

Formal, Post-Adjudication Juvenile Probation Services

Juvenile probation is the supervision and monitoring of justice-involved youth in the community, rather than placement out of the home. Youths on probation must comply with the terms and conditions of probation imposed by the court (Nieto, 1996). It is the most common juvenile court disposition for youths who have offended. It can be used both for first-time, low risk youth who have committed offenses, and as an alternative to out-of-home confinement youth who have committed more serious offenses (OJJDP Statistical Briefing Book, 2015). Juvenile probation serves two primary purposes: 1) it holds youths who have offended accountable in order to protect public safety; and 2) it supports their rehabilitation through service delivery and with an alternative to incarceration (Westat and National Center for Juvenile Justice [NCJJ], 2013).

The focus of this literature review is on formal probation and services provided to juveniles on post-adjudication probation, or probation as a disposition. The review will not focus on probation at intake, probation following out-of-home placement, or school-based probation. In addition to describing services provided, this review provides an overview of the process of juvenile probation, characteristics of youths served by probation, the role of probation officers, and a description of evidence-based programs that have been evaluated with youth on probation.

The Process of Juvenile Probation

Probation is used most frequently by the juvenile justice system in response to a youth's delinquent behavior (Kurlychek, Torbet, and Bozynski 1999; Torbet 1996; Wagoner, Schubert, and Mulvey 2015). There are two key points at which a juvenile may be assigned to some form of probation: *informal probation at intake* and *formal probation following adjudication* (Hockenberry and Puzanchera 2017).

- An intake department, within or outside the court, will screen juvenile court case referrals. If the case is not formally petitioned to a hearing, it could be 1) dismissed for lack of legal sufficiency, or 2) resolved informally via *informal probation* or another sanction (OJJDP Statistical Briefing Book 2015). Informal probation lacks formal supervision of the probationers, who then report directly to the court instead of to a probation officer.
- After a juvenile is adjudicated as having committed a status offense or delinquent behavior, the disposition outcome may include 1) formal probation; 2) out-of-home placement (for example, in a group home, other residential facility, or a foster home); or 3) referral to a mental health program, imposition of a fine, community service, or restitution. A disposition of probation at this point may also be informal and voluntary or formal and court-ordered (OJJDP Statistical Briefing Book 2015).

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One significant challenge of describing the process of juvenile probation is that specific characteristics of probation vary by jurisdictions. In some states and counties, juveniles may be ordered to house arrest, be required to abide by a curfew, or may be allowed out of the home for school, work, or community service (OJJDP Statistical Briefing Book 2015).

The length of a juvenile's probation period may be specified by the judge, or it can be open ended. In jurisdictions with indeterminate lengths, probation officers have discretion in deciding when to close a case and dismiss a youth from supervision (Westat and NCJJ 2013). The juvenile's progress is monitored via review hearings, and after the conditions of probation have been met, the judge terminates the case (OJJDP Statistical Briefing Book 2015).

When youths are on probation, they must comply with the conditions of supervision laid out by the court, which may include routine/random drug tests, payment of restitution, or participation in treatment services, among other options.

However, the conditions of probation, such as the imposition of fees and fines, may hinder youths' process to becoming productive members of society, as they (or their families) may not have the financial abilities to pay back such costs. This issue is discussed in other research (see: Feierman et al. 2016, pp. 7-8). Moreover, when youths who have been adjudicated for relatively minor offenses are placed on formal probation (versus being diverted from the system), they may end up more deeply involved in the juvenile justice system for violating the terms of their supervision. For example, youths who are placed on probation for truancy, and then violate their probation by missing school, may have their probation rescinded and may be remanded into out-of-home placement. Research has found that as youths move further into the system, their likelihood of engaging in delinquent behavior increases (Petrosino et al. 2013).

