new yardstick. Finally, the authors propose a solution by suggesting that communities combine BARJ with rehabilitative services that have proven successful in reducing recidivism in medium and high risk offenders.

The article is not a good source for information about BARJ. In their summary, the authors portray the restorative justice model as only focusing on accountability. As they state it, “Within a restorative justice framework, this goal of punishment for its own sake [as implemented in our current retributive approach to juvenile justice] is replaced with the goal of restoration – of repairing harm and rebuilding relationships.” In fact, BARJ seeks to balance three goals by addressing not only accountability, but also public safety and competency development. However, this weakness in the article is mitigated by research cited by the authors demonstrating that regardless of the principles that may underlie BARJ, its implementation often boils down to victim-offender mediation, restitution and/or community service.

### **Looking beyond form to function**

While it is important to explore the possibility that our best intentions will have unintended negative consequences, the real contribution offered by this article is the benchmarking process the authors create in its third section. At present, the dominant strategy for disseminating innovations in juvenile justice has been through the replication of successful pilot projects. But replication has always been difficult. Each city or county or state is different. Important but subtle underlying factors favoring success in one area may not be present in another.

Levrant and her colleagues have found a way to overcome these difficulties by proposing a set of factors that define functional goals for effective juvenile justice programs, regardless of the kind of approach being used. These standards emphasize what needs to be accomplished to reduce recidivism. That leaves each community to find the best way of carrying out each of the functions.

The metrics proposed by the authors were derived from an examination of a line of research in juvenile justice consisting of “meta-analyses”, collective reviews of many individual studies to find common elements of success. The resulting list consists of common features shared by programs that have been shown to achieve significant reductions in youth recidivism. The articles cited by Levrant, Cullen and their associates as sources for their summary include massive studies by Don Andrews, Mark Lipsey, Roelf Loeber and others.<sup>2</sup> From these studies they extract the following common elements of successful programs:

1. These programs address the importance of matching offenders to services based on their risk, need and personal characteristics.<sup>3</sup>
2. The programs are based on behavioral or cognitive-behavioral principles.
3. The programs occupy 40 to 70 percent of high-risk offender’s time.
4. They last at least 23 weeks.

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<sup>2</sup> Some of the references include: Lipsey, Mark and David Wilson. 1998. “Effective Intervention for Serious Juvenile Offenders: A Synthesis of Research” Pp. 313-45 in *Serious and Violent Juvenile Offenders: Risk Factors and Successful Interventions*, edited by R. Loeber and D.P. Farrington. Thousand Oaks, CA: Sage; Andrews, D.A., Ivan Zinger, Robert D. Hoge, James Bonta, Paul Gendreau and Francis T. Cullen. 1990. “Does Correctional Treatment Work? Clinically and Psychologically Informed Meta-Analysis.” *Criminology* 28:369-404; and, Izzo, Rhena and Robert Ross. 1990. “Meta-Analysis of Rehabilitation Programs for Juvenile Offenders: A Brief Report.” *Criminal Justice and Behavior* 17:134-42.

<sup>3</sup> Matching by risk goes two ways: high risk offenders require long-term intensive programs to achieve reduced recidivism, but placing low-risk offenders in such programs can actually increase recidivism rates because of the likelihood that some of these youth will be revoked for technical violations of the programs, even though they commit no further crimes.

5. They employ service providers who relate to offenders in interpersonally sensitive and constructive ways and who are trained and supervised appropriately.
6. They use relapse prevention techniques to monitor and anticipate problem situations and train offenders to rehearse alternative behaviors.
7. Effective programs link offenders to other services in the community that are relevant to their needs.

