

# OHIO

## CRIMINAL SENTENCING COMMISSION

Chief Justice Maureen O'Connor, Chair • Sara Andrews, Director

### Juvenile Justice Committee

April 20, 2017

#### Agenda

**I. Call to Order**

**II. Approval of Meeting Notes of February 16, 2017 meeting**

**III. Juvenile Record Sealing and Expungement – Committee Members**

*Belinda Davis from BCI will join the committee again to discuss sealing and expungement of juvenile records. Committee members should be prepared to suggest recommendations that can be finalized for our next meeting and then presented to the full Commission.*

**IV. Juvenile Probation - Committee Members**

*Eric Shafer from the Montgomery County Juvenile Court will join the committee again as the committee develops recommendation for full Commission consideration. Committee members are asked to bring their suggested recommendations to the meeting.*

**VI. Juvenile Justice Data Project**

*Lisa Hickman, Research Analyst for the Ohio Criminal Sentencing Commission, will join the committee to learn more about the data collection project.*

**VII. Next Steps**

*The committee will finalize recommendations on record sealing and expungement and probation for a vote at its next meeting.*

**VIII. Adjourn**

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### Upcoming Meetings

<b>Ohio Criminal Sentencing Commission</b>	<b>May 18, 2017</b> <b>June 15, 2017</b>
<b>Juvenile Justice Committee</b>	<b>July 20, 2017</b>

# OHIO

## CRIMINAL SENTENCING COMMISSION

Chief Justice Maureen O'Connor, Chair • Sara Andrews, Director

### Juvenile Justice Committee

February 16, 2017

### Meeting Notes

#### I. Call to Order

Vice Chair Beeler called the meeting to order at 10:05 a.m.

#### II. Approval of Meeting Notes of January 19, 2017 meeting

Upon motion and second, the meeting notes were approved as submitted.

#### III. DYS Rules – Linda Janes

Linda Janes, Deputy Director, described rules submitted by DYS pertaining to the certification of sex offender and child-victim offender treatment programs. There are 57 certified Juvenile Sex Offender programs and 112 locations across the state in 44 counties. Changes include that the Juvenile Sex Offender Advisory Board from among its membership and the DYS liaison (not the JSO board) will evaluate and monitor programs. In addition the JSO program will be asked to document six hours of sex offender specific training within a certification cycle (2 years). Finally providers will have to document a minimum of three hours training specific to risk assessment administration within a certification cycle. Finally, programs will utilize assessment tools that are widely recognized to measure juvenile sexual offender risk.

#### IV. Youthful Offender Grant (DRC) – Cynthia Mausser

Cynthia Mausser described a three year, \$750,000 BJA grant on youthful offenders (18-25 years old) awarded to the Department. The grant is focused on supervising young adults in the community and in institutions. The Department will implement specialized caseloads and officers; train these officers in trauma informed care; goal to improve effectiveness of supervision of this population; increasing field contact, family contact; more unified case plan and wrap around services to begin during incarceration to help with the transition out of prison. The Department will also seek a collaborative relationship with an employment service. Eligible offenders will be 18-25 years old, returning to Cuyahoga, Franklin, Hamilton or Mahoning County and be of moderate to high risk. The grant implementation is in the early stages and DRC is awaiting approval of the planning and implementation guide.



# OHIO

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### V. Juvenile Probation - Eric Shafer and Committee Members

Eric Shafer, Deputy Court Administrator for the Montgomery County Juvenile Court, and Committee Members Jim Cole addressed the committee regarding best practices in juvenile probation.

Mr. Shafer reported that there had been a transformation of the probation department in Montgomery County. In the early 2000s the probation department was eclectic and officers often treated supervisees as they had been treated as kids. At that time the court had 1500 kids on supervision and they weren't doing a lot of risk assessment. In 2004 the department decided make a change and institute a relational/strength based approach for interactions with supervisees. New training for the officers. Gave the officers some skills in interacting with kids. In an effort to have the officers be relationship oriented, officers are available later in the evening and have relationship oriented interactions with the juveniles.

Currently there are only 650 kids on probation in Montgomery County and the Department has 40 probation officers. Each officer has a caseload of approximately 20-25 kids. Mr. Shafer said he believes that caseload is the number one priority in best practices. He also noted that they keep kids on probation for a determinate period (6 months or less) and that such a practice allows kids to have hope and allows for goal-setting with the juvenile. The court also developed a policy and procedural manual that dictates how often kids are seen by an officer based upon their OYAS risk level.

Warrants can only be issued only when kids are missing, or have run away. Warrants follow a two tiered track: a release warrant which has the juvenile picked up and immediately released and a detain track which has the juvenile picked up and detained. Mr. Shafer also talked about restitution. The court has restitution paid first but cap restitution at \$500 per victim.

### VI. Juvenile Sentencing Structure – Justice Sharon Kennedy

Justice Sharon Kennedy addressed the committee to discuss how the criminal justice system deals with the 18-25 year old population. She suggested that the juvenile committee and the sentencing/criminal justice committee look into increased access to judicial release, if the PSI investigation could include a likelihood to respond favorably to early release, and the continuation or reactivation of the attorney-client privilege to assist in these young offenders in getting early release.

# OHIO

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### VII. Legislative Feedback – All

Senator Cecil Thomas described two draft pieces of legislation provided to the committee at its last meeting. Committee members expressed appreciation for the opportunity to provide feedback. In general, the committee is supportive of the legislation. Ms. Hamm discussed a desire to look at the overall use of detention and Ms. Beeler expressed appreciation that one draft focuses on the right to counsel in light of the fact that this year marks the fiftieth anniversary of the U.S. Supreme Court's decision in *In re Gault*.

### VIII. Next Steps

The committee will revisit the issue of juvenile records at its April meeting. Committee members were also asked to bring suggested recommendations to the April meeting regarding juvenile probation.

### IX. Adjourn

The committee adjourned at 12:04 p.m.

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#### Future Meetings

Ohio Criminal Sentencing Commission	March 16, 2017
Juvenile Justice Committee	April 20, 2017 May 18, 2017



# MIKE DEWINE

— \* OHIO ATTORNEY GENERAL \* —

**TO ALL POLICE DEPARTMENTS, SHERIFF'S OFFICES & CLERKS OF COURTS**

**RE: SEALING AND/OR EXPUNGEMENTS**

When submitting court orders for Sealing or Expungement of an arrest, B.C.I. & I. requests this form be completed and attached to the court order to assure complete accuracy of our records.

Defendant's Name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Social Security Number: \_\_\_\_\_

Arresting Agency: \_\_\_\_\_ Arrest No.: \_\_\_\_\_

Arrest Charge: \_\_\_\_\_ Date of Arrest: \_\_\_\_\_

Felony: \_\_\_\_\_ Misdemeanor: \_\_\_\_\_ ITN: \_\_\_\_\_

DNA Collected: Yes  OR No

Ohio BCI&I No.: \_\_\_\_\_ FBI No.: \_\_\_\_\_

Common Pleas Court Case No.: \_\_\_\_\_ Control No.: \_\_\_\_\_

Municipal Court Case No.: \_\_\_\_\_

Conviction  OR Dismissal

Conviction Charge: \_\_\_\_\_

Final Disposition of Conviction: \_\_\_\_\_

Send to the Attention of: ***Identification Section***



Ohio Bureau of Criminal Identification and Investigation

P.O. Box 365  
London, OH 43140  
Telephone: (740) 845-2000  
Facsimile: (740) 845-2020



An Informationally Controlled Law Enforcement Agency

[www.OhioAttorneyGeneral.gov](http://www.OhioAttorneyGeneral.gov)

1560 State Route 56 SW  
London, OH 43140  
Telephone: (740) 845-2000  
Facsimile: (740) 845-2020



### **Probation Recommendation Development**

*Kathy Hamm, Wood County Public Defender:*

- 1) Data collection
- 2) Written probation “best practices” recommendations from the commission
- 3) Compare “best practices” with the current language of our juvenile statutes and rules applicable especially to probation
- 4) Make recommendations as necessary to amend the language to reconcile with and encourage “best practices”.

*Erin Davies, Juvenile Justice Coalition*

- 1) The purpose of probation and subsequent violations. The purpose should not be punitive and to “catch” a youth from doing something wrong, but instead to help youth get support to get back on the right track. For example, a judge may order a kid not to use pot anymore, but if pot has been the kid’s main coping mechanism for things going on in his/her life, probation should help the youth identify positive alternatives.
- 2) Ensuring that youth are clear on the terms of their probation, in an accessible format, and the probation officer is there to help the youth succeed with their probation terms, including connecting the youth with resources (like places to do their community service hours). For almost every youth we’ve worked with on probation, they have not had a clear understanding of what their requirements are, which has led to confusion and violations without the kid even knowing they violated. We’ve really seen this with ankle monitors when kids don’t know where they’re allowed to be and when.
- 3) Not allowing youth to be put in locked facilities – like detention or DYS – for violating probation/parole.
- 4) Collecting more information on how probation is used in the state, including how many youth are on probation, for what offense, length of time on probation, demographics, how many youth successfully complete probation, and number of probation violations.



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To: Sentencing Commission – Juvenile Committee

From: Jill Beeler

Date: April 20, 2017

Re: Recommendations for Probation reform

1. Return to using the term “probation” rather than “community control.” (Track change to adult probation system, recommendation by Ohio Criminal Recodification Committee.)
2. Review driver’s license suspension requirement – should not be mandatory, designate length of time for suspension.
3. Incorporate the use of an evidence based risk assessment tool (OYAS) into juvenile disposition planning, including probation.
  - a. Example: R.C. 2152.01 and/or 2152.19(A) – “In accordance with the overriding purposes of juvenile court, dispositions shall be guided by an evidence based risk assessment, including but not limited to the Ohio Youth Assessment System.”
4. Move away from open-ended probation terms that are not based on risk or the rehabilitative needs of the child. Length and level of probation should be based on risk and should be limited. OYAS Disposition Tool should determine the *level* and *length* of supervision. Options may include:
  - a. Indeterminate length of probation based on OYAS Disposition Tool. Successful completion of treatment would lead to termination at the minimum, violations could increase the minimum term.
    - i. Low-risk youth serve a “3-6 month” probation term;
    - ii. Moderate-risk youth serve “6-9 months”;
    - iii. High-risk youth qualify for intensive supervision for “9-12 months”.
  - b. Same as above except court sets the minimum, maximum term based on OYAS Disposition Tool. Violations could increase the minimum term.
    - i. Low-risk youth serve “up to 6 months on probation”;
    - ii. Moderate-risk youth serve “up to 9 months”;
    - iii. High-risk youth qualify for intensive supervision “up to 12 months.”