Examples of Services Provided on Probation

Services provided to juveniles on probation may be court-ordered or voluntary and take a variety of forms. Lipsey (2009) conducted a meta-analysis that examined the efficacy of different types of programs commonly used with juveniles who have been adjudicated delinquent, though many of these services are also provided to youths who have been diverted from the system. The meta-analysis examined a variety of programs for youths on probation and parole, and found that deterrence (e.g., "scared straight") and discipline (e.g., boot camps) were not only ineffective, but also had a negative effect on later recidivism rates. Further, evidence has been both limited and mixed for the surveillance programs. For more information, please see the [Alternatives to Detention and Confinement](#) literature review on the *Model Programs Guide (MPG)*.

The following types of programs were identified as demonstrating positive effects for juveniles placed on probation and parole:

- **Restorative programs**, including both restitution to victims and mediation, are intended to repair the harm done by the juvenile's behavior by requiring compensation and sometimes direct reconciliation to victims or via community service.
- **Counseling and other therapeutic programs**, which include a diverse array of treatments that often focus on the relationship between the juvenile who has offended and a responsible adult who attempts to exert positive influence on the juvenile's feelings, cognitions, and behavior; this treatment may also include family members or peers.

- *Skill-building programs*, including cognitive-behavioral therapy, which provide instruction, practice, incentives, and other activities aimed at developing skills to help the youths control their behavior and increase their prosocial skills.
- *Coordinated services*, which work within multiple systems and provide a package of individualized services such as case management, a service broker, and multimodal regimens (Lispey, 2009).

A risk-need-responsivity (RNR) approach to justice interventions suggests that improving the match between adolescents and specialized treatment services could improve outcomes [National Resource Council (NRC) 2013]. The RNR literature explains the positive impact of interventions that address youths' level of risk to reoffend, their individual needs, and their responsivity, or their amenability to treatment (Andrews et al. 1990).

Risk-assessment instruments are frequently used in juvenile justice settings to assess the likelihood that youths will recidivate (see Schwalbe 2007, for a meta-analysis of risk-assessment instruments). These instruments are also used to assess the degree to which juveniles may have a variety of other needs that should be addressed, including mental health and substance use issues (Tarolla et al. 2002; Ryan, Abrams, and Huang 2014; Ramchand, Morral, and Becker 2009). Research has found that probation services have the potential to be effective if youths are screened for additional needs and provided with services that address those needs (Carey, Van Wormer, and Mackin 2013). For more information, see the [Risk/Needs Assessments for Youths](#) literature review on the *MPG*.

Characteristics of the Population

According to *Juvenile Court Statistics 2014* (Hockenberry and Puzzanhera 2017), 975,000 juvenile delinquency cases were processed in 2014. That year, 291,300 youths in the United States were adjudicated delinquent and of those, 183,200 were placed on probation for a variety of offenses, including property (33 percent), public order (26 percent), person (28 percent), or drug offenses (13 percent).

Among the youths adjudicated delinquent in 2014, probation was the most restrictive disposition¹ assigned in 63 percent of cases, whereas out-of-home placement was ordered in 26 percent of all those cases. The remaining 11 percent received other sanctions, which included being ordered to pay restitution or a fine, having to participate in some form of community service, or entering a treatment or counseling program, all of which provide minimal continuing supervision by probation staff (Hockenberry and Puzzanhera 2017).

Demographic differences among youths given probation in 2014 were relatively small. Specific comparisons by age, gender, and race follow:

- *Age*. Younger youths were given probation more often than older youths. Specifically, of all cases processed, 53 percent involved youths younger than age 16, and the overall likelihood that youths of that age who were adjudicated delinquent were placed on probation was 65 percent, compared with 60 percent of those age 16 and older.
- *Gender*. Females were more often placed on probation than males, but the differences were not substantial. Sixty-two percent of males who were adjudicated delinquent were placed on formal probation, compared with 66 percent of their female peers.

¹ Hockenberry and Puzzanhera (2017) reported case dispositions by the most severe or restrictive sanction. For example, though youths in out-of-home placements are also technically on probation, they were not included in the probation group because out-of-home placement is the more restrictive sanction.

