

# **Hennepin County, Minnesota Probation System Review Final Report**

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*Produced for:*

**Hennepin County Juvenile Court  
Department of Community Corrections &  
Rehabilitation, Juvenile Probation Division**

*Presented by the:*

**Robert F. Kennedy National Resource Center for Juvenile Justice**

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# I. BACKGROUND

## A. Probation System Review Design and Framework

In a continuing effort to enhance policy, practice and service provision for the youth and families involved with Hennepin County Juvenile Court and the Department of Community Corrections & Rehabilitation, Juvenile Probation Division, a comprehensive probation system review was undertaken. The Robert F. Kennedy National Resource Center for Juvenile Justice (RFK National Resource Center) was invited to conduct a comprehensive review as articulated below. In partnership with the Hennepin County Juvenile Court and Juvenile Probation Division leadership and relevant interested stakeholders, the analytic probation system evaluation began in April 2019 and concluded in November 2019. The process included a review and examination of policy, practice and service provision designed to inform immediate opportunities for system enhancement, improvement and reform.

The specific design of the review was guided by the 2019 publication entitled *Probation System Review Guidebook, 3<sup>rd</sup> Edition*<sup>1</sup> (PSR Guidebook, 3<sup>rd</sup> Edition) and was accomplished in discussions with the probation and juvenile justice system leadership personnel regarding the most critical issues that confront a department. The overarching purpose for this evaluation was to support the Hennepin County Juvenile Probation Division and Juvenile Court's long-term plan for comprehensive juvenile justice system improvement and identify opportunities for enhanced probation performance based on best practice standards concentrated on the following:

- effective programmatic practices
- effective and efficient court and probation management performance
- improved recognition of the neuroscience of adolescent development and adoption of the principles and hallmarks of a developmental approach to address youth risk and treatment needs
- improved utilization of evidence-based practices and intervention services, and
- implementation of enhanced prevention and early intervention and interagency approaches for youth and families with risks and needs in multiple domains

The review and evaluation was conducted with a focus on four primary areas successfully used in other jurisdictions and described in detail in the PSR Guidebook, 3<sup>rd</sup> edition. The structure of the review and the recommendations and findings in this report include the following elements and areas of concentration:

### ELEMENT A: ADMINISTRATION

- Policies and Procedures: Probation Officer Review
- Agency Goals: Youth and System Outcomes
- Management Practices
- Training

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<sup>1</sup> Tuell, J. A. & Harp, K.L. (2019). *Probation System Review Guidebook, 3rd Edition*. Robert F. Kennedy Children's Action Corps.

## **ELEMENT B: PROBATION SUPERVISION**

- Probation Officer Approach to Supervision
- Professional Staff Responsibilities, Mandates, and Expected Products
- Assignment/Handling of Specific Probationer Populations
- Decision Making Processes
- Service Delivery to Probationers

## **ELEMENT C: INTRA- AND INTERAGENCY WORK PROCESSES**

- Relationship with the Court
- Interagency Case Flow Processes

## **ELEMENT D: QUALITY ASSURANCE**

- Monitoring Youth and System Outcomes
- Employee Performance Measurement
- Program Evaluation (intra-agency and external providers)
- Data Collection, Reporting, and Analysis

These recommendations aim to enhance system practice and performance in ways that are consistent with current best practice standards focused on improving youth and family outcomes. In partnering with the RFK National Resource Center and its Consultant Team, the Hennepin County Juvenile Probation Division and its partners supported an analytic review and examination of current practices that included:

- 1) Assessment of **current available individual and aggregate data** to inform prevalence, demographics and characteristics, risks and needs, trends, trajectories, and outcomes for juvenile justice youth in Hennepin County Probation and Juvenile Probation Division,
- 2) Assessment of **probation system process and performance** in the areas of management policy, court practices, structured and validated screening and assessment tools, key decision points and probation officer decision-making, and identification of strengths and opportunities in these domains,
- 3) Analysis of **case management and flow** within the delinquency court, as well as its linkages with the organizations with whom it interfaces as the case moves through the system (e.g. child protection, education, behavioral health),
- 4) Ability to **identify system and client outcome measures** that drive system and case worker performance, and
- 5) Ability to **identify and access effective community based resources** that match identified service needs through the use of validated screening and assessment tools and methodologies.

The elements covered in this review and the recommendations made herein coalesce to support the overarching goal of improving youth outcomes. According to research conducted by the Council for State Governments, there are four core principles for improving youth outcomes:

- 1) Use **validated risk and needs assessments** to guide supervision, service and resource allocation decisions.

- 2) Implement ***evidence-based and promising programs and services*** that are proven to reduce recidivism and improve a variety of other youth outcomes, and evaluate the results of these services through effective data collection and analysis.
- 3) Embrace ***a cross system and collaborative approach*** to address the youth's needs.
- 4) Employ what is known about ***adolescent development to guide policies, programs and supervision practices***.<sup>2</sup>

These four core principles have guided the development of the strategies and recommendations made in this report and ***must*** continue to support Hennepin County Juvenile Probation Division's future implementation of these recommendations.

## **B. Developmental Reform in Juvenile Justice**<sup>3</sup>

The goals, practices, policies, outcomes, and operations of a juvenile justice system and its affiliated youth serving partners should be informed by the growing body of research and knowledge about adolescent development. The research that was effectively synthesized in the 2013 National Research Council report recognized that adolescents differ from adults in three important ways:

- Adolescents are less able to regulate their own behavior in emotionally charged contexts.
- Adolescents are more sensitive to external influences such as the presence of peers and the immediacy of rewards.
- Adolescents are less able to make informed decisions that require consideration of the long term.<sup>4</sup>

These adolescent characteristics provide the foundation for the adoption and implementation of developmentally informed practices, policies and procedures that have proven effective in achieving the primary responsibilities of the juvenile justice system, which include accountability, prevention of reoffending, and fairness and equitable treatment.

Unfortunately, and all too frequently still in current practice, the goals, design, and operation of the juvenile justice system are not informed by this growing body of knowledge. As a result, the outcomes are more likely to be negative interactions between youth and justice system officials, increased disrespect for the law and legal authority, and the reinforcement of a deviant identity and social disaffection.<sup>5</sup> The challenge going forward for the Hennepin County Juvenile Probation Division includes increasing the numbers and variance of system practitioners who understand and embrace the research findings and implications; advancing the implementation of systemic youth and family intervention practices across the spectrum of key decision points directly impacting the primary goals of the juvenile justice system; and

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<sup>2</sup> Seigle, E., Walsh, N. & Weber, J. (2014). *Core Principles for Reducing Recidivism and Improving Other Outcomes for Youth in the Juvenile Justice System*. Council of State Governments Justice Center.

<sup>3</sup> Tuell, J.A., Heldman, J., & Harp, K. (2017). *Developmental Reform in Juvenile Justice: Translating the Science of Adolescent Development to Sustainable Best Practice*. Robert F. Kennedy Children's Action Corps.

<sup>4</sup> National Research Council. (2013). *Reforming Juvenile Justice: A Developmental Approach*. Washington, DC: The National Academies Press. <https://doi.org/10.17226/14685>

<sup>5</sup> Ibid.

maintaining and improving quality assurance methodologies that ensure fidelity to these principles and practices.

Upon closer examination of the origins of the research over the past decade, there is evidence of significant changes in brain structure and function during the period of adolescence<sup>6</sup> that has resulted in a strong consensus among neuroscientists about the nature of these changes. Much of this work has resulted from advances in magnetic resonance imaging (MRI) techniques that provide the opportunity to safely track the development of brain structure, brain function, and brain connectivity in humans.<sup>7</sup> The evidence suggests that the three previously highlighted cognitive tendencies are linked to the biological immaturity of the brain and an imbalance among developing brain systems. Simply stated, the brain system that influences pleasure-seeking and emotional reactivity develops more rapidly than the brain system that supports self-control. This fact leaves adolescents less capable of self-regulation than adults.<sup>8</sup>

Another key aspect of the research findings from *Reforming Juvenile Justice: A Developmental Approach* has significant implications for initial juvenile justice system responses and the consideration of alternatives to formal processing and diversion opportunities. Specifically, the research shows that for most youths the period of risky experimentation does not extend beyond adolescence, ceasing as identity settles with maturity.<sup>9</sup> The vast majority of youths who are arrested or referred to juvenile court have not committed serious offenses, and more than half of them appear in the system only once.

Additionally, both the seriousness and likelihood of offending are also strongly affected by influences in youths' environment — peers, parents, schools, and communities. While these firmly established research findings must practically inform the juvenile justice system and its affiliated partners, it does not suggest any change to the established primary responsibilities or aims of the juvenile justice system. Those responsibilities remain to:

- 1) hold youth accountable for wrongdoing
- 2) prevent further offending, and
- 3) treat all youth with fairness and equity.

Within these responsibilities for the Hennepin County Juvenile Probation Division and its partners, the research strongly supports that focusing on the positive social development of youth can enhance and assure the protection of public safety. An examination of these responsibilities reflects their compatibility with the developmental approach to juvenile justice.

### **Accountability**

It is imperative that our juvenile justice systems provide an opportunity for youths to accept responsibility for their actions and make amends to individual victims and the community. This focus ensures that youth are answerable for wrongdoing, particularly in cases in which there is harm to person and/or property.

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<sup>6</sup> Scientifically, adolescence has no precise chronological onset or endpoint. It refers to a phase in development between childhood and adulthood beginning at puberty, typically about 12 or 13, and ending in the late teens or early twenties. Generally speaking, when referring to an adolescent the focus is on those persons under age 18.

<sup>7</sup> Steinberg, L. (2009). *Adolescent Development and Juvenile Justice*. Annual Review Clinical Psychology, 5, 459-485.

<sup>8</sup> National Research Council. (2013). *Reforming Juvenile Justice: A Developmental Approach*. Washington, DC: The National Academies Press. <https://doi.org/10.17226/14685>

<sup>9</sup> Ibid.

## **Preventing Reoffending**

The best practice approach to reduce reoffending includes the commitment to the use of structured decision-making instruments that informs professional judgement at key decision points (e.g., risks-needs-responsivity [RNR] tools). In the case process this includes referral/intake, diversion or alternative responses, adjudication, disposition and case planning.<sup>10</sup> These scientifically validated tools and instruments can identify whether a youth is at low, moderate or high risk to reoffend.

Further, RNR assessment tools may be used to assess for the specific needs of the youth in identified domains (family, peers, behavioral health, education, etc.) and permit a more effective matching of treatment and programmatic interventions that will ameliorate the risk to reoffend. If implemented effectively the use of RNR tools effectively target specific evidence-based interventions (e.g., specific therapeutic interventions such as aggression replacement therapy and cognitive-behavioral therapy) that reduce reoffending and produce fiscal returns relative to their costs/youth.

## **Fairness and Equitable Treatment**

The third aim requires that youth are treated fairly through the assurance that due process laws and procedures are protected for every youth and family involved in the juvenile court process. Fundamentally, this includes equal certainty that all youths have access to and are represented by properly trained defense counsel and that all youth have an opportunity to participate in the juvenile justice system proceedings. The fairness standard also applies to the practice of swift justice. An adherence to standards and timelines for case processing is critical in that the juvenile justice process is designed to teach offenders that illegal behavior has consequences and that anyone who violates the law will be held accountable.

The RFK National Resource Center thus asserts that emerging from these primary areas of responsibility is the need to focus on the following areas within their ongoing practices and approaches as the Hennepin County Juvenile Probation Division and the juvenile justice system advances their transformation plan toward the highest level of achievement:

## **Collaborative Leadership**

As youth serving agencies often face the steady stream of immediate crises, it is frequently a challenge to incorporate time and attention to the nurturance of important professional partnerships. This can lead to a fragmentation of effort among the very well-meaning service professionals that undermines accomplishment of goals, objectives and outcomes that benefit the youth and families we serve. With varying missions and mandates, it is also frequently easy to argue for this separatist practice to continue even as we fail as a community of service practitioners to realize positive outcomes. The underlying premise for a developmental approach to juvenile justice system reform (e.g., less capacity for self-regulation, heightened sensitivity to peer pressure, and less ability to make judgements that require future orientation) provides the strongest case yet for system partners to find common ground around which a strong collaborative foundation can be built. With this strong scientific basis, our professional practitioners can collectively recognize that during this period of adolescence, our youth actively engage in risky decision-making in relation to authority at home, in school and in the community.

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<sup>10</sup> Tuell, J. A. & Harp, K.L. (2019). Probation System Review Guidebook, 3rd Edition. Robert F. Kennedy Children's Action Corps.



Collaboration is not merely a concept; rather it is a dynamic and detailed set of connected actions among all critical agency and system partners, but particularly among the Juvenile Probation Division, judges, County Attorneys, and public defense counsel. It is not accomplished episodically, but routinely through the development and adoption of policies, procedures and protocols that are effectively overseen by the persons who comprise the collaborative partnership.

### **Risks-Needs-Responsivity (RNR) Tools**

After more than two decades of research that confirmed the efficacy of scientifically validated structured decision making tools to screen and assess for risk to reoffending, there is still a significant gap between the research and practice. In view of the neuroscience of adolescents, instead of basing sanctions solely on the offense, a more effective approach is to assess each youth's risk for reoffending and reserve the most intensive monitoring and interventions (including both therapeutic services and sanctions) for those at highest risk. In addition, evidence suggests that the best results come from matching services to youths' specific "dynamic risk factors"—that is, risk factors that can be changed, such as substance abuse, poor school achievement, or lack of parental monitoring. Further, with a strong commitment to the RNR tools, juvenile justice system practitioners can more effectively target positive youth development opportunities that focus on increasing competency and cognitive skills development.

A growing number of jurisdictions that have effectively implemented and sustained fidelity of RNR practices have evidence that the approach has significant positive impact on juvenile justice system performance and protection of public safety. The improved system performance is demonstrated by the increased diversion of low-risk youth from formal involvement in the juvenile justice system and the exchange of relevant information among prosecutors, public defenders and judges that permit more timely case processing and informed dispositions. The positive impact on public safety is reflected in the reduction of recidivism and corresponding improvements in cognitive skills and positive youth development

### **Trauma Screening & Treatment**

The growing awareness of the effect of trauma has led to the need for interventions that take into account the relevance of trauma in the lives of youth with behavior problems and potential involvement in the juvenile justice and related youth-serving systems.<sup>11</sup> The first step to identify appropriate interventions is the identification of youth for whom trauma based treatment is necessary. Consistent with the field's concerns, a recent Attorney General's Report has urged all child-serving organizations to "train their staff to identify, screen, and assess children for exposure to violence".<sup>12</sup> Together with trauma-based interventions, methods to specifically screen and assess youth for trauma-based concerns are critical to improving the likelihood for successful behavior change and amelioration of risk to reoffend. The point of emphasis is not merely to acknowledge that youth have high likelihood of trauma events in their life, made higher by those in the child welfare and juvenile justice system, but also the routine need to identify active trauma symptoms. This practice requires a systematic approach to screening through the use of a validated instrument; expedited availability of clinical

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<sup>11</sup> Grisso, T. & Vincent, G. (2014). *Trauma in Dual Status Youth: Putting Things in Perspective*. Boston: Robert F. Kennedy Children's Action Corps. <http://rfknrcij.org/resources/trauma/>

<sup>12</sup> Report of the Attorney General's National Task Force on Children Exposed to Violence. (2012). Washington DC: Office of Juvenile Justice and Delinquency Prevention. <https://www.justice.gov/defendingchildhood/cev-rpt-full.pdf>

assessment where the risk indicates need; targeted, evidence-based treatment interventions with appropriately licensed clinicians; and training of youth-serving staff to appropriate methods of interaction and recognition of trauma responses.

### **Graduated Response / Sanctions**

A strong system of “graduated responses” – combining sanctions for violations and incentives for continued progress – can significantly reduce unnecessary incarceration or other out-of-home placements, reduce racial and ethnic disparities, and improve successful probation completion rates and other outcomes for youth under supervision. There is compelling evidence that the juvenile justice system and its partners should incorporate this practice at key decision points affecting the trajectory of the youth into and out of system involvement. An effectively implemented system of responses and incentives may reduce harmful effects of confinement while holding the youth appropriately accountable. It is a “cardinal tenet of our justice system that punishment should be proportional to the offending behavior and evidence is now available from many criminal justice and youth-serving contexts that using incentives more frequently than sanctions is most likely to achieve behavior change.”<sup>13</sup>

### **Positive Youth Development**

Yet another practice that can be directly informed by the research about adolescent development involves commitment to the concepts related to positive youth development (PYD). This approach erodes the deficit based approach that dominates many of our juvenile justice and probation system paradigms for case management and acknowledges that youth are capable of stabilizing maladaptive behaviors if they can be attached to a variety of social resources that facilitate healthy development. In the past decade, concentrating on positive youth development goals has provided the juvenile justice system with a compelling framework for service delivery, especially in cases involving younger juveniles and those charged with less serious crimes. The PYD essentially asserts that reducing offending means not simply restricting opportunities to offend but expanding opportunities to grow. The practices associated with an effective PYD approach support development of more mature patterns of thinking, reasoning, and decision-making.<sup>14</sup>

In combination with the appropriate use of RNR approaches, case management plans can incorporate PYD opportunities into the strategies that strengthen cognitive skills and positive assets which help to ameliorate risk in the priority domains for treatment and intervention.

### **Case Processing Timeline Standards**

It is well documented that delays in the processing of youth through the justice system can have negative results not only for the youth themselves but also for their families and communities. Improving the timeliness of the justice process is far more than a technical matter for managers and judges; it is a critical part of policy and practice in ensuring the juvenile justice system fulfills its basic mission.”<sup>15</sup> The qualitative research findings on successful adoption of adherence to these improved practices highlighted two common themes:

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<sup>13</sup> Center for Children’s Law and Policy. (2016). *Graduated Responses Toolkit: New Resources and Insights to Help Youth Succeed on Probation*. Washington, DC. <http://www.cclp.org/graduated-responses-toolkit/>

<sup>14</sup> Research on Pathways to Desistance. (2014). *Programs that Promote Positive Development Can Help Young Offenders Grow Up and Out of Crime*. The John D. and Catherine T. MacArthur Foundation.

<sup>15</sup> National Institute of Justice & Office of Juvenile Justice and Delinquency Prevention. (2014). *Delays in Youth Justice*. Justice Research. <https://www.ncjrs.gov/pdffiles1/nij/237149.pdf>

- Success in addressing court delay requires leadership in the form of a court culture that is committed to case management.
- Routine and shared communication is vital for any successful case management system, no matter how automated that system may be.

These revised practices require collaboration from the key system actors and include judges, prosecutors, defense counsel, court administrators, and court/probation staff at a minimum.

### **Family Involvement and Engagement**

The active engagement and involvement of families, which by definition must include the nuclear, single parent and extended family units, must 1) be based on their strengths and assets, and 2) provide for an active role and partnership in the development, implementation and management of comprehensive treatment plans for their children. Adolescent youth rely on the family, the primary natural support, to provide guidance, instruction and nurturance no matter the level of dysfunction and our efforts must seek to enhance and not supplant that support system in both the short- and long-term. The research is clear that absent the meaningful engagement and involvement of families in our planning and interventions there is a decreased likelihood of achieving the positive outcomes we seek for our youth.

The foundation of the Probation System Review and the findings and recommendations contained herein is built upon the belief that when this research and the associated principles and practices are effectively applied to the primary areas of responsibility (accountability, preventing reoffending, and fairness and equitable treatment) of the juvenile justice system and its affiliated partners, the Hennepin County Juvenile Probation Division will experience a **higher likelihood** of achieving its mission, goals, objectives and outcomes. The achievement of these outcomes is a shared community responsibility (e.g., the community of public and private actors and organizations).

## **II. METHODOLOGIES**

The RFK National Resource Center employed an interactive consultation process designed to assist and support, not supplant, the authority, talents, current initiatives and work of leaders within Hennepin County Juvenile Probation Division and the juvenile justice system. This initiative was accomplished with the guidance, active involvement and support of the **Probation System Review Team (PSRT)** which included Hennepin County Juvenile Probation Division, juvenile court and relevant juvenile justice system leadership personnel. The members of the PSRT possessed the expertise and authority to oversee key decisions and activities potentially impacting reform. The primary members of this group included:

- Hennepin County Judiciary
- Hennepin County Community Corrections & Rehabilitation (Director and Managerial/Supervisory personnel)
- Hennepin County Attorney's Office
- Hennepin County Public Defender
- Hennepin County's Law Enforcement Agencies
- Representatives from Education and Community Services

- Youth Justice Council (comprised of a robust array of community members, including the youth and family voice, and system partners)

At the outset of the project, the RFK National Resource Center consultant team<sup>16</sup> (RFK Consultant Team) worked with the PSRT and the Youth Justice Council to examine the most advantageous methodologies proven to be effective in past evaluations. The PSRT met at regular intervals during the project period to develop and refine the collaborative work plan, to determine the composition of relevant and necessary standing or ad hoc subcommittees, to discuss relevant expectations and parameters, and to set any other necessary directions for the work.

The template and multiple methodologies contained herein have been successfully utilized in numerous other jurisdictions and were employed in this review to fulfill and achieve the Hennepin County Juvenile Probation Division's goals to "to provide individualized supervision, care, and treatment in a manner consistent with public safety to those youth under age 18 at the time of referral who violate the law." Further, to support the juvenile justice system to encourage prevention efforts through the support of program and services designed to meet the needs of those youth who are identified as being at-risk or violating the law and those whose behavior is such that they endanger themselves or others.

The engagement of agency/organizational leadership, court, probation, community members and other relevant practitioners and stakeholders was essential to the development of these recommendations and findings. These recommendations capitalize on local expertise while seizing viable opportunities for reform. This collaborative approach increases the likelihood that the Hennepin County Juvenile Probation Division and other relevant and critical youth serving partners within the court system will actively implement plan recommendations.

The Hennepin County Juvenile Probation Division, in partnership with the RFK Consultant Team, used multiple methodologies to inform the Probation System Review analysis. The following methods were used to carry out the elements of the review:

### **Routine Meetings with a Designated Project Leadership Team**

*Site visits were conducted on the following dates:*

- April 23-24, 2019
- June 26-27, 2019
- August 22-23, 2019
- November 5-6, 2019

During the on-site visits, regularly scheduled meetings with the Core Leadership Team, the PSRT, and the Youth Justice Council were convened to provide direction for the execution of the work plan, provide access to designated personnel, discuss and assess the progress of the evaluation, and to offer dynamic current suggestions to address preliminary themes or findings as the evaluation progressed. This methodology permitted opportunities for remedial action

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<sup>16</sup> The RFK Consultant Team was comprised of John A. Tuell Executive Director, RFK National Resource Center; Peg Robertson, Independent Consultant, both of whom served as the primary consultants on-site. Additionally, Peg Robertson, Independent Consultant and staff from the National Juvenile Defender Center were members of the Probation System Review Team.

without waiting for the final report to be completed. As needed, conference calls were conducted to address relevant issues arising in between on-site visits.

### **Document Review**

Beginning in March 2019, prior to the first visit, the RFK Consultant Team began a review of foundational documents that set forth the vision and goals of the Hennepin County Juvenile Probation Division. Throughout the process, documents were requested and reviewed as they related to the primary topics of discussion. See *Appendix A* for a complete inventory of documents reviewed.

### **Process Mapping**

A process mapping exercise was conducted with a self-selected group of probation officers and probation management representing all of the probation units. The purpose of this exercise was to analyze interfaces, handoffs, bottlenecks, and other case flow issues in the handling of cases internally. This included a discussion of what information is available at various decision points while identifying perspectives on interagency work processes and opportunities to improve practices in the priority areas for the review. See *Appendix B* for a Hennepin County Juvenile Court Process Map.

### **Employee Survey**

An electronic employee survey was conducted between the months of June – October 2019 (*Appendix C*). Invitations and a link to participate in the survey were sent to the current Probation staff and supervisors. Participants were given eight weeks to complete the on-line survey. The survey consisted of 66 multiple choice and 12 open-ended questions. All survey participants were assured anonymity. There was an 81% response rate and the results of the survey were shared with the PSRT and the Probation Officer's working group during the August and November 2019 site visits and were used to further refine the understanding of actual management and probation practices that were ripe for discussion. The results informed the maturation of the findings and the development of the final recommendations.

### **Performance Measures and Outcomes Development**

This methodology was used to support an increased awareness of how worker performance (practice and adherence to prescribed practices) was/is related to the desired sought outcomes for the client population. The discussions permitted a clearer identification of how youth needs connect probation practice to the achievement of desired service and treatment outcomes. The methodology formed the basis for enhancing opportunities to measure worker performance toward those outcomes and collect data regarding achievement of those and other identified system and youth outcomes. This methodology featured meetings with the Probation Senior Management and Information Technology/Data Analyst personnel that could enhance an understanding of current data driven practice and capacity to highlight priority system performance and youth outcome measures in the future operations of Probation and the juvenile court.

### **Key Stakeholder Interviews**

The RFK Consultant Team conducted interviews with the Hennepin County community based service providers who interact on a regular basis with probation and the court. Interviews were also conducted with the juvenile judges to better understand their experiences with probation and the juvenile court. These interviews supplemented the PSRT group discussions and the

information gleaned through conversations with the Probation Manager, senior management and the probation staff.

### **Probation Orders Analysis**

In partnership with RFK National Resource Center consultant staff, National Juvenile Defender Center (NJDC) staff worked with an assigned workgroup and reviewed all relevant standard and supplemental probation orders and focus on three key issues:

- number of conditions on the orders,
- types of conditions on the orders, and
- language and accessibility of the orders

The analysis highlighted developmental concepts and research underlying the need for streamlining conditions and will provide information and feedback to help jurisdictions target individual youth strengths, goals, and needs. The analysis and review is incorporated into the final report of findings and recommendations for enhancing and strengthening probation orders within the Hennepin County Juvenile Probation Division, the juvenile court and the juvenile justice system.

### **Best Practice Analysis**

The best practice analysis of the juvenile justice system, core to this system evaluation, involved an ongoing review of the following practices framed against the current research and understanding of evidence-based approaches and probation practices:

- decision-making processes
- current data capabilities
- case handling process
- current data reports that inform probation management
- desired recidivism measures and outcomes
- opportunities to implement a risk/need assessment tool
- referral and intake process (how it intersects with probation and law enforcement)

This methodology was predominantly conducted within the PSRT meetings and in interviews with the judges, the County Attorney, and the Public Defender.

It must be noted at the outset that the focus of these methodologies was prioritized in initial conversations with the Hennepin County Juvenile Probation Division Management Team (identified in the Organizational Chart on page 18 of this report) and in early conversations with stakeholders and staffing teams. This resulted in the RFK Consultant Team assigning more time to the examination of those issues which were identified as priority strengths or concerns. These decisions guided the RFK Consultant Team in allocations of time for review, examination and analysis – and scope.

### III. HENNEPIN COUNTY JUVENILE PROBATION DIVISION

#### A. Purpose and Intent of Juvenile Code of Minnesota

According to the Minnesota Rules of Juvenile Delinquency Procedure (Rule 1.02 - General Purpose), the purpose of the juvenile rules is to establish uniform practice and procedures for the juvenile courts of the State of Minnesota, and to assure that the constitutional rights of the child are protected. The purpose of the laws relating to children alleged or adjudicated to be delinquent is to promote the public safety and reduce juvenile delinquency by maintaining the integrity of the substantive law prohibiting certain behavior and by developing individual responsibility for lawful behavior. This purpose should be pursued through means that are fair and just, that recognize the unique characteristics and needs of children, and that give children access to opportunities for personal and social growth. These rules shall be construed to achieve these purposes.

The intent, authority and purposes that are codified in Minnesota law (Public Welfare and Related Activities, Chapter 260 Juvenile Court, Chapter 260B. Delinquency) reflect the following:

##### **§260B.101 Jurisdiction**

Subdivision 1. Children who are delinquent. Except as provided in sections 260B.125 and 260B.225, the juvenile court has original and exclusive jurisdiction in proceedings concerning any child who is alleged to be delinquent, a juvenile traffic offender, a juvenile petty offender, and in proceedings concerning any minor alleged to have been a delinquent, a juvenile petty offender, or a juvenile traffic offender prior to having become 18 years of age. The juvenile court shall deal with such a minor as it deals with any other child who is alleged to be delinquent or a juvenile traffic offender.

Subdivision 2. No juvenile court jurisdiction over certain offenders. Notwithstanding any other law to the contrary, the juvenile court lacks jurisdiction over proceedings concerning a child excluded from the definition of delinquent child under section 260B.007, subdivision 6, paragraph (b). The district court has original and exclusive jurisdiction in criminal proceedings concerning a child excluded from the definition of delinquent child under section 260B.007, subdivision 6, paragraph (b).

Subdivision 3. Jurisdiction over parents and guardians. A parent, guardian, or custodian of a child who is subject to the jurisdiction of the court is also subject to the jurisdiction of the court in any matter in which that parent, guardian, or custodian has a right to notice under section 260B.151 or 260B.152, or the right to participate under section 260B.163.

##### **§260B.141 Petition**

Subdivision 1. Who may file; required form. Any reputable person, including but not limited to any agent of the commissioner of human services, having knowledge of a child in this state or of a child who is a resident of this state, who appears to be delinquent, may petition the juvenile court in the manner provided in this section.

Subdivision 2. Verification of petition. The petition shall be verified by the person having knowledge of the facts and may be on information and belief. Unless otherwise provided by

this section or by rule or order of the court, the county attorney shall draft the petition upon the showing of reasonable grounds to support the petition.

Subdivision 3. Form of petition. The petition and all subsequent court documents shall be entitled substantially as follows:

"Juvenile Court, County of .....

In the matter of the welfare of ....."

The petition shall set forth plainly:

- (a) The facts which bring the child within the jurisdiction of the court;
- (b) The name, date of birth, residence, and post office address of the child;
- (c) The names, residences, and post office addresses of the child's parents;
- (d) The name, residence, and post office address of the child's guardian if there is one, of the person having custody or control of the child, and of the nearest known relative if no parent or guardian can be found; and
- (e) The spouse of the child, if there is one. If any of the facts required by the petition are not known or cannot be ascertained by the petitioner, the petition shall so state.

Subdivision 4. Delinquency petition; extended jurisdiction juvenile. When a prosecutor files a delinquency petition alleging that a child committed a felony offense for which there is a presumptive commitment to prison according to the Sentencing Guidelines and applicable statutes or in which the child used a firearm, after reaching the age of 16 years, the prosecutor shall indicate in the petition whether the prosecutor designates the proceeding an extended jurisdiction juvenile prosecution. When a prosecutor files a delinquency petition alleging that a child aged 14 to 17 years committed a felony offense, the prosecutor may request that the court designate the proceeding an extended jurisdiction juvenile prosecution.

Subdivision 5. Concurrent jurisdiction. When a petition is filed alleging that a child has engaged in prostitution as defined in section 609.321, subdivision 9, the county attorney shall determine whether concurrent jurisdiction is necessary to provide appropriate intervention and, if so, proceed to file a petition alleging the child to be both delinquent and in need of protection or services.

### **§260B.143 Procedure; Juvenile Petty and Misdemeanor Offenders**

Subdivision 1. Notice. When a peace officer has probable cause to believe that a child:

- (1) is a juvenile petty offender; or
- (2) has committed a delinquent act that would be a petty misdemeanor or misdemeanor if committed by an adult,

the officer may issue a notice to the child to appear in juvenile court in the county in which the child is alleged to have committed the offense. The officer shall file a copy of the notice to appear with the juvenile court of the appropriate county. If a child fails to appear in response to the notice, the court may issue a summons notifying the child of the nature of the offense alleged and the time and place set for the hearing. If the peace officer finds it necessary to take the child into custody, sections 260B.175 and 260B.176 shall apply.

Subdivision 2. Effect of notice. Filing with the court a notice to appear containing the name and address of the child, specifying the offense alleged and the time and place it was committed, has the effect of a petition giving the juvenile court jurisdiction.



Subdivision 3. Notice to parent. Whenever a notice to appear or petition is filed alleging that a child is a juvenile petty offender or has committed a delinquent act that would be a petty misdemeanor or misdemeanor if committed by an adult, the court shall summon and notify the person or persons having custody or control of the child of the nature of the offense alleged and the time and place of hearing. This summons and notice shall be served in the time and manner provided in section 260B.151, subdivision 1.

Subdivision 4. No right to counsel at public expense. Except as otherwise provided in section 260B.163, subdivision 4, a child alleged to be a juvenile petty offender may be represented by counsel but does not have a right to appointment of a public defender or other counsel at public expense.

It is important to identify this foundational establishment of jurisdiction and dispositional alternatives within the state of Minnesota's codified language as a preview to the structure and operations of Hennepin County's Juvenile Probation Division and the juvenile court. This language establishes the baseline for the review and assessment of the functions and practice of the Juvenile Probation Division for achieving the intent and desired performance related to public safety, accountability and positive youth development that ameliorates the risk for reoffending.

## **B. Hennepin County Juvenile Probation Division and Juvenile Court - Mission, Vision, Purpose and Values**

The Hennepin County Juvenile Probation Division operates within the Hennepin County Department of Community Corrections and Rehabilitation (DOCCR) whose mission is to *enhance community safety, promote community restoration and reduce the risk of re-offense*. The vision of DOCCR is to be an *equity-focused, client-centered and employee-driven department*. As part of the Field Services Area of DOCCR, the Juvenile Probation Division, led by Jerald Moore, provides intervention services, guidance and control for youth ages 18 and under, also including those youth charged under the Extended Juvenile Jurisdiction statute who are alleged and/or adjudicated to be involved in delinquency and truancy. The vision and purpose for Juvenile Probation are reflected in the following statements:

**Vision Statement:**

We envision a world where youth are empowered to hold a sense of possibility.

**Purpose Statement:**

We are responsible to youth. We work in partnership with youth, juvenile justice partners, and communities in their pursuit of well-being.

**Values:** respect, inspire, compassionate accountability, intention, and an embrace of diversity.

## **C. Prevalence Data**

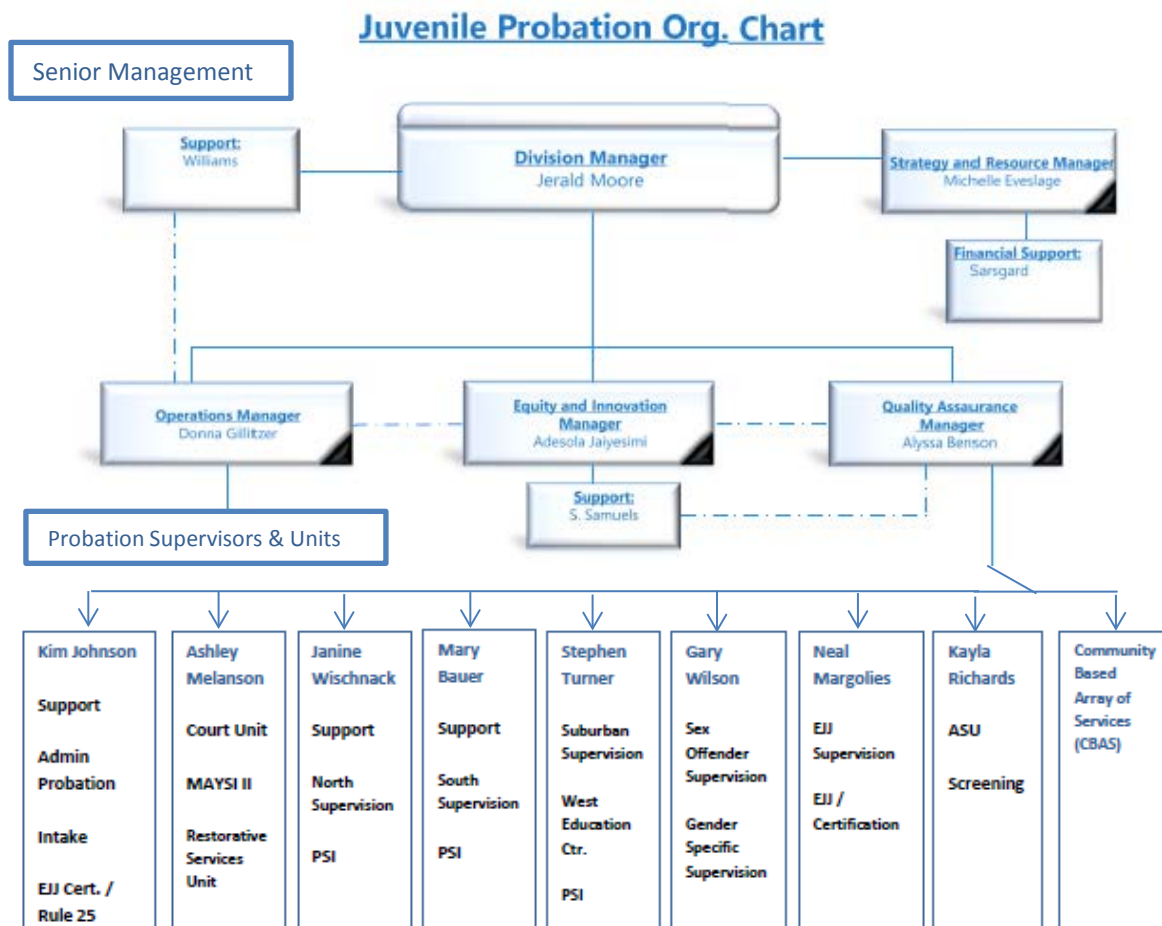
According to the most recent data (2018) reviewed from available sources, Hennepin County's total population is 1,259,428. It is the largest county in the state. The youth population (<18 years of age) makes up 22% of the total census, or 251,884 persons. The majority race is White, at 74.4% of the total population; followed Black or African American at 13.6%, Asian comprising 7.5%, and Hispanic or Latino at 7.1%. In calendar year 2018, the per capita median household

income was \$74,113, while the per capita income was reported to be \$43,075. The county experiences a 10.3% poverty rate for its population.

In 2017, there were a total of 6074 juvenile cases received by the HCAO. Of those cases, 68% were cases involving youth of color (Black, Hispanic, or Native American). Black youth, who make up 58% of that total number of cases prosecuted, only account for 22% of the entire population of 10-17 year olds in Hennepin County. Of the total cases received by the prosecutor, 3062, or 50% of cases lead to a charge being filed against a youth. During 2017, as reflected in the February 2018 report, the Juvenile Probation Division supervised 623 youth on active probation status and provided oversight or services to another 451 youth under court status described as Administrative, Restitution, or Sentence to Service. There is additional prevalence data in the annual Juvenile Probation Profile Reports. These reports are released in February of the following calendar year.

### D. Structure and Organization

The Hennepin County Juvenile Probation Division and juvenile court offers the organizational chart below that reflects current lines of authority, responsibility and accountability for each of the service units that comprise the Juvenile Probation Division, one of five divisions in the DOCCR Field Services Area. The Juvenile Probation Division organizational chart also reflects the various geographical regions served by the supervision units. The DOCCR organizational chart is included as Appendix E for reference.



As depicted in the organizational chart on the previous page, in addition to the core probation services there are a wide range of service options that include Juvenile Intake and Residential Services, among others. Additionally, professional staff from the units in DOCCR's Operations & Innovation service area provides support to the Juvenile Probation Division. As will be noted throughout the report, these service units are critical to the operations and success of the Hennepin County Juvenile Probation Division.

## **ELEMENT A: ADMINISTRATION**

### **A. Introduction**

The review of administration focused on the Hennepin County Juvenile Probation Division's policies, procedures, and operations, as well as how the managerial oversight for probation and service units is carried out as reflected in the feedback from probation staff, stakeholders, and key system partners. This review element began with a careful analysis of the policies and procedures. The analysis was followed by descriptions of Juvenile Probation Division's operations and covered training, management practices, and probation practices. Probation practices included probation supervision, service delivery to probationers, and a qualitative and subjective exploration of the various views, perspectives, and philosophies held about probation practices.

The key issues in this review element were:

- 1) whether the service unit and probation policies and procedures are a relevant guide for daily practice;
- 2) how management practices contribute to the overall functioning of Court Services and Probation;
- 3) how the design and delivery of training support desired court service and probation practices;
- 4) whether the service units and probation supervision are effectively carried out; and
- 5) whether services to court involved youth and families are effectively delivered.

In addressing court service and probation practice and implementation in Element A, the review began with an analysis of policies, procedures, and operations that govern Probation administration. Specifically, the PSRT and other stakeholders examined how court services and probation practices are informed and guided by its memorialized documentation related to Juvenile Probation Division leadership, managerial oversight, supervision of clients, and training. This was also the initial opportunity to ensure that the review was significantly informed by feedback from Juvenile Probation Division staff and relevant stakeholders (e.g., judges, prosecutors, public defenders, etc.).

### **B. Policies and Procedures Manual**

The analysis of Juvenile Probation Division's policies and procedures began with an inquiry and discussion about the documents that guide the operations of the Juvenile Probation Division and the daily activities of the Juvenile Probation Division staff and probation officers.

Questions that guided this part of the review:

- Do the mission, vision, values, policies and procedures link well to each other?
- Do the mission, vision, values, policies and procedures reflect best practices?
- Do the mission, vision, values, policies and procedures link well to daily juvenile court service and probation operations?

To be effective, an organization must have a clear mission that undergirds the strategies that guide its daily operations. A PriceWaterhouseCoopers study indicates that high-performing organizations reported 31% greater effectiveness overall when vision, mission and values statements were clearly articulated and accountability plans were incorporated into a management strategy.

The Juvenile Probation Division provided extensive materials for review that included the vision, mission and values of the DOCCR as well as those related specifically to juvenile probation. Operational policies and procedures are in place for the basic duties of supervising probation officers that can be accessed by staff electronically. All policies are reviewed annually by management and updated as necessary. Staff responses in the surveys indicated that the current policy/ procedure structure is not as helpful to the work as it could be. Officers in focus groups suggested that policies are rarely consulted. They are more likely to consult with a supervisor or peer for direction than to consult written materials. On the other hand, some survey participants indicated a desire to have more input in policy development and an expansion of the materials that would be more comprehensive than the current content.

The review did confirm the existence of gaps in the current body of policy and procedure. In particular, the court unit staff has no written policy or procedures that guide their work. The staff in that unit is, like most staff in the Juvenile Probation Division, very experienced and has developed their own methods and strategies for accomplishing the daily work. To ensure consistency with best practice and evidence-based approaches, it is imperative that all staff responsibilities are articulated in written policy with clearly defined goals and objectives for the work.

The review also found a lack of clear connection between the mission and values of the organization and the actual operating procedures. The management of the DOCCR, including the Juvenile Probation Division, clearly embraces the principles of family engagement and adolescent development, but there is little in the actual policy that translates those values to practice. This absence has a particularly profound negative impact on the practices within the Court Unit and Supervising Probation Units.

The RFK National Resource Center is committed to the established proficiency of understanding of adolescent development and translation of same into practice for all probation and court service staff. This understanding and practice proficiency require intentional diligence to ensure all staff persons are driven in practice by this science and approach. The basic science indicates that:

*The families, peers, schools, and communities have a significant influence on beliefs and actions of youth. They engage in risky behaviors, fail to account for the long-term consequences of their decisions, and are relatively insensitive to degrees of punishment. They also struggle to regulate their impulses and emotions. Thus, a developmentally appropriate approach to working with youth should undergird all*

*policies, programs, and supervision in the juvenile justice system.*<sup>17</sup>

Accordingly, within the MN Rules of Juvenile Delinquency Procedure Rule 1.02 that indicates the requirement to “recognize the unique characteristics and needs of children, and that give children access to opportunities for personal and social growth”. However, the effective inclusion of policy language that drives consistent practice language on the adolescent developmental differences between juveniles and adults and instruct current best practices is noticeably absent in Juvenile Probation.

### **C. Managerial Oversight**

The Juvenile Probation Division functions within the structure of the Hennepin County Department of Community Corrections and Rehabilitation (DOCCR). The Department Director, Catherine Johnson, oversees three area directors covering Institutional Services, Operations and Innovation Services, and Field Services. The Division Manager for Juvenile Probation, Jerald Moore, reports to the Area Director for Field Services, Julie Rud. Area Director Rud actively participated in the review process as part of the Probation Services Review Team.

The Juvenile Probation Division leadership currently includes Mr. Moore and four additional managers: Quality Assurance Manager Alyssa Benson, Strategy and Resource Manager Michelle Eveslage, Program Manager Donna Gillitzer, and Program Manager Adesola Jaiyesimi. The management group met during each site visit and individual phone interviews were conducted to gain further information on background, responsibilities and perspectives. In addition to the five managers, there are nine juvenile probation supervisors. Seven of the nine supervisors report to Program Manager Gillitzer. The other two report to the Quality Assurance Manager for out of home placement. While each manager has unique functions and a wide array of responsibilities within the Division, there is an obvious imbalance of direct reports with seven supervisors reporting to one person. The supervisors are physically located, along with their staff, in three different offices, a north and south location as well as the central juvenile court building.

It was apparent from the initial site visit that there is a lack of consistency among the supervisors in terms of their expectations of officers. Most of the supervisors have decades of experience in the division and the average probation officer has more than 15 years in the position. The policy of the division does require supervisory review meetings with each officer on a quarterly basis, but there is little direction as to the content of the review and the RFK Team did not find documentation other than a notation in the electronic file that a case review had occurred. In supervisor focus groups, it was generally acknowledged that each supervisor had a variety of committees, assignments and special projects that consumed most of their time. There is a current department initiative to train supervisors in a coaching model and more clearly define their roles in directing and supporting the work of probation officers, but during this period of review there was definite resistance to assuming this responsibility.

The Juvenile Probation Division has been engaged in the implementation of research-based practices for several years and has a clearly articulated commitment to improving outcomes for youth and families. Their involvement in the Juvenile Detention Alternatives Initiative for over a

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<sup>17</sup> Seigle, E., Walsh, N. & Weber, J. (2014). *Core Principles for Reducing Recidivism and Improving Other Outcomes for Youth in the Juvenile Justice System*. Council of State Governments Justice Center (p. 34-35).

decade is but one example of the Juvenile Probation Division's efforts. The review process found that despite these efforts, many officers and supervisors express skepticism and fail to embrace the basic tenets of evidence-based practice. While this finding is not uncommon in jurisdictions with very experienced staff, it is a significant barrier to achieving Juvenile Probation Division goals. In any organization, the successful implementation of new policy or practice is highly dependent on the immediate supervisors. It will be imperative going forward to clearly define specific supervisory responsibilities that relate to youth outcomes and to develop specific performance measures for routine and consistent supervisory expectations. The current Juvenile Probation leadership has the additional challenge of overcoming an organizational culture from the previous administration that was noted for a lack of accountability in this area. There is an expected and ongoing level of tension as a new administration has shifted expectations and confronted performance deficiencies, but one which must be overcome to ensure comportment with best practice methods and approaches that ensure the greatest likelihood of positive outcomes for every youth entering the juvenile justice and probation system.

The organizational change in the recent past has included expansion of the upper level management structure. Though each member brings skills, knowledge and experience that are of great value to the organization, the five top managers are struggling to function as a team. This lack of cohesion is apparent to the probation officers who indicated that they get conflicting direction from different managers and sometimes struggle to identify the Juvenile Probation Division priorities. All of the managers acknowledge the tension within the team and agree that it interferes with productivity. The Juvenile Probation Division currently lacks a comprehensive strategic plan that ties the full complement of required tasks, activities, timelines, and specific assignments for each to the stated goals and measurable outcomes (system and youth) of the organization. Such a plan would permit the separate functions and operations of each unit of the Juvenile Probation Division to be effectively interwoven that would result in the seamless cooperation and effective "handoffs" throughout the juvenile justice system to the benefit of youth, families, stakeholders and the community.

There is research-based precedence for the positive impact and multiple field-based examples to guide the development of such a comprehensive strategic plan for DOCCR and the Juvenile Probation Division that will establish and communicate clear priorities and practices for staff and other stakeholders. The intentional incorporation of specific principles of implementation science and change management into the Juvenile Probation Division strategies moving forward will be critical to achieving the mission. With regard to the principles of change management, these include:

- communication and transparency between and among the different organization levels as well as other stakeholders,
- authentic involvement of line staff in the change process,
- Coordinated policy development, training and implementation approaches
- Ongoing quality assurance, data collection and continuous quality improvement approaches.

The Juvenile Probation Division Manager, while relatively new to the position, has a long history in the Department and good relationships with staff and other stakeholders in the system. His collaborative leadership style is well suited for the organizational change and implementation

challenges ahead. Foremost among those challenges include re-examining the division's organizational structure to determine whether changes are imperative to best meet the needs of the organization and optimize utilization of specific skill sets of managers, supervisors and officers.

#### **D. Training Curriculum**

The DOCCR has dedicated training staff in Operations and Innovation Services area under the Strategy and Business Supports Senior Administrative Manager. The in-house trainers provide the required training for all personnel within the department. Evidence-based practice has been a primary focus of the DOCCR, in tandem with safety, for the last decade and that priority is reflected in the training curriculum. A "train, coach, practice" (TCP) model has been implemented in the DOCCR to ensure that the training substance goes beyond the classroom and into the field to improve youth outcomes. One training priority has been ensuring that all officers display competency in *Motivational Interviewing*, a nationally recognized strategy for assisting clients in making positive behavioral changes. Officers have all had extensive training on all aspects of evidence-based practice and related skills.

Concerns related to training were a common theme in focus groups with both line staff and managers. Staff expressed frustration with both the training content and the delivery. Those concerns were echoed in the results of the Employee Survey. Recurrent complaints included a lack of buy-in to evidence-based practices (EBP) and a frequent disconnect between the trainers and officers. Specifically, officers expressed the sentiment that they were often disrespected rather than supported in the TCP process. While these concerns were not universal, they suggested a definite need for re-examination of all key elements of the training development and delivery process (e.g., content, methods, approaches, and timing). Employee Survey responses indicated a desire for additional training in a variety of topics, The most common request was for training related to working with youth with mental health issues. Several respondents indicated they were required to attend too much training.

One of the often-neglected areas of training in probation organizations is supervisory training and leadership development. The promotion of staff is often based on their skills with clients, which may or may not transfer to supervision of staff. A pilot group of supervisors is being trained to coach staff in EBP practices. All supervisors should be trained in this protocol. The leadership team should identify the critical skills for the supervisory position and ensure that the training curriculum supports the development and maintenance of those skills. A professional development program to enhance the skills of current managers and offer opportunities for future leaders in the organization should also be developed. These opportunities should be focused on proficiency in directing and leading change management processes, increased understanding and operationalization of implementation science tenets and principles which includes effective methods of continuous quality improvement, and leadership and management skill enhancement.

In summation, this section of the Probation System Review Final Report focuses on administration and management practices. The Juvenile Probation Division has overseen a significant transformation process that was arguably initiated as far back as 2010 and has impacted a wide array of youth serving stakeholders both within the juvenile justice system and among the community partners. Many of those efforts in the Hennepin County Juvenile

Probation Division have been in the planning and demonstration stages over the past several years. It has often been the downfall of similar efforts that such change in practice to comport with the newest evidence of effectiveness is not accompanied by a well-conceived implementation plan for long term sustainability. There is an increasing body of evidence that supports a systematic approach to implementation of reforms (often now referred to in literature as *implementation science*). The science identifies several key stages that may be characterized as involving:

- Endorsement
- Prioritization
- Sequencing
- Accountability / responsibility
- Timelines

While this is a drastic oversimplification of the components of the scientific approach for effective implementation offered for the purposes of brevity, it offers a place mark within this report for the Hennepin County Juvenile Probation Division. After receipt and consideration of the full set of recommendations contained in this report, there exists a critical opportunity for the Juvenile Probation Division and its key partners to re-calibrate the priorities for the transformation process and effectively sequence realistic timelines for sustainable implementation of the desired policies and practices. The RFK National Resource Center has increasingly relied on these science-based principles to support successful implementation efforts in Milwaukee County, WI; Fairfax County, VA; Lancaster County, NE; and the Territory of Guam among others.

This Probation System Review process, initially focusing on the administration and management practices, has provided an opportunity for the DOCCR and Juvenile Probation Division Management Team to reflect on the considerable strengths and gains realized by their outstanding efforts over the past 5-7 years. It has also permitted their courageous introspection and a commitment to an examination of the “re-calibration” of efforts to strengthen the current reforms and improved preparation for future transformative policies and practices.

## **ELEMENT A: RECOMMENDATIONS**

1. It is recommended that the Juvenile Probation Division re-examine and expand the current policies and procedures to support ongoing implementation of evidence-based practices and approaches that comport with current research, including an enhanced emphasis on principles and tenets of adolescent development science and family engagement and involvement.
2. It is recommended that the Juvenile Probation Division develop supervisory expectations for supervisory positions that ensure systematic oversight of probation staff in each unit and focus on observing, reviewing and supporting the expected practices, tasks, and activities of probation officers.
3. Taking into account historical and ongoing strategic planning processes and documents and in consideration of the full complement of recommendations contained within this Probation System Review Report, it is recommended that the Juvenile Probation Division convene a multidisciplinary group of juvenile justice system stakeholders to construct a five year strategic plan. This critical fundamentals and principles of change



management and implementation science must be effectively considered in the plan development.

4. It is recommended that the DOCCR seek technical assistance with a consultant who has expertise in the design and delivery of EBP curricula for the purpose of assessing the current training structure that will support enhanced delivery of training, coaching, and assurance of fidelity to EBP methods.
5. As a priority within the five year strategic plan and in support of enhanced training methods, it is recommended that the DOCCR and Juvenile Probation Division develop a policy, procedure and curriculum for leadership and management development. A part of that plan will involve incorporating expectations for proficiency of understanding and practice of leadership and management skills into management position job descriptions.

## **ELEMENT B: PROBATION SUPERVISION**

### **A. Introduction**

The review and analysis of probation supervision practices and approaches included the decision making processes throughout the juvenile justice system (e.g., arrest, referral, adjudication, disposition, case planning and management, revocation, case closure) and the resulting assignment and oversight of particular groups of probationers in specific programs as compared to recognized best practices standards. The review focused on the Juvenile Probation Division's probation supervision and areas for practice development and improvement.

The key issues in this review element were:

- 1) analysis of the probation officers' approach to supervision, the role of the probation officer, their day-to-day tasks and how the tasks connect to desired youth outcomes
- 2) review of professional staff responsibilities, mandates and expected products and outcomes that support improved decision making at each key step
- 3) analysis of decision-making processes and the assignment and handling of particular groups of probationers (e.g., risk levels, special populations) in specific programs

Questions that guided this part of the review within Element B include:

- How are cases assigned to probation officers?
- What role does the probation officer play in the life of a probationer?
- Are supervision levels matched based on risk and needs through the use of structured decision-making tools?
- How are services matched to a youth's needs?
- What products are the probation officers responsible for creating? How are they used?
- What are the supervision criteria for each probationer group?
- How clearly are client outcomes identified for each probationer?
- How do probation officers' tasks connect to desired youth outcomes?
- How is staff evaluated? Based on what criteria?

In the analysis of this element, the RFK Consultant Team relied heavily on the group discussions that took place with the process mapping line staff and supervisors, the Employee Survey feedback, the PSRT, Youth Justice Council, and among individual groups of stakeholders that included judges, county attorney’s and public defenders. This element of the review was also conducted against the identified commitment of a series of risk-needs-responsivity instruments and tools at intake, detention, and at the pre-adjudication and post-adjudication phases (used to drive case management and planning). The Hennepin County Juvenile Probation Division has embraced a nationally recognized best practice supervision approach that combines both a focus on enforcement and rehabilitation. Probation officers are ostensibly trained and coached to be “agents of change”, prioritizing the development of juveniles through targeted efforts at behavioral change, not through simple monitoring and enforcement alone. Research clearly shows that a reduction in recidivism occurs when there is a focus on positive behavior change as opposed to strict surveillance and monitoring alone. The table below highlights the difference in the two approaches.

Focus on Surveillance	Focus on Positive Behavior Change
Laundry list of supervision conditions	Developmentally appropriate conditions
Fixed and uniform case contact requirements	Contact requirements based on youth’s assessed risk level
No collateral contact requirements	Required family and school collateral contacts
Large caseloads, “check-in” visits	Small caseloads with sessions focused on behavior change/skill development
Minimal training	Training in engagement and cognitive behavioral techniques
Minimal use of incentives/rewards	Frequent use of incentives/rewards

The National Council of Juvenile and Family Court Judges (NCJFCJ) adopted a resolution<sup>18</sup> in July 2017 that includes a specific recital further bolstering the necessary commitment to this balanced approach that supports successful outcomes for juvenile justice and probation involved youth. The specific provision states that “the NCJFCJ has called for individualized juvenile probation services and conditions of probation that are implemented through well-developed case plans that include ‘proactive statements about what must occur in the near future to address youths’ risk to community safety, their most pressing needs related to their delinquent behavior, and their accountability obligations”.

## B. Diversion

The Hennepin County Attorney’s Office (HCAO) has statutory responsibility for diversion or alternative responses to formal prosecution on juvenile matters, including all delinquency allegations. While the authority and discretion is uniquely assigned to the HCAO, it is noteworthy and commendable to highlight the extremely positive relationship the HCAO maintains with the Office of the Public Defender (OPD). Hennepin County benefits from long-term stability of positive leadership from Tom Arneson (HCAO) and Lisa McNaughton (OPD),

<sup>18</sup> Resolution Regarding Juvenile Probation and Adolescent Development, National Council of Juvenile and Family Court Judges. July 2017. Retrieval at: [http://www.ncjfcj.org/sites/default/files/Fnl\\_AdoptedProbationPolicyResolution\\_7-2017\\_1.pdf](http://www.ncjfcj.org/sites/default/files/Fnl_AdoptedProbationPolicyResolution_7-2017_1.pdf).

both of whom have demonstrated a continuing commitment to establishing clearly articulated policies and practices that have enhanced diversionary practices for more than a decade. The Juvenile Division of the HCAO, reinstated in 2007 as a response to an overwhelming number of school related referrals (over 2500 in 2006 and mostly for charges of the nature of disorderly conduct in a school setting) has led to practice that reduced those school-based referrals to approximately 600 in calendar year 2018. This focus contributed to the development and consistent refinement of diversionary policies by the HCAO that includes both pre-charge and more recently post-charge diversion opportunities for youth that have resulted in approximately 33% of youth referred to HCAO being diverted from formal prosecution. The practices, taught to the approximately 20 HCAO attorneys and the approximately 11 OPD staff, have evolved over the past decade and the leadership of Tom Arneson ensures adherence to the policies that drive their decisions. It is also noteworthy that the Juvenile Probation Division does *not* provide supervision to youth diverted from the juvenile justice system. These services are provided by Headway and the Supervision Center, the latter of which targets curfew, truancy and more recently low-level delinquent matters.

The HCAO has also dedicated staff to the collection and reporting of performance measures for their diversion options. Among the primary measures routinely collected and reported to stakeholders is the:

- Percentage of use for each diversion decision (e.g., pre-charge, post-charge, etc.)
- Access to identified resources
- Completion of the requirement(s)
- recidivism

This data, including additional information that drives policy and practice for the HCAO is published on the Hennepin County Data Dashboard (accessible at: <https://www.hennepinattorney.org/about/dashboard/data-dashboard>).

It is of note that in this environment there are opportunities to explore additional community-based diversionary practices through partnerships with law enforcement and the Health and Human Services (HHS) agency. As to the latter, Hennepin County has a recent history of commitment to identifying those abused/neglected youth (or those youth and families under investigation or involved in voluntary services) at the time of their referral for an alleged delinquency act. This early identification produced a set of collaborative cross-system actions focused on identifying services and interventions outside of formal prosecution that would hold the youth accountable, stabilize their home/placement and family, and interrupt the often rapid penetration into the juvenile justice system. As to the former, in at least one known instance leadership in law enforcement is pressing to initiate a proven alternative accountability practice to address youth at-risk for future delinquency or victimization through community partnerships and overseen by the police (e.g., Brooklyn Park Police Department's Youth Intervention Services UP Diversion Program in partnership with the YMCA, and Brooklyn Center and Crystal Police Departments). The RFK Consultant Team believes both of these efforts should be re-examined and examined, respectively and considered for implementation to further strengthen the laudable commitment to diversion and alternative responses of Hennepin County and the HCAO.

### **C. Court Unit**

The Court Unit within the Juvenile Probation Division is made up of a Unit Supervisor and five juvenile officers. The staff has considerable experience in their current positions within the Unit. The wisdom of the function and operation of this Unit cannot be overstated as the practice is designed to support information and understanding of the offense, risk and need related status, options and opportunities for the court officials charged with rendering a decision at critical points in the juvenile justice system process. These key decisions include detention, arraignment, pre-plea, and disposition. The Juvenile Probation Division is to be applauded for dedicating staff to this role so that important juvenile justice system decisions are sufficiently informed on a routine basis.

Unfortunately, interviews directly with the staff performing these duties and among probation management and supervisors revealed that their practices are not driven by existing policies or procedures. In fact, the Court Unit staff exercise their responsibilities and duties based on their established and preferred methods that rely exclusively on their own experience. One Court Unit staff person reasoned that unless they learn of complaints from their collaborative partners (e.g., county attorney, public defender, judges, of families) the assumption is that they are doing a good job. The Unit has been under the direction of at least eight supervisors over the past five years. There are no existing continuous quality improvement (CQI) methods in place and there is no data tracking to permit ongoing quality assurance of the goals and objectives of the Court Unit.

While it can be reasoned that the current experienced staff are performing their duties and responsibilities with commitment and diligence, the following factors related to effectiveness is actually unknown:

- absence of supervisory stability
- clearly articulated policies and procedures that delineate goals and objectives, and a measurable set of desired outcomes (system and youth)
- established training curriculum for these positions, and
- consistent methods to ensure CQI among the staff and their system partners

Given the critical role contemplated by the Court Unit, it is imperative that the Juvenile Probation Division immediately set forth a plan to implement the above identified steps consistent with implementation science principles for the future sustainability of effective practice.

### **D. Restorative Services Unit**

Hennepin County Juvenile Probation employs a Restorative Services Unit that is comprised of a supervisor and four staff classified as Legal Services Specialists. The Unit was created originally in the 1970's after receipt of a grant and was intended to ensure a focused response to victims of crime. The current Supervisor, newly appointed to this position during the PSR process, indicated that the goals and objectives have evolved significantly over the history and currently reflect a focus on:

- support to the Probation Officers
- role monitoring restitution expectations of the court

- providing assistance for victims to file restitution claims

The Unit handles approximately 600-700 youth/year and averages contact with approximately 1200/year. The staff does not file violations with the court for non-payment on established restitution orders. A notable concern expressed during our interviews and review process included the District Court's assumption of the restitution process in January 2018. This was among the chief concerns expressed by the Restorative Unit's June 2019 meeting with the judiciary.

Of even greater concern to the RFK Consultant Team was the obvious absence of involvement in providing actual restorative services by the Restorative Services Unit. The focus on restorative services and associated strategies and practices is missing and a remarkable opportunity to develop, implement, oversee and practice restorative justice practices that are connected with research-based evidence of positive impact on youth and their victims. These well-known restorative principles include accountability, victim restoration and competency skill-building for the youth. The recently appointed supervisor recognizes and acknowledges this shortcoming in practice. This action is encouraged to be prioritized by the Juvenile Probation Division upon consideration of the recommendations presented within this report.

#### **E. Administrative Services Unit**

Hennepin County Juvenile Probation employs an Administrative Services Unit that is comprised of a supervisor and three case management assistants. The Unit personnel self-described their role as a support for probation officers with a priority on informing the out of home placement (OOHP) process. Additionally, the tasks included developing CAPS packets, substance abuse testing, and ICJ processing of cases, among a small set of other responsibilities that involve "assistance to the client." Despite this range of professional activities, the staff represented a belief that their skill set was being "underutilized" and that their current job classification restrictions resulted in "feeling boxed in" without opportunities to advance within the Juvenile Probation Division. Given their support role in the OOHP process, which involves exploration of alternative treatment and service interventions within the home or community, there was consistent messaging regarding the "lack of resources" for youth and families (e.g., transportation, shelter homes, etc.) and the need to find placements, when necessary, that are "closer to home" to enhance positive impact and effectiveness. Additionally, frustration was expressed with their requirement to support orders that are judicially entered that may not be consistent with juvenile probation policy (e.g., ordering clients to submit to substance use testing when they are not on probation). The Administrative Services Unit plays an important role in the service continuum of the Juvenile Probation Division but operates without consistent commitment to use of a screening and assessment instrument and without a clearly articulated set of responsibilities and identified outcomes that has drifted over time from clarity for the staff and their partners.

#### **F. Intake Unit**

The Intake Unit within the Juvenile Probation Division is made up of a Unit Supervisor and four administrative staff. Their role primarily includes ensuring the effective tracking of court orders and involves a process of providing dispositional court orders to families and youth subsequent to the adjournment of their court hearing. This role is important to consistently perform to

support the youth and family's immediate next steps and future expectations from the court and potentially the Juvenile Probation Division. The review process involved a telephone interview with the Intake Unit staff which was augmented by the Employee Survey and direct feedback from Juvenile Probation Division staff. A set of on-line policies and procedures do exist that guides the actions of the Intake Unit and release and access to court records and orders. The elimination of the historically maintained court tracking system in 2018 has reportedly undermined the ability of the Intake Unit to effectively respond to requests for orders and an understanding of what is required of youth and families. This has the potential to undermine the quality oversight of all manner of court requirements and potential actions necessary by court and probation staff. Further, the Intake Unit staff reflected on the inconsistency of transmittal of orders from the court in light of the process that involves the youth and family being instructed to report to their station/office immediately after the proceeding. Given the fact that these youth and families have endured a long waiting period to start and finish their scheduled hearing, this inconsistency exacerbates the challenge of effectively transmitting and explaining critical next steps for the impacted youth and family. The RFK Consultant Team recommends a re-examination of the steps in this important process to clarify procedural expectations and ensure quality performance of this process.

## **G. Probation Supervision**

There are currently six units providing field supervision in juvenile probation. Cases are assigned to probation officers geographically except for those that are assigned to specialized caseloads. Specialized officers handle sex offending youth as well as female youth. Another unit handles all youth who are sentenced under the provisions of the Extended Juvenile Jurisdiction (EJJ) statute. A newly formed unit is assuming supervision of probationers between the ages of 18 and 24 who were previously supervised by adult probation officers. Each supervisory unit has an investigator responsible for the development of court reports.

Like most jurisdictions in the country, Hennepin County has seen a reduction in juvenile crime and a corresponding reduction in the size of the juvenile probation caseload. The reduction in caseload has resulted in resource reallocation and reduction in juvenile probation staff. There were concerns expressed by officers regarding the reduction of field probation staff but the caseload numbers revealed during the review reflect a very manageable number of under twenty youth/officer. The survey results and discussion group participants did identify significant concerns related to the amount of time that can be spent waiting for court hearings, which reduces available time for direct service work with clients.

The Juvenile Probation Division has clear policy on contact standards that are driven by the Youth Level of Service Inventory (YLS), which is the validated juvenile screening and assessment tool utilized in the State of Minnesota. The DOCCR is currently in the process of working with external researchers to develop new juvenile assessment instruments with the explicit goal of increasing equity and accuracy, particularly for youth of color, in the assessment of risk. The new assessment protocol is planned for implementation and readiness in the current calendar year with full use of new instruments in 2021. In the meantime, the DOCCR has suspended any future training on the YLS. There was consensus among staff and supervisors that assessments are being completed and that contact standards are being met.

The foundation of evidence-based practice in juvenile probation is an accurate assessment of risk and needs which drives an individualized case plan for each youth under supervision. The

plan should include specific goals and objectives, developed with the youth and family that address the criminogenic needs that brought the youth into the justice system and reflect individual strengths, challenges, and characteristics. The case plan should provide a road map for the supervision process as well as an opportunity for the youth to assume responsibility for moving forward in a positive direction. The review revealed that all officers were trained in case planning and procedures were developed, however policies have never been finalized and there is no consistent practice in place related to case planning. During the review process, a new round of case plan training was initiated but the process was postponed for revisions based on feedback from initial sessions. It will be critical going forward to develop a process in Hennepin County Juvenile Probation that is meaningful and user-friendly for youth and officers to ensure that the supervision process is consistently focused on criminogenic need(s), routinely connects youth to the identified treatment or service intervention, regularly ensures the balance of accountability and positive behavior change, and is habitually connected to measurable youth outcomes. These areas of customary focus have direct implications in practice for supervisors and probation officers.

Another purpose of a documented planning process is to ensure that targeted resources are appropriate to address identified risk and needs. The DOCCR has processes in place to measure performance of contracted providers. Undermining this effort is the absence of identified process and practice to ensure that youth are being referred to services that are both responsive to their needs and related to identified criminogenic risk. The research very clearly identifies significant reduction in recidivism when one or more criminogenic risk is targeted in the supervision process.

The Juvenile Probation Division has an established protocol for sanctions and rewards and avoids filing violations for non-compliance when possible. There are funds available for officers to request to be used for incentives. Funds can also be used to support transportation needs of families.

## **H. Racial Equity and Minority Overrepresentation**

Hennepin County juvenile justice and probation experience a significant overrepresentation of youth of color at numerous key decision points, including referral, diversion (pre- and post-charge), probation, extended juvenile jurisdiction, and out of home placement. This most significantly impacts the black, Somali, and American Indian populations. The Probation Order Analysis report from the National Juvenile Defender Center (referenced in Section L, page 34, and included as Appendix G of this report) contains additional data that reinforces the multiple decision points where alarming disproportionate representation of minority youth is present. This has been an ongoing fact according to the data reflecting the overrepresentation of these populations for the better part of the past decade. To the credit of the DOCCR and the Juvenile Probation Division, there is a commitment of attention to raising the awareness, improving the culture for targeting this problem, and developing strategies and action steps to remediate the presenting causes for the inequity and overrepresentation. The Juvenile Probation Division benefits from the leadership and targeted focus from the Youth Equity and Innovation Manager which has resulted in an array of focus group discussions, targeted data reports, awareness campaigns for the community of professionals, strategies and action steps to address the issues. However, as of the date of this report there is little measurable progress to reflect an impact on these disparities.

Another overrepresented population in Hennepin County's juvenile justice system is LGBTQ youth. This fact was highlighted in the initial on-site meetings and the review team was provided with an internal research report that documented the prevalence of this youth population in the system. At the time of the review, there was already a coordinated effort within the department to develop strategies to serve LGBTQ youth and examine the pathways leading them into the juvenile justice system. Managers seem well-versed in the available resources (such as PREA) that support appropriate strategies to support this population. We encourage those ongoing efforts as well collaboration with community partners with a mission to serve LGBTQ youth.

The current status of the ongoing internal Juvenile Probation Division planning reinforces the need to collect improved data, improve the understanding and practice for demonstrating respect for cultural values of minorities, enhance service delivery and programming for these populations, employ the use of an equity analysis tool to objectively assess the impact of current practices, and intensify the training provided to all relevant youth serving stakeholders related to equity and disparate treatment. Included among the areas of focus must also be an intensification of the partnership with and within these concentrated communities to forge improved understanding and working relationships.

The data regarding overrepresentation of the aforementioned minority groups is alarming and should be regarded as requiring emergency action. At the top of list of enhancements and improvements is building a foundation within these action strategies that commit to positive youth development (PYD) and strengths based approaches with minority populations. The PYD principles and application of the neuroscience of adolescent development must be embedded in these approaches, both of which are articulated in the Introduction section of this report, and are critical to the success of any new and/or expanded set of priority actions within Hennepin County. The efforts currently underway must be allocated more support (workforce and fiscal resources) and a higher degree of priority for action and identifiable measures of success to which Hennepin County Juvenile Court and Probation are held to account. The core components of the efforts to date comport with elements that have led to success in other communities experiencing this challenge.

Specifically, these components address ongoing training and approaches to change the "hearts and minds" or workforce culture (e.g., Diversity and Inclusion Training); coordinated planning with community stakeholders to conduct community forums that are designed to improve trust and engagement with youth and families; additional partnerships with law enforcement to develop alternative accountability programs that produce community responses to alleged delinquent behavior (e.g., Brooklyn Park Police proposal known as Youth Intervention Services UP Diversion Program); and the longstanding policies and support within the Hennepin County Attorney Office (HCAO); and re-commitment to a new validated screening and assessment instrument within the Probation Division that seeks to minimize racial inequities in decision-making and exercise of professional judgement.

This overrepresentation and absence of equity in the performance of the juvenile justice system is unfortunately not a new phenomenon in Hennepin County juvenile justice and therefore some of the above named solutions can and must be replicated and/or expanded – and in some instances introduced - if Hennepin County Probation and the juvenile justice system is to realize measurable and positive impact. For instance, funding resources must be



explored, at least as a demonstration project to permit the launch of the UP Diversion Program given that it is based on a successful approach and could have measurable impact in an area of Hennepin County that contributes to the disproportionality of black youth and their families. Additionally, the HCAO could build upon existing policies to target specific schools and/or foster care youth that are producing a high level of delinquent complaints among minority populations to develop specific accountability and service intervention approaches to divert minority youth from formal prosecution. Another important area of concern, addressed in greater detail in the next section of this report, includes assessing the current impact of Extended Juvenile Jurisdiction (EJJ) policies and practices on disproportionality and examining successful approaches applied in numerous jurisdictions across the country.

In addition to prioritizing the commitment of necessary funding and workforce supports across disciplines to realize successful implementation of impactful practices in Hennepin County, all stakeholders will have to collaborate to ensure a full commitment to the sustainability and fidelity of policy and practice on behalf of these minority populations of youth.

### **I. Extended Juvenile Jurisdiction (EJJ)**

The Juvenile Division currently supervises approximately 150 EJJ cases that have lengthy periods of supervision usually for four to five years. There are eight probation officers handling this caseload and three investigators completing court reports when the prosecutor initiates an EJJ process. Discussion of the EJJ filings is covered in Element C. The division policy for the supervision of EJJ cases includes contact standards that exceed those for the regular juvenile caseload. Since this caseload tends to be older youth, the policy also allows for use of an adult assessment tool in place of the YLS when age appropriate. The contact standards for this population are somewhat analogous to an “intensive probation” approach beginning with frequent contact multiple times/week regardless of risk and progressing to levels that still exceed the regular contact standards. Even low risk youth are seen once a month throughout the process. While all of these youth are felons, they are not all high risk and do not all have a lengthy criminal history. Best practice would suggest that contact levels be driven by risk and that supervision content be guided by individualized case plans.

### **J. Family Engagement**

Engaging families is an essential element of the supervision process with youth in the juvenile justice system. This fundamental fact related to successful outcomes for youth involved in the juvenile justice system is articulated clearly in the Introduction section of this report (page 11). The DOCCR values clearly articulate a commitment to improving the lives of families and treating them with honesty and respect. The challenge for the Juvenile Probation Division is to define expectations of officers in relation to families so that the value is consistently practiced in the community. While there are certainly officers who excel in developing rapport with families, there is a lack of consistency in approach and attitude toward this expectation. Some staff indicated it was unnecessary to go to the home or interact with family. Survey responses suggested that some staff believe that youth are better off in group homes since families are the problem, or that safety concerns are a barrier to home visits. Division leaders recognize that there is a need to ensure that officers have the skills and cultural competence to serve families in crisis. The overall findings from this review suggest a comprehensive development of family engagement and involvement approaches and practices within the Hennepin County Juvenile

Court and Juvenile Probation Division is necessary in light of the absence of consistency of practice among the probation staff and the court (the latter of which will be discussed further in Element C., Subsection C.). The blueprint for such development includes, at a minimum, a commitment to:

- family involvement is predicated on the recognition that the family is a child’s primary emotional, social, cultural, and spiritual resource
- families are involved by the inherent nature of their role, and the quality of their involvement hinges on a dynamic interaction of personal and environmental factors
- positive family engagement involves a discrete set of approaches and services that systems can provide to families to assist them in meeting their family’s needs, including in helping them make the best use of system and community resources
- a juvenile justice system committed to family involvement ensures that there are flexible and authentic opportunities for families to partner in the design, implementation, and monitoring of their child’s plan, as well as juvenile justice system policy, program, and practices which support responsive, effective outcomes for youth
- at each decision-making point, there is an opportunity for the family to have meaningful, informed and authentic input
- families have access to resources (workforce personnel and service interventions supportive) of their involvement, including family peer advocates
- juvenile justice staff receives family involvement and engagement training and resources

The initial step is likely to require a cross-system working group to map the current process experienced by a family with these principles as the backdrop for evaluating where current practice is in place and where opportunities exist to replicate evidence-based practices have been successfully developed, implemented and sustained. The opportunity to examine these practices should be particularly considered within the Court Unit, Restorative Services Unit, and Administrative Services Unit as well as throughout the supervising Probation Units.

## **K. Out of Home Placement**

One of the concerns expressed throughout the review was the number of youth who are removed from the community and placed in a variety of settings from group homes to correctional institutions. The number of youth in is of concern as most court systems have shifted resources from placement to more intensive community-based interventions. The estimated cost for DOCCR youth in placement in 2018 was \$21 million. Research has found better success rates for cognitive behavioral interventions delivered in the community as opposed to a residential setting. To its credit, the Juvenile Probation Division has developed a rigorous review process to screen all youth who are referred for placement consideration. The efforts produced a detailed set of recommendations for each group of professional stakeholders, including the HCAO, Office of the Public Defender, the Court and Juvenile Probation. Building upon historical JDAI work and the Eliminating Racial Disparities (ERD) Committee and further informed by the CBAS staff, the roles and action steps were further enhanced after collaborative review of an initial set of recommendations. At the time of this report, the Juvenile Probation Division has developed specific tasks and timelines for priority recommendations that include the HCAO, Office of the Public Defender, the juvenile court judiciary, and themselves. A continuing concern that should accelerate the adoption and

implementation of the plan of action is that while the placement numbers have been reduced, the disproportionality of youth of color in placement is significantly higher than that of the overall juvenile probation population.

#### **L. NJDC Probation Orders Analysis**

In partnership with the RFK National Resource Center Consultant Team, the National Juvenile Defender Center reviewed all relevant standard and supplemental probation orders and focused on three key issues in collaboration with a working group of juvenile justice stakeholders from Hennepin County:

- number of conditions on the orders,
- types of conditions on the orders, and
- language and accessibility of the orders

The analysis highlighted developmental concepts and research underlying the need for streamlining conditions and provided information and feedback to help jurisdictions target individual youth strengths, goals, and needs. The analysis and review has resulted in recommendations for enhancing and strengthening probation orders that are incorporated into this report as Appendix F.

#### **ELEMENT B: RECOMMENDATIONS**

6. It is recommended that the Juvenile Probation Division establish an enhanced policy for assurances that each youth placed under supervision has an individualized case plan, developed within prescribed timelines and implemented after verifiable supervisory approval, that is built upon appropriate conditions and measures for accountability with a balanced consideration of the youths risks, needs, strengths. The recommendation includes the requirement that this policy be effectively coordinated with implementation of the new risk-need assessment instruments that are being finalized.
7. It is recommended that the HCAO, Juvenile Probation Division and relevant juvenile justice system stakeholders examine opportunities to further enhance current diversionary practices by:
  - a. collaborating to revive the Dually Involved initiative (previously known as the Crossover Youth Program) with a re-examination of its strengths and obstacles that led to its abandonment in practice, and
  - b. exploring additional alternative response opportunities in the community that include enhanced partnerships with law enforcement to implement alternative accountability programs (e.g., Brooklyn Park/Brooklyn Center/Crystal Police Departments and YMCA *UP Diversion Program*)
8. It is recommended that the Juvenile Probation Division implement a plan for the Court Unit, using the expertise and experience of the Unit's staff in partnership with management to:
  - a. clearly articulate policies and procedures that delineate goals and objectives,
  - b. establish a measurable set of desired outcomes (system and youth),
  - c. establish a training curriculum for the Court Unit positions, and

- d. develop and implement consistent CQI methods for Court Unit staff and their system partners
9. It is recommended that the Juvenile Probation Division remove any obstacles that will permit a revised set of roles, responsibilities, functions and operations to provide actual restorative justice programs and approaches for juvenile justice and probation involved youth that are consistent with research and evidence of positive impact to reduce future offending and build skills and competencies.
10. It is recommended that the Juvenile Probation Division re-examine the steps involving the transmittal of orders from the court to youth and families and among relevant stakeholders to ensure improved consistency and adherence to legal parameters.
11. It is recommended that DOCCR and the Juvenile Probation Division increase allocations for support (workforce and fiscal resources) that enable establishment of a higher priority for action and identifiable measures of success to which Hennepin County Juvenile Court and Probation are held to account to improve racial equity practices and reduce disproportionate representation of minorities in the juvenile justice system. Specific considerations for this commitment include:
  - ongoing training and approaches to change the “hearts and minds” or workforce culture (e.g., Diversity and Inclusion Training)
  - coordinated planning with community stakeholders to conduct community forums that are designed to improve trust and engagement with youth and families
  - additional partnerships with law enforcement to develop alternative accountability programs that produce community responses to alleged delinquent behavior (e.g., Brooklyn Park Police proposal known as Youth Intervention Services UP Diversion Program)
  - enhancement of HCAO partnerships with education and foster care for policies that enhance diversion and treatment approaches, and
  - re-examination of EJJ policies and practices
12. It is recommended that the Juvenile Probation Division, in collaboration with the HCAO and Office of Public Defender, review and update the EJJ policies to reflect current research-based practices.
13. It is recommended that the Juvenile Probation Division convene a working group, comprised at a minimum of staff representing the following Units:
  - a. Probation (each area)
  - b. Court Unit
  - c. Restorative Services Unit
  - d. Girls Unit
  - e. Sexual Offender
  - f. Administrative Services Unit

The actions of the working group will prioritize the conduct of a mapping process that will identify key decision points at which research-based family engagement and involvement approaches and practices will be developed and implemented within the juvenile court and Juvenile Probation Division.

**14.** It is recommended that the Juvenile Probation Division continue its examination of the OOHP process to include exploration of the following elements:

- a. Current data (e.g., prevalence, characteristics, minority populations, placement type)
- b. Referral process (e.g., criteria, judicial action)
- c. Screening process
- d. Inventory of community treatment and service interventions
- e. Decision-making process

Further, it is recommended that benchmark reductions in OOHP be established as a measure of future accountability for actual reductions in OOHP and impact on minority populations.

**15.** The recommendations of the Probation Order Analysis (Appendix F) should be endorsed and included in the sequencing and implementation plan for the Juvenile Probation Division and the juvenile court.

## **ELEMENT C: INTRA- AND INTERAGENCY WORK PROCESSES**

### **A. Introduction**

Work processes impacting effective system performance and youth outcomes in probation and the juvenile justice system involve major sets of interconnected activities through which decisions are made and services are delivered. In order to be effective, these processes must be well conceived, clearly articulated, coordinated, and subject to periodic review and monitoring to ensure effectiveness and efficiency. Most often the work processes depend on the cooperation of many inter-related parts of the Juvenile Probation Division as well as a wide array of outside organizations. Efforts to review these work processes involved examination of various professional roles inside the Juvenile Probation Division and the DOCCR, within and across other public agencies, throughout the Court, and with private provider agencies.

Key issues in this review element were:

1. how the case flow process functions within Probation and whether key information is available at critical decision-making points
2. whether the relationship with the Court is clear and functioning well in terms of roles and responsibilities
3. how interagency processes function from the perspective of the Juvenile Probation Division and the key agency partners and how linkages can be strengthened
4. whether ongoing forums exist to resolve issues between the Juvenile Probation Division and other agencies

Questions that guided this part of the review within Element C included:

- Are the roles and responsibilities of all the court partners reflected in policy or protocol?
- How effective are the linkages between the court partners and the Juvenile Probation Division?

- What is the nature of the relationships with outside stakeholders and partners?
- Is there a service/treatment referral protocol? Is it effective?
- What information do the service/treatment providers receive?
- Are communications and client progress updates meeting the needs of both parties?
- Are there cross system collaborations and communication forums?
- What regular forums exist with stakeholders and providers for troubleshooting and problem solving?

In Element C, the review was concerned with examining the intra- and interagency partner relationships that impact practice and ultimately system performance and youth outcomes. This topic area is examined in every jurisdiction through the lens of *all* of the relationships that are critical to the effective functioning of the Juvenile Probation Division. Below is a listing of the kinds of issues that have presented themselves with those stakeholders and partners in jurisdictions in which the RFK National Resource Center’s consultants have worked in the past decade:

PROBATION PARTNER	ISSUES / PRACTICES
Law enforcement	Investigation and processing timelines for non-detention and detention arrests; alternative accountability programs
Prosecution	Criteria for petition and/or alternative response decisions; timelines for filing; probation officer duties in informal adjustments and/or diversion; overrepresentation of minority populations
Judicial	Disposition and probation order practices, probation officer expectations
Courts	Notification processes, case processing/hearing timelines, reporting requirements
Education/School Systems	Disciplinary policies, school resource officer practices
Service Providers	Referral processing; coordination of participation and treatment summary information; outcome-based contracting

The analysis of these work processes was conducted through numerous conversations with all the court stakeholders both formally during PRST meetings and in individual interviews. The feedback accumulated in the Employee Survey also provided valuable insights into these important cross-system working relationships. The following issues were identified as strengths and as opportunities to align Hennepin County Juvenile Probation Division’s intra- and interagency work processes with national best practices.

## B. Juvenile Justice Stakeholder Relationships

As mentioned in the *BACKGROUND: Probation System Review Design and Framework* section of this report, the third core principle shown to reduce recidivism and improve youth outcomes is:

Embracing **a cross system and collaborative approach** to address the youth’s needs.

A strength that became obvious early in the process was the positive working relationships that the Juvenile Probation Division had so diligently developed among its key partners within the

juvenile justice system and among its community providers. This was initially evident through the cross-system and community stakeholders who participated as members of the PSRT, the Youth Justice Council, and the Community Based Array of Services (CBAS) participants, and devoted their time to speak with the RFK Consultant Team individually to share their perspectives. A member of the RFK Consultant Team has prior history working on projects and initiatives in Hennepin County and had witnessed a strong culture of collaboration and partnership among stakeholders and across youth serving agencies and systems. The same historical culture was evident during this process and contributed to success in past and current projects and reforms of practice. The RFK Consultant Team believes this fact contributed to a laudable degree of transparency and honest appraisal of practices, environment, culture, strengths and cross-system barriers during the review process.

### **C. Judiciary and Attorneys**

The Juvenile Probation Division has a strong collaborative relationship with Juvenile Court Judges, the County Attorney and the Public Defender. It is evident that the working relationship among HCAO, Public Defender and the Juvenile Probation Division is professional, collegial, and respectful. Assistant Presiding Juvenile Court Judge Mark Kappelhoff (effective March 2020) was fully engaged in the review process, as were County Attorney Tom Arneson and Public Defender Lisa McNaughton. The RFK Consultant Team met with all available judges at each site visit and observed court hearings during two of those visits. The engagement of all members of the judiciary was welcomed and impressive. The court proceedings were professional and respectful to youth and families.

The primary concern with the court process is one of scheduling, particularly for attorneys. The survey and focus groups surfaced many complaints about wasted time waiting for court hearings that occurred hours after they were scheduled. Staff reported that it was not uncommon for hearings to be postponed with no notification to families, probation, or other parties who arrive prepared to testify. The court observations confirmed the concerns expressed by staff regarding matters outside of the courtroom. Multiple hearings are scheduled in different court rooms at the same time with the same assigned counsel. Court proceedings come to a halt until the attorneys arrive while frustrated families wait in the hallway. Staff report that it is not uncommon for hearings to commence only to have one party or the other ask for a delay because they haven't had time to prepare or confer with a client. Additionally, a concern expressed by probation personnel indicated that pre-court practice often results in undue pressure on youth and families to enter into "forced agreements" for resolution of delinquent matters. A common belief expressed during the review was that the court delays were primarily due to an understaffed Public Defender's office. While the team did not review these assertions with Lisa McNaughton, the perception warrants further review. A review by an outside entity such as the National Center for State Courts or the National Juvenile Defender Center could provide the needed expertise to quantify the acceptable level of staffing for a jurisdiction of this size. Additionally, funding to support an opportunity for the Hennepin County judiciary and a team of relevant stakeholders (e.g., prosecutors, public defenders, court administrator) to conduct a site visit with a "mentor" jurisdiction to witness and examine successful reforms in action is strongly encouraged.

The juvenile court judges concurred that the scheduling issues and their deleterious and cascading impact on more than merely respectful and timely conduct of scheduled hearings are

a major concern and a daily source of frustration. During the period of the review the court looked at a neighboring system for providing updated case status information for families waiting for court. While there is no simple solution to the staffing issues, the current practices lack accountability and disrespect youth, families and the other professionals in the system. While the members of the judiciary acknowledged further work is required to remedy this problem, the RFK Consultant Team asserts this concern is more extensive than simply improving the case status notification for waiting parties and requires a dedicated planning team to conduct an exhaustive review of the current calendar, docketing/scheduling, notice, and post-court information process and identify specific recommendations for remedies. It is the conclusion of the RFK Consultant Team that this current process is directly undermining opportunities for successful youth and family outcomes and improvement of community safety.

While it was not a focus of discussion during meetings with the court stakeholders, the issue of EJJ prosecutions surfaced in the final site visit and is a cause for concern. As noted earlier, there are a significant number of youth on EJJ probation (147). The concept of Extended Juvenile Jurisdiction is rooted in the mid 1990's when the myth of the "super predator" juvenile offender flourished. The EJJ statute is based on the premise that juvenile court is not equipped to serve this new brand of serious juvenile offender, that sanctions need to be more severe and cover a longer time period, and with the ultimate sanction of an adult prison sentence for reoffending behavior. Research in the following decades, particularly related to adolescent development, demonstrated that the opposite is true. The DOCCR has recognized this research in its decision to move young adults under the supervision of the Juvenile Division as they have more in common developmentally with their younger peers than with older adults.

The current EJJ statute leaves discretion with the prosecutor to file a case as EJJ. Research on attaining good outcomes for youth, families and communities would direct that EJJ (and adult certification) would be appropriate in only a small number of cases with very serious charges. While over half of the states in the U.S. have some statute allowing for extending juvenile jurisdiction, the literature indicates that the option is used sparingly in most places.

The current practice is also disproportionately impacting youth of color in Hennepin County. The current EJJ caseload includes only 14 white youth out of 147. In total, over 90 percent of the EJJ cases are youth of color. The review team urges the HCAO to examine the protocols for seeking EJJ designation and develop strategies that would limit those filings to a small number of cases. Also, please see recommendation #12 in Element B of this report.

#### **D. Community**

The wide array of stakeholders within the Hennepin County community participated throughout the probation system review process. The active engagement was impressive and provided additional perspectives not frequently provided in other jurisdictions. The evidence for this statement is provided by the routine meeting attendance of numerous persons who comprised the Youth Justice Council; the involvement of community members who helped plan and convene a Community Forum in north Minneapolis (held June 26, 2019) that involved families and youth expressing their experiences with the juvenile justice system, law enforcement and juvenile probation; and the individualized outreach by telephone or electronic communication to share additional perspectives beyond that which was shared during on-site visits.



The RFK Consultant Team also welcomed the opportunity to speak directly with youth in two other meetings during site visits and share additional opinions about the juvenile justice system. The most severe youth criticism related to interactions with law enforcement. Youth of color indicated that they feel targeted and related occurrences where they felt harassed for no reason. Youth had mixed feedback on the juvenile probation system. A few of the youth related very positive personal experience with their probation officers. They all knew other youth that had more negative experiences with officers. They hoped that officers could be more positive in the future and focus on youth's potential. The RFK Consultant can reasonably conclude, with further support from the findings related in the family engagement section of this report, that the Juvenile Probation Division can and must do more to enhance relationships with the community which they serve.

It is evident that the majority of the field probation workforce is Caucasian and the population served is overwhelmingly black. There is much work that is necessary to strengthen trust of the practices, goals and approach that can truly enlist the families, youth, and their communities to partner with probation staff to support positive behavioral change. Routine community forums and shared community events are among but a few employed by successful jurisdictions that should be examined for implementation by the DOCCR and Juvenile Probation Division. While the instant improvement in outcomes may not immediately be apparent, this approach has a proven track record in diverse communities across the country that yields positive benefits that are consistent with the stated mission and goals of the DOCCR and the Juvenile Probation Division.

The organizational relationships with providers seem strong with open communication. Communication between individual officers and other professionals is generally good, although the level of interaction varies by officer. In focus groups and survey responses, some officers indicated that there are not enough available services, especially for youth with mental health challenges. Community service providers, often represented during the RFK Consultant Team meetings with the Community Based Array of Services (CBAS) agencies, indicated to the contrary that there is excess capacity in programs for justice involved youth. They believe services are being underutilized by officers. These same agency personnel also raised concerns related to how probation officers engage with youth and families and a perception that some officers are overly negative in their portrayal of some clients. The concerns reaffirm the need for the Juvenile Probation Division to emphasize family engagement skills and practices that reflect understanding of cultural competency. One provider was blunt in his assessment that probation cannot be trusted by the community. While the statement is overly broad, it speaks to the need for every person in the Juvenile Probation Division to represent its values and build relationships in the community they serve.

The aforementioned CBAS was reportedly initiated through the JDAI in 2008. The exploration at the time was focused finding alternatives to out of home placement, specifically to permit reductions in detention placements. The CBAS has grown significantly since that historical origin and has expanded significantly since 2015 in an effort to meet the community-based treatment needs for justice involved youth and their families. The CBAS and its leadership were available for conference calls and routine meetings during the on-site visits by the RFK Consultant Team, boasts a strong collaboration and an impressive array of treatment services – many of which have a strong research foundation for success. The range of services, depicted from least to

most restrictive, can be found in Appendix F. The CBAS works in close partnership with the Quality Assurance Manager in the Juvenile Probation Division. As a result, the CBAS is attentive to an effective Request for Proposal (RFP) process, onboarding of new providers, quality assurance methods and measurements, and routine (quarterly) meetings to address challenges, opportunities, process concerns, and case studies that may result in enhanced collaboration with the Juvenile Probation Division.

Despite this impressive range of treatment services, organizational capacity, and attention to critical components of collaboration and quality, during the review the RFK Consultant Team learned that the CBAS budget (for services and out of home placements) for 2018 was underspent by more than \$2 million. Upon further inquiry, it was learned that evidence-based programs such as Multi-systemic Therapy (MST) and Functional Family Therapy (FFT) were underutilized. According to the review of a September 2019 Utilization Report, there were other service (e.g., mentoring) and treatment programs that were also well below full utilization. With particular regard to MST and FFT, which were at capacity rates greater than 75%, this was an unusual circumstance since these research-based programs are too often unavailable or experience limited capacity within jurisdictions. While there have been groups convened to examine barriers to referrals, given the historical and ongoing concern for out of home placements combined with the reports from stakeholders regarding the lack of needed services in behavioral health for youth and families, the review of processes for referral and access to CBAS providers by Juvenile Probation Division staff must be re-examined.

The RFK Consultant Team also explored the interactions and relationships with the Child and Family Services and Children’s Mental Health Services agencies. As noted earlier in this report, Hennepin County had previously developed a multi-system response and protocol for addressing youth that were “dually involved”<sup>19</sup> (defined as youth with open involvement in the Child and Family Services who incur a new delinquent referral in the juvenile justice system) that reflected a hard-earned collaborative method for interrupting the trajectory of these youth deeper into the juvenile delinquency system, stabilized their placement or home situation and targeted youth and family behavioral health and education needs. The review process found that the cross-system agreements and procedures that characterized this significant success are no longer in practice. This circumstance provides an opportunity to re-examine renewed opportunities to coordinate efforts on behalf of this challenging population of youth. It is recommended that the collaboration of Juvenile Probation, Child and Family Services, Children’s Mental Health Services, leadership from the judiciary, and the CBAS leadership being by developing a current understanding of the prevalence, demographics and characteristics of the dually involved youth population in advance of reviewing previous agreements, policies and protocols. Subsequent to the initial data scan, this collaboration should convene a multi-disciplinary group discussion to interpret and identify opportunities for future coordination of effort. When innovative and collaborative policies and practices have been implemented on behalf of this population effectively, the gains are measured in both the human and fiscal terms. This finding is addressed in the recommendations offered in Element B to effectively reinforce this would also impact opportunities to divert youth from formal and ongoing involvement in juvenile probation.

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<sup>19</sup> Wiig, J. K., Tuell, J. A. with Heldman, J. K. (2013). Guidebook for Juvenile Justice and Child Welfare System Coordination and Integration: A Framework for Improved Outcomes, 3rd Edition. Robert F. Kennedy Children’s Actions Corps.

## ELEMENT C: RECOMMENDATIONS

16. It is recommended that the juvenile court judiciary, in collaboration with HCAO, Office of the Public Defender, and the Juvenile Probation Division conduct an exhaustive review of the current calendar, docketing/scheduling, notice, and post-court information process and identify specific recommendations for remedies to the current processing of court cases. It is strongly recommended that outside expertise from a nationally recognized organization be sought to assist with the process and the identification of any additional resources necessary for the Juvenile Court to meet the needs of youth and families, and further that resources be allocated to permit collaboration with a “mentor” jurisdiction that has successfully implemented positive reforms in this important area of practice.
17. It is recommended the DOCCR/Juvenile Probation Division establish a set of routine youth, family and community forums to ensure opportunities for active engagement in the shaping of policies and practices that establish these important groups as partners in the effective administration of juvenile justice. The forums should at a minimum:
  - a. be convened at times to maximize participation and attendance of the target group
  - b. be developed to ensure co-facilitation from probation and the targeted group
  - c. ensure opportunities for learning, exchange of information, and dialog about strengths and challenges, and
  - d. explore arrangements for shared community-based events
18. Taking advantage of the strong relationship between CBAS and the Juvenile Probation Division, continued pursuit of:
  - a. an enhanced set of referral procedures
  - b. access to evidence-based treatment interventions
  - c. improved utilization rates for proven family treatment and therapeutic services already available, and
  - d. development of clear performance measures

is recommended to ensure that officers and supervisors are appropriately utilizing community-based services that target criminogenic risk and producing desired youth and family outcomes.

19. As a further product of endorsement of recommendations #7a. and #18, it is recommended that the Juvenile Probation Division re-examine the current inter-face with the Children’s Mental Health Services system to ensure that the process for access to services and treatment is efficient, timely, and effective at all appropriate decision points.

## ELEMENT D: QUALITY ASSURANCE

### A. Introduction

Probationers’ achievement of successful outcomes should be the main business of Probation and the gravitational point around which all the probation officers’ activities center.

“The achievement of successful outcomes first depends on a careful identification of what outcomes are sought; second, an examination and address of the factors that affect achievement; and third, the development of a measurement system to document achievement. The importance of the third item, or performance measurement, cannot be overstated because often what gets measured is what people value and where they focus their efforts.”<sup>20</sup>

It is important to note that the review work conducted in Element D is supported by and integrated with the analysis completed in Element A. This combination of findings and recommendations provides the best opportunity to realize the goals of sustainable quality assurance.

Key issues in this review element were:

1. whether the Juvenile Probation Division has established clear definitions for the various recidivism measures associated with their goals (e.g., closed probation cases, successful completion of probation terms, diverted youth, special populations, and court programs, etc.)
2. whether the Juvenile Probation Division is focused on the achievement of intermediate outcomes related to positive behavioral change in addition to recidivism
3. whether the Juvenile Probation Division has developed a clearly articulated set of client outcomes
4. how the Juvenile Probation Division measures and evaluates worker performance
5. how worker performance and its measurement are related to desired outcomes
6. how the Juvenile Probation Division is ensuring fidelity to their use of a risk screening tool and/or risk-needs assessment

The examination conducted under Element D addressed system performance measurement and client outcomes and focused on worker performance, the completion of particular case processes, and setting and measuring client outcomes. The context for this discussion was prioritized toward identifying the activities that have a clear and positive relationship with sought youth outcomes and system efficiency and effectiveness. The analysis was *not* intended to result in an evaluation of individual worker performance.

Questions that guided this part of the review included:

- What performance measures exist presently for the completion of specific case processes (e.g. meetings with probationers, collateral contacts, and timely completion of reports)?
- What measures exist for the achievement of successful client outcomes?
- What measures exist for the case assignment and caseload standards?
- Has the Juvenile Probation Division clearly articulated a set of client outcomes?
- Do client outcomes drive probation practice and activities?
- Do probation officers know what outcomes they are seeking in their work with probationers?
- How are client outcomes identified in the individual case (intermediate and long-term outcomes)?

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<sup>20</sup> Wiig, J.K. & Tuell, J.A. Los Angeles County Probation Program Audit Report, p. 46.

- What results are achieved by the current programs and practices?
- Are the programs and practices of the Juvenile Probation Division the best that can be provided and are the programs carried out in an effective manner?
- How do the practices relate to national standards for delivery of probation services?

Through their meta-analysis, the Council of State Governments Justice Center identified the following core principle and specific recommendation for reducing recidivism:

***Principle 2:*** *Adopt and effectively implement programs and services demonstrated to reduce recidivism and improve other youth outcomes, and use data to evaluate system performance and direct system improvements.*

***Recommendation C:*** *Evaluate recidivism and other youth outcomes and use this data to guide policy, practice and resource allocation.*<sup>21</sup>

It is not uncommon to find that court service units and probation departments fail to identify and focus on measures of success that include recidivism - and other important affiliated youth outcomes.

It is this guidance that plays a key role in driving the data collection and reporting for the Hennepin County Juvenile Probation Division. However, as will be reported in subsequent portions of this section of this report, the Juvenile Probation Division collects, manages and reports a large volume of additional performance measures that supports a robust use of same to inform policy and practice decisions.

## **B. Data Collection System and Methods**

Hennepin County DOCCR has committed extensive resources to the collection and analysis of pertinent data elements to inform a variety of decision-points from internal resource allocation to contract provisions with provider agencies. The RFK Consultant Team was provided with voluminous examples of reports that captured trends and snapshots of different system measures including detention screening, service utilization, and court timeliness performance measures. There were also a number of routine reports that examine racial and ethnic disparity in the system. The capacity of the DOCCR to generate and analyze system data surpasses the majority of probation operations in the country. The Information Technology (IT) personnel did express frustration with the lack of attention that some staff gives to ensuring that case-based information is entered accurately and in a timely manner. Some officers acknowledge their failure to realize the value of accurate compilation of data in the system and complain that the documentation requirements interfere with client centered work. As is the case in many systems, the reports that are generated are not used to fullest advantage in routine operations to identify population characteristics among the youth served, professional performance of priority tasks and activities, and system performance and youth outcomes. There is significant value in convening a data committee that includes officer participation to develop a set of process and outcome measures for each unit with Juvenile Probation that is reviewed and analyzed on a regular basis (no less than quarterly and preferred on a monthly basis) and

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<sup>21</sup> Seigle, E., Walsh, N. & Weber, J. (2014). *Core Principles for Reducing Recidivism and Improving Other Outcomes for Youth in the Juvenile Justice System*. Council of State Governments Justice Center.

provide meaningful feedback on the performance of each unit. The leadership and staff in the Operations and Innovations Services area have both the capacity and desire to support this endeavor and ensure its success.

The National Center for Juvenile Justice (NCJJ), valuable partners of the RFK National Resource Center in the *Dennis M. Mondoro Probation and Juvenile Justice System Enhancement Project*, funded by the Office of Juvenile Justice and Delinquency Prevention (OJJDP), has created the *Fundamental Measures for Juvenile Justice*. This comprehensive set of measures was developed from the original Model Data Project, also funded by OJJDP, and led to a structured methodology to assess data collection, management, and reporting capacity against the identified measures in several juvenile justice categories – including probation. The *Fundamental Measures for Juvenile Justice* are available at the NCJJ Homepage: <http://www.ncjj.org/fmjj/default.asp>. The RFK Consultant Team is excited at how this information is now available for use by the Hennepin County DOCCR and Juvenile Probation Division professionals. It is believed this information will prove instructive and practical as Hennepin County DOCCR and the Juvenile Probation Division work to enhance your data collection, management and reporting practices – eventually demonstrating how these practices can be implemented successfully and help drive your probation and juvenile justice system improvements. It is our recommendation that the guidance provided therein is used to support your continued system performance and youth outcomes data system enhancements.

### **C. Quality Assurance and Continuous Improvement**

The Juvenile Probation Division has a position with the title of Quality Assurance Manager, but that position is focused on out of home placements and services for youth who are removed from home by the Court. There is no one position or singular assignment of direct accountability that is focused on quality assurance for Juvenile Probation Division staff functions. In the past, the quality assurance efforts with juvenile probation officers consisted of reviews by the Train Coach Practice unit staff and Juvenile Probation Division leadership. In order to achieve the DOCCR and Juvenile Probation Division mission and goals, it is critical that a quality assurance (QA) protocol for all essential work responsibilities be developed.

The responsibility for the QA process must be centered within the Juvenile Probation Division and supervisors must have a primary role in developing, implementing and overseeing routine continuous quality improvement (CQI) methods. The foundations of EBP includes accurate validated risk assessments, individualized case plans, targeted interventions that relate to criminogenic need, and motivational style of engagement and all practices and processes must be subject to routine quality assurance.

The research has becoming increasingly clear regarding the range of continuous quality improvement (CQI) activities that an effective juvenile probation department must consider to ensure high quality performance and fidelity to design and expectations. According to the research, these methods should highlight the positive work that is occurring as well as the areas that are in need of remediation. Among the consistent CQI activities important for the Hennepin County Juvenile Probation Division to consider are assessment inter-rater reliability testing; collection of process and outcome measures for every unit to determine if fidelity to practice is maintained and or “drift” is occurring; the introduction of various post-training experiences to ensure that staff who receive training in skills apply the new skills, methods and

competencies as intended; and coordination with the training team (existing or newly constructed) to develop supportive responses when staff deficiencies are identified.

The Hennepin County DOCCR and Juvenile Probation Division has recognized the critical importance and has been engaged in ongoing efforts to develop and implement CQI core values, priority competencies for managerial, supervisory and probation officer positions (see Appendix G). However, the evidence of successful implementation is still being pursued. There are many additional components that comprise a comprehensive set of CQI practices and the RFK Consultant Team offers the seminal guidance in the *Continuous Quality Improvement (CQI) Sustainability Planning Guide*<sup>22</sup> that will guide the necessary advances in this critical area of focus. Published in March 2019 through the funding of the Pennsylvania Juvenile Court Judges Commission (JCJC) as a companion to the Pennsylvania Juvenile Justice System Enhancement Strategy, the guide offers invaluable instruction and an organized set of steps that would benefit the Hennepin County Juvenile Probation Division in the recommended creation of a comprehensive CQI process.

#### **ELEMENT D: RECOMMENDATIONS**

- 20.** It is recommended that the Juvenile Probation Division, in collaboration with the Operations and Innovation Services area, convene a data committee that includes officer participation with the deliberate intent to develop a set of process and outcome measures for each unit within Juvenile Probation. It is further recommended that the Juvenile Probation Division established policy for the routine review of these data within each Unit and among management to ensure active use of these reports to inform current and future policy and practice decisions. The report findings support the use of the newly released National Center for Juvenile Justice's *Fundamental Measures for Juvenile Justice* to guide the action on this recommendation.
- 21.** It is recommended that the Juvenile Probation Division identify a manager to lead the Quality Assurance Initiative which must necessarily include the development of specific continuous quality improvement expectations, methods and practices. The position requirements would direct leadership in the development of clear QA and CQI protocols for all essential work functions in the Division, and act as the primary liaison to Operations and Innovation Services leadership.

## **IV. SUMMARY AND ACKNOWLEDGEMENTS**

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<sup>22</sup> Continuous Quality Improvement (CQI) Sustainability Planning Guide is retrievable at: <https://www.jcjc.pa.gov/Publications/Documents/CQI%20Sustainability%20Planning%20Guide.pdf>

The RFK National Resource Center Consultant Team is grateful for the opportunity to conduct the Probation System Review in partnership with the leadership from the Department of Community Corrections and Rehabilitation (DOCCR), the Juvenile Probation Division and the juvenile judiciary. We offer this final report of findings and recommendations to support the continuing commitment of the leadership to creating a juvenile justice and probation system that consistently performs to the highest standards of practice; routinely works in partnership with youth, families and communities in comportment with the best research and evidence; sustains the highest level of workforce and system performance, and achieves desired youth outcomes that ensure accountability, reduction of reoffending, community collaboration and safety.

The twenty one recommendations herein highlight current system and agency challenges and seek to build upon existing strengths. This holistic set of recommendations seeks to address necessary agency and system-wide reforms as well as specific practices within individual units. We hope that after careful review of the findings by the leadership in DOCCR and the Juvenile Probation Division, there will be endorsement of the full set of twenty one recommendations and every opportunity to positive probation and juvenile justice transformation can be realized to the benefit of the all of the youth and families served in Hennepin County.

The RFK National Resource Center Consultant Team wishes to acknowledge the staff and leadership of the Hennepin County DOCCR and Juvenile Probation Division, particularly Jerald Moore who demonstrated commitment to the process and transparency throughout the planning and on-site work of the probation system review. We offer special thanks to Program Manager Adesola Jaiyesimi who served as the project leader and staff liaison for the review. She adeptly managed scheduling, logistics and communication for all four site visits as well as interim phone calls and ensured that we had access all necessary stakeholders. We also would like to recognize the leadership of Judge Kappelhoff and offer appreciation to all of the Juvenile Court Judges who devoted their lunch hours to meeting with us on each visit.

Thanks also to the staff, managers, providers, attorneys, and especially youth who took the time to engage in the process and share their perspectives. We greatly appreciate your candor and commitment to improving outcomes for youth in the system.



## APPENDIX A

### Inventory of Documents Reviewed

2019 Minnesota Statutes, Chapter 260B, Delinquency

Hennepin County Juvenile Probation

(Link at: <https://www.hennepin.us/residents/public-safety/juvenile-probation>)

DOCCR Strategic Plan 2019-20

DOCCR Strategy Map 2019

DOCCR Organizational Chart

Juvenile Probation Division Organizational Chart

Policy Binder

DOCCR Brief: Executive Summary

Trauma & Violence Exposure on Justice-Involved LGBTQA & GNC Youth (February 2019)

State Justice Institute: LGBTQ and GNC Bench Card (July 2017)

DOCCR Brief: Executive Summary - Juvenile Justice Disparity Examination (March 2018)

Hennepin County Juvenile Court – Disparity Reduction Plan (August 2019)

Data Systems and Reports (August 2019)

HCAO Pre-charge and Post-charge Diversion Policies

HCAO Diversion Trend Data Reports (2011-2019)

Hennepin County Attorney's Office: An Examination of Racial Disparities in Charging and  
Diverting Juvenile Offenders (Council on Crime and Justice. 2013)

YMCA Youth Intervention Services UP Diversion Program Proposal (Brooklyn Park Police Dep't)

Validation Study of the Youth Level of Service (YLS) Assessment in Hennepin County (July 2016)

YLS/CMI Quality Assurance Results – Juvenile Probation and EJJ (2019)

EJJ Data Snapshot (2014-2019)

Juvenile Justice 21: Information Sharing & Juvenile Justice in Minnesota Practitioner's Guide  
(October 2019)

Employee Survey: Hennepin County Juvenile Probation Division – Aggregated Results  
(November 2019)

Community Based Array of Services (CBAS): Executive Statement

Community Based Array of Services Utilization Reports (2018, 2<sup>nd</sup> and 3<sup>rd</sup> quarter 2019)

Juvenile Probation Community Based Array of Services Chart

JDAI Performance Tracking Reports

DOCCR JDAI Profile Reports (2017 and 2018)

MN Judicial Branch: Timeliness Performance Measures (2018)

MN Judicial Branch: Revalidation of the JDC Risk Assessment Instrument (2018)

Total Dispositions in Juvenile Delinquency 2009-2018 (March 2019)

DOCCR Juvenile Probation Profile (2016-2018)

DOCCR OHP Recidivism by Program (October 2019)

DOCCR Out-of-Home Placement & Screening Trends: Q4 2018 and Q1 2019

System Assessment: Fact-Finding Process Report (July 2017)

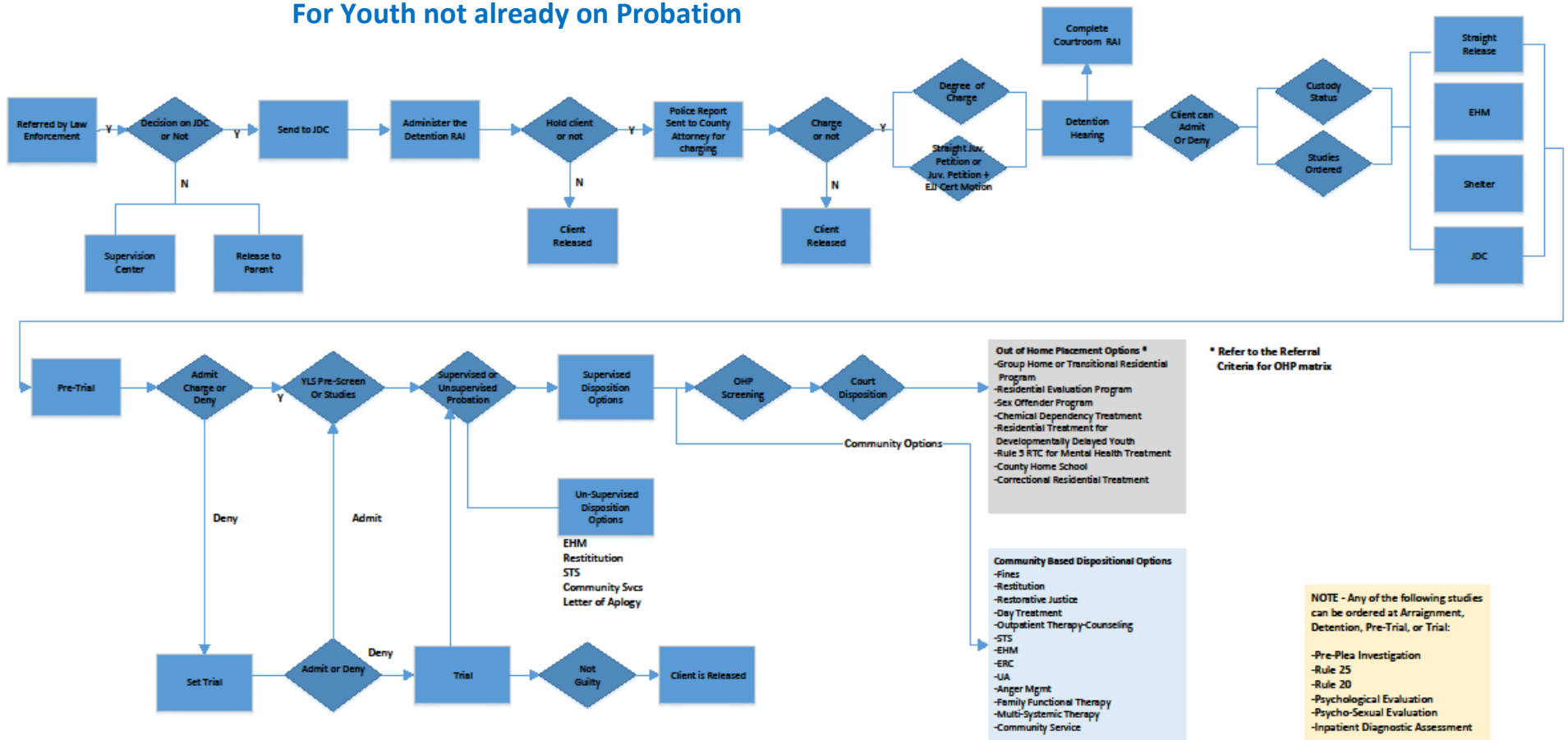
CSTS/DOC Case Plan Project – Phase 1 Design Document (March 2018)

CSTS – Hennepin Juvenile Enhancement Project (June 2019)

# APPENDIX B

## Process Map: Referral to Disposition

### Department of Community Corrections and Rehabilitation From Referral to Disposition Process Map For Youth not already on Probation



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## APPENDIX C

### Employee Survey

Hennepin County, MN Probation System Review - Employee Survey	Strongly Agree	Agree	Disagree	Strongly Disagree	Do Not Know
<b>PRE-DISPOSITION INVESTIGATION</b>					
1. Court reports are generally well written and of good quality					
2. The court reports do not provide sufficient detail regarding the needs of probation clients					
3. Recommendations to the court for probation clients are based on individualized needs for treatment					
4. Recommendations to the court for probation clients are based on available community resources					
<b>CASE SUPERVISION</b>					
1. Probation clients in specialized caseloads receive an enhanced level of supervision					
2. Probation clients are receiving the required number of contacts as indicated by risk scores					
3. Client outcomes are clearly identified for each probation client to guide the service delivery					
4. Probation officers do not provide assurances that probation clients receive services to which they have been referred					
5. Probation officers do not work close enough with community resources to which they refer probationers					
6. Probation officers work closely with probation client's parents/caregivers to achieve desired outcomes					
7. The levels of supervision are characterized by distinctly different activities on the part of the probation officer					
8. The caseload sizes do not allow for an adequate level of supervision					
9. Probation clients need more help than they presently receive during the period of probation					
10. Additional resources are needed to adequately provide for the parent and family support network for probation clients					
11. The enforcement of conditions is sufficient activity for the supervision of probation clients					
12. The number of contacts required for each level of supervision is appropriate					
13. The supervision of probation clients does not result in greater public safety					
14. Supervision of probation clients is focused more on enforcement than behavior change					
15. The assignment of all probation officers to specific geographic areas would result in more effective supervision of probation clients					

Hennepin County, MN Probation System Review - Employee Survey	Strongly Agree	Agree	Disagree	Strongly Disagree	Do Not Know
<b>DEPARTMENTAL MANAGEMENT AND SUPERVISION</b>					
1. Probation officers are supported in their work by the Division's administration					
2. Probation officers are supported in their work by their supervisors					
3. Probation officers efforts are not adequately recognized by the Division					
4. Probation officers are provided the tools necessary to carry out their job functions					
5. The probation manual is a useful tool to direct the work of probation officers					
6. The judges do not base their decisions on probation officers' recommendations					
7. Probation officers are provided sufficient training to function effectively					
8. Juvenile Court judges respect the work of probation officers					
9. Probation officers are not adequately prepared to testify in court					
10. Judges read the probation officers' reports					
<b>RESOURCES AND SERVICE DELIVERY</b>					
1. Probation clients have access to treatment resources that address their particular needs					
2. Probation clients do not have access to needed mental health services while on probation					
3. The current staffing/placement process is satisfactory					
4. Services to probation clients are not provided in a timely manner					
5. Probation clients have access to needed substance abuse resources while on probation					
6. Juveniles receive adequate support when they transition in and out of placement					
7. Juveniles do not have access to aftercare services upon return home to parents/caregivers					
8. Probation officers have a method for identifying probation clients with mental health needs					
9. Juveniles are not matched to placements equipped to address their individual needs					
10. There is sufficient oversight of juvenile probation clients while in placement					
11. Adequate community resources exist to address the needs of juvenile probation clients					
12. Most probation clients are referred to the same services					
13. There is not adequate communication between treatment providers and PO's					
14. Probation officers are provided with current information regarding the adequacy of community resources					

<b>Hennepin County, MN Probation System Review - Employee Survey</b>	<b>Strongly Agree</b>	<b>Agree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>Do Not Know</b>
15. Additional funding is the most important solution to improve service delivery					
<b>RACIAL DISPARITIES</b>					
1. Probation Services include a disparity reduction lens as a part of routine practice					
2. Probation officers understand the connection between their role and disparity reduction					
3. Probation officers utilize data to inform their work about the locus of disparate practices					
4. Probation officers utilize a race equity framework to inform recommendations for clients					
<b>BEST PRACTICES</b>					
1. Probation services are not based on best practices					
2. Evidence-based practices would be applied to all probation clients if there was adequate funding					
3. Evidence-based practices are available in the community but are not used					
4. Probation officers are not knowledgeable about best practices for providing services to probation clients					
5. Probation officers are knowledgeable about evidence-based practices and their impact on recidivism					
6. Current case management strategies are based on best practices					
7. The Division should coordinate with community-based organizations in defined geographic areas to target the needs of juveniles in that area					
8. The availability of evidence-based practices in the community would allow some juveniles to stay out of placement					
<b>CLIENT OUTCOMES</b>					
1. Probation officers are not knowledgeable about identifying client outcomes for probation clients					
2. Probation officer set clear, achievable goals for each probation client					
3. The Division uses the achievement of client outcomes to select and monitor providers who contract with the Division					
4. The work of the Division is not related to the achievement of outcomes by probation clients beyond the period of probation supervision					
5. There should be incentives and rewards for probation officers whose probation clients achieve successful outcomes					
<b>INTER-AGENCY RELATIONSHIPS</b>					
1. The Division's relationships with the County Attorney are not good					

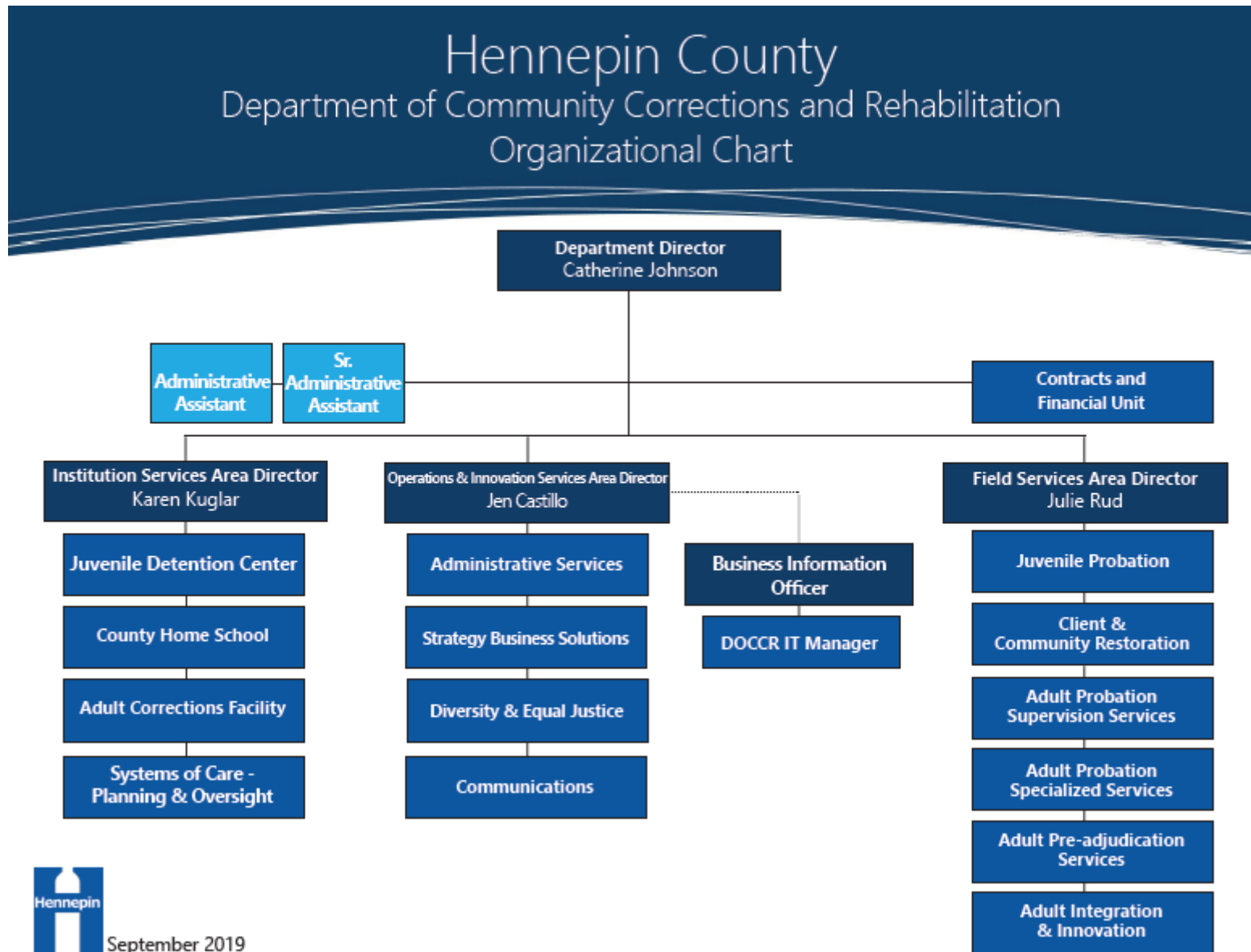
<b>Hennepin County, MN Probation System Review - Employee Survey</b>	<b>Strongly Agree</b>	<b>Agree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>Do Not Know</b>
2. The Division's relationships with community-based agencies have improved in the past three years					
3. The Juvenile Probation Division's relationship with the Public Schools could be improved					
4. The Juvenile Probation Division's relationship with the Public Schools is good					
5. The Juvenile Probation Division's relationship with the community service providers could be improved					
6. The Juvenile Probation Division would function more effectively if its relationships with community-based agencies were better					
7. The Juvenile Probation Division should look at data across service delivery systems to assist with the identification of prevention and earlier intervention opportunities					
8. The interface between MN Department of Community Corrections and Probation needs improvement					
9. Probationers' prior Child and Family Services involvement is known/documented					

**Following is a set of open-ended questions that offer you the opportunity to provide your particular ideas about how the Juvenile Probation Division and its probation officers could function better. Please take some time to offer your comments and recommendations here. Thank you.**

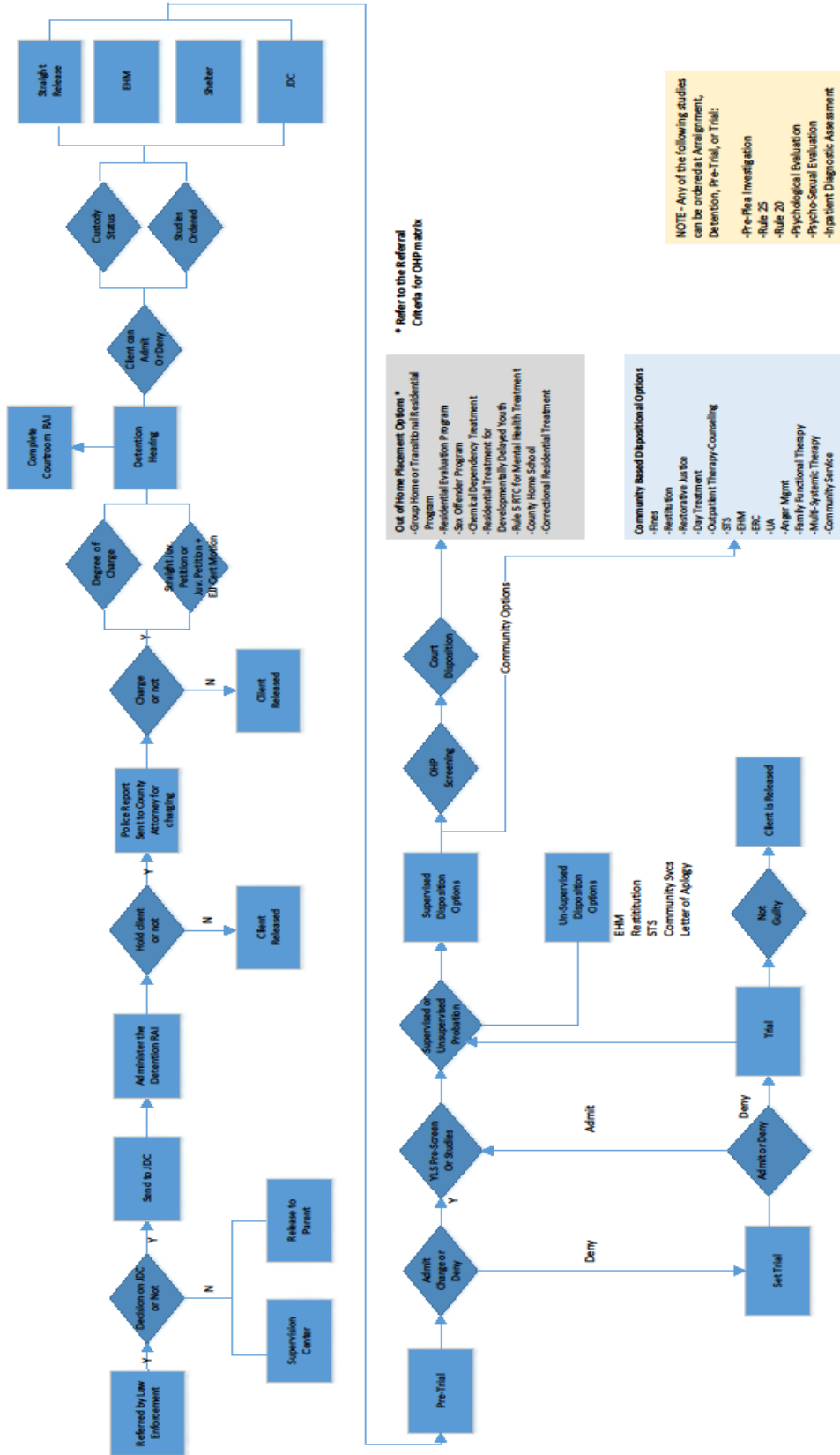
1. How could the probation manual be improved? What could be added?
2. What enables you to do your job most effectively?
3. What training would help you do your job?
4. What services are needed for probation clients that do not exist at this time?
5. What client outcomes should the Juvenile Probation Division seek for probation clients?
6. What specific ideas do you have for the improved delivery of probation services that you believe will result in better client outcomes?
7. What makes you uncomfortable or upset in court?
8. What ideas do you have about reducing the amount of paperwork?
9. What challenges do you face in your relationships with other agencies?
10. What are some of the special skills and talents that you offer to probation operations that aren't currently tapped in your role as probation officer?
11. In what ways would you like your work to be recognized?
12. Where do you see yourself in 3-5 years? What are your career aspirations?

**Any additional comments:**

**APPENDIX D**  
**DOCCR Organization Chart**



# APPENDIX E Continuum of Services



12/19/18



## APPENDIX F

### National Juvenile Defender Center Hennepin County Juvenile Probation Order Analysis and Recommendations

The following analysis is based on the National Juvenile Defender Center's (NJDC) review and understanding of Hennepin County juvenile probation orders from materials and information shared by the Hennepin County Probation Order Workgroup and available research. In addition, NJDC received input through discussions with the Workgroup on September 19, 2019 and October 15, 2019, a November 14, 2019 call with the Hennepin County youth council, and a final call with the Workgroup on November 26, 2019.

In Part I, NJDC provides a general analysis of the orders and then specifics of the four probation orders discussed with the Workgroup:

- A. Analysis Applicable to all Probation Orders Reviewed
- B. Delinquency Disposition Order
- C. Extended Juvenile Jurisdiction Order
- D. Restitution Order
- E. Juvenile Petty/Traffic Offender Order

In Part II, NJDC provides analysis of:

- A. Data on racial disparities
- B. Minnesota Rules of Juvenile Delinquency Procedure
- C. Hennepin County Juvenile Probation Mission, Vision, Goals, and Principles
- D. Alternative Responses and Incentives Guide

#### **PART I. PROBATION ORDER ANALYSIS AND RECOMMENDATIONS**

NJDC's review and discussion covered four probation orders commonly used by the Hennepin County Juvenile Court and includes an analysis of the general Rules of Probation, which appeared on the sample Delinquency Disposition Order. The following analysis begins with a review of elements that appeared in all four orders, then analyzes each type of order separately, based on four considerations, as applicable:

1. Readability of conditions
2. Number of conditions
3. Standard versus individualized conditions
4. Ineffective and/or constitutionally questionable conditions

##### **A. Analysis Applicable to all Probation Orders Reviewed**

Certain elements were consistent across the four probation orders NJDC reviewed. As such, the following analysis applies to all four types of probation orders reviewed.

The "Order" Section: The four sample orders NJDC analyzed had varying formats, but each contained a section titled "Order." It appears the Order section is intended to provide information related to the youth's charges and to explain court procedures. Often, however, the Order section also contains conditions the youth must follow.

Recommendation:

- Clearly separate any condition the youth is expected to comply with from the “Order” section, instead including it under the “Rules of Probation.”

Rationale:

- It may be confusing for a youth to ascertain where to look for their conditions when those conditions are spread out throughout different areas.
- The conditions in the “Order” are sometimes repeated under the “Rules of Probation.” This redundancy could lead to confusion for the youth and their family.

Examples of Conditions Under the “Order” Section

- a. Probation Order Element: “A restitution study is ordered. Probation shall submit the restitution report within 90 days of this order. If additional time is necessary to complete the restitution report, probation shall file a request for an extension. If restitution is owed, the Child shall pay restitution to the victim(s) on a joint and several basis on all admitted dismissed charge(s). If the Child disputes the amounts determined to be owed, the Child must request a restitution hearing within 30 days of his/her receipt of the restitution order. All amounts of restitution owed must be paid in full: by the end of the stay of adjudication. If restitution is not paid in full, the court shall adjudicate the Child delinquent or reduce the unpaid restitution to a judgement against the Child and dismiss the case; or by the Child’s 19th birthday or the amount of unpaid restitution shall be reduced to a judgement against the Child.”

Recommendation:

- Consider removing the restitution requirements from the order itself. In cases in which restitution is required, include that requirement in more simplified language.

Rationale:

- As reported by the Workgroup, when fines, fees, and/or restitution are assessed against youth in delinquency court, a separate Restitution Order is completed.
- Young people generally do not have independent finances, and thus are oftentimes unable to comply with a requirement that they pay fines, fees, and/or restitution.
- The rarity of these financial penalties is consistent with recent trends eliminating financial penalties in juvenile court.

- b. Probation Order Element: “The Child shall supply a DNA sample as required under Minn. Stat. §609.117” and “The Child shall register as a predatory offender as required under Minn. Stat. § 243.166.”

Recommendation:

- Consider pursuing legislative reform to eliminate the statutory requirements for collecting DNA and fingerprints from youth and for having youth on any type of registry.

Rationale:

- Records of a juvenile adjudication can create significant barriers to success for young people who are no longer court involved.
- Minnesota state law appears to make records from felony adjudications for young people age 16 and older are available to the FBI.
- FBI records continue to exist in federal databases even after a juvenile record is sealed or expunged by the state.

- Minnesota law does not provide for automatic expungement for youth with felony adjudications.

Related notes:

- The Workgroup advised that if the offense does not require DNA collection, that condition will not be included, which aids in preventing children from giving DNA samples when not required by statute.
- NJDC recently produced and shared with the Workgroup a booklet, primarily intended for youth, about the collateral consequences of a juvenile adjudication in Minnesota.

- c. Probation Order Element: “Adjudication of delinquency is stayed for 180 days, conditioned upon the Child’s strict adherence to the terms of this order. Following a review, adjudication may be stayed an additional 180 days, but only with the consent of the county attorney.”

Recommendation:

- Consider removing this from the order.

Rationale:

- As part of this review process, NJDC received feedback from the youth council in Hennepin County. Each child interviewed had a different interpretation of this element of the order.
- The language used is highly technical and confusing for most adults without legal training. It is even harder for a child to understand what is being stated.

- d. Probation Order Element: “Report any arrests or charges to your probation officer.”

Recommendations:

- Consider altering and/or clarifying constitutionally questionable conditions to ensure that the rules of probation are constitutionally sound.
- Consider working with a speech-language expert to rephrase this condition, to make clear to young people that they are not required to, and should not, talk about the substance of any interaction with law enforcement.
- Alternatively, consider methods for probation officers to be notified of court dates, so the onus is not on the young person to bridge this communication gap.

Rationale:

- If this condition is interpreted to require that a young person must notify their probation officer about the content of any law enforcement interaction, such a requirement could violate their Fifth Amendment right against self-incrimination.
- The Workgroup reported that this condition was intended to provide probation officers with court dates, but that probation officers do not want to know, and do not expect to be told, any underlying information about the charge. However, youth should have the choice whether to disclose this information to their probation officer and not be penalized for choosing not to disclose.

- e. Probation Order Element: “You must submit to the electronic and/or physical search of your person and/or premises upon the request of a Probation Officer per the search and seizure policies of the Probation Department, based on reasonable suspicion.”

Recommendations:

- Consider removing this condition.
- Alternatively, consider defining the term “reasonable suspicion” in an easy, youth-friendly manner.
  - For example: “If a probation officer believes I have broken the law, the probation officer may search me or my property. I will not be searched without a specific claim that I have done something wrong while on probation. Random searches or regularly-scheduled searches are not allowed.”

Rationale:

- This condition could be interpreted to be a court-ordered waiver of the youth’s Fourth Amendment right to be free of unreasonable search and seizure. In other words, it could be construed as ongoing coerced consent. Given that probation officers have the same authority as Peace Officers in Minnesota, the same constitutional predicates for searches likely apply, absent such consent.
- The condition does state that searches are based on reasonable suspicion, but a child may not know what that means.
- Some members of the Workgroup indicated that they wanted to retain the ability to search youth on probation as a supervision tool, but that they would be interested in seeing language that could limit this condition, without getting rid of the condition entirely.

## **B. Delinquency Disposition Order**

### **1. Readability**

Recommendations:

- Consider exploring how to simplify the language used, including word choice and sentence structure to make Delinquency Disposition Order and Rules of Probation more accessible.
- Consider sharing the Delinquency Disposition Order with a speech-language expert to assist with content on the order of the court.
- Consider training staff on language access and use for probation staff to ensure that children and their families can fully comprehend what conditions are being ordered.

Rationale:

- Based on Microsoft Word analysis, the Delinquency Disposition Order document scores a 42.9 on reading ease, and is at approximately an 11.4 grade level.
- Studies show that the instance of language- and/or literacy-related disabilities among youth involved with the justice system is greater than in the general population,<sup>23</sup> which makes reading comprehension more of a concern.

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<sup>23</sup> See NAT. JUVENILE DEF. CTR., PROMOTING POSITIVE DEVELOPMENT: THE CRITICAL NEED TO REFORM YOUTH PROBATION ORDERS 4 (2016) [hereinafter PROMOTING POSITIVE DEVELOPMENT], <http://njdc.info/wp-content/uploads/2016/12/Promoting-Positive-Development-Issue-Brief.pdf> (discussing the appropriate reading level of a probation order). See also TEAMCHILD & JUVENILE INDIGENT DEFENSE ACTION NETWORK, WASHINGTON JUDICIAL COLLOQUIES PROJECT: A GUIDE FOR IMPROVING COMMUNICATION AND UNDERSTANDING IN JUVENILE COURT ii (2012) [hereinafter WASHINGTON JUDICIAL COLLOQUIES PROJECT (finding, in focus groups with youth, that the young people often misunderstood language that appeared clear to the stakeholders involved – for example that “appearing in court as required” referred to appropriate clothing, rather than coming to court)].

- The Hennepin youth council expressed confusion with expectations placed on them by the court. Simplifying language would allow youth that come in contact with the court to have a better understanding of what is expected of them while they are under probation supervision.

## 2. Number of Conditions

### Recommendations:

- Consider reducing the number of conditions required of each youth while continuing to ensure youth success and community safety.
- Consider ways to simplify the Delinquency Disposition Order by combining duplicative and/or similar terms.
- Each of the conditions that require a young person to do something that is legally required of them (e.g. not use any alcohol or non-prescribed drugs, not possess any weapon) could be combined under what is currently the first condition, requiring the young person to “obey all laws including curfew and local ordinances.”
  - This condition could include a list of examples of important legal requirements, so that young people could better distinguish what is legally required of them regardless of probation supervision, and what is required of them particularly because they are on probation.

### Rationale:

- One example of the Rules of Probation reviewed by NJDC contained seven conditions, which is in addition to the more than 21 possible conditions listed in one version of the Delinquency Disposition Order.
- Research indicates that probation orders that contain a limited number of individualized conditions increase the likelihood of youth compliance and success.<sup>24</sup>
- Research also indicates that youth have a greater likelihood of success when they are focused on a few clear objectives rather than many.
- A number of conditions on the Rules of Juvenile Probation (and the Order) could be appropriate for some youth, but are unnecessary for every youth.
- Limiting conditions to those targeted at addressing each youth’s individual needs and strengths is more likely to create a plan that both is achievable and furthers the goals of probation and the court.

## 3. Standard versus Individualized (Youth-Specific) Conditions

### Recommendations:

- Consider reorganizing the Delinquency Disposition Order to remove all conditions from the “Order” section and put them under “Rules of Probation.”
- Consider separating the Rules of Probation into a standard set of conditions and a set containing any individualized conditions.
- Consider applying the vast majority of conditions on an as-needed, case-specific basis.
- Consider defining a very limited set of conditions that are standard for every youth, such as:

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<sup>24</sup> See PROMOTING POSITIVE DEVELOPMENT, *supra* note 3 at 1; RICHARD J. BONNIE ET AL., REFORMING JUVENILE JUSTICE, A DEVELOPMENTAL APPROACH, NAT’L RESEARCH COUNCIL OF THE NAT’L ACADEMIES 4 (2013); WASHINGTON JUDICIAL COLLOQUIES PROJECT, *supra* note 3, at 9 (finding that youth interviewed minutes after hearings recalled only one third of the ordered conditions).

- Obey all laws, including curfew and local ordinances.
- Keep your probation officer informed of any changes in your address, telephone number, school, or employment.
- Meet with your probation officer as directed.
- Consider using the remaining individualized conditions only when there is a nexus between developing youth success and the condition for the particular young person. (For example: “You may not use any alcohol or non-prescribed drugs.”)

Rationale:

- In cases where there is no information to suggest that a young person is using or abusing drugs or alcohol, such that probation officers would be unlikely to require the youth to submit to drug and/or alcohol testing, this rule may be superfluous.