How much of a difference does it make when programs follow these principles? Levrant and Cullen state that:

Meta-analyses of correctional interventions have found that programs that meet these principles are achieving, on average, a recidivism reduction of 50 percent. Interventions that depart from these principles have a dismal success rate. For example, a meta-analysis of studies on punishment and deterrence-based programs, such as intensive supervision, boot camp, Scared Straight programs, and electronic monitoring programs, revealed that these strategies produced slight increases in recidivism.<sup>4</sup>

### **Why buy two paradigms when you can have three for the same price?**

Levrant et al tested BARJ using each of the seven factors and found it lacking. This is not surprising, given their limited perspective of BARJ, and the fact that they can be identified as being in the treatment-focused camp. However, they resisted a temptation to stick with the either-or tactic often used in paradigm competitions and instead suggested that a better approach would be to combine BARJ with effective treatment services. In essence, to get the best of both worlds.

As innovative as the Levrant article is, perhaps there is at least one more step. Combining BARJ and good treatment programs will still leave a juvenile justice system weak on two of the most important functions in the list they created. Therefore a third paradigm must be added to the mix.

Neither BARJ nor treatment programs provide strong tools for carrying out the matching functions in the first element or the linking functions in the seventh. These actions occur at the system and cross-system levels and require moving from a narrow focus on a single categorical system like juvenile probation to include all of a community's youth and family services. However, by adding Wraparound's strength-based action planning process and infrastructure for cross-system integration to the insights of BARJ and the power of the new treatment modalities, communities will have the range of tools they need to achieve all seven of Levrant's benchmarks.<sup>5</sup>

To support this thesis, this article will provide a brief discussion of each benchmark and demonstrate how combining aspects of all three approaches can help communities strengthen their

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<sup>4</sup> Levrant, Cullen et al (1999). For additional detailed information on programs that work, readers should consult a new report from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) entitled *OJJDP Research: Making a Difference for Juveniles*, and also take a look at OJJDP's brand new Blueprints series. To obtain copies of these and many other articles, call the Juvenile Justice Clearinghouse at 800-638-8736, or visit OJJDP's website at [www.ojjdp.ncjrs.org](http://www.ojjdp.ncjrs.org).

<sup>5</sup> Space limitations prevent us from summarizing the primary components of BARJ and Wraparound in this article. They have been discussed in detail in several prior Journal articles and each has an extensive literature attached to it. See, for example, VanDenBerg, J. and Grealish, E.M., "Individualized services and supports through the Wraparound process: philosophy and procedures." *Journal of Child and Family Studies* (1996): 7-21 and Bazemore, Gordon and Kay Pranis. "Hazards along the way: Practitioners should stay true to the principles behind restorative justice." *Corrections Today*, v. 59 (1997): 84.

juvenile justice efforts, especially in the context of serving children and youth who have severe emotional disorders.

### **Matching youth with services based on risk, need and personal characteristics**

To carry out the first function effectively, a strategy must be applicable to a wide range of youth, operate within the economics and time lines of the juvenile justice system, and be sufficiently robust to withstand the caseload pressures of our country's overloaded juvenile courts. Also, careful attention must be paid to each of the three parameters for matching. With regard to risk, Levrant, et al note that "[S]everal studies have found that intensive services are necessary to achieve a significant reduction in recidivism among high risk offenders, but that when applied to low risk offenders, intensive services have minimal or positive effects on recidivism." [I.e. recidivism increases rather than decreases.]

With regard to need, the studies show that when critical vulnerabilities in the lives of juvenile offenders are addressed there is a decreased likelihood of recidivism. Finally the studies also show that "in addition to matching services with an offender's risks and needs, the learning styles and personality characteristics of offenders can influence treatment effectiveness." For example, youth with high levels of anxiety do not respond well to programs that emphasize confrontation, and youth with limited intellectual abilities do not do well in traditional cognitive skill programs.

While our existing juvenile justice systems have some tools to fulfill this function, such as juvenile assessment centers, risk assessment inventories, and intensive probation services, certain weaknesses adhere to most of these efforts. First, difficulties accessing the full range of resources needed to assist youth and families with complex needs continue to arise. Each system has a narrow cluster of services it can provide. If what the youth needs can only be obtained in a different system, the probation officer is told in effect, "You can't get there from here."