- **Race/Ethnicity.** Black, Hispanic, and American Indian youths were similarly likely to be given probation (61, 62, 66, respectively) compared with white youths (64 percent). However, they were slightly more likely to be placed in secure confinement, compared with white youths (28, 31, and 24 percent versus 22 percent, respectively; Hockenberry and Puzanchera 2017). Asian youths were most likely to be given probation (72 percent) and least likely to be placed in secure confinement (20 percent). While there does appear to be some racial disparity, there does not appear to be excessive disparity. Though not strongly supported by these data, past research has identified racial disparities at the disposition stage, including the probation stage, even after legal, extralegal, and demographic factors are controlled (Spinney et al. 2016).

The Role of the Probation Officer

With post-adjudication probation, juvenile probation officers have contact with virtually every case disposed to probation, with responsibilities ranging from screening to supervising cases (Kurlychek, Torbet, and Bozynski 1999). The specific tasks performed by juvenile probation officers vary by state, but three of their primary tasks include intake screening, pre-sentence investigations, and post-adjudication supervision (Torbet 1996; Steiner, Roberts, and Hemmens 2003). Bryan (1995) argued that juvenile probation officers serve as both counselor and law enforcement representative, as they are expected to supervise youths in rehabilitative probation services, compared with the probation officers of adults. In addition to probation officers themselves taking on multiple roles, researchers have also highlighted how success for justice-involved youths may also be best achieved if the juvenile justice system and youth-serving agencies engaged in greater collaboration (Evans Cuellar, McReynolds, Wasserman 2006; Leone, Quinn, and Osher 2002).

The responsibilities of probation officers who serve juveniles differ from those who serve adults, which can present challenges to probation officers who serve both populations. While both types of probation officers are charged with supervision, Steiner and colleagues (2004) found that adult probation officers reported more often that they were tasked with record-keeping and surveillance of adult probationers, whereas juvenile probation officers were tasked with investigating cases and writing social history reports (which can be more detailed than records kept on adults). They argued that this could mean that state justice systems place a greater importance on community control with adult probation officers, but place greater importance on supplying information to the court with their juvenile-serving colleagues. However, their research concluded that community control was the greatest emphasis for both adult and juvenile probation officers (Steiner et al. 2004).

Juvenile Probation Policies

Juvenile probation is a common disposition in the juvenile justice system. The frequency of its use has been attributed to its limitless nature (that is, probation departments cannot limit or control the number of youths disposed to probation) and its relatively inexpensive cost (Kurlychek, Torbet, and Bozynski 1999). However, research does not suggest that probation has a better effect on future offending than other types of supervision. The meta-analysis by Lipsey (2009) revealed an overall positive effect for well-designed, well-implemented programs, in general; however, findings also indicated that, with all other variables controlled for, the effects of those interventions did not differ by the level of supervision. Thus, the same interventions were similarly effective whether implemented within the context of probation, incarceration, diversion, or no supervision at all.

Juvenile probation approaches have also been criticized for the balance between rehabilitation and punishment. For example, in the late 1960s and early 1970s, juvenile probation was perceived as providing only a “slap on the wrist” to juveniles who offended, rather than holding them accountable

for their actions. Moreover, the juvenile courts were portrayed by critics as a revolving door, with youths often re-arrested for new crimes while still under court-ordered supervision (Steiner et al. 2004; Kurlychek et al. 1999). Torbet (1993) concluded that there was a need for a balanced approach across rehabilitation, punishment, and supervision. However, when perceptions of a crime epidemic in the early 1990s focused the public's attention on the ability of the juvenile justice system to control violent juveniles, many states responded by instituting numerous laws and the "get tough" movement, which also broadened the scope of transfer laws and exposed more youths to criminal (versus juvenile) court prosecution (Sickmund and Puzanchera, 2014). For more information, see the [Diversions from Formal Juvenile Court Processing](#) literature review on the *MPG*.