4. Ineffective and/or Constitutionally Questionable Conditions

Recommendations:

- Consider removing conditions that research suggests do not lead to community safety or youth safety or success, or that are duplicative of other conditions. For example: “You must go to school every day with no suspensions or unexcused absences.”
- Alternatively, consider simplifying the wording of the rules to the core directive (e.g. to attend school), which in turn may be encompassed under the rule that requires youth to obey all laws.
- Consider working with a speech-language specialist to rephrase this rule in a way that incentivizes exemplary school attendance, but does not require perfect school attendance where that may not be immediately feasible.
- Consider working with a speech-language specialist to rephrase “no suspension or unexcused absences,” because this phrase could be interpreted to mean that a young person could be in violation of their probation if they are not in school *due to* a suspension or expulsion.

Rationale:

- In cases where there is no information to suggest that a young person has difficulty attending school, this term may be unnecessary, while adding to the total number of rules that the youth must remember.
- Where a young person may have difficulty attending school, “no excused absences” is a goal, but not necessarily a realistic starting point for youth who, up until probation supervision, have had extensive absences.

**C. Extended Juvenile Jurisdiction (EJJ) Disposition Order**

1. Readability

Recommendation:

- Consider exploring how the EJJ Order can be revised using simplified language and sentence structure to make it more accessible.
- Consider working with a speech-language specialist to review the rules.
- Consider crafting a specific section on the Order that more clearly defines the EJJ status.

Rationale:

- Based on Microsoft Word analysis, the EJJ Probation Order scores a 29.8 on reading ease, and is at approximately a 13.5 grade level.
- Studies show that the instance of language- and/or literacy-related disabilities is greater among youth involved with the justice system than in the general population, which makes reading comprehension more of a concern.

## 2. Number of Conditions

### Recommendation:

- Consider creating “Rules of Juvenile Probation” for EJJ Orders to make clear what the child must do to comply with the order.

### Rationale:

- The EJJ Order establishes a high-risk situation for youth. If a youth is able to comply with the order, they are still considered a child. If a youth is not able to comply with the order, their childhood is over and they are treated as an adult for purposes of court sentencing. This tenuous situation is difficult for anyone to understand.
- The EJJ Order included 12 conditions the child was expected to comply with. These conditions were listed under what the court has ordered as opposed to a separate section with conditions.
- Since there is a higher penalty for non-compliance, the Workgroup should consider separating the order, which includes legal and case information, from the conditions the youth is expected to follow.

## 3. Standard versus Individualized (youth-specific) Conditions

### Recommendations:

- Consider defining a very limited set of conditions that are standard for every youth. (Example: “Respondent shall remain law abiding.”)
- Consider using the remaining conditions only when there is a nexus between developing youth success and the condition for the particular young person.

*Example: “Respondent shall attend school, and receive a high school diploma or its equivalent.”*

### Recommendation:

- Consider simplifying the wording of the rules to the core directive (e.g. to attend school), which in turn may be encompassed under the rule that requires youth to obey all laws.

### Rationale:

- In cases where there is no information to suggest that a young person has difficulty attending school or maintaining employment, this condition may be unnecessary, while adding to the total number of rules the youth must remember.

*Example: “Respondent shall abstain from the use of alcohol or any non-prescribed drugs.”*

### Recommendation:

- Consider making this a case-specific condition.

### Rationale:

- In cases where there is no information to suggest that a young person is using or abusing drugs or alcohol, such that probation officers would be unlikely to require the youth to submit to drug and/or alcohol testing, this rule may be superfluous.

*Example: “Respondent must comply with all rules of EJJ probation and follow any additional recommendations.”*

Recommendation:

- Consider eliminating this condition and only adding individualized conditions to each child.

Rationale:

- This condition may be confusing. The youth is expected to follow any additional recommendations but there is no indication whose recommendations they are to adhere to.
- The Workgroup advised that only the judge can order the youth to do anything and this condition may lead to confusion.

#### **D. Restitution Order**

##### 1. Readability

Recommendation:

- Consider exploring how the Restitution Order can be revised using simplified language and sentence structure to make it more accessible.
- Consider putting exact contact and payment instructions to make clear where, when, and who the child must pay to be in compliance.
- Consider explicitly explaining what will happen to the child if they do not make their restitution payments.

Rationale:

- Based on Microsoft Word analysis, the Restitution Order scores a 29.7 on reading ease, and is at approximately a 15.9 grade level.
- The Order includes legal phrases such as “joint and several,” a legal concept difficult for any child to understand.

#### **E. Juvenile Petty/Traffic Offender Order**

##### 1. Readability

Recommendation:

- Consider exploring how the Juvenile Petty/Traffic Offender Order can be revised using simplified language and sentence structure to make it more accessible.
- Consider having the rules reviewed by a speech-language expert.
- Consider requiring training on language access and use for probation staff.

Rationale:

- Based on Microsoft Word analysis, the Juvenile Petty/Traffic Offender Order document scores a 50.1 on reading ease, and is at approximately a 10.2 grade level.



- Many youth in the juvenile justice system have language- and/or literacy-related disabilities.<sup>25</sup>
- The Workgroup agreed that the reading level of the rules is far above the average reading level of a young person who is court involved.
- The Workgroup informed NJDC that the probation rules *are* intended for use with youth and their families.

## 2. Number of Conditions

### Recommendations:

- Consider eliminating any conditions that require the child to do something other than obey the law, especially restitution, fines, and fees for children.
- Consider simplifying the language by combining duplicative and/or similar terms.
- Consider including in the condition, “The child shall remain law abiding, attend school regularly with no absences and no tardiness, obey all rules at school, obey all rules of the home, and have no new charges,” examples of legal requirements that are currently explained in other conditions (e.g. attend school, not possess or use alcohol or drugs), so that young people can better understand what is legally required of them regardless of probation supervision.

### Rationale:

- The samples of Juvenile Petty/Traffic Offender Orders provided had between one and three conditions the child is expected to comply with.
- The fact that Hennepin County has different orders for lower level offenses is a positive feature that clearly recognizes that not all offenses should be treated the same.
- Even still, placing any conditions on a child that could have them sent back to court for violations may be excessive depending on the offense.
- Normal adolescent behavior can be misconstrued and can land the child back before the court for a harsher, more restrictive punishment.

## 3. Standard versus Individualized (Youth-Specific) Conditions

### Recommendation:

- Since all conditions appear to be mandatory, consider having one condition that requires the youth to obey all laws and one condition if there are mandatory services or community service that must be successfully completed by the individual youth to be in compliance.

### Rationale:

- Petty offenses and traffic violations are minor offenses and few to no conditions should be ordered, as oftentimes these offenses are a symptom of being a youth going through everyday adolescent development.

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<sup>25</sup> See NAT. JUVENILE DEF. CTR., PROMOTING POSITIVE DEVELOPMENT: THE CRITICAL NEED TO REFORM YOUTH PROBATION ORDERS 4 (2016) [hereinafter PROMOTING POSITIVE DEVELOPMENT], <http://njdc.info/wp-content/uploads/2016/12/Promoting-Positive-Development-Issue-Brief.pdf> (discussing the appropriate reading level of a probation order). See also TEAMCHILD & JUVENILE INDIGENT DEFENSE ACTION NETWORK, WASHINGTON JUDICIAL COLLOQUIES PROJECT: A GUIDE FOR IMPROVING COMMUNICATION AND UNDERSTANDING IN JUVENILE COURT ii (2012) [hereinafter WASHINGTON JUDICIAL COLLOQUIES PROJECT (finding, in focus groups with youth, that the young people often misunderstood language that appeared clear to the stakeholders involved – for example that “appearing in court as required” referred to appropriate clothing, rather than coming to court).

- Punitive responses to minor infractions can prove to be more detrimental and expose youth to possible future court exposure.

## **PART II. ANALYSIS OF ADDITIONAL RELEVANT INFORMATION**

### **A. Racial Disparities in Hennepin Courts**

A review of the Data Dashboard from the Hennepin County Attorney's website<sup>26</sup> and of the Department of Community Corrections & Rehabilitation Office of Policy, Planning, and Evaluation's Juvenile Probation 2018 Profile<sup>27</sup> was conducted to analyze the types of cases that come before the court and the racial makeup of the youth served.

This information was discussed with the Workgroup on our November 26 phone call. Members of the Workgroup acknowledged that youth of color are disproportionately represented in the Hennepin County Juvenile Court system, and the Group advised that there is a committee in place to look deeper into racial disparities and make recommendations. Furthermore, during our initial call on September 18, Judge Branford relayed that everything should be looked at with a focus on racial impacts and disparity. NJDC reviewed the available data on racial disparities and used it as lens in our analysis of the materials provided by the Workgroup. This data underscores the importance of considering ways to address the disproportionate contact between youth of color and the Hennepin County Juvenile Court.

In 2018, a total of 5,441 juvenile cases were received by the prosecutor's office. Of those cases, 75 percent involved youth of color (Black, Hispanic, or Native American). Black youth, who made up 61 percent of the total number of cases prosecuted, account for only 22% of the population of 10-17 year olds in Hennepin County.

Of the cases received by the prosecutor, 1,669, or 31 percent, lead to a charge being filed against a youth. Of those, 925 (55 percent) involved a Black child, 70 (4 percent) involved a Hispanic child, and 30 (2 percent) involved a Native American child. White children, who make up 67 percent of the population of 10-17 year olds, were charged in 389 instances, or 23 percent of the time.

The data dashboard also revealed stark disparities in incidents that occur in schools. A total of 641 cases, or 8.4 percent, arose out of incidents at school. Seventy percent of those cases were filed against Black children. Of the total cases referred to the courts by a school, 36 percent were charged with assault, 27 percent for disturbing the peace/disorderly conduct/restraining order, 9 percent for property damage, and 5 percent for Misc/Loiter/Status/Liquor/Conservation.

The Workgroup could consider developing a memorandum of understanding (MOU) with the schools to set clear expectations about decreasing school referrals to court. (NJDC would be happy to provide an example of an MOU used in other jurisdictions to deal with minor infractions in school rather than in a court setting.) The Workgroup may also want to consider looking deeper into the types of cases received

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<sup>26</sup> HENNEPIN COUNTY ATTORNEY, *Data dashboard*, <https://www.hennepinattorney.org/about/dashboard/data-dashboard> (last visited December 19, 2019).

<sup>27</sup> DEPARTMENT OF COMMUNITY CORRECTIONS & REHABILITATION OFFICE OF POLICY, PLANNING, AND EVALUATION, *Juvenile Probation 2018 Profile*, <https://www.hennepin.us/-/media/hennepinus/your-government/research-data/doccr-reports/JP-Profile-2018.pdf?la=en&hash=149FE2FD59AFBBACD9A9964636D886F629C6EA48> (last visited December 19, 2019).

from the schools and into a restorative justice program, whereby students can resolve conflicts without having their liberties restricted. The school-to-prison pipeline is an epidemic in our nation that can be addressed with sound policy and practice reforms.

Simplifying the language of conditions, removing unnecessary ones, offering restorative justice opportunities, and working with schools and law enforcement to ensure that youth of color are not targeted, either consciously or subconsciously, are all attainable goals that are in line with the mission of the juvenile court as defined by Minnesota Rules of Juvenile Delinquency Procedure Rule 1.02, “to assure that the constitutional rights of the child are protected ... through means that are fair and just, that recognize the unique characteristics and needs of children, and that give children access to opportunities for personal and social growth.”

## **B. Minnesota Rules of Juvenile Delinquency Procedure**

As part of the review and analysis of Hennepin County probation orders and additional relevant information, NJDC received and researched relevant statutes. Below is an analysis of specific sections of the Minnesota Rules of Juvenile Delinquency Procedure in relation to the goals of the Workgroup.

### Minnesota Rules of Juvenile Delinquency Procedure Rule 1.02 - General Purpose

The purpose of the juvenile rules is to establish uniform practice and procedures for the juvenile courts of the State of Minnesota, and to assure that the constitutional rights of the child are protected. The purpose of the laws relating to children alleged or adjudicated to be delinquent is to promote the public safety and reduce juvenile delinquency by maintaining the integrity of the substantive law prohibiting certain behavior and by developing individual responsibility for lawful behavior. This purpose should be pursued through means that are fair and just, that recognize the unique characteristics and needs of children, and that give children access to opportunities for personal and social growth.

### Minnesota Rules of Juvenile Delinquency Procedure Rule 5.03 - Responsibilities of Probation Officer I/II

This section indicates that probation officers should help young people develop skills (for example, in developing competency in job-seeking skills). The Workgroup could consider applying this to a young person’s school performance, helping them develop strategies for better school attendance and academics, instead of simply monitoring. Even if the expectation is that probation officers actively make such supportive plans, the probation manual does not require it.

### Minnesota Rules of Juvenile Delinquency Procedure Rule 5.12 - Terms and Conditions of Probation

This section states that the Terms and Conditions will include the Formal Probation Order from the court; this supports NJDC’s recommendation made above that these two documents be both combined and simplified, or that the Terms and Conditions actually mirror, in youth-accessible language, any and all terms contained in the Formal Probation Order.

## **C. Mission, Vision, Goals, and Principles of the Hennepin County Probation Department**

Hennepin County supplied NJDC with select portions of its Probation Services Manual as part of this review. Below is an analysis of specific sections of the Hennepin County Community Corrections and Rehabilitation Manual intended to align these materials with the goals of the Workgroup.

Hennepin Juvenile Probation Mission Statement: Hennepin County Juvenile Probation engages with the community and juvenile justice partners to promote community safety, community restoration and offender change through proven interventions.

Juvenile Probation Vision Statement: Hennepin County Juvenile Probation envisions a future where staff, diverse communities and families work together; where all youth are law-abiding, healthy and educated members of our community.

Analysis:

- The mission, vision, goals, and principles of the Hennepin County Probation Department provide a clear foundation for the probation order workgroup review.
- These statements reflect the department's and county's commitment to probation supervision that is evidence-based, strengths-based, and focused on positive youth development.
- The stated vision and mission focus, at least explicitly, on community safety and youth accountability, and not on youth success.
- The probation order review effort undertaken by the Workgroup aligns with the Department's commitment to "utilize technology to enhance communication, provide more efficient and effective service delivery, evaluate interventions, and measure outcomes."

Recommendations:

- Consider adding language that is success- and strength-based and that mirrors the general purpose as outlined in Rule 1.02 above.
- Consider removing the word "offender" when discussing children in the court system.

Rationale:

- The General Rule and the probation department's mission and vision all support community safety but Rule 1.02 has stronger language that expressly considers youth and their development, their strengths, and the need to support them and the community for the greater good.
- Labeling children "offenders" can come with negative attitudes and pre-conceived notions. Children should be given an honest chance to succeed and putting labels on them can have long-lasting impact, whether conscious or subconsciously, on those tasked with providing supervision and services. For example: "We exist to improve the lives of children and families by eliciting offender change, which in turn will improve public safety."
- This guiding principle appears to say that helping children will help the community at large. The Workgroup may consider a way of saying this without labeling children as offenders.
- An edit of the language can still express the idea of rehabilitation and community protection without labeling and stigmatizing the child. For example: "We exist to improve the lives of children and families by supporting individual development, which will in turn improve public safety." This language utilizes positive, strength-based language that relays the intended message without putting a label on a child.

#### **D. Juvenile Probation Alternative Responses and Incentives Guide**

The guide's focus on graduated, alternative *responses* rather than *sanctions and incentives* is supported by current research on effective probation practices. The guide's emphasis on the importance of positive incentives for changing youth behavior recognizes the extensive research in support of positive

incentives. The Workgroup advised that the sanctions grid was updated approximately six months to one year ago and that youth and community members participated in its development.

#### Recommendations:

- Convene this subgroup periodically to ensure that the needs of the community are being supported and that the goals of the department are clearly communicated. Updates and revisions to the grid should be ever-evolving as the needs of children and the community change.
- Consider editing the existing graduated response grid of interventions to provide probation officers with guidance on appropriate initial responses and increments of increasing response. Naomi Goldstein’s article on graduated response systems includes some helpful examples,<sup>28</sup> and NJDC is currently working on identifying a sample graduated response grid, which we will share with the Workgroup.
- Consider editing the suggested interventions to target underlying compliance issues and do not simply add additional conditions to those with which youth are already struggling to comply.
- Consider revising the interventions and responses to ensure that responses are focused on youth success and community safety, and that they do not restrict a youth’s liberty without judicial review of that restriction. NJDC can provide a more detailed review of the individual interventions and responses, if the Workgroup is interested.
- Provide guidance to probation officers as to appropriate limits on the quantity of responses.

#### Rationale:

- The guide states that it is intended to “provide supervising probation officers the ability to respond to violations of probation by utilizing immediate response interventions for client behavior in the community while involving both the client and their family,” which is supported by current research on effective probation practices.
- Research indicates using *four incentives for every sanction* increases the chances of a young person successfully completing their probation.<sup>29</sup>
- The research on adolescent development supports the use of graduated response systems that reinforce positive behavior, deliver appropriate and swift sanctions for unproductive behavior, and recognize that young people are still developing parts of their brain that allow them to assess risk, anticipate consequences, and control impulses.<sup>30</sup>
- The Workgroup indicated that probation officers already use incentives, as evidenced in the Hennepin County Department of Community Corrections and Rehabilitation policies and procedures. Identifying, cataloguing, evaluating, and promoting these incentives, along with written guidance on when they should be used, can improve their use across the department.

Please contact Mary Ann Scali ([mscal@njdc.info](mailto:mscal@njdc.info)) and Tony Ortiz ([tortiz@njdc.info](mailto:tortiz@njdc.info)) with any questions. We look forward to hearing your thoughts about our recommendations, and next steps.

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<sup>28</sup> See Naomi E.S. Goldstein et al., “*You’re on the Right Track!*”: Using Graduated Response Systems to Address Immaturity of Judgment and Enhance Youths’ Capacities to Successfully Complete Probation, 88 TEMP. L. REV. 803 (2016).

<sup>29</sup> Eric J. Wodahl et al., *Utilizing Behavioral Interventions to Improve Supervision Outcomes*, 38 CRIM. JUST. & BEHAV. 38, 386 (2011). See generally AMERICAN PROBATION AND PAROLE ASSOCIATION, NAT’L CTR. FOR STATE COURTS, & THE PEW CHARITABLE TRUSTS, EFFECTIVE RESPONSES TO OFFENDER BEHAVIOR: LESSONS LEARNED FOR PROBATION AND PAROLE SUPERVISION (2012), <http://www.appa-net.org/eWeb/docs/APPA/pubs/EROBLLPPS-Report.pdf>.

<sup>30</sup> See Goldstein et al., *supra* note 8.



# Continuous Improvement Core Value Behaviors:

Using creativity, problem-solving, and problem prevention for personal and organizational progress



## Excel

To exceed expectations

- Be your best self.
- Surpass customer, supervisor, and coworker expectations.
- Be passionate about what you do.
- Take ownership to be a problem solver and a problem preventer.
- Collaborate to utilize everyone's abilities.

**DO:**

- ✓ Set short-term, attainable goals and long-term, ambitious goals.
- ✓ Recognize each others' excellence and successes.
- ✓ Share and celebrate stories of success; acknowledge and learn from mistakes.
- ✓ Understand and respond to the needs of the customer and the community.

**DON'T:**

- X Focus on shortcomings.
- X Focus on setbacks or perceived failures.
- X Expect perfection.



## Improve

To advance outcomes

- Be flexible and resilient.
- Be a positive change catalyst.
- Approach challenges as opportunities for growth and development.
- Be responsive to suggestions and feedback.
- Measure and celebrate progress.

**DO:**

- ✓ Use the cycle of improvement: plan → do → check → act [and repeat].
- ✓ Use the best type of change for the situation: fine-tuning, incremental, transitional, or transformational.
- ✓ Look for opportunities, both formal and informal, to learn, grow, and collaborate.
- ✓ Set aside time to understand the current situation.

**DON'T:**

- X Let perceived barriers get in the way of progress or success.
- X Wait for someone else to fix the problem.
- X Give up.



## Innovate

To strive for creativity

- Be curious.
- Envision, inspire, and support change.
- Accept risk as a natural product of growth and change.
- Think creatively.
- Collaborate to learn from each other.
- Dream big.

**DO:**

- ✓ Take the initiative and encourage, support, and reward others' initiative.
- ✓ Give yourself and others time to be creative, and experiment with new ideas.
- ✓ Actively look for ideas and inspiration outside the department and organization.
- ✓ Use the phrase "Yes, and..." to connect with and build on each others' ideas.

**DON'T:**

- X Use the phrases "No, but..." or "Yes, but..." to shut down or dismiss each others' ideas.
- X Be too cautious or afraid to fail.
- X Fear or avoid change.



# HENNEPIN COUNTY DIRECTOR COMPETENCIES

HENNEPIN COUNTY HUMAN RESOURCES

<h2>CUSTOMER FOCUS</h2> <p>Conveys a clear commitment to service excellence and promotes dedication to meeting customer needs</p>	<h2>INTEGRITY &amp; TRUST</h2> <p>Exhibits and sets expectations for ethical behavior and honesty at all levels and in all situations</p>	<h2>CREATE VISION &amp; PURPOSE</h2> <p>Sets the vision and strategic direction for the department and manages department strategies in alignment with the county strategic direction</p>	<h2>PEOPLE &amp; RELATIONSHIP MANAGEMENT</h2> <p>Exhibits a broad spectrum of interpersonal skills to lead others and to work effectively with peers and higher levels within and across the organization</p>	<h2>LEADERSHIP COURAGE</h2> <p>Takes prompt action and confronts difficult situations</p>	<h2>STRATEGIC RESOURCE MANAGEMENT</h2> <p>Effectively manages a broad spectrum of resources</p>
<p><b>EXAMPLES:</b></p> <ul style="list-style-type: none"> <li>• Treats all customers with dignity and respect</li> <li>• Sets a vision for service excellence for customers</li> <li>• Fosters a creative and supportive environment that inspires enhanced customer service</li> <li>• Seeks and provides a method for input from internal/external customers to address future needs</li> <li>• Develops methods to engage and collaborate with community partners</li> <li>• Sets goals for enhancing service delivery</li> </ul>	<p><b>EXAMPLES:</b></p> <ul style="list-style-type: none"> <li>• Builds an inclusive work environment</li> <li>• Approaches diversity with honesty and confidence</li> <li>• Takes responsibility for own actions and actions of the department</li> <li>• Establishes trusting relationships with staff, colleagues, County Administration and the County Board</li> <li>• Creates an environment of open communication while respecting confidentiality</li> <li>• Sets ethical standards for the department</li> <li>• Holds self and others accountable for ethical behavior in the workplace</li> </ul>	<p><b>EXAMPLES:</b></p> <ul style="list-style-type: none"> <li>• Creates a compelling message which results in employee commitment and action</li> <li>• Takes risks, supports risk-taking and brings new ideas forward</li> <li>• Communicates complex information in a timely and effective manner in both formal and informal settings</li> <li>• Directs organizational change initiatives, champions changes and promotes flexibility to meet changing business needs</li> <li>• Creates a clear picture for integrating diversity into the workplace</li> <li>• Develops and communicates department measures and outcomes</li> <li>• Ensures performance objectives support the achievement of department results</li> <li>• Considers the organizational impact of decisions and includes stakeholders in decision making</li> <li>• Champions the departmental safety culture</li> </ul>	<p><b>EXAMPLES:</b></p> <ul style="list-style-type: none"> <li>• Collaborates and promotes cooperation across the organization</li> <li>• Fosters employee engagement and development</li> <li>• Creates, promotes and maintains a work environment where the value of diversity is understood and practiced and in which all are respected, valued, and welcomed</li> <li>• Shows consideration through listening, empathy, patience and courtesy</li> <li>• Ensures that disrespectful behaviors are promptly addressed</li> <li>• Effectively manages conflict</li> <li>• Sets clear expectations, holds managers accountable and takes necessary corrective action</li> </ul>	<p><b>EXAMPLES:</b></p> <ul style="list-style-type: none"> <li>• Acts decisively and takes responsibility for results of decisions</li> <li>• Takes the opportunity to positively incorporate diversity</li> <li>• States and defends own viewpoint while successfully negotiating a successful outcome</li> <li>• Sets challenging goals and performance expectations</li> <li>• Gives direct feedback</li> <li>• Acts on convictions to do the right thing and persevere despite obstacles</li> <li>• Holds self and others accountable for their actions</li> <li>• Proactively addresses people management challenges</li> </ul>	<p><b>EXAMPLES:</b></p> <p><b>Human Resource Management:</b></p> <ul style="list-style-type: none"> <li>• Optimizes the use of the organization's staff to meet the key results of the organization</li> <li>• Is strategic in hiring, deploying and utilizing staff to achieve organizational results</li> <li>• Conducts workforce planning to identify future staffing needs and strategies for meeting those needs</li> <li>• Prepares managers for future positions through succession planning</li> <li>• Maintains a diverse workforce and emphasizes the importance of using diverse resources</li> </ul> <p><b>Financial Management:</b></p> <ul style="list-style-type: none"> <li>• Makes sound financial decisions</li> <li>• Uses financial information to controls costs and manage revenues</li> <li>• Is accountable for expenditures and ensures the sound stewardship and management of public resources</li> <li>• Provides the most effective service at the lowest cost</li> </ul> <p><b>Technology Management</b></p> <ul style="list-style-type: none"> <li>• Optimizes the use of technology to improve service delivery processes, reduce cost, generate revenue and improve outcomes</li> <li>• Uses data to develop and implement plans</li> <li>• Proposes technology solutions to solve organizational problems</li> </ul> <p><b>Innovation &amp; Knowledge Management</b></p> <ul style="list-style-type: none"> <li>• Fosters an environment in which innovation and creativity are encouraged and knowledge sharing is a responsibility of all employees</li> <li>• Leverages knowledge by finding ways to create, identify, replace and distribute organizational knowledge</li> <li>• Benchmarks with other organizations to identify best practices that could be used to improve county services</li> </ul>





# HENNEPIN COUNTY MANAGER COMPETENCIES

HENNEPIN COUNTY HUMAN RESOURCES

<h2>CUSTOMER FOCUS</h2> <p>Promotes supervisor and staff dedication to meeting customer needs</p>	<h2>INTEGRITY &amp; TRUST</h2> <p>Exhibits and sets staff and supervisor expectations for ethical behavior and honesty in all situations</p>	<h2>MANAGE VISION &amp; PURPOSE</h2> <p>Develops division and work unit goals in alignment with the vision and strategic direction of the department and county</p>	<h2>PEOPLE &amp; RELATIONSHIP MANAGEMENT</h2> <p>Builds effective working relationships with staff and others and maintains a respectful, inclusive work environment</p>	<h2>RESOURCE MANAGEMENT</h2> <p>Coordinates resources, prioritizes work, eliminates barriers and effectively manages projects</p>	<h2>DECISION MAKING</h2> <p>Makes effective decisions based on analysis and evaluation</p>
<p><b>EXAMPLES:</b></p> <ul style="list-style-type: none"> <li>• Treats all customers with dignity and respect</li> <li>• Sets a vision for service excellence for customers</li> <li>• Provides a creative and supportive environment that inspires supervisors and staff to provide enhanced service delivery</li> <li>• Seeks and provides a method for internal/external customer input to address future needs</li> <li>• Implements methods of service improvement</li> <li>• Manages process of engaging community partners</li> </ul>	<p><b>EXAMPLES:</b></p> <ul style="list-style-type: none"> <li>• Builds an inclusive work environment</li> <li>• Approaches diversity with honesty and confidence</li> <li>• Takes responsibility for own actions and actions of staff</li> <li>• Shares information openly with staff and others while respecting confidentiality</li> <li>• Recognizes ethical dilemmas and takes appropriate action</li> <li>• Serves as a role model and sets standards for ethical behavior</li> </ul>	<p><b>EXAMPLES:</b></p> <ul style="list-style-type: none"> <li>• Develops and communicates goals, results and outcome expectations</li> <li>• Is accountable for meeting and exceeding performance outcomes</li> <li>• Effectively communicates in both formal and informal settings and makes complex information understandable</li> <li>• Makes decisions and sets priorities based on the vision and strategic direction</li> <li>• Sets expectations for integrating diversity in the workplace</li> <li>• Adapts to organizational changes and implements change management strategies</li> <li>• Ensures that individual performance objectives support the achievement of department results</li> <li>• Adjusts plans to deal with internal and external change</li> <li>• Fosters a work culture where safety is a core value</li> </ul>	<p><b>EXAMPLES:</b></p> <ul style="list-style-type: none"> <li>• Sets expectations for teamwork and collaboration and works effectively with peers as a team member</li> <li>• Gathers employees input and fosters employee engagement and two-way communication</li> <li>• Creates and maintains a work environment where the value of diversity is understood and practiced and in which all are respected, valued, and welcomed</li> <li>• Shows consideration through listening, empathy, patience and courtesy</li> <li>• Ensures that disrespectful behaviors are promptly addressed</li> <li>• Gives employees credit for achievements that others will see and acknowledge</li> <li>• Effectively manages conflict</li> <li>• Sets clear and specific performance expectations</li> <li>• Develops staff through coaching for performance improvement</li> <li>• Conducts timely performance reviews and regularly provides developmental feedback</li> <li>• Holds employees accountable and takes necessary corrective action</li> </ul>	<p><b>EXAMPLES:</b></p> <p><b>Human Resource Management:</b></p> <ul style="list-style-type: none"> <li>• Clearly defines and communicates priorities, tasks and outcomes while allowing staff flexibility in determining method of accomplishment</li> <li>• Anticipates and eliminates roadblocks to the completion of tasks</li> <li>• Appropriately delegates tasks and decisions</li> <li>• Seeks input about and addresses barriers to accomplishments</li> <li>• Emphasizes the importance of using diverse resources</li> <li>• Provides adequate time and resources to complete tasks</li> <li>• Manages work to achieve organizational results</li> <li>• Uses project management techniques</li> <li>• Uses county training resources to support staff competencies</li> </ul> <p><b>Financial Management:</b></p> <ul style="list-style-type: none"> <li>• Understands contract administration, risk management and the audit process</li> <li>• Develops and monitors budget and manages funds</li> <li>• Meets contract administration standards</li> <li>• Makes decisions which minimize risk to Hennepin County</li> <li>• Ensures records are in place for audit process</li> </ul> <p><b>Innovation &amp; Knowledge Management:</b></p> <ul style="list-style-type: none"> <li>• Implements methods and processes that have been identified and created to leverage knowledge to enhance performance</li> <li>• Reviews and shares information learned and changes that will take place as a result of that learning</li> <li>• Manages knowledge transfer methods</li> </ul>	<p><b>EXAMPLES:</b></p> <ul style="list-style-type: none"> <li>• Takes responsibility for decisions</li> <li>• Takes the opportunity to positively incorporate diversity</li> <li>• Uses a decision-making method that includes identification of the problem, analysis of options, selection of a solution, implementation and evaluation.</li> <li>• Analyzes and drives decision-making based on data</li> <li>• Engages stakeholders in decision-making</li> </ul>





# HENNEPIN COUNTY SUPERVISOR COMPETENCIES

HENNEPIN COUNTY HUMAN RESOURCES

<h2>CUSTOMER FOCUS</h2> <p>Promotes staff dedication to meeting customer needs</p>	<h2>INTEGRITY &amp; TRUST</h2> <p>Exhibits and sets staff expectations for ethical behavior and honesty in all situations</p>	<h2>CARRY OUT VISION &amp; PURPOSE</h2> <p>Aligns work unit goals with the vision and strategic direction of the department and county</p>	<h2>PEOPLE &amp; RELATIONSHIP MANAGEMENT</h2> <p>Builds effective working relationships with staff and others and maintains a respectful, inclusive work environment</p>	<h2>RESOURCE MANAGEMENT</h2> <p>Coordinates resources, prioritizes work, eliminates barriers and effectively manages projects</p>	<h2>DECISION MAKING</h2> <p>Makes effective decisions based on analysis and evaluation</p>
<p><b>EXAMPLES:</b></p> <ul style="list-style-type: none"> <li>• Treats all customers with dignity and respect</li> <li>• Inspires staff to provide enhanced service delivery</li> <li>• Incorporates a customer perspective in service planning</li> <li>• Encourages service improvement and problem solving</li> <li>• Fosters trust and cooperation among staff, customers and suppliers</li> <li>• Uses customer feedback to improve service</li> <li>• Sets aside personal biases in working with customers and handling customer issues</li> </ul>	<p><b>EXAMPLES:</b></p> <ul style="list-style-type: none"> <li>• Builds an inclusive work environment</li> <li>• Takes responsibility for own actions and actions of staff</li> <li>• Approaches diversity with honesty and confidence</li> <li>• Shares information openly with staff and others while respecting confidentiality</li> <li>• Follows and promotes established procedures, policies and standards</li> <li>• Recognizes ethical dilemmas and takes appropriate action</li> </ul>	<p><b>EXAMPLES:</b></p> <ul style="list-style-type: none"> <li>• Provides input on and communicates division and work unit goals, measures and results</li> <li>• Is accountable for meeting and exceeding performance outcomes</li> <li>• Provides support and coaching during periods of change</li> <li>• Communicates and engages employees in the vision and strategic direction</li> <li>• Effectively communicates the need for integrating diversity into the workplace</li> <li>• Translates complex information into understandable language</li> <li>• Supports a work culture that ensures the safety and health of employees and customers</li> <li>• Provides information employees need to make accurate decisions to do their jobs</li> <li>• Adjusts plans to address internal and external change</li> </ul>	<p><b>EXAMPLES:</b></p> <ul style="list-style-type: none"> <li>• Fosters employee engagement and teamwork across work units</li> <li>• Creates and maintains a work environment where the value of diversity is understood and practiced and in which all are respected, valued, and welcomed</li> <li>• Shows consideration through listening, empathy, patience, and courtesy</li> <li>• Ensures that disrespectful behaviors are promptly addressed</li> <li>• Develops staff through coaching for performance improvement</li> <li>• Gives employees credit for achievements that others will see and acknowledge</li> <li>• Openly manages conflict as situations arise</li> <li>• Sets clear and specific performance expectations</li> <li>• Conducts timely performance reviews and provides regular developmental feedback</li> <li>• Holds employees accountable and takes necessary corrective action</li> </ul>	<p><b>EXAMPLES:</b></p> <p><b>Human Resource &amp; Financial Supervision:</b></p> <ul style="list-style-type: none"> <li>• Coordinates staff, materials and budget</li> <li>• Provides employees with guidelines about priorities</li> <li>• Seeks input about barriers to accomplishments</li> <li>• Provides adequate time and resources to complete tasks</li> <li>• Emphasizes the importance of using diverse resources</li> <li>• Creates and communicates work and project plans</li> <li>• Evaluates results</li> <li>• Uses project management techniques</li> </ul> <p><b>Technical Knowledge &amp; Supervision:</b></p> <ul style="list-style-type: none"> <li>• Demonstrates the job-required knowledge and skills needed to supervise staff and meet position and organizational needs</li> <li>• Has the knowledge and skills to use and supervise staff in the use of technology</li> <li>• Keeps current with changes in his/her field and changes in technology.</li> <li>• Understands and can apply technology to work</li> <li>• Understands and upholds safety related job requirements</li> </ul> <p><b>Innovation &amp; Knowledge Management:</b></p> <ul style="list-style-type: none"> <li>• Implements methods and processes that have been identified and created to leverage knowledge to enhance performance</li> <li>• Ensures procedures are in place to capture knowledge</li> </ul>	<p><b>EXAMPLES:</b></p> <ul style="list-style-type: none"> <li>• Incorporates diversity into decision-making</li> <li>• Uses a decision-making method that includes identification of the problem, analysis of options, selection of solution, implementation and evaluation</li> <li>• Analyzes and drives decision making based on data</li> <li>• Engages stakeholders in decision making</li> <li>• Identifies and evaluates job hazards and takes corrective action</li> </ul>





# HENNEPIN COUNTY EMPLOYEE COMPETENCIES

HENNEPIN COUNTY HUMAN RESOURCES

<h2>CUSTOMER FOCUS</h2> <p>Displays a dedication to meeting needs of customers</p>	<h2>INTEGRITY &amp; TRUST</h2> <p>Exhibits ethical behavior and honesty in all situations</p>	<h2>SUPPORT VISION &amp; PURPOSE</h2> <p>Supports the vision and strategic direction of the department and county</p>	<h2>BUILDING RELATIONSHIPS</h2> <p>Establishes and maintains effective interpersonal relationships with others</p>	<h2>RESILIENCY</h2> <p>Is flexible and effectively adapts to change and uncertainty</p>	<h2>TECHNICAL KNOWLEDGE</h2> <p>Demonstrates the job-required knowledge and skills needed to meet position and organizational needs</p>
<p><b>EXAMPLES:</b></p> <ul style="list-style-type: none"> <li>• Treats all customers with dignity and respect</li> <li>• Shows patience and empathy in dealing with customers</li> <li>• Listens and speaks respectfully to and about customers even in difficult situations</li> <li>• Adjusts responses based on diverse needs of customers</li> <li>• Follows through on service delivery commitments to customers</li> <li>• Uses customer feedback to improve service</li> <li>• Sets aside personal biases in working with customers</li> </ul>	<p><b>EXAMPLES:</b></p> <ul style="list-style-type: none"> <li>• Seeks to understand and supports diversity and inclusion</li> <li>• Takes responsibility for own actions</li> <li>• Admits and corrects mistakes</li> <li>• Shares information openly with coworkers</li> <li>• Keeps customer/client information confidential</li> <li>• Shares feedback directly with coworkers, not with others</li> <li>• Follows established standards, procedures and policies</li> <li>• Identifies ethical issues and takes appropriate action</li> </ul>	<p><b>EXAMPLES:</b></p> <ul style="list-style-type: none"> <li>• Supports department and county goals</li> <li>• Drives for results with a focus on quality</li> <li>• Successfully meets or exceeds work goals</li> <li>• Collaborates with peers and management to foster and support an inclusive work environment</li> <li>• Accepts responsibility for and keeps working toward desired results</li> <li>• Looks out for the safety and health of self, coworkers and customers</li> </ul>	<p><b>EXAMPLES:</b></p> <ul style="list-style-type: none"> <li>• Is a collaborative team player using skills to encourage teamwork</li> <li>• Consistently embraces diversity and finds ways to integrate diversity into the team</li> <li>• Contributes to a work environment in which all are respected, valued and welcomed</li> <li>• Shows consideration through listening, empathy, patience and courtesy</li> <li>• Promotes cooperation and ensures that disrespectful behaviors are resolved</li> <li>• Handles conflict situations constructively</li> <li>• Listens and is open to others' perspectives</li> <li>• Assists coworkers without being asked</li> </ul>	<p><b>EXAMPLES:</b></p> <ul style="list-style-type: none"> <li>• Seeks resources for coping with changes</li> <li>• Suggests ideas for making changes to work</li> <li>• Says "yes" when asked to try something new</li> <li>• Is open to diverse perspectives in the workplace</li> <li>• Asks others for feedback</li> <li>• Volunteers for new tasks or assignments</li> <li>• Identifies opportunities for self-development</li> <li>• Offers suggestions for service improvement to key decision-makers;</li> <li>• Uses a development plan as a guide for higher achievement</li> </ul>	<p><b>EXAMPLES:</b></p> <ul style="list-style-type: none"> <li>• Understands and applies technology to work</li> <li>• Exhibits necessary job skills and knowledge</li> <li>• Provides technical assistance as needed</li> <li>• Keeps current with changes in his/her field</li> <li>• Considers past practices and applies them successfully</li> <li>• Keeps current with changes in technology</li> <li>• Follows departmental knowledge transfer procedures</li> <li>• Follows safety policies and uses appropriate safety equipment</li> <li>• Promptly reports unsafe conditions and/or equipment</li> </ul>



## **APPENDIX H**

### **Summary List of Recommendations**

#### **ELEMENT A: RECOMMENDATIONS**

1. It is recommended that the Juvenile Probation Division re-examine and expand the current policies and procedures to support ongoing implementation of evidence-based practices and approaches that comport with current research, including an enhanced emphasis on principles and tenets of adolescent development science and family engagement and involvement.
2. It is recommended that the Juvenile Probation Division develop supervisory expectations for supervisory positions that ensure systematic oversight of probation staff in each unit and focus on observing, reviewing and supporting the expected practices, tasks, and activities of probation officers.
3. Taking into account historical and ongoing strategic planning processes and documents and in consideration of the full complement of recommendations contained within this Probation System Review Report, it is recommended that the Juvenile Probation Division convene a multidisciplinary group of juvenile justice system stakeholders to construct a five year strategic plan. This critical fundamentals and principles of change management and implementation science must be effectively considered in the plan development.
4. It is recommended that the DOCCR seek technical assistance with a consultant who has expertise in the design and delivery of EBP curricula for the purpose of assessing the current training structure that will support enhanced delivery of training, coaching, and assurance of fidelity to EBP methods.
5. As a priority within the five year strategic plan and in support of enhanced training methods, it is recommended that the DOCCR and Juvenile Probation Division develop a policy, procedure and curriculum for leadership and management development. A part of that plan will involve incorporating expectations for proficiency of understanding and practice of leadership and management skills into management position job descriptions.

#### **ELEMENT B: RECOMMENDATIONS**

6. It is recommended that the Juvenile Probation Division establish an enhanced policy for assurances that each youth placed under supervision has an individualized case plan, developed within prescribed timelines and implemented after verifiable supervisory approval, that is built upon appropriate conditions and measures for accountability with a balanced consideration of the youths risks, needs, strengths. The recommendation includes the requirement that this policy be effectively coordinated with implementation of the new risk-need assessment instruments that are being finalized.
7. It is recommended that the HCAO, Juvenile Probation Division and relevant juvenile justice system stakeholders examine opportunities to further enhance current diversionary practices by:
  - a. collaborating to revive the Dually Involved initiative (previously known as the Crossover Youth Program) with a re-examination of its strengths and obstacles that led to its abandonment in practice, and
  - b. exploring additional alternative response opportunities in the community that include enhanced partnerships with law enforcement to implement alternative

accountability programs (e.g., Brooklyn Park/Brooklyn Center/Crystal Police Departments and YMCA *UP Diversion Program*)

8. It is recommended that the Juvenile Probation Division implement a plan for the Court Unit, using the expertise and experience of the Unit's staff in partnership with management to:
  - e. clearly articulate policies and procedures that delineate goals and objectives,
  - f. establish a measurable set of desired outcomes (system and youth),
  - g. establish a training curriculum for the Court Unit positions, and
  - h. develop and implement consistent CQI methods for Court Unit staff and their system partners
9. It is recommended that the Juvenile Probation Division remove any obstacles that will permit a revised set of roles, responsibilities, functions and operations to provide actual restorative justice programs and approaches for juvenile justice and probation involved youth that are consistent with research and evidence of positive impact to reduce future offending and build skills and competencies.
10. It is recommended that the Juvenile Probation Division re-examine the steps involving the transmittal of orders from the court to youth and families and among relevant stakeholders to ensure improved consistency and adherence to legal parameters.
11. It is recommended that DOCCR and the Juvenile Probation Division increase allocations for support (workforce and fiscal resources) that enable establishment of a higher priority for action and identifiable measures of success to which Hennepin County Juvenile Court and Probation are held to account to improve racial equity practices and reduce disproportionate representation of minorities in the juvenile justice system. Specific considerations for this commitment include:
  - ongoing training and approaches to change the "hearts and minds" or workforce culture (e.g., Diversity and Inclusion Training)
  - coordinated planning with community stakeholders to conduct community forums that are designed to improve trust and engagement with youth and families
  - additional partnerships with law enforcement to develop alternative accountability programs that produce community responses to alleged delinquent behavior (e.g., Brooklyn Park Police proposal known as Youth Intervention Services UP Diversion Program)
  - enhancement of HCAO partnerships with education and foster care for policies that enhance diversion and treatment approaches, and
  - re-examination of EJJ policies and practices
12. It is recommended that the Juvenile Probation Division, in collaboration with the HCAO and Office of Public Defender, review and update the EJJ policies to reflect current research-based practices.
13. It is recommended that the Juvenile Probation Division convene a working group, comprised at a minimum of staff representing the following Units:
  - g. Probation (each area)
  - h. Court Unit
  - i. Restorative Services Unit
  - j. Girls Unit



- k. Sexual Offender
- l. Administrative Services Unit

The actions of the working group will prioritize the conduct of a mapping process that will identify key decision points at which research-based family engagement and involvement approaches and practices will be developed and implemented within the juvenile court and Juvenile Probation Division.

- 14.** It is recommended that the Juvenile Probation Division continue its examination of the OOHP process to include exploration of the following elements:
- f. Current data (e.g., prevalence, characteristics, minority populations, placement type)
  - g. Referral process (e.g., criteria, judicial action)
  - h. Screening process
  - i. Inventory of community treatment and service interventions
  - j. Decision-making process

Further, it is recommended that benchmark reductions in OOHP be established as a measure of future accountability for actual reductions in OOHP and impact on minority populations.

- 15.** The recommendations of the Probation Order Analysis (Appendix F) should be endorsed and included in the sequencing and implementation plan for the Juvenile Probation Division and the juvenile court.

### **ELEMENT C: RECOMMENDATIONS**

- 16.** It is recommended that the juvenile court judiciary, in collaboration with HCAO, Office of the Public Defender, and the Juvenile Probation Division conduct an exhaustive review of the current calendar, docketing/scheduling, notice, and post-court information process and identify specific recommendations for remedies to the current processing of court cases. It is strongly recommended that outside expertise from a nationally recognized organization be sought to assist with the process and the identification of any additional resources necessary for the Juvenile Court to meet the needs of youth and families, and further that resources be allocated to permit collaboration with a “mentor” jurisdiction that has successfully implemented positive reforms in this important area of practice.
- 17.** It is recommended the DOCCR/Juvenile Probation Division establish a set of routine youth, family and community forums to ensure opportunities for active engagement in the shaping of policies and practices that establish these important groups as partners in the effective administration of juvenile justice. The forums should at a minimum:
- e. be convened at times to maximize participation and attendance of the target group
  - f. be developed to ensure co-facilitation from probation and the targeted group
  - g. ensure opportunities for learning, exchange of information, and dialog about strengths and challenges, and
  - h. explore arrangements for shared community-based events
- 18.** Taking advantage of the strong relationship between CBAS and the Juvenile Probation Division, continued pursuit of:

- e. an enhanced set of referral procedures
- f. access to evidence-based treatment interventions
- g. improved utilization rates for proven family treatment and therapeutic services already available, and
- h. development of clear performance measures

is recommended to ensure that officers and supervisors are appropriately utilizing community-based services that target criminogenic risk and producing desired youth and family outcomes.

- 19.** As a further product of endorsement of recommendations #7a. and #18, it is recommended that the Juvenile Probation Division re-examine the current inter-face with the Children’s Mental Health Services system to ensure that the process for access to services and treatment is efficient, timely, and effective at all appropriate decision points.

## **ELEMENT D: RECOMMENDATIONS**

- 20.** It is recommended that the Juvenile Probation Division, in collaboration with DOCCR, convene a data committee that includes officer participation with the deliberate intent to develop a set of process and outcome measures for each unit within Juvenile Probation. It is further recommended that the Juvenile Probation Division established policy for the routine review of these data within each Unit and among management to ensure active use of these reports to inform current and future policy and practice decisions. The report findings support the use of the newly released National Center for Juvenile Justice’s *Fundamental Measures for Juvenile Justice* to guide the action on this recommendation.
- 21.** It is recommended that the Juvenile Probation Division identify a manager to lead the Quality Assurance Initiative which must necessarily include the development of specific continuous quality improvement expectations, methods and practices. The position requirements would direct leadership in the development of clear QA and CQI protocols for all essential work functions in the Division.