Second, having an assessment doesn't mean the client will obtain the recommended service. For some reason it appears that when resources are limited, service options disappear before assessment options. Third, systems tend to use a commodity approach to service development and distribution. They pre-purchase and warehouse generic services and distribute them to clients as they move through the system. This one-size-fits-all approach limits the value of in-depth assessment. Finally, a system may have to use three separate assessment steps to acquire reliable data about all three parameters.

The benefit that Wraparound would bring to this function is the capacity to address all three parameters, plus the characteristics and needs of the family, in a single process. BARJ provides an important component because it directs child and family teams to include planning in the accountability and community safety domains. Combining those two elements with the development and support of effective cognitive-behavioral treatment and programs makes it possible to not only figure out what a youth and family need, but also provide it. In addition, those formal services could be offered in combination with additional formal and informal resources drawn from other community systems while insuring that appropriate consequences and the protection of the public were being addressed.

### **Using cognitive behavioral principles and relapse prevention planning**

One of the strengths of the various cognitive-behavioral treatment approaches has been the rigor that they have brought to service arena. Several of the "capital letter" models like Multi-

Systemic Therapy and Functional Family Therapy<sup>6</sup> have created stringent safeguards to protect the integrity with which they are applied in local settings. Unfortunately, this discipline comes with a cost and many communities lack the resources to make the programs available to more than a fraction of the youth and families who might benefit from them. For systems to implement this component on a community-wide basis, an improved capacity to disseminate the insights and techniques underlying these approaches in a variety of settings and forms of intervention is needed. Both BARJ and Wraparound have contributions to make in this area. The third goal of BARJ, competency development, requires that skill development be a part of every probation plan. Full implementation of BARJ would thus include the introduction of skill-based and behavioral principles as core elements of direct practice in juvenile justice.

Skill-based approaches are especially important as part of a reliable crisis planning process. In Wraparound, safety is the first domain a child and family team must address. This requires that the team look at the risk and protective factors operating in each of the child's environments and establish primary and backup options for anticipating and preventing disruptions or reacting effectively to problems if they do occur. BARJ adds the element that these plans must make sense from the community's perspective as well as from the point of view of the child and family.

### **Occupying the majority of a youth's time and persisting for at least 23 weeks**

Not surprising, the research cited by Levrant documents that effecting long term change in youth with conduct disorders takes time. But one program can't do all of the work. To maintain consistent involvement over an extended period of time all participating individuals and agencies, including those providing informal assistance, must share the task of monitoring and supporting the child and family. BARJ and Wraparound contribute to this effort by helping us escape from the trap of seeing all services and supports as occurring in narrow categories and programs operated by single entities. BARJ teaches that effective juvenile justice systems must be community efforts implemented on many levels. Wraparound provides a mechanism for blending the resources of a variety of formal and informal services and programs and sustaining support over extended periods of time by maintaining a core child and family team even as other transitions, both planned and unplanned, occur in the life of a child and family.

### **Using well-trained and supported staff with strong interpersonal skills**

Effective and sustained training and support of direct service and supervisory staff is an Achilles' heel of many of our systems. Under-staffed and over-taxed agencies often lack consistent pre-service and in-service training. Staff end up learning on the job and frequently the emphasis is on completing necessary paperwork in the face of overwhelming numbers. Supervisors struggling with constant understaffing have little time to support and mentor their staff. Even staff who have good interpersonal skills are unable to develop much of a relationship with individual clients since they are expected to manage eighty or more cases at a time. Probation work becomes handing out standardized conditions for behavior, using spot checks and office appointments to monitor compliance and filing for court hearings when violations are noted.

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<sup>6</sup> Cf. Henggeler, Scott W., Cary B. Melton & Michael J. Brondino. "Multisystemic Therapy with Violent and Chronic Juvenile Offenders and Their Families: The Role of Treatment Fidelity in Successful Dissemination." *Journal of Consulting and Clinical Psychology*, v.26 (September 1997): 226-33. Functional Family Therapy and MST are discussed in connection with two other approaches in Kasdin, Alan E. "Psychosocial Treatments for Conduct Disorder in Children." This is a chapter in the book *A Guide to Treatments that Work*, edited by Peter Nathan, Jack Gorman, et al. (1998). New York: Oxford Press.

To improve this situation, several changes are needed. BARJ and Wraparound can help. At the practice level, BARJ provides a framework for bringing the confusing mix of justice and personal issues in a troubled youth's life into a manageable context. Wraparound creates the possibility of spreading out the tasks of assessment, planning and implementation, so that the probation officer doesn't have to manage everything. At the program level, implementing the two approaches offers an opportunity to get staff from multiple systems back on the same page through cross-training and joint exercises. At the system level, Wraparound creates an opportunity for cross-system cooperation and pooled resources that can reduce the duplication of effort and increase synergy. At the community level, they create the possibility of restoring a positive attitude toward the juvenile justice in the context of a broader system of care. BARJ and Wraparound also create a variety of opportunities for community members to participate in directly in system activities, so that they may be more likely to support adding additional resources to the effort.

### **Creating connections**

The last functional component identified in the Levrant article is making connections with the community. Reintegrating young offenders with complex needs into the community often requires an enormous effort. While a youth may have entered the juvenile justice system because of a defined crime, dealing with that event may only be the first step. The schools may not want the youth back because of his or her other attitudes and behaviors. The family may be struggling. There may not be a positive peer group that will accept the youth. Recreational opportunities may be closed to him or her. For his or her part, the youth may have built up a challenging range of defensive behaviors that interfere with reconnection, or may lack the skills to participate in ordinary relationships, or may be suffering from a neurological disorder that throws his or her interpersonal perceptions out of kilter.

When we leave the task of forming these connections to a single probation officer or case manager, many children with difficult behaviors and their families are left out. People and agencies drag their feet, point fingers, raise entry barriers and stack up waiting lists. Wraparound addresses this challenge by creating integration at the program, system and community levels, so that line staff can spend more time working directly with their clients, and less time fighting with other agencies and providers.

In this context BARJ teaches us that we should not make delinquent behavior into an entitlement. The primary goal of intervention is to make the community safer, not to enrich the life of delinquent children. Our related efforts must build toward this goal. In addition to addressing the child and family's most critical needs for services and supports, child and family teams and service providers must objectively face and resolve the issues of public safety and accountability raised by the youth's conduct. By doing so, many of the barriers to effective connections in the community can be overcome.

### **Facing the challenge – together**

The seven categories used by Levrant represent the core functions of a good service system: matching, teaching, engaging, sustaining, respecting, preventing and connecting. We have to find ways to do all of these things better and to carry the effort out in concert rather than conflict.

Levrant's guidelines are not perfect benchmarks.<sup>7</sup> Some contain multiple concepts and some are too specific. But the ideas behind them are critical to the ongoing development of our systems of care. And integrating BARJ, Wraparound and the new cognitive-behavioral programs isn't the final answer. But it does seem like a reasonable next step. Then perhaps we can stop squabbling over who has the better approach and to start working together toward common goals. We have more than enough delinquent youth to go around.

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<sup>7</sup> But they do form a good foundation for building a benchmarking system. For an excellent example of a fully developed system, see *Best Practices: Building Your Business with Customer-Focused Solutions*, by Robert Heibeler, Thomas Kelly and Charles Ketteman, an Arthur Andersen book, published by Simon and Schuster. (1998). They identify 6 fundamental benchmarks for effective business: understanding markets and customers, involving customers in the design of products and services, marketing and selling products and services, involving customers in the delivery of products and services, providing customer service and managing customer information. Then they describe key subprocesses for each benchmarking category, identify current best practice companies for each process, and provide ten diagnostic questions for helping a company get at issues of best practice it may be facing in any of the categories.