Between 2005 and 2007, more than 300 new juvenile probation laws or policies were passed by state legislatures. These focused on a wide variety of issues (including mental health, substance use treatment, and diversion) and policy approaches (Westat and NCJJ 2013). More recently, Tuell and Harp (2016) suggested that historical approaches and statutes have led juvenile probation departments to measure policy success in terms of how many cases were filed, how quickly they were disposed, and what types of offenses were involved; but these departments have less often assessed the overall approach and framework to juvenile probation in localities. Social work researchers have highlighted that probation officers tend to have law enforcement or corrections backgrounds, positing that social workers' skill sets may be more consistent with those needed to support the rehabilitation of justice-involved youths (Peters 2011; Ryan, Abrams, and Huang 2014).

To improve probation services, Miller (2015) described a "synthetic" officer, who draws on a combination of law enforcement and social work approaches—specifically, building rapport with probationers, but invoking an obligation to enforce probational conditions to promote cooperation when required. The combination gives the probation officer greater power to help probationers make positive changes, reduce recidivism, and foster a positive relationship with the officer.

Outcome Evidence

A recent report by the NRC (2013) highlighted aspects of adolescent development that should be used to design and implement procedures for holding adolescents accountable for their offending, providing services to them, and helping to reduce offending. Specifically, the report provided evidence that adolescence is a distinct period of development in which personality is still being formed, and that adolescents are cognitively and psychosocially immature, compared with adults. As a result, while adolescents perceive and process risk information similarly to adults, their increased sensation-seeking and vulnerability to peer influence leads them to embrace risk-taking behaviors. One conclusion of the report is that "most criminal conduct in adolescence is driven by developmental influences that will change with maturity" (NRC 2013, p. 118); thus, positive adults in youths' lives should focus on rewards and immediate consequences while working to help them develop self-control and self-confidence. This suggests that juvenile justice programs that engage parents, families, peers, schools, and communities in an ecological approach are more likely to reduce juveniles' future offending (NRC 2013).

The following are examples of evidence-based therapeutic programs from the *Model Programs Guide* that involve youths on probation and their families. Some of these programs are used with youths in other settings, but these studies focus on youth probationers.

Functional Family Therapy (FFT). This is a family-based prevention and intervention program for high-risk youths that addresses complex and multidimensional problems through flexibly structured, culturally sensitive clinical practice. The FFT clinical model concentrates on decreasing risk factors and on increasing protective factors that directly affect adolescents, with an emphasis on familial factors.

A study of adjudicated youths on probation by Gordon and colleagues (1988) found that for any 12-month period, the recidivism rate was statistically significantly lower for the FFT group than for the comparison group. The recidivism rate of youths once they became adults (i.e., ages 20 to 22) for combined misdemeanor and felony offenses was statistically significantly lower for the treatment group than for the comparison group, though it was not statistically significantly lower for each offense type alone.

A large-scale trial of FFT compared with usual probation services, conducted by Sexton and Turner (2010) and delivered by community-based therapists, found that when adherence to the FFT model was high, FFT resulted in a statistically significant reduction in felony and violent crimes (though not misdemeanor crimes). As well, when adherence was high, the FFT group had statistically significantly lower recidivism rates for youths with the highest levels of family- and peer-risk levels in the sample. However, statistically significant results were not found when the sample included therapists of all adherence levels.

Connections. This is a juvenile court-based program designed to address the needs of juveniles who have offended, are on probation, and who have emotional and behavioral disorders. The program also aims to address the needs of juveniles' families. The program's goal is to connect youths and families with local resources to reduce youths' risk of recidivating. Connections uses the wraparound model to engage with youths, their families, and service providers. Youths and family teams are convened to identify needs and coordinate services with multiple service providers. Services may include family therapy, clinical therapy, substance use treatment, special education, medication, caregiver support, public assistance, housing, and mental health care. In theory, the program treats its target population in a holistic way by participating in cross-system collaboration to ensure youths do not recidivate.