- c. Determinate length of probation based on OYAS Disposition Tool
  - i. Low-risk youth serve 3 months probation;
  - ii. Moderate-risk youth serve 6 months probation;
  - iii. High-risk youth qualify for intensive supervision for 12 months.
  - iv. Probation term can be extended to a super-maximum term based on offense level. For example, no more than 12 months on a misdemeanor and 24 months for a felony.
- d. Probation terms could allow for override and longer probation term based on seriousness of the offense
- e. Eliminate use of “monitored time” except:
  - i. If the child completes probation terms and would be eligible for discharge but for payment of court costs, fines, restitution, court could move child to “monitored time” to maintain jurisdiction over the child; the child should not face violation or revocation for failure to pay, technical violation, or new offense if the court determined child had the ability to pay.
- f. Extension of probation term, up to a maximum amount, should only be based on:
  - i. Violation – an ongoing pattern of offense related behavior and a documented intervention plan to address the issue
  - ii. New criminal or delinquency charge
  - iii. Increased risk based on risk assessment tool
  - iv. Continued need for treatment, documented by provider or assessment tool
- g. Probation rules should bear reasonable relation to the offense / behavior
- h. Probation statute should prohibit public shaming, other programs that have been denounced such as scared straight.







## CRIMINAL SENTENCING COMMISSION

Chief Justice Maureen O'Connor, Chair • Sara Andrews, Director

To: Juvenile Justice Committee

From: Katie Plumer, Ohio Criminal Sentencing Commission Intern

Re: Best Practices in Juvenile Probation

### **Juvenile Probation**

Historically, the criminal justice system has treated juveniles and adults differently, however, sometimes that line gets blurred when looking at the penalties for breaking the law. In regards to probation it is especially important that the system be tailored to juveniles and not simply treat them like “short adults”. The system must be tailored to treat juveniles and not just an amended version of adult probation. Juvenile probation officers should be trained in how to supervise the juveniles; they should be focused on rehabilitation, avoid incarceration, and incorporate community-based techniques into the goals they set. All of these goals can be accomplished by properly training the officers.

#### **Officer Training: *Accountability & Collaboration***

A focus of the juvenile system is accountability, however, juveniles are not the only ones that must be held accountable. Officers need to be held accountable to the programs and policies that are in place in order to ensure the juvenile is receiving the best assistance that they can. This accountability should be to themselves and also to their supervisors in the office. The officers should know their expectations and have the goals for themselves and the juveniles that they are monitoring defined clearly. There should be a review completed on cases of juveniles who are on probation.

A collaborative meeting that involves all individuals who participate in any form in the juvenile justice system should occur within each jurisdiction. This list would include people like Judges, prosecutors, defense attorneys, probation officers, service providers, and anyone else who may be consulted during the adjudication and rehabilitation of a juvenile. A collaborative meeting will help to hold all positions accountable to the goals of the system. It is essential to have a working relationship between all of these individuals in order to best identify the practices for each county.

#### **Smaller Case Loads: *Focus on High-Risk Offenders***

Smaller case loads will allow officers more time to focus on individual high-risk cases. Smaller caseloads can be achieved by focusing resources on those individuals that truly need the service. A risk-assessment tool can be used to identify these individuals and allow the officer to spend less resources in monitoring them. This tool should use an evidence-based screening process in order to focus the assessment on the best programming that an individual may need. By eliminating the resources that are



spent on those individuals who do not need it the officers will be able to have smaller more focused caseloads.

It is important that officers be trained on how to administer a risk-assessment tool. A risk assessment tool can be a huge help to officers. The results of the tool not only help identify who is a high-risk versus low-risk offender, but they can also start to identify the areas in which probation should be focused in order to set appropriate goals.

### **Community-Based: *Service Providers & Families***

In order for a juvenile to be rehabilitated it must be a community effort. The collaborative effort discussed above can identify the best course of action for supervision in a particular community. Officers need to be on board with bringing other professionals in to help on cases. Bringing the focus to a community-oriented probation system will allow juveniles to receive the best referral to available social services. It also ensures that juveniles are referred only when they have actual needs that can be addressed by community resources.

The second step to developing a community-based system includes involving the juvenile's parents. The juvenile probation system has historically avoided involving parents in the treatment of the juvenile. There has been a recent shift in this belief especially now that the focus is on finding treatment options other than placement for the juveniles. Some strategies for involving families include "working collaboratively with youth, families, and the courts to ensure goals developed for youth are achievable and measurable; setting clear expectations and structure for supervision processes with the inclusion and help of families; ensuring that systems staff and probation are amenable to working with youth in their homes when needed; and utilizing best and promising practices to improve youth's cognitive development and problem-solving skills."<sup>1</sup>

### **Re-Focus Goals: *Identify Root of Problem, Reduce Incarceration***

The focus of juvenile probation should be changed to concentrating on positivity. Officers should be trained to be optimistic, and measures need to be taken in order to avoid officers getting stuck in a routine or the same line of thinking. Officers should be trained to reformulate the goals of the probation to look for the root of the problem, rather than focusing on strictly punishment for that behavior. By incorporating many of the items discussed above officers will have a better chance of getting to the root of the problem, which will then lead to fewer revocations and lower recidivism rates.

A goal of each officer is to reduce the number of revocations. Sometimes goals that are formulated set expectations above what can be achieved. By restructuring the goals and the officer's thought process regarding violations, fewer revocations will occur.

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<sup>1</sup> [http://www.nccdglobal.org/sites/default/files/publication\\_pdf/supervision-strategies.pdf](http://www.nccdglobal.org/sites/default/files/publication_pdf/supervision-strategies.pdf)



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Finally, one of the biggest shifts in the best practices in juvenile probation is to reduce the reliance on placement and identify alternatives to both punishment and treatment. The goal of the criminal justice system as a whole is to protect the community. However, by focusing on alternative treatments that allow the system to focus on the root of the problem the community will be protected. Incarceration of juveniles may be warranted in some cases, but by choosing incarceration as a last option for juveniles the system will become more efficient and effective.

### Resources:

*This document is a summary of the following resources. Reading the documents and pulling out the key reoccurring ideas for the best practices and the reforms that the juvenile probation system should make.*

- 1- [http://www.ncjj.org/pdf/DesktopGuide2002\\_full.pdf](http://www.ncjj.org/pdf/DesktopGuide2002_full.pdf) (National Center for Juvenile Justice)
- 2- <https://www.ncjrs.gov/pdffiles1/177611.pdf>
- 3- <http://www.modelsforchange.net/publications/516>
- 4- [http://www.nccdglobal.org/sites/default/files/publication\\_pdf/supervision-strategies.pdf](http://www.nccdglobal.org/sites/default/files/publication_pdf/supervision-strategies.pdf) (National Council for Crime & Delinquency)
- 5- <http://rfknrcji.org/wp-content/uploads/2016/07/Probation-System-Review-Guidebook-2ndEdition.pdf> (National Resource Center for Juvenile Justice)

# NATIONAL JUVENILE JUSTICE NETWORK

## Snapshot PROBATION\*

AUGUST 2016

### Community Supervision

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The supervision of youth in the juvenile justice system can take a variety of forms, and is covered by a variety of terms. “Probation” is the oldest and most commonly used community-based program. A young person remains in the community, but must adhere to certain conditions (which vary widely but can include activities such as regular meetings with a probation officer, attending school, drug treatment, wearing an electronic monitor, and completing community service). Probation can be used at different points in the system – youth can be diverted from the court system and placed on probation; alternatively, youth adjudicated as delinquent can also be put on probation. The term of probation may be specified or open-ended. When youth are incarcerated and then released for a period of supervision, this is often called “parole.” The supervision is similar to probation, but may involve more transitional services and reentry planning.

### Supervision that Supports Youth

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Once youth are released back into the community, whether and how they are supervised can have a huge impact on their reintegration and recidivism. Experts recommend that supervision policies and practices be tailored to the individual risk factors and needs of the youth and build upon their strengths, rather than modeling them on adult surveillance models, which have been found to be

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\* This snapshot is drawn from information compiled by the National Juvenile Justice Network for publication on the [Juvenile Justice Resource Hub](#), hosted by the Juvenile Justice Information Exchange and sponsored by a generous donation the John D. and Catherine T. MacArthur Foundation's [Models for Change](#) initiative.

ineffective with youth. And many low-risk youth should be diverted from the juvenile justice system entirely. Discussed below are reforms in supervision practices to more effectively reduce recidivism.

## Suggested Reforms

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### ESTABLISH A DEVELOPMENTALLY APPROPRIATE APPROACH TO SYSTEM SUPERVISION

Traditional probation and parole supervision systems for youth are often modeled on adult surveillance-only punishment strategies, in which youth are provided an extensive list of boiler-plate conditions to follow that are difficult for them to adhere to and which are not necessarily tied to public safety, treatment, or rehabilitation.<sup>1</sup> Given the now well-accepted research showing that the prefrontal cortex of a young person's brain -- which helps one to control impulses and weigh consequences -- isn't fully developed until age 25 or later, it is understandably difficult for youth to follow long lists of conditions.<sup>2</sup> This results in many youth violating their conditions of probation and, often, being reincarcerated.<sup>3</sup> Establishing a developmentally appropriate approach to supervision would be "less focused on catching youth doing something wrong and more focused on helping them do right."<sup>4</sup> Suggested reforms include:<sup>5</sup>

- Use probation programs to target youth at high risk to reoffend who have been adjudicated delinquent. The programs for these youth should establish more reasonable supervision conditions that are understandable, realistically achievable, directly tied to probation goals, and minimize the need for constant oversight.<sup>6</sup>
- Enable probation officers to spend less time monitoring supervision conditions and more time helping to address the root causes of youth's behavioral problems. To do this effectively, a system should:
  - Provide smaller supervision caseloads so probation officers can have more meaningful contact with youth and regular contact with youth and their families in their home.
  - Train probation officers to change their mindset from one focused on power and control over youth to seeing themselves as agents of change that view incarceration as a last resort, and who can work effectively with young people and their families to keep youth out of trouble.<sup>7</sup>
  - Train probation officers in evidence-based techniques for engaging youth, such as cognitive behavioral approaches.
  - Teach probation officers how to engage service providers and community partners in supervision and problem-solving.<sup>8</sup>
- Focus on the use of therapeutic programs that help to accelerate a young person's "psychosocial maturation" -- meaning their "abilities to control impulses, consider the implications of their actions, delay gratification and resist peer pressure." These have been found to reduce recidivism rates by large margins. These models include programs such as cognitive behavioral therapy, family counseling, and mentoring by community members.<sup>9</sup>



- Help youth to develop close relationships with caring and responsible adults. This has been found to be a key facet in improving recidivism outcomes.<sup>10</sup>

### **REDUCE SUPERVISION FOR YOUTH WHO DON'T NEED IT<sup>11</sup>**

Lower risk youth are likely to desist from delinquency on their own and they and their community are often best served by less supervision for the youth, or by diverting the youth out of the system. As noted above, heavy reliance on surveillance-oriented probation for these youth can actually worsen outcomes, as it is difficult for youth to comply with the long list of conditions that are usually a standard part of supervision.<sup>12</sup> Excessive monitoring of such youth is not only a waste of limited resources, but can result in pushing youth who don't need to be there deeper into the system. Strategies to limit the number of youth under supervision include using risk assessment tools to objectively assess a youth's need for supervision and services, provide limited or no supervision for low-risk and low-need youth, and divert suitable youth out of the justice system.

