

Aftercare Reality and Reform

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Pennsylvania is engaged in an ambitious, multi-year effort to improve its system of aftercare supervision, services, and supports for juveniles returning to the community from residential placements. The effort was first proposed in the Juvenile Justice and Delinquency Prevention Plan submitted to Governor Rendell in 2003 by the Juvenile Justice and Delinquency Prevention Committee (JJJPC) of the Pennsylvania Commission on Crime and Delinquency (PCCD). Soon after, Pennsylvania was chosen as the launch state for the MacArthur Foundation-supported Models for Change initiative, which seeks to promote juvenile justice system change nationwide by supporting key reforms in prominent states, and which designated aftercare as one of the primary targets for reform investment here.

In response to these calls, the Governor directed that a multi-agency Aftercare Working Group be established to set reform goals and articulate “a common vision for aftercare services” in Pennsylvania. The Working Group, which included high-level representatives from the state Departments of Public Welfare and Education, the Juvenile Court Judges’ Commission, and the Pennsylvania Council of Chief Juvenile Probation Officers as well as the PCCD and its JJJPC, eventually hammered out and signed a “Joint Policy Statement on Aftercare” that lays out the principles of a comprehensive aftercare system and commits the agencies to the goal of achieving it statewide by the year 2010.¹

The heart of the Joint Policy Statement is a list of 17 bulleted goal statements, each describing some desired aspect of a comprehensive aftercare system. In order to determine how current aftercare practice at the county level matches up with these aspirations, aftercare specialists—hired by the Juvenile Court Judges’ Commission’s Center for Juvenile Justice Training and Research and the Council of Chiefs, with the support of Models for Change and PCCD—visited each of Pennsylvania’s 67 county juvenile probation departments between July 2005 and February 2006. In each county, the aftercare specialists met with the chief juvenile probation officer and key staff members, gathering information and

perspectives on current practice and procedure and recording it on a structured assessment instrument designed to measure conformity with the Joint Policy Statement’s vision of comprehensive aftercare.

A recent statewide assessment shows there is work to be done to make “Comprehensive Aftercare” a reality—and Pennsylvania has begun doing it.

In May of 2006, the aftercare specialists submitted a “Summary of Current Aftercare Practice” to the Aftercare Working Group.² This issue of Pennsylvania Progress will lay out the findings of the county aftercare assessment, discuss what it will take to bring Pennsylvania aftercare practice into line with the goals of the Joint Policy Statement, and describe some of the work that is already being done to make this vision of comprehensive aftercare reform a reality.

1. “Aftercare begins at disposition and is tailored to the individual needs and capacities of each youth.”

What does it mean? The first goal articulated in the Joint Policy Statement may also be the most basic. The idea, in the broadest sense, is to get courts and probation departments to *begin* the placement process by looking ahead to the *end* of it. According to this vision, aftercare doesn’t come “after” anything at all: thinking and planning ahead for reintegration start when the decision to place a juvenile is first made. At the very least, issues that will have to be addressed if not resolved before the youth can return to and function successfully in the community—family and school issues, for example—are uncovered by some kind of individualized assessment and flagged as early as possible. And the placement decision-making process—including the choice of facilities—takes these issues into account as well.

Of course, when you’re preparing a disposition recommendation, or reviewing placement options, it’s natural to focus on the most pressing, immediate issues—on what needs to be done or decided now. But what is the overall goal? Where do you want the youth to be, say, a year from now? What kinds of measures will be necessary, not just to stabilize a juvenile in the short term, but to help him or her become a law-abiding, responsible, productive citizen in the long run? It may be that none of these questions is fully answerable at this stage, but they are at least ask-able.

Where do we stand? A long way from the goal. The county aftercare assessment found that few if any Pennsylvania counties begin individualized aftercare planning at disposition. While they may flag some issues to be addressed during the placement phase, they don’t start thinking about post-release services and arrangements—not this early. And documented, formalized assessments don’t seem to be driving the planning process from the beginning either.

Where do we go from here? Aftercare doesn’t generally “begin at disposition” in Pennsylvania yet, but changing that may turn out to be easier here than it would be anywhere else. In most states, no one agency or organization has authority over every phase of the juvenile commitment process, from the initial placement decision through ongoing commitment review, timing and terms of release, and post-release supervision.³ Instead, ultimate responsibility for a committed youth gets handed off repeatedly (from local courts to state correctional agencies at placement, from institutional to parole authorities at release), making unified, coherent, beginning-to-end planning pretty much impossible.

Pennsylvania is different. Juvenile courts and probation departments “drive the bus” here, as one long-time probation

chief likes to put it. They retain jurisdiction—along with ultimate responsibility—through all phases of the process, from placement through release to case termination. That means, at least potentially, they have the opportunity to steer it more deliberately than they have until now.

Figuring out how to take advantage of that opportunity is one of the tasks assigned to an “All-Sites Group” of juvenile probation professionals that has been meeting regularly at the Pittsburgh offices of the National Center for Juvenile Justice since early 2005. The group represents five Pennsylvania counties receiving PCCD and Models for Change funding to pilot aftercare reforms at the local level (see sidebar, “Model Development Counties”). By adapting their own approaches to aftercare in line with the goals of state aftercare policy,

MODEL DEVELOPMENT COUNTIES

Five Pennsylvania counties have been working on improving their local approaches to aftercare since early in 2005.

- *Allegheny County* is using PCCD-awarded Drug Control and System Improvement (DCSI) funds to employ traveling Education Specialists who visit facilities to monitor educational services to juveniles in placement, assess and enhance the quality of those services, and help coordinate educational transitions at the time of release.
- *Cambria County*, also with PCCD funding, is partnering with the local Goodwill Industries affiliate to provide employment assessment, job readiness training and employment opportunities to juveniles returning from placement.
- *Lycoming County* is using its state grant to fund a range of aftercare-related improvements, mostly aimed at improving the way the county works with families of youth in placement and increasing access to evidence-based services following release.
- *York County* has implemented an Intensive Aftercare Program with its PCCD funding.
- *Philadelphia*, with separate funding from Models for Change and other sources, has launched the Philadelphia Reintegration Initiative, which amounts to a complete redesign of its aftercare system to emphasize assessment-driven decision-making, early planning, and multilateral collaboration. In effect, Philadelphia is developing its own model—one that relies heavily on “Reintegration Workers” hired by placement facilities to work in partnership with probation officers to deliver aftercare planning and support services.

In addition to piloting specific reforms, each of these counties sends representatives to periodic “All-Sites Group” meetings, where they compare their experiences and distill common themes. They will be important contributors to the development of what will eventually be a Pennsylvania aftercare model capable of being adapted to local needs all over the state.

comparing their experiences and gathering data on their results, they're helping to demonstrate how the Joint Policy Statement can be translated into local aftercare practice.

Those five counties are just the beginning. Fifteen more Pennsylvania counties have already signed up to begin the process of implementing the Joint Policy Statement (see sidebar, "The Next Wave"). During 2007, they'll be assembling leadership teams, assessing their local strengths and needs, and mapping out implementation plans with the assistance of state aftercare specialists.

2. "Juvenile probation officers and residential treatment staff collaborate on a single plan, developed within 30 days of placement, that integrates treatment and aftercare services, including appropriate education placements and goals developed in consultation with the appropriate school district."

What does it mean? The planning process not only starts early, it's integrated. Players from different systems come together to make one plan per youth—with treatment, education, and aftercare components that fit together—not separate plans that have nothing to do with each other.

Where do we stand? The county aftercare assessment determined that actual practice doesn't look much like the ideal expressed in the Joint Policy Statement. There's a *treatment* planning process for juveniles entering placement, but it isn't very collaborative. When probation departments do participate, they're not usually full partners. They seldom raise reintegration issues or goals at this stage, in any case. And school district involvement is almost unheard of.

For every juvenile entering a privately operated placement facility, state regulations already require the

THE NEXT WAVE

In addition to the five Pennsylvania counties piloting aftercare projects and participating in model development as part of the All-Sites Group, fifteen others have now formally agreed to adopt the principles of the Joint Policy Statement and begin efforts to implement them locally. These twenty counties represent the next wave of aftercare reform in Pennsylvania:

Allegheny	Franklin
Beaver	Lycoming
Berks	McKean
Blair	Northampton
Butler	Philadelphia
Cambria	Venango
Chester	Warren
Cumberland	Westmoreland
Dauphin	Wyoming
Erie	York

Leadership teams from these counties are being assembled this year to work out implementation plans with representatives of the JCJC and the Council of Chief Juvenile Probation Officers. To learn more, contact Rick Steele, JCJC Aftercare Specialist, at c-rsteele@state.pa.us, or Kelly Franklin, