

New Jersey Juvenile Detention Alternatives Initiative
 Innovation, Improvement, or Institutionalization of Policy/Practice:
 Model Activities

ACTIVITY OVERVIEW

Site:	HUDSON
Primary Core Strategy Area:	Special Cases: Probation, Violations, etc.
Secondary Core Strategy Area:	Using Data
Title/Name of Activity:	Probation Intermediate Sanctions/Adjustment Conferences
Activity Start Date:	10/1/2006

Description of Activity:	Hudson Probation sought to reduce reliance on formal Violations of Probation and subsequent admission to secure detention for youth noncompliant with the rules of probation. POs, their supervisors, and the Vicinage Probation Chief collaboratively developed intermediate sanctions for youth exhibiting noncompliant behavior. These intermediate sanctions are documented in a form the PO reviews with the youth and the parent/guardian at the start of the probation term. As a final intermediate intervention, the group developed a plan for holding Adjustment Conferences. The Adjustment Conference involves the youth, parent/guardian, the PO, and the PO supervisor. All parties discuss the youth's noncompliance, work to understand its cause, and to develop solutions. The youth has the opportunity to share any concerns, and any difficulties he/she may be experiencing that might be contributing to the noncompliant behavior. The conference concludes with all parties agreeing to and signing an updated probation plan, and the youth and the parent/guardian indicating their understanding that continued noncompliance may result in a VOP.
Problem or Need this Activity Addressed:	Without a formalized set of graduated sanctions, a clear policy for implementing those interventions, and an intentional focus on encouraging their use, Probation Departments often rely primarily on formal VOPs for responding to noncompliance. High rates of formal VOPs translate into high rates of VOP warrants and subsequent admission to detention. This also, in turn, increases the burden on the juvenile justice system, as formal hearings must be held, warrants prepared and executed, admission to detention processed, and bed days utilized. Formal VOPs can also push kids deeper into the system, instead of actually helping them to come into compliance and ultimately complete their probation term successfully.
Data/Info that Identified this Problem or Need:	Hudson's One-Day Detention Snapshot indicated that 19.4% of the youth in detention had been admitted for compliance-related VOPs (no new charges), and 15.3% were admitted for a new charge <i>and</i> a VOP, for a total of 34.7% of the snapshot youth having a VOP among the reasons for detention. The snapshot also indicated 50% of the detention population had been serving a term of probation at the time of their admission. In addition, the general feeling by probation officers was that the court did not allow them the flexibility and discretion to intervene with intermediate sanctions, but rather urged or instructed probation to file VOPs for any noncompliance.
Impact/Results of this Activity:	<ul style="list-style-type: none"> • Between 2005 and 2007 the number of formal VOPs filed decreased by 36.9%. • A four-month sample of detention admissions in 2003 indicates an average of 11.3 youth per month were admitted to detention for a VOP (no new charges); in 2005, the figure was 6.8. For the full-year 2007, just 3.9 youth per month were admitted

	for a VOP (down -65.5% from the 2003 average and -42.6% from 2005).
Next Steps or Additional Comments:	Probation continues to keep monthly numbers related to VOP filings and discusses the data with the Juvenile Court Judges in order to foster dialogue regarding the quality of the violations that are in fact formally filed. Probation is also strategizing to monitor and track the number of intermediate sanctions imposed, as well as the overall number of youth who show improvement and complete their probation terms.
List Attachments (if any):	<ul style="list-style-type: none"> • Probation Intermediate Sanctions Form (Attachment to Standard Conditions of Probation Allowing Imposition of Intermediate Sanctions for Certain Violations). • Probation Juvenile Adjustment Conference Guidelines. (See also: Using Data-VOP Monthly Data Reports, for the type of data regularly tracked by Hudson Probation)
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SUPERIOR COURT OF NEW JERSEY

**ATTACHMENT TO STANDARD CONDITIONS OF PROBATION
ALLOWING IMPOSITION OF INTERMEDIATE SANCTIONS
FOR CERTAIN VIOLATIONS**

Juvenile _____ CAPS # _____

The Probation Division may implement some or all of the responses listed should you fail to comply with the conditions of your supervision.

If so directed by the Probation Officer you shall:

- > Complete additional hours of Community Service;
- > Be subject to a curfew;
- > Loss of travel of other privileges;
- > Counseling or treatment;
- > Begin or increase drug/alcohol testing;
- > Increased supervision level;
- > Counseling or reprimand by unit supervisor;
- > Counseling or reprimand by probation officer.

If so directed, and following an Administrative Review, you shall:

- > Participate in an outpatient program for drug abusers and abide by the program's standard regulations;
- > Complete additional hours of Community Service;
- > Be subject to a curfew, with or without Electronic Monitoring;
- > Increase supervision level.

I have received a copy of these conditions which I understand and with which I will comply. I understand that if I violate any of the above conditions, the Court could revoke my probation and sentence me to the maximum sentence permitted by law.

Dated _____, 20____

Juvenile _____

Parent/Guardian _____

Hudson Probation Division Juvenile Adjustment Conference

DESCRIPTION & PROCESS

PURPOSE:

To bring probationers into compliance without the need of a VOP hearing.

TARGET POPULATION:

Noncompliant juvenile probationers who are eligible to be returned to court on a VOP (excluding VOP's for new offenses).

PROCESS:

When a probation officer determines that the noncompliance of a probationer is leading to the filing of a VOP the case will be reviewed by the supervisor. After review the case may be scheduled for an Adjustment Conference.

The Adjustment Conference will be conducted with the Supervisor (PPO) (or VACPO), Probation Officer, non compliant probationer and the parent(s) or guardian.

The probationer and parent(s) will be notified by regular mail of the date and time of the review. The notice will be reinforced with a home visit or telephone contact with the parent(s) or guardian.

Should the probationer, parent(s) or guardian fail to appear a follow-up home visit will be conducted to determine the reason for the failure to appear. A review will then be held with the supervisor to determine the appropriate response.

At the review the noncompliance of the probationer will be discussed with the points of emphasis being:

- (a) bringing the probationer into the compliance
- (b) parental/guardian involvement in the process

Obstacles to compliance will be discussed and a case plan will be developed to bring the juvenile into compliance. The case plan will be given to the juvenile and parent(s) or guardian.

Depending on the non compliance issues the case plan will envision a 30-60 day window to bring the juvenile into compliance.

The case will be reviewed by the supervisor at the 30 (or 60) day point to determine the level of compliance and in consultation with the probation officer determine what the appropriate course of action should be.

All steps of the process will be fully documented in CAPS.

Any substantive change recommended to the conditions of probation will be brought to the court's attention for modification.

The need to be flexible as to the time and date of the Adjustment Conference is understood and probation officers and supervisors will adjust their schedules accordingly.

Hudson Probation Division Juvenile Adjustment Conference

CONFERENCE AGENDA

1. Introductions (everyone is formally introduced)
2. Statement of purpose of hearing (by the supervisor)
3. Presentation of problem(s) (by the probation officer)
4. Discussion
 - A. Parent(s) and juvenile allowed to discuss their problems and concerns
 - B. Presentation and assessment of the situation (by the supervisor)
5. Resolutions and closing. Explanation of what is to happen and any consequences that may occur (sanctions may be imposed here) (by the supervisor)
 - A. A revised case plan will be completed and a copy given to juvenile and parent/guardian.