The resources saved from diverting youth and limiting supervision of low-risk youth can be used to provide increased services and supervision for high-risk and high-need youth. It is important to note that supervision departments must be adequately resourced to serve these high-need youth, which is something to consider as some states shift supervision from the state to the county.

### **REDUCE LENGTH OF STAY ON PAROLE**

In some states, youth generally remain on parole until the age of 21, unless they meet certain criteria and action is taken to discharge them from parole. Since for many youth, excessive time on parole increases the likelihood of reincarceration for technical violations, legislative or policy changes to reduce the length of parole can benefit youth and public safety.

## **Promising Approaches**

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Below are some ideas for implementing reforms to surveillance-oriented probation that have yielded positive results:

- "Becoming a Man" (or BAM) uses highly-trained counselors to work with 7<sup>th</sup> to 12<sup>th</sup> graders in Chicago to help youth learn skills such as impulse control and emotional self-regulation through techniques that include mentoring, role playing, and group exercises.
- Chicago has successfully served diverted youth by providing them with intensive math tutoring to keep them from dropping out of school, which greatly increases the risk for juvenile justice system involvement.<sup>13</sup>
- Diverting low-risk youth from court whose offenses are minor has been found to be more effective at reducing recidivism than court system processing, with low-risk youth who received a caution faring better than those given a diversion intervention.<sup>14</sup>

- Florida has successfully implemented a civil citation program to provide an alternative to arrest and formal processing that involves assessing youths' needs, community service, and can include reparations and treatment services.
- Georgetown University Center for Juvenile Justice Reform's Juvenile Justice Reform and Reinvestment Initiative involves working with service providers in demonstration sites to implement the Standardized Program Evaluation Protocol (SPEP). SPEP uses research-based information on characteristics of effective programs to both evaluate current juvenile justice programs and as a roadmap for improving them. This comprehensive approach to reforming a jurisdiction's juvenile justice programs includes probation programs as well as programs used in juvenile justice facilities.
- Robert F. Kennedy National Resource Center for Juvenile Justice conducts probation system reviews in jurisdictions seeking reform and has several publications, tools, and resources to provide guidance to jurisdictions undertaking such an assessment process.
- Youth Advocate Programs assigns trained advocates from the same communities as the youth they serve to mentor youth at risk of out-of-home placement and help them to complete individualized service plans.<sup>15</sup>

## For More Information:

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- *Core Principles for Reducing Recidivism and Improving Other Outcomes for Youth in the Juvenile Justice System* is a white paper released in July 2014 that is focused on promoting "what works" for youth reentering the community.
- Dick Mendel's article in the Juvenile Justice Information Exchange (JJIE) makes the case against the use of traditional surveillance oriented probation and suggests more effective alternatives.
- See the Re-entry section of the Juvenile Justice Resource Hub for an overview of key issues and reform trends relating to probation supervision and other re-entry and aftercare topics as well as further resources.
- "Supervision Strategies for Justice Involved Youth" details three strategies that are most effective in supervising justice-involved youth.

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<sup>1</sup> Elizabeth Seigle, Nastassia Walsh, and Josh Weber, *Core Principles for Reducing Recidivism and Improving Other Outcomes for Youth in the Juvenile Justice System* (New York: Council of State Governments Justice Center, 2014), 37, <http://bit.ly/1r78rrD>; Antoinette Davis, Angela Irvine, and Jason Ziedenberg, "Supervision Strategies for Justice-Involved Youth" (National Council on Crime and Delinquency, May 2014): 3-4, <http://bit.ly/1A1JRI>.

<sup>2</sup> Dick Mendel, "Case Now Strong for Ending Probation's Place as Default Disposition in Juvenile Justice," *Juvenile Justice Information Exchange* (April 14, 2016): 4-5, <http://bit.ly/2aRtGef>.

<sup>3</sup> Approximately 15 percent of youth nationally are confined as a result of a technical violation of their probation or parole. Seigle, Walsh, & Weber, 37; citing "Easy Access to the Census of Juveniles in Residential Placement," <http://1.usa.gov/1Btmvwd>; Adult-based surveillance-only punishment strategies for youth on parole, such as that used in Illinois, have led to unacceptably high reincarceration rates for youth. Illinois Juvenile Justice Commission, "Illinois Juvenile Justice Commission Youth Reentry Improvement Report," 10.

<sup>4</sup> Seigle, Walsh, & Weber, 36.

<sup>5</sup> Seigle, Walsh, & Weber, 37.

<sup>6</sup> Seigle, Walsh, & Weber, 37; Davis, Irvine, & Ziedenberg, 4.

<sup>7</sup> Davis, Irvine, & Ziedenberg, 4-5.

<sup>8</sup> Davis, Irvine, & Ziedenberg, 6.

<sup>9</sup> Mendel, 4.

<sup>10</sup> Mendel, 5.

<sup>11</sup> Davis, Irvine, and Ziedenberg, 2-3.

<sup>12</sup> Mendel, 3,; citing Charles R. Robinson, Christopher T. Lowenkamp, Alexander M. Holsinger, Scott VanBenschoten, Melissa Alexander, and J.C. Oleson, "A Random Study of Staff Training Aimed at Reducing Re-arrest (STARR): Using Core Correctional Practices in Probation Interactions," *Journal of Crime and Justice* 1-22 (2012); and citing Edward J. Latessa, Paula Smith, Myrinda Schweitzer, and Ryan M. Labrecque, "Evaluation of the Effective Practices in Community Supervision Model (EPICS) in Ohio, Draft Report (Feb. 22, 2013).

<sup>13</sup> Mendel, 7.

<sup>14</sup> Mendel, 7.

<sup>15</sup> Mendel, 7.



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## Letting Go of What Doesn't Work for Juvenile Probation, Embracing What Does

By John A. Tuell and Kari L. Harp | June 22, 2016



During the most recent year for which national data is available, juvenile probation oversaw community supervision of more than 500,000 youth. While this number includes diversion, informal adjustment and deferred adjudication cases, still more than 250,000 youth (<http://www.ojdp.gov/ojstatbb/nr2014/>) are placed on formal probation status in lieu of secure placement in a residential treatment or correctional alternative.

In the best practice methodology, juvenile probation combines monitoring and oversight for compliance with court-ordered conditions plus targeted responses to priority areas of youth and family behaviors that promote positive behavior change. In this approach, juvenile

probation serves to ameliorate the risk for reoffending, thereby improving public safety while simultaneously increasing the chances that youth will develop improved cognitive behavioral skills and abilities that will interrupt their trajectory into adult criminality.

(<http://jjie.org/hub/evidence-based-practices/>). Over the past 20 years we have developed the capacity to conduct cost-benefit analysis that reflect the fiscal benefit of juvenile probation versus the costly and often ineffective residential and correctional alternatives that made up far too much of the juvenile justice system landscape during that time. We have learned from practice and research that when juvenile probation is ordered for youth who have moderate and high risks for reoffending, it can produce desirable youth outcomes and community safety – if it's in the right dosage using a collaborative approach that prioritizes addressing the youth's priority criminogenic factors.



Case closed, right? As the famed college football sportscaster Lee Corso would say, "Not so fast, my friend." While there are numerous juvenile probation departments across the country that provide replicable examples, there are far too many that remain behind, not using the science and best practices. Given what we know about the harm that poorly informed court decisions and certain intervention approaches can cause for our youth, this failure is inexcusable.

So how do we make full use of this valuable resource known as juvenile probation? The first thing is to be aware of what works – which is clear and unequivocal. Recent publications that have synthesized the "what works" literature include "Core Principles for Reducing Recidivism and Improving Other Youth Outcomes" (<https://csgjusticecenter.org/wp-content/uploads/2014/07/Core-Principles-for-Reducing-Recidivism-and-Improving-Other-Outcomes-for-Youth-in-the-Juvenile-Justice-System.pdf>) by the Council of State Governments (<http://www.csg.org/>) and "Reforming Juvenile Justice: A Developmental Approach" (<http://www.nap.edu/catalog/14685/reforming-juvenile-justice-a-developmental-approach>) published by the National Research Council (<http://www.nationalacademies.org/nrc/>).

It is clear the most effective approach includes a commitment to:

1. Use of structured decision-making instruments that inform professional judgment at key decision points (e.g., risks-needs-



responsivity tools),

2. A continuum of graduated levels of supervision and responses to behavioral transgressions,
3. Monitoring that is integrated with effective behavior change service interventions and programs, and
4. An effective system of departmental management and supervision practices.

We also know that youth show up in the juvenile justice system with high rates of trauma exposure and active trauma symptoms. The research reflects that more than 80 percent of youth in juvenile justice settings are exposed to more than one traumatic experience. Those events can have significant impact on the mental health, physical health, and behavior and responsiveness of youth with whom probation practitioners work.

Given this prevalence, using validated screening instruments for active trauma symptoms and providing the appropriate care and interventions is yet another best probation practice that contributes to the desired pathway to success.

Additionally, a juvenile justice system committed to family involvement and engagement ensures that there are flexible and authentic opportunities for families to partner in the design, implementation and monitoring of the case plan for the probation-involved youth. The research, derived from practical experiences in juvenile probation, has increasingly reflected that institutionalizing these practices helps decrease delinquent behavior.

[Related: Judge: Juvenile Justice System As Capable of Change As the Children They Try to Help] (<http://jjiic.org/judge-juvenile-justice-system-as-capable-of-change-as-the-children-they-try-to-help/225909/>)

Finally, effective probation departments and juvenile justice systems must define with clarity their mission, goals and accountability measures. Effective departmental management practice commits to collect, manage and report relevant data routinely. This practice leads to continuous opportunities to assess youth outcomes and system performance. Fortunately, several state and local jurisdictions have embraced this obligation and demonstrated that neither technological nor procedural challenges can prevent this requirement from being met.

It is in this holistic framework that a juvenile probation and juvenile justice system may realize the best likelihood of operating in an effective and efficient manner, resulting in the achievement of its goals, objectives and outcomes. In short, when founded on the best practices supported by research, juvenile probation circa 2016 is the most targeted, effective and cost efficient it's ever been.

If this is so clear, why in 2016 are we still only citing limited examples of the outcomes we most desire for our youth and effective and efficient performance of our juvenile probation systems? We must acknowledge that realistic obstacles confront this broader transformation: operating in response to today's crisis, budget constraints (workforce and service), stakeholders who lack understanding of purpose and goals, and an organizational culture content with the status quo.

The latter factor may best be characterized by the motto "If it ain't broke, why fix it?" And therein lies the paradox of probation reform: How do you know it ain't broke if no one is looking under the hood?

The Robert F. Kennedy National Center for Juvenile Justice (<http://rfknrcji.org/>) (RFK NRC) has made juvenile probation self-assessment and "looking under the hood" one of three organizational pillars. We actively support numerous jurisdictions in systematically conducting self-examinations.

Given the unique qualities and characteristics of juvenile probation departments and juvenile justice systems, the effectiveness of probation must be assessed within individual state and local jurisdictions to be relevant. In each jurisdiction we must ask: What measures are being used to ensure that policies, procedures, training curricula, day-to-day practices, program and service effectiveness, stakeholder and partner relationships, and management approaches are aligning with best practices?

The RFK NRC assessment process encourages leaders to ask these questions and has developed an array of resources, tools and guiding publications that can be used to support independent or external review. No matter the auspices, the replicable assessment promotes a necessary commitment to evaluation, continuous quality improvement and accountability.

The finished product for juvenile probation is not an object. The finished product for juvenile probation is the youth living in our communities and their equal chance to realize their future dreams. We know that juvenile probation can be effective and we know how to ensure it is.

It is our professional obligation to consistently implement the practices and methods that make it so. Let's make sure as we go forward that we are not simply talking a good game about our efforts, but rather that we are doing all we can to actualize best practices and realize probation's key role in supporting our youth.

*John A. Tuell, BSW, MA, is the executive director for the [Robert F. Kennedy National Resource Center for Juvenile Justice](http://rfknrcji.org/) (<http://rfknrcji.org/>) at Robert F. Kennedy Children's Action Corps. Before that, he directed and oversaw RFK Children's Action Corps' participation and active involvement in the MacArthur Foundation's Models for Change: Systems Reform in Juvenile Justice Initiative and has held juvenile justice leadership positions within the [Child Welfare League of America](http://www.cwla.org/) (<http://www.cwla.org/>) and the [Office of Juvenile Justice Delinquency Prevention](http://www.ojdp.gov/) (<http://www.ojdp.gov/>) during his professional career.*

*Kari L. Harp is the project director of probation system reform at the RFK National Resource Center for Juvenile Justice. Her passion is to improve outcomes for youth within the juvenile justice system by advancing and supporting best practices within the system and serving the dedicated professionals carrying out this work.*

**More related articles:**

[Case Now Strong for Ending Probation's Place As Default Disposition in Juvenile Justice](http://jiiie.org/case-now-strong-for-ending-probations-place-as-default-disposition-in-juvenile-justice/227322/) (<http://jiiie.org/case-now-strong-for-ending-probations-place-as-default-disposition-in-juvenile-justice/227322/>)

[Troubled No More. Youths Bring Stories of Their Resilience to Probation Professionals](http://jiiie.org/troubled-no-more-youths-bring-the-story-of-their-resilience-to-probation-professionals/234395/) (<http://jiiie.org/troubled-no-more-youths-bring-the-story-of-their-resilience-to-probation-professionals/234395/>)

[Probation Camp Alternatives Work Better for Teens](http://jiiie.org/probation-camp-alternatives-work-better-for-teens/210474/) (<http://jiiie.org/probation-camp-alternatives-work-better-for-teens/210474/>)

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Juvenile Justice Committee  
Data Wish List

Data Point	Current Collection (if any)	Possible Data Sources
<b>Offender data</b>	N/A	DYS
date of intake or referral		Individual courts
date of birth		
race		
ethnicity		
sex		
zip code/city		
OYAS risk level		
source of referral		
legal representation		
education status		
grade in school		
housing situation		
previous out of home non- detention placements		
open children services cases		
prior children services custody		
mental health diagnosis		
substance abuse diagnosis		
prior adjudications		
<b>Referrals</b>		
# by category of offense		
# with formal complaint filed		
# referred that receive mental health screening		
<b>Victim data</b>	National Crime Victimization Survey	Prosecutor's Offices
general demographics		
vulnerable populations		
court appearances		



Juvenile Justice Committee  
Data Wish List

Data Point	Current Collection (if any)	Possible Data Sources
<b># Probation Officers in Ohio</b>	SCO Officer Training Course Attendees	Individual courts SCO if require reporting on quarterly reports
<b># of juveniles on probation 5 year period</b>	DYS has some information for some counties	DYS Individual courts/probation departments
<b>Dispositions that incl. probation</b> # delinquent # misdemeanors # unruly # placed on comm. control length of comm. control per diem costs	N/A	DYS (RECLAIM/JDAI)/BHJJ
<b>Level of supervision available</b>	N/A	DYS Individual courts
<b>Avg duration of probation</b>	N/A	Individual courts
<b># on probation beyond 18</b>	DYS Fiscal Year Reports (partial)	Individual courts
<b>Community programs ordered as probation</b>	RECLAIM/JDAI	Individual courts

Juvenile Justice Committee  
Data Wish List

Data Point	Current Collection (if any)	Possible Data Sources
<p><b>Diversion</b>  eligibility  risk level  stage in proceeding  requirements for success  # diverted each year  result if successful  # referred/denied access  recidivism rate  funding for diversion  per diem costs</p>	<p>Ohio Criminal Sentencing Commission (partial)</p>	<p>Prosecutor offices  Individual courts  DYS</p>
<p><b>Use of local detention</b>  <i>Pretrial</i>  Nature of charge  # detained  avg length of detention  <i>Disposition</i>  nature of charge  # detained  # referred to comm. alt.  avg length of detention  risk level  mental health involved  recidivism rates</p>	<p>Ohio Criminal Sentencing Commission (partial)  Data point in bail committee (adult)</p>	<p>Local jail administrators  Individual courts</p>

Juvenile Justice Committee  
Data Wish List

Data Point	Current Collection (if any)	Possible Data Sources
<b>Detention Facilities</b> # beds available Avg daily population # held pre/post adjudication avg length of stay offense levels bindovers # of school referrals # receiving education # incidents of violence	N/A	DYS
<b>Juv Rehab Centers &amp; CCF</b> # of youth sent # of available beds avg. daily population offense type avg. length of stay available programming per diem costs recidivism rates	N/A	County Commissioners DYS



Juvenile Justice Committee  
Data Wish List

Data Point	Current Collection (if any)	Possible Data Sources
<p><b>DYS Facilities</b>            # committed to DHS            offense types            average daily population            average length of stay            # new offenses            # commitments            # revocations            # review hearings            RECLAIM data            per diem costs            # released            # w/ re-entry plan            post-release programs</p>	DYS	DYS
<p><b>Out of State Placements</b>            # sent out of state            type of placement            average length of stay            offense type            reason for placement            per diem costs</p>	N/A	Individual courts DYS
<p><b>Unruly cases</b>            diversion?            probation?            programs available</p>	N/A	Individual courts

Juvenile Justice Committee  
Data Wish List

Data Point	Current Collection (if any)	Possible Data Sources
<b>Probation Violations</b> % violate # technical violations # pretrial arrest # positive drug test	USDOJ Bureau of Justice Statistics (adult)(partial)	Individual courts
<b>Probation officer caseload</b>	N/A	Individual probation departments
<b>Adjudication data</b> # adjudicated delinquent offense type # of trials/# of pleas # of dismissals amended charge data	N/A	Individual courts
<b>Disposition data</b> services ordered successful completions time to complete # placed in comm. programs per diem costs	N/A	Individual courts
<b>Serious Youthful Offenders</b> # of SYO cases filed # found guilty of SYO offense # of adult sentences invoked # outcomes for SYO juveniles	N/A	Individual courts

Juvenile Justice Committee

Data Wish List

Data Point	Current Collection (if any)	Possible Data Sources
<b>Bindovers</b> # motions filed # discretionary/mandatory # bound over # discretionary/mandatory reason for mandatory # of discretionary retained in juvenile system	N/A	Prosecutor offices Individual courts
<b>Other Dispositions</b> # driver's license suspension # ordered restitution # on electronic monitoring	N/A	Individual courts
<b>Parole</b> Avg length of time by offense # of violations per diem costs	N/A	Individual courts DYS
<b>Residential Facilities</b> admission/release dates cost of operation (annual)	N/A	DYS
<b>Shackling</b> # shackled for court type of shackle group or individual	N/A	Individual judges
<b>Specialized Dockets</b> # of youth referred recidivism rates per diem costs	N/A	Supreme Court of Ohio



Juvenile Justice Committee  
Data Wish List

Data Point	Current Collection (if any)	Possible Data Sources
<b>Recidivism data</b> 6 months 1 years 3 years	DYS has some recidivism reports	Individual courts DYS
<b>Re-entry/Comm. Transition</b> # release hearings # of ct hearings post-release	N/A	Individual courts
<b>School history data</b> # w/ > 10 absences # w/ special ed involvement type of school attended last grade completed reading level # suspended # of days of suspension		*Not Sentencing Commission related
<b>Child Welfare Involvement</b> # prior/current cases abuse, neglect, dependency prior out of home placement prior/current PCSA custody household income prior/current parent incarcerated	N/A	*Not Sentencing Commission related

# OHIO

## CRIMINAL SENTENCING COMMISSION

Chief Justice Maureen O'Connor, Chair • Sara Andrews, Director

### [Kate Foulke, Administrator, Office of Victim Services – Ohio Dept. of Youth Services](#)

***Request:*** Victim data – any kind of victim data collected, general demographics; trends with different crimes to see who the victims are and if we have an especially vulnerable population; and, if victims were at any of the court proceedings.

***Current Collection:*** The National Crime Victimization Survey has at least a partial collection of the requested data. Not all Ohio jurisdictions are reporting but the survey may offer a useful snapshot of current information. The Survey is run by the U.S. Department of Justice, Bureau of Justice Statistics. The published results only show the results of the statistical calculations, but a request to the Bureau might result in their actual data.

### [Kris Steele, Program Manager, Judicial College, Ohio Supreme Court](#)

***Request:*** Common definition of recidivism.

***Current Collection:*** There is no common definition of recidivism. However, the Congressional Research Service created a workable definition and offered a very brief rundown of the literature on the topic.<sup>1</sup> The Bureau of Justice Statistics also conducts recidivism studies and must have a definition to use.

***Request:*** Number of probation officers in Ohio.

***Current Collection:*** No complete list of this data could be found, but there are leads. All officers trained after 2014 have to register and complete the Ohio Juvenile Probation Officer Training program managed by the Supreme Court of Ohio and DYS. Thus, lists of officers should be available from records concerning program completion kept by the court and DYS. This training program should cover all DYS and county employed probation officers.

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<sup>1</sup> <https://fas.org/sgp/crs/misc/RL34287.pdf>

# OHIO

## CRIMINAL SENTENCING COMMISSION

Chief Justice Maureen O'Connor, Chair • Sara Andrews, Director

[Sara Andrews, Director, Ohio Criminal Sentencing Commission](#)

**Request:** Definition of “successful termination” from probation.

**Current Collection:** No standard definition. O.R.C. § 2951.07 terminates the probationary period at the time determined by judge or magistrate unless the probationer committed a probation violation. No more specific definition could be found.

[Kathleen Hamm, Wood County Public Defender](#)

**Request:** Current number on probation/stats over 5 years.

**Current Collection:** The only collated collection to be found is for those defendants under control of the DRC’s Adult Parole Authority. The Authority handles probation for only some of Ohio’s counties, but for those counties the Authority does a yearly census with the relevant data. The DYS definitely tracks numbers of juveniles on parole, so it is likely they have some numbers on probation as well. For counties that do not handle probation through the Authority or DYS, the data will need to be collected piecemeal.

**Request:** Percent kids placed on probation:

- Percent of delinquent dispositions that include probation
- Percent of misdemeanor dispositions that include probation
- Percent of unruly dispositions that include probation

**Current Collection:** A request for the raw data would be necessary, but a combination of the DYS, Behavioral Health Juvenile Justice (BHJJ), and the various RECLAIM programs would likely have the requested information.

**Request:** Level of supervision available (e.g., intensive, monitored, etc.).

**Current Collection:** If the supervision is being run by DYS, BHJJ, RECLAIM, or the Juvenile Detention Alternatives Initiative (JDAI), then the data on how many juveniles are monitored at each level is likely available upon request. If the juvenile is managed through a program run by an individual county, only the county could provide the information. For information on which kinds of supervision each program offers, specific inquiries are likely needed.



# OHIO

## CRIMINAL SENTENCING COMMISSION

Chief Justice Maureen O'Connor, Chair • Sara Andrews, Director

**Request:** Average duration of probation:

- o Length of time ordered at disposition or criteria to determine when to terminate if “open ended”

**Current Collection:** If the supervision is being run by DYS, BHJJ, RECLAIM, or the JDAI, then the data is likely available upon request. If the juvenile is managed through a program run by an individual county, only the county could provide the information.

**Request:** Number of juveniles on probation beyond 18 years old.

**Current Collection:** At least partial information for this statistic is available through the DYS Fiscal Year Reports. The raw numbers are not available but it does give indications the DYS has the information requested. Again though, if the juveniles are managed through a wholly county-run program, they will not be included in those numbers.

**Request:** What are “general” terms of probation?

**Current Collection:** There are no general terms of probation, but there are usually similarities between all. Most counties in Ohio list the boilerplate terms of probation on their court websites. These are terms applied to adults specifically, but it is probable similar standards would apply to juveniles as well.

**Request:** What are “special” terms of probation? Describe court programs ordered as part of probation (e.g. “theft offender program,” “restitution program”).

**Current Collection:** These two requests receive similar treatment and are here answered together. Special terms of probation usually require participation in a community program, which will be addressed in the following request, or some other court offender program such as restitution. However, the actual programs that can be applied in each jurisdiction are usually county run and must be analyzed on a county-by-county basis.

# OHIO

## CRIMINAL SENTENCING COMMISSION

Chief Justice Maureen O'Connor, Chair • Sara Andrews, Director

**Request:** Describe community programs ordered as a part of probation (e.g., substance abuse treatment).

**Current Collection:** The Bureau of Community Sanctions in the DRC should have this information. The Bureau issues a fiscal report of grants to diversion and treatment programs. Therefore, at least in theory, the Bureau must have more detailed records of where the grant money is actually going in order to evaluate the efficacy of the grant recipients and fulfill the Bureau's oversight and compliance monitoring functions. RECLAIM also should be able to provide information on community programs they are funding and monitoring.

- Request:** Is diversion available?
- "out of system" = dismissal?
  - What types of cases/criteria?
  - What stage? (pre-complaint, intake, pretrial, R29)
  - Program requirements?
  - Number diverted each year?

**Current Collection:** See above answer, but likely not all programs are monitored by the Bureau of Community Sanctions and RECLAIM. By statute, pretrial diversion programs are established by prosecutors, and contact with their offices would be necessary to get all the details. Some courts also have special systems that will track some of this information independently.

- Request:** Information regarding use of local detention:
- Pretrial?
    - Nature of charge
    - Percent detained
    - Average length
  - Disposition?
    - Nature of charge
    - Percent detained
    - Average length

**Current Collection:** If this data has been collated at all, it would be by the DRC or DYS. The DRC performs regular inmate censuses, but the report only provides information on convicted individuals, not pretrial detainees and their subsequent dispositions. If the DRC does not have the requested information, likely only individual county jails could provide it. Juvenile-specific pretrial holding arrangement data could not be found. To measure



# OHIO

## CRIMINAL SENTENCING COMMISSION

Chief Justice Maureen O'Connor, Chair • Sara Andrews, Director

for disproportionate minority contact, DYS should maintain at least some records of this data.

**Request:** How are unruly cases handled?

- Diversion available
- Programs
- Probation

**Current Collection:** Data on unruly cases is partially handled at the county level, partially at the state level. At least in some counties, there is an unruly program which is the diversion program. For example, the Franklin County Unruly/Incorrigible Youth Program, where the parent or guardian files for unruly status, and then a referral is sent to either BHJJ or Franklin County Child Services. If the juvenile is on probation, the probation officer deals with the situation. This example is likely not applicable to all counties.

**Request:** How are probation violations handled?

- Percent violate?
- Number of technical violations?
- Pretrial arrest?
- Positive drug test?

**Current Collection:** The US DOJ Bureau of Justice Statistics keep record on probation statistics. Not all of Ohio's jurisdictions are reporting. There is enough data to cover the first three sub-questions, but the "dirty tox" numbers are part of a more inclusive statistic.

**Request:** Size of probation officer caseload.

**Current Collection:** DRC reports caseloads of 75 cases per one of their officers. That total number includes probationers, parolees, community control cases, etc. DRC should have data on the specific compositions of those caseloads. However, these statistics only cover those probationers under the DRC's control, not county probationers. DYS does not report caseload size for their probation officers.

### Judge Robert DeLamatre, Erie Co. Juvenile Court

***Request:*** Detention Data:

- Number detained
- Offense type
- Risk level
- Drug test results
- Mental health involved
- Length of stay
- Recidivism number

***Current Collection:*** The number detained and length of detention could likely be estimated by clever analysis of the Bureau of Justice Statistics annual jail survey by subtracting the incarcerated and community control populations from the total number in local jails. No collection of offense type, risk level, drug test results, mental health involvement, and recidivism rates. Local jails and DRC should have some of those numbers, but they are unlikely to be collated. If held in a juvenile facility, DYS should have access to that data.

***Request:*** Diversion Data:

- Number served
- Offense type
- Risk level
- Service provided
- Successful completion
- Recidivism number

***Current Collection:*** The DRC Bureau of Community Sanctions and RECLAIM has most or all of this data. The publicly available information does not directly show the data, but both agencies issue publications containing calculated results such as totals and averages. Therefore, both groups must also have access to the raw data with which to calculate those statistical results.



# OHIO

## CRIMINAL SENTENCING COMMISSION

Chief Justice Maureen O'Connor, Chair • Sara Andrews, Director

***Request:*** Adjudication:

- Offense type
- Trial or plea number
- Number of dismissals – pretrial and at trial
- Adjudication and amended charge data

***Current Collection:*** No collations found, but all the information can be found on each court's record search system, so if a program to pull the data could be devised, this information would be available.

***Request:*** Disposition:

- Service ordered
- Successful completions
- Time to complete

***Current Collection:*** No collations found, but all the information can be found on each court's record search system, so if a program to pull the data could be devised, this information would be available.

***Requests:*** Violations:

- Type/nature of violation
- Numbers by individual

***Current Collection:*** The DRC has an offender search on their website, meaning information for inmates held under their authority must be collected. DYS does not appear to release this data, but should have most of it on record. If the convicted are held by the county, data will need to be collected county-by-county.

***Request:*** Post-court:

- Connect the numbers to each case and to diversion/adjudication and to service offered and to outcome and then measure success/reentry at 6 months, 1 year, and 3 years

***Current Collection:*** The requested level of data specificity is not available. However, the DRC publishes annual reports with statistics on three-year recidivism rates with the reason for subsequent convictions. **DYS publishes recidivism reports with one, two, and three year recidivism rates.**

# OHIO

## CRIMINAL SENTENCING COMMISSION

Chief Justice Maureen O'Connor, Chair • Sara Andrews, Director

### DYS

**Request:** At the point of intake or referral:

- Date of court intake or referral
- Date of birth (for age computation)
- Race (with defined categories)
- Hispanic/Latino ethnicity (yes or no)
- Sex
- Zip code and city
- Ohio Youth Assessment System (OYAS) risk level
- Source of referral to juvenile court
- Education status (with defined categories)
- Grade in school
- Type of housing situation (with defined categories)
- Location and dates of any non-detention out of home placements
- Dates of any open children services cases involving the youth.
- Prior children services agency custody (yes or no)
- Mental health diagnosis (yes or no)
- Substance abuse diagnosis (yes or no)
- Dates and offenses for any prior adjudications

**Current Collection:** This information is best tracked by DYS.

**Request:** Once involved with the court:

- Dates of any detention stays
- Legal representation (public defender, private, court-appointed)
- Adjudications, including offense, type, felony/misdemeanor level, and dates
- Diversion program with dates
- Community control / probation placement with dates
- Other programs with dates
- Probation violations and violations of court orders – measure recidivism
- New adjudications by level (felony, misdemeanor, unruly) – measure recidivism

**Current Collection:** Best tracked through DYS and subsidiary programs along with tracking through individual court systems.

**Request:** Residential facilities (detention, rehabilitation, CCF, DYS, etc.) should track admission and release date of each youth.



# OHIO

## CRIMINAL SENTENCING COMMISSION

Chief Justice Maureen O'Connor, Chair • Sara Andrews, Director

***Current Collection:*** Best tracked by DYS with support from county holding facilities.

***Request:*** Residential facility annual cost of operation:

- Average daily population, length of stay (which could be broken down by offense, sex, age, race, etc.) and per diem costs could be calculated

***Current Collection:*** Best tracked by DYS with support from county holding facilities.

### [Erin Davies, JJC](#)

***Request:*** Mental health/substance abuse diagnosis and treatment:

- Number of youth who have:
  - Been identified as having a mental health diagnosis
  - Been identified as having a substance abuse diagnosis
  - Had previous mental health /substance abuse treatment total, by type of treatment (inpatient, outpatient, Multisystemic Therapy, etc.), and the number of times a youth has been treated
  - A record of a local service coordination plan via Family and Children First Council

***Current Collection:*** DYS tracks this at the correctional level (as reported by Juvenile Justice Ohio). RECLAIM also likely has this information. The best source is likely the BHJJ and its assessment programs run in conjunction with the Begun Center at Case Western Reserve University.

***Request:*** School history data:

- Number of youth who have more than 10 absences per school year or were withdrawn from school for nonattendance
- Number of youth who have special education involvement, including Individualized Education Plan (IEP), Section 504 Plan, and category of disability
- Type of school attended (e.g. local public, charter, specialized for at-risk youth)
- Achievement level/last completed grade (reading level)
- Number of youth suspended from school and the number of days suspended

# OHIO

## CRIMINAL SENTENCING COMMISSION

Chief Justice Maureen O'Connor, Chair • Sara Andrews, Director

- Number of youth expelled from school and the reason for expulsion

***Current Collection:*** Ask the Ohio Department of Education. Most or all of the data requested appears to be collected as Student Level Records. A Family Education Record Protection Act request is likely necessary to obtain the data.

***Request:*** Prior or current with the child welfare system:

- Number of youth who have:
  - Prior or current Children's Services file/ abuse, neglect, or dependency case
  - Prior out of home placement (e.g. foster care)
  - Prior or current public children services agency custody
  - Household income/poverty line
  - Housing type
  - Zip code and city
  - Prior or current incarceration of parent/guardian

***Current Collection:*** This information is likely to be collected by DYS. Ohio Department of Job and Family Services also likely has a majority of the requested information, but it gives no indication of reporting these statistics.

### [Erin Davies. JJC—Data to Be Collected Throughout Juvenile Justice System Involvement](#)

(Note – All requested information under this heading marked with an asterisk should be tracked throughout the system to identify disproportionate minority contact.)



# OHIO

## CRIMINAL SENTENCING COMMISSION

Chief Justice Maureen O'Connor, Chair • Sara Andrews, Director

***Request:*** Demographic data on youth:

- Age
- Race and ethnicity (must go beyond Black/White/Other to include a Latino ethnicity category)
- Sex
- Whether or not the youth has known diagnosis for a mental health disorder or substance abuse
- Risk level (as determined by OYAS)
- List of family engagement initiatives or plans
- Legal representation by type of attorney (i.e. public defender, privately retained, or court-appointed) and when in the process the youth was represented/waived representation
- Recidivism rates

***Current Collection:*** DYS is in charge of this, but their race demographics are not as specific as requested. DYS is cooperating with federal agencies and the University of Cincinnati to monitor and reduce disproportionate minority contact, so DYS specifically should be able to provide much more information.

***Request:*** Referrals:

- Who refers youth to the juvenile court? (i.e. school, police, parent, Children's Services, other)\*
- Number of cases referred to the juvenile court total and by category of offense\*
- Number of cases with a formal complaint filed, including official and bypass complaints\*
- Number of youth who are referred who receive a mental health screening\* and what screening tool was utilized

***Current Collection:*** Referrals to the juvenile court are usually made by the Intake Unit of the prosecutor's office or by the court itself. Therefore, some of this data will be held by the prosecutor's office, and more is likely available from DYS.

***Request:*** Diversion:

- Per diem costs
- Recidivism rates
- Number of youth referred to diversion services by the court\*
- List of diversion services available to the court and the number of youth served by each placement\*
- Number of youth referred to diversion placements and denied access\*

# OHIO

## CRIMINAL SENTENCING COMMISSION

Chief Justice Maureen O'Connor, Chair • Sara Andrews, Director

- o Level of funding for diversion services

**Current Collection:** Partially collected. RECLAIM programs keep track of at least some of this data, but likely not all. Much of the information is only available to the public in summary form and not the raw data. Individual court programs would have the information to complete the data as well.

**Request:** Specialty Courts:

- o Per diem costs
- o Recidivism rates
- o Number of youth referred to specialty courts\*
- o List of specialty courts available to the juvenile court and the number of youth served by each court\*
- o Outcomes for youth in specialty courts

**Current Collection:** Entirely dependent on the county and certainly not collated. However, the Ohio Supreme Court requires certification of specialty courts every three years, so the Court might be a good starting place to find a list of all specialty courts.

**Request:** Shackling:

- o Number of youth shackled for court appearances\*
- o Type of shackling utilized (i.e. handcuffs, ankles, belly chain)\*
- o Whether youth are shackled together or individually

**Current Collection:** This answer will vary entirely dependent on jurisdiction. The current statewide policy is a presumption against shackling unless the youth presents a danger or flight risk, but it is unknown how often a juvenile is found to meet either of those two conditions and what procedures are followed.



# OHIO

## CRIMINAL SENTENCING COMMISSION

Chief Justice Maureen O'Connor, Chair • Sara Andrews, Director

### ***Request:*** Detention:

- Per diem costs
- Recidivism rates
- Number of youth referred to community-based alternatives to detention\* and the location, type of alternative (e.g. reporting center, alternative school, etc.), and number of youth\* served by each service
- For each detention facility:
  - Number of detention beds available and the name and location of the detention facility
  - Average daily population (county / multi-county)\*
  - Number of youth held awaiting placement vs. disposition (pre-adjudication and. post-disposition)\*
  - Average length of stay total and by category (pre-disposition, post-disposition and by type offense charged)\*
  - Offense level for which the youth is being detained (i.e. felony, misdemeanor, valid court order violation, failure to appear, bindover offense, technical violation, truancy, other)\*
  - For bindover youth held in detention, whether or not youth is bound over to the adult court\*
  - Number of youth detained for offenses that were referred from or took place in schools\*
  - Number of youth receiving education and special education services\*
  - Programming and services available to youth, including education, mental health and substance abuse treatment and other programming as well as the providers of those services
  - Number and types of incidents of violence in the facility\*

***Current Collection:*** DYS, BHJJ, RECLAIM programs, and JDAI should have all of these numbers for their own recordkeeping.

### ***Request:*** Adjudication:

- Number of youth adjudicated delinquent\*
- Offense type of youth adjudicated delinquent (i.e. traffic, unruly, and delinquency by charge)\*
- Number of youth who plea or go to trial\*

***Current Collection:*** These numbers are only kept by courts independently.

# OHIO

## CRIMINAL SENTENCING COMMISSION

Chief Justice Maureen O'Connor, Chair • Sara Andrews, Director

***Request:*** Disposition:

- Community-based programs (per diem rate and recidivism rates)
- Per diem costs
- Recidivism rates
- Number of youth placed in community-based programs\*
- List of community-based programs available to the court and the number of youth served by each service\*

***Current Collection:*** Some of this information might be available through DYS or an affiliated program, but community-based programs run by the county will need to be asked individually.

***Request:*** Community Control/Probation:

- Per diem costs
- Recidivism rates
- Number of youth placed on community control\*
- Offense type of youth placed on community control (i.e. traffic, unruly, and delinquency by charge)\*
- Length of time placed on community control\*
- Type of community control (i.e. reporting, non-reporting, intensive, other)

***Current Collection:*** Some of this information might be available through DYS or an affiliated program, but community-based programs run by the county will need to be asked individually.

***Request:*** Juvenile Rehabilitation Centers and Community Corrections Facilities:

- Per diem costs
- Recidivism rates
- Number of youth sent to these facilities\*
- For each facility, the number of available beds and location of the facility
- Average daily population\*
- Offense type of youth placed in these facilities (i.e. traffic, unruly, and delinquency by charge)\*
- Average length of stay\*
- Programming and services available to youth, including education, mental health and substance abuse treatment and other programming as well as the providers of those services



# OHIO

## CRIMINAL SENTENCING COMMISSION

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***Current Collection:*** All of this information should be recorded by DYS.

***Request:*** DYS:

- Per diem costs
- Recidivism rates
- Number of youth committed to DYS\*
- Offense type of youth sent to DYS (i.e. traffic or delinquency by charge)\*
- Average daily population\*
- Average length of stay total and by category (offense, mental health caseload, etc.)\*
- Reason youth sent to DYS (new offense, recommit, revocation)\*
- Programming and services available to youth, including education, mental health and substance abuse treatment and other programming as well as the providers of those services
- Number of review hearings or information requests form home court to review youth's progress\*
- RECLAIM and Targeted RECLAIM data (we believe this data is collected but may not be publicly available)

***Current Collection:*** All of this information should be recorded by DYS.

***Request:*** Out of State Placements:

- Per diem costs
- Recidivism rates
- Number of youth sent to out of state placements\*
- Location and type of out-of-state placement (i.e. detention, secure residential care, group home, foster care, other)
- Average length of stay\*
- Offense type of youth sent out of state (i.e. traffic, unruly, and delinquency by charge)\*
- Reason youth sent out of state (mental health treatment, sex offender treatment, other)\*

***Current Collection:*** No direct information on this could be found. However, it is likely that DYS has a record of the number sent out of state and the reason, but once a juvenile is out of Ohio's control, it is unknown if other groups have the requested data.

# OHIO

## CRIMINAL SENTENCING COMMISSION

Chief Justice Maureen O'Connor, Chair • Sara Andrews, Director

***Request:*** Serious Youthful Offenders:

- Number of SYO cases filed\*
- Number of youth found guilty of SYO offenses\*
- Number of youth with SYO adult sentences invoked\*
- Outcomes for SYO youth\*

***Current Collection:*** Decisions on serious youth offenders occurs almost entirely in individual courts, and no collated or monitored data could be found.

***Request:*** Bindover:

- Number of youth with bindover motions filed by the prosecutor and by mandatory and discretionary bindovers\*
- Number of youth actually bound over to adult court and by mandatory bindovers and discretionary bindovers\*
- For youth with mandatory bindover, the reason the youth is being mandatorily bound over (offense + 16/17, once an adult always an adult, prior DYS commitment, and out of state residency) along with offense type\*
- For youth with discretionary bindover, the number of youth retained in the juvenile system vs bound over total and by offense type\*

***Current Collection:*** Only individual prosecutor's offices and courts will have this information; not collated.

***Request:*** Other Dispositions:

- Per diem costs
- Recidivism rates
- Number of youth with a driver's license suspension and offense type
- Number of youth given restitution, amount of restitution and offense type
- Number of youth given electronic monitoring and costs

***Current Collections:*** Only individual prosecutor's offices and courts will have this information; not collated.



# OHIO

## CRIMINAL SENTENCING COMMISSION

Chief Justice Maureen O'Connor, Chair • Sara Andrews, Director

**Request:** Re-entry/Community Transition:

- General information:
  - Number of release hearings youth have\*
  - Number of youth who become homeless post-release\*
  - Number and frequency of court hearings post-release\*
  - Number of youth who receive new charges post-release\*

**Current Collection:** A combination of DYS and the Ohio Ex-Offender Reentry Coalition likely have at least some of this data. After a certain amount of time has passed however, it is likely that monitoring by all groups stops.

**Request:** Release from detention or DYS facility:

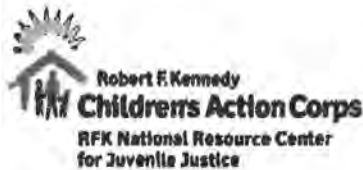
- Number of youth released\*
- Number of youth who have a re-entry plan in place before leaving detention or DYS and the plan point of contact\*
- **List of post-release programs available to the court, the type of placement or services, and the number of youth served by each service\* (per diem costs and recidivism rates)**
- Number of youth who return to the juvenile court system or DYS after release\*
- Number of youth successfully reenrolled in school post-release and the average length of time for reenrollment\*
- If post-release services were not obtained, why not (e.g. not available, youth didn't follow through, too expensive, long waiting list, etc.)\*

**Current Collection:** A combination of DYS and the Ohio Ex-Offender Reentry Coalition likely has at least some of this data.

**Request:** Parole:

- Per diem costs
- Recidivism rates
- Average length of time spent on parole\* total and by offense type
- Number of violations of youth while on parole\*
- Number of youth given restitution, amount of restitution and offense type
- Number of youth given electronic monitoring and costs

**Current Collection:** DYS Bureau of Parole should have this information, unknown if the data is collated.



## ***Data Collection, Management and Performance Measurement for Juvenile Justice and Probation System Youth***

The RFK National Resource Center for Juvenile Justice has a rich history of supporting reforms for juvenile justice and probation systems toward improved outcomes. Our experiences in the field makes obvious the need for an intensified focus on core data that will improve the long-term capacity of states and local sites to collect, manage, and track outcome measures for juvenile justice and probation involved youth. This article and working grid supports a systematic method for state and local jurisdictions undertaking such planning for reforms by providing a listing of key data questions and suggested core data elements for youth that are intended to serve as data planning or reference tools. The primary intent of this article and the accompanying grid is to help develop a data construct that will support efforts at improving outcomes for this population of youth. The exercise of committing to the three tiered examination articulated in the article, using the grid template should prompt important progress in identifying the range and types of data that should be collected and tracked. The RFK National Resource Center for Juvenile Justice has found that this important construct ultimately enhances a jurisdiction's ability to track youth and system outcomes and the impact of newly implemented strategies.

Please reference:

*Data Planning in the Dual Status Youth Initiatives: Initial Suggestions.* Gene Siegel, Robert F. Kennedy National Resource Center for Juvenile Justice, 2014.

<http://rfknrcjj.org/resources/>

*Data Planning: Initial Suggestions (Probation System Review Initiatives/Projects)*

Word document





## Data Planning: Initial Suggestions (Probation System Review Initiatives/Projects)

The following tables reflect the three-tiered planning approach including the eight general data categories, as well as the initial listings of suggested data questions and data elements. Adapted from the *Data Planning in Dual Status Youth Initiatives: Initial Suggestions* article authored by Gene Siegel and available at: <http://www.rfkncrcj.org/resources/>. Please note that category 5 is omitted from this work grid as it's relevance for the Probation System work is limited. The initial listing in this work grid should be viewed as *aspirational – something to strive for* – as well as a reference tool to help sites identify and prioritize the data elements they may choose to track during and beyond the probation system review.

<b>Data category 1: Probation system youth prevalence</b>			
<u>Data Questions:</u> How many probation youth are there in the juvenile justice population?	<u>Basic/Essential data elements:</u> Juvenile justice unique case numbers/identifiers.	<u>Additional/Supplemental data:</u> History of prior contacts with juvenile justice.	<u>Notes:</u> (e.g., which data system(s) house the information, other data sources)
			Among the data elements in each category, which of those do you consider 1) Essential information, 2) relevant information but not essential right now and perhaps not readily available, and 3) Will be important to know eventually but not at this point in the analysis.
How many diversion, informal supervision, and informal adjustment youth are there in the juvenile justice system?	Juvenile justice unique case numbers/identifiers.		
How many youth are currently on an active probation status? What is the average caseload size for juvenile probation officers? By risk level, how many youth are on an active probation status?			

<b>Data category 2: Case Characteristics and history</b>			
<i>Data Questions:</i> What does the probation system/diversion/informal population look like (demographic)?	<i>Basic/Essential data elements:</i> DOB, race/ethnicity, gender.	<i>Additional/Supplemental data:</i> Status offense referral history.  Juvenile justice system history including diversion, probation, and other juvenile justice statuses/levels of involvement.	<i>Notes:</i>
What is the type and seriousness of offense?	Status/misdemeanor/felony; personal, property, etc.		
Where are probation system youth coming from?	Type of residence (dynamic variable, can change over time).		
At what ages are youth becoming involved?	Youth residence address/zip at point of referral.		
Who are the referral sources for the target population?	Law enforcement, school, family, etc.		
What is the history of abuse/neglect allegations and findings for these youth?	Delinquency arrest/referral history including referral sources and most serious charges.		



<b>Data category 3: Case Processing</b>			
<b><i>Data Questions:</i></b> How can your jurisdiction best track progress for each youth in the probation population?	<b><i>Basic/Essential data elements:</i></b> Judicial history including names of jurists handling each hearing or number of different judges handling hearings.  Legal status changes.	<b><i>Additional/Supplemental data:</i></b> All hearings by type, date, findings, and hearing results – this may include informal proceedings as applicable.	<b><i>Notes:</i></b>
How long do key case processing stages take for the probation population?	Arrest to Referral; legal sufficiency to petition, petition to adjudication, etc.		
What are the court histories of the probation system population?			
How many judges and attorneys have been involved in these cases?		Attorney history including name(s) of attorney(s) at each hearing (including prosecutors, defense attorneys, dependency attorneys, et. al.).	
If youth was detained, amount of time spent in detention?			
What percentage of cases are experiencing adjudication and disposition during the same hearing?			
How many pre-dispositional reports are being compiled?			

<b>Data category 4: Case Management, Planning and Supervision</b>			
<b><i>Data Questions:</i></b> How many probation officers and/or court workers have been assigned to handle these cases?	<b><i>Basic/Essential data elements:</i></b> Assigned probation officer/court officer/social worker history.	<b><i>Additional/Supplemental data:</i></b> Changes in probation supervision (i.e., levels, types of supervision, etc.).	<b><i>Notes:</i></b>
How many case plans have been developed? What percentage of probation cases are experiencing timely re-assessments?	Results of Screening/Assessment instruments; court ordered provisions.		
What are the current probation levels of the probation population?	Most recent supervision level.		
What are the contact requirements (direct and collateral) for the probation system population?	Case management system; file notes		

**Data category 5: Case management, planning and supervision  
(Often only applies when examining dual status probation youth)**

<u>Data Questions:</u> How many social workers and probation officers have been assigned to handle these cases?	<u>Basic/Essential data elements:</u> Joint assessments and/or plans conducted. Assigned probation officer history. Most recent probation supervision status.	<u>Additional/Supplemental data:</u>	<u>Notes:</u>
What are the current probation statuses of the target population?			
How many joint case assessments and joint case plans have been conducted, who attends, and when?			



<b>Data category 6: Placement and Services</b>			
<b><i>Data Questions:</i></b> What types of services did the probation population receive before, during and after system entry and when are these services being provided?	<b><i>Basic/Essential data elements:</i></b> Listing of all services/treatment provided including some indication of whether services were completed or not.	<b><i>Additional/Supplemental data:</i></b> Primary caregiver(s).  Reason for specific service provision.  Reason for placement changes.	<b><i>Notes:</i></b>
What are the placement histories of the probation system population?	Living situation/placement statuses including all placement names and categories/types of placements.		

<b>Data category 7: System Outcomes and Performance Indicators</b>			
<b><i>Data Questions:</i></b> Has local data collection and data reports for management purposes improved?	<b><i>Basic/Essential data elements:</i></b> Data system houses necessary data elements.  Routine reports for relevant and requested information is available at managerial meetings.	<b><i>Additional/Supplemental data:</i></b> Enhanced automated case tracking and data capabilities including data analysis.  Service expenditure data that shows use of resources.  Evidence of workload impact including greater efficiency (e.g. probation officers in the field, out of court, timely case reports).	<b><i>Notes:</i></b>
Are risk screens and assessments results captured for the individual youth and in the aggregate?	Results/Summaries of risk scores and treatment domains requiring service interventions (including specific type of treatment and/or service intervention).		
Have policies and protocols for consistent use of and connection to targeted evidence-based services improved?	Appropriate designation of evidence-based services in the database/data collection form.		
Have court processes improved/become more timely?	Dates of hearings, names of judges conducting hearings, codes for hearing outcomes (e.g., held/completed, continued, etc.).		
Is there evidence of more efficient use of limited resources?			
Have there been reductions placements and incarceration?	Conservative cost estimates for different types of placements and incarceration.		
Is there improved local capacity to analyze and track outcomes and trends?	Routine data reports for relevant and requested information.		
Is there evidence of reduced racial and ethnic disparities?	Appropriate codes to track race/ethnicity data.		

<b>Data category 8: Youth &amp; family outcomes (including outcomes by age, gender, and race/ethnicity as applicable)</b>			
<b><i>Data Questions:</i></b> What types of delinquency case outcomes/results are these youth experiencing during project involvement, at case closure, and after program exit?	<b><i>Basic/Essential data elements:</i></b> Case closure results.  Subsequent new delinquent referrals after probation system closure.  Subsequent arrests, referrals, petitions, and adjudications (during and after program exit, including 6 and 12 month recidivism checks).  Subsequent dispositions or sentences.  Detention episodes in excess of 24 hours and lengths of stay in detention.  Changes in residential status.	<b><i>Additional/Supplemental data:</i></b> Available school performance data including enrollment, attendance, grades, absences, suspensions/expulsions, graduation, etc.  Indicators of pro-social engagement (this may have to be self-report data or may be drawn from applicable program status and program exit assessment tools).  Subsequent mental health status assessment data.  Indicators of improved family functioning and connection to supportive adults during program involvement, at program exit, and post-program.  Completion of court ordered compliance provisions.  Employment data.	<b><i>Notes:</i></b>
Has probation system recidivism declined?	Recidivism definition(s)		
Are probation system youth experiencing reduced detention episodes and, when detained, shorter lengths of stay?			
Is there evidence of improved educational performance among the probation system population?			
Is there evidence of improved involvement in pro-social activities?			



Is there evidence of improved behavioral health functioning?			
Is there evidence of increased stability in home or placement?			
Is there evidence of improved family functioning?			
Are probation system youth being "connected" to supportive and caring adults?			



## **Data Planning: Initial Suggestions (Juvenile Community Supervision Population)**

The following tables reflect the three-tiered planning approach including the eight general data categories, as well as the initial listings of suggested data questions and data elements. Adapted from the *Data Planning in Dual Status Youth Initiatives: Initial Suggestions* article authored by Gene Siegel and available at: <http://www.rfknrcji.org/resources/>. The initial listing in this work grid should be viewed as *aspirational – something to strive for* – as well as a reference tool to help sites identify and prioritize the data elements they may choose to track during and beyond the community supervision/probation/re-entry system examination and assessment.

<b>Data category 1: Community supervision youth prevalence</b>			
<b><i>Data Questions:</i></b> How many probation and re-entry youth are there in the juvenile justice population?	<b><i>Basic/Essential data elements:</i></b> Juvenile justice unique case numbers/identifiers	<b><i>Additional/Supplemental data:</i></b> History of prior contacts with juvenile justice	<b><i>Notes:</i></b> (e.g., which data system(s) house the information, other data sources)
			Among the data elements in each category, which of those do you consider 1) essential information, 2) relevant information but not essential right now and perhaps not readily available, and 3) will be important to know eventually but not at this point in the analysis?
How many diversion, informal supervision, and informal adjustment youth are there in the juvenile justice system?	Juvenile justice unique case numbers/identifiers		
How many youth are currently on an active probation/parole status? What is the average caseload size for juvenile probation/parole officers? By risk level, how many youth are on an active probation status?			



<b>Data category 2: Case Characteristics and history</b>			
<b><i>Data Questions:</i></b> What does the probation and parole system/diversion/informal population look like (demographic)?	<b><i>Basic/Essential data elements:</i></b> DOB, race/ethnicity, gender	<b><i>Additional/Supplemental data:</i></b> Status offense referral history  Juvenile justice system history including diversion, probation, and other juvenile justice statuses/levels of involvement	<b><i>Notes:</i></b>
What is the type and seriousness of offense?	Status/misdemeanor/felony; personal, property, etc.		
Where are probation/parole system youth coming from?	Type of residence or facility (dynamic variable, can change over time)		
At what ages are youth becoming involved?	Youth residence address/zip at point of referral		
Who are the referral sources for the target population?	Law enforcement, school, family, etc.		
What is the history of abuse/neglect allegations and findings for these youth?	Delinquency arrest/referral history including referral sources and most serious charges		

<b>Data category 3: Case Processing</b>			
<b>Data Questions:</b> How can your jurisdiction best track progress for each youth in the probation/parole population?	<b>Basic/Essential data elements:</b> Judicial history including names of jurists handling each hearing or number of different judges handling hearings  Legal status changes	<b>Additional/Supplemental data:</b> All hearings by type, date, findings, and hearing results – this may include informal proceedings as applicable	<b>Notes:</b>
How long do key case processing stages take for the probation/parole population?	Arrest to referral; legal sufficiency to petition, petition to adjudication, etc.		
What are the court histories of the probation/parole system population?			
How many judges and attorneys have been involved in these cases?		Attorney history including name(s) of attorney(s) at each hearing (including prosecutors, defense attorneys, dependency attorneys, et. al.)	
If youth was detained, amount of time spent in detention and/or incarceration facility?			
What percentage of cases are experiencing adjudication and disposition during the same hearing?			
How many pre-dispositional reports are being compiled?			

<b>Data category 4: Case Management, Planning and Supervision</b>			
<i>Data Questions:</i> How many probation or parole officers and/or court workers have been assigned to handle these cases?	<i>Basic/Essential data elements:</i> Assigned probation officer/court officer/social worker history	<i>Additional/Supplemental data:</i> Changes in probation or parole supervision (i.e., levels, types of supervision, etc.)	<i>Notes:</i>
How many case plans have been developed? What percentage of probation/parole cases is experiencing timely re-assessments?	Results of screening/assessment instruments; court ordered provisions		
What are the current supervision or risk levels of the probation/parole population?	Most recent supervision level		
What are the contact requirements (direct and collateral) for the probation/parole system population?	Case management system; file notes		
<b>(The following often only applies when examining dual status probation or parole youth)</b>			
How many social workers and probation officers have been assigned to handle these cases?	Joint assessments and/or plans conducted Assigned probation officer history Most recent probation/parole supervision status		
What are the current probation statuses of the target population?			
How many joint case assessments and joint case plans have been conducted, who attends, and when?			
Did the pre-release planning and assessment meetings for parole youth take place in a timely manner?			

<b>Data category 5: Protocol Adherence, Policy and Training</b>			
<i>Data Questions:</i> How aware is probation/parole staff of the protocols that govern their supervision practices?	<i>Basic/Essential data elements:</i> Aware of protocols? Yes/No	<i>Additional/Supplemental data:</i>	<i>Notes:</i>
How often is staff adhering to protocols?	Protocols followed? Yes/No		
What type of training does staff receive?			
Who is receiving training (individual vs. group)?			
Who is providing the training?			
By what method is staff being evaluated?	Competency tests? Supervisor interviews? Client feedback?		
On what skills, practices or outcomes are staff being evaluated?			



<b>Data category 6: Placement and Services</b>			
<b><i>Data Questions:</i></b> What types of services did the probation/parole population receive before, during and after system entry and when are these services being provided?	<b><i>Basic/Essential data elements:</i></b> Listing of all services/treatment provided including some indication of whether services were completed or not	<b><i>Additional/Supplemental data:</i></b> Primary caregiver(s)  Reason for specific service provision  Reason for placement changes	<b><i>Notes:</i></b>
What are the placement histories of the probation/parole system population?	Living situation/placement statuses including all placement names and categories/types of placements		
Are youth receiving the services identified by the disposition or case plan?	What percentage of assigned referrals results in actual delivery of services? OR How many assigned referrals result in successful enrollment by the youth?  What percentage of youth completed services successfully (must be defined by service type and goal)?		

<b>Data category 7: System Outcomes and Performance Indicators</b>			
<b><i>Data Questions:</i></b> Has local data collection and data reports for management purposes improved?	<b><i>Basic/Essential data elements:</i></b> Data system houses necessary data elements  Routine reports for relevant and requested information is available at managerial meetings	<b><i>Additional/Supplemental data:</i></b> Enhanced automated case tracking and data capabilities including data analysis  Service expenditure data that shows use of resources  Evidence of workload impact including greater efficiency (e.g. probation officers in the field, out of court, timely case reports)	<b><i>Notes:</i></b>
Are risk screens and assessments results captured for the individual youth and in the aggregate?	Results/Summaries of risk scores and treatment domains requiring service interventions (including specific type of treatment and/or service intervention)		
Have policies and protocols for consistent use of and connection to targeted evidence-based services improved?	Appropriate designation of evidence-based services in the database/data collection form		
Have court processes improved/become more timely?	Dates of hearings, names of judges conducting hearings, codes for hearing outcomes (e.g., held/completed, continued, etc.)		
Is there evidence of more efficient use of limited resources?			
Have there been reductions in placements and incarceration?	Conservative cost estimates for different types of placements and incarceration		
Is there improved local capacity to analyze and track outcomes and trends?	Routine data reports for relevant and requested information		
Is there evidence of reduced racial and ethnic disparities?	Appropriate codes to track race/ethnicity data		

<b>Data category 8: Youth &amp; family outcomes (including outcomes by age, gender, and race/ethnicity as applicable)</b>			
<b><i>Data Questions:</i></b> What types of delinquency case outcomes/results are these youth experiencing during project involvement, at case closure, and after program exit?	<b><i>Basic/Essential data elements:</i></b> Case closure results  Subsequent new delinquent referrals after probation system or parole closure  Subsequent arrests, referrals, petitions, and adjudications (during and after program exit, including 6 and 12 month recidivism checks)  Subsequent dispositions or sentences  Detention episodes in excess of 24 hours and lengths of stay in detention  Changes in residential status	<b><i>Additional/Supplemental data:</i></b> Available school performance data including enrollment, attendance, grades, absences, suspensions/expulsions, graduation, etc.  Indicators of pro-social engagement (this may have to be self-report data or may be drawn from applicable program status and program exit assessment tools)  Subsequent mental health status assessment data  Indicators of improved family functioning and connection to supportive adults during program involvement, at program exit, and post-program  Completion of court ordered compliance provisions  Employment data	<b><i>Notes:</i></b>
Has probation/parole system recidivism declined?	Recidivism definition(s)		
Are probation/parole system youth experiencing reduced detention episodes and, when detained, shorter lengths of stay?			
Is there evidence of improved educational performance among the probation/parole system population?			
Is there evidence of improved involvement in pro-social activities?			

Is there evidence of improved behavioral health functioning?			
Is there evidence of increased stability in home or placement?			
Is there evidence of improved family functioning?			
Are probation/parole system youth being "connected" to supportive and caring adults?			





### JUVENILE JUSTICE COMMITTEE WORK CHART

<u>Category</u>	<u>Issue</u>	<u>Last Action</u>	<u>Project Status</u>	<u>Responsible Person</u>	<u>Next Action</u>
	<b>Probation (Length of time)</b>	Discussion at 02/16/17	In progress		Recommendations 04/20/17
	<b>Post-Dispositional Detention Time</b>	Discussion	Pending	Kathleen Hamm	
	<b>Sexting</b>	Discussion	Pending	Members	Wait on Ohio Criminal Justice Recodification Committee proposals
	<b>Juvenile Records - sealing, expungement</b>	BCI attended 01/19/17 meeting	In progress		Further discussion and development of recommendations
	<b>Juvenile Data Collection</b>	Members submitted data wish lists	In progress		Present recommendation to full Commission on what data to collect, how it should be collected, where it is found, etc.

# OHIO

## CRIMINAL SENTENCING COMMISSION

Chief Justice Maureen O'Connor, Chair • Sara Andrews, Director

	<b>Juvenile Sentencing Structure</b>	J. Kennedy attended 2/16/17 meeting	Pending		
	<b>Raise age of majority/extend juvenile jurisdiction</b>		Pending		
	<b>Decriminalizing status offenders</b>		Pending		
	<b>Definition of Recidivism</b>	Part of data collection project - it was requested that Ohio develop a standard definition of recidivism for use in data collection and analysis	Pending		Research definitions commonly used in data collection and analysis. <a href="http://www.justiceconcepts.com/recidivism.pdf">http://www.justiceconcepts.com/recidivism.pdf</a> <a href="https://fas.org/sgp/crs/misc/RL34287.pdf">https://fas.org/sgp/crs/misc/RL34287.pdf</a>

# OHIO

## CRIMINAL SENTENCING COMMISSION

Chief Justice Maureen O'Connor, Chair • Sara Andrews, Director

<u>Category</u>	<u>Issue</u>	<u>Last Action</u>	<u>Project Status</u>	<u>Responsible Person</u>	<u>Next Action</u>
COMPLETED	<b>Address juvenile court costs – assessment &amp; collection</b>	Restitution language approved.	<b>COMPLETED</b>	Jo Ellen	
COMPLETED	<b>Extended sentence review (Juvenile)</b>	SB 272 introduced in February 2016	<b>COMPLETED</b>	Jo Ellen Jill Beeler-Andrews	
COMPLETED	<b>Juvenile confinement credit</b>	Language approved by committee	<b>COMPLETED</b>	Jo Ellen Director Reed	
COMPLETED	<b>JSORN</b>	Committee decided not to make any recommendations to Recodification Committee	<b>COMPLETED</b>	Jo Ellen	





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COMPLETED	<b>Mandatory shackling</b>	Comment on proposed Sup.R. 5.01 re: juvenile restraints submitted	<b>COMPLETED</b>	Members	Sup.R. 5.01 adopted by Supreme Court (Eff. 7/1/16)
COMPLETED	<b>Mandatory bindovers – eliminate or limit</b>	Language approved by Commission	<b>COMPLETED</b>	Jo Ellen Erin Davies	
COMPLETED	<b>Mandatory sentences</b>	Committee determined to not make any recommendations on mandatory sentences	<b>COMPLETED</b>	Jo Ellen Erin Davies	
COMPLETED	<b>Truancy</b>	HB 410 was enacted on December 8, 2016	<b>COMPLETED</b>	Jo Ellen Scott Lundregan	