Pullman and colleagues (2006) found that youths in the Connections program were statistically significantly less likely to recidivate. Youths in the comparison group were statistically significantly more likely to commit any type of offense, and specifically, a felony offense, compared with youths in the Connections program. Finally, youths in the Connections program were statistically significantly less likely to have served time in detention during the follow-up period. Only 72 percent of Connections youths served some days in detention, compared with 100 percent of the comparison group. Connections youths also served statistically significantly fewer days in detention, compared with the comparison group (59 days versus 102 days, respectively).

Multisystemic Therapy (MST). The overriding goal of Multisystemic Therapy (MST) is to keep adolescents who have exhibited serious clinical problems (e.g., drug use, violence, severe criminal behavior) at home, in school, and out of trouble. Through intense involvement and contact with the family, MST aims to uncover and assess the functional origins of adolescent behavioral problems. It works to alter the youth's ecology in a manner that promotes prosocial conduct while decreasing problem and delinquent behavior. MST targets youths between the ages of 12 and 17 who present with serious antisocial and problem behavior and with serious criminal offenses. The MST intervention is used on these adolescents in the beginning of their criminal career by treating them within the environment that forms the basis of their problem behavior instead of in custody, removed from their natural ecology.

A randomized controlled trial of youths on probation conducted by Henggeler and colleagues (1992) found that the MST treatment groups had just more than half the number of re-arrests than the usual-services comparison group, over a year later. Statistically significant differences favoring the MST

group were also found for number of days incarcerated and self-reported delinquency. The MST group also reported statistically significantly higher family cohesion and lower peer aggression than the comparison group at the posttest.

Another randomized controlled trial study by Borduin and colleagues (1995) found that 4 years after the end of their probation, the MST group was less likely to have been arrested than the comparison group, and that the number of arrests of the recidivists was statistically significantly lower for the MST treatment group. Moreover, the recidivists of the MST group had been arrested for statistically significantly less-serious crimes and statistically significantly fewer violent crimes than recidivists from the comparison group. However, no differences were found between the MST and comparison groups on peer relations measures.

Finally, a study by Timmons–Mitchell and colleagues (2006) found that, at an 18-month follow up of youths in a probation setting, the MST group’s recidivism rate was statistically significantly lower than that of the treatment-as-usual (TAU) group. MST participants were also arrested and arraigned for new charges statistically significantly fewer times, compared with the TAU group, and youths in the TAU group were more likely to be arrested than the MST group.

For more information on these programs, please click on the links below.

[Functional Family Therapy \(FFT\)](#)

[Connections](#)

[Multisystemic Therapy \(MST\)](#)

Conclusions

Juvenile probation has been called the “workhorse” of the juvenile justice system, as most juveniles either enter or exit the juvenile justice system while under supervised probation (Kurlychek, Torbet, and Bozynski 1999; Torbet 1996; Wagoner, Schubert, and Mulvey 2015). As the most common juvenile court disposition for juveniles who have offended, juvenile probation serves two primary purposes: to hold youths accountable for their actions and to support their rehabilitation and positive developmental outcomes. Yet juvenile probation policies, practices, and approaches vary widely across jurisdictions due to differences in jurisdictional control, different types of supervision that can be provided, availability of resources, and the size of caseloads.

Few intervention programs focus exclusively on post-adjudicated youths on probation, but instead aim to reduce the likelihood of future offending by addressing the needs of juveniles, regardless of the level of supervision (i.e., probation, incarceration, diversion, and no supervision at all). The research presented in this literature review suggests that promising strategies include incorporating risk and needs assessments into a dynamic view of juvenile justice involvement that manages risk for those specific needs (e.g., mental health). Other evidence-based approaches, which engage parents, families, peers, schools, and communities in an ecological approach, give youths who have offended the tools to deal with challenges in all their domains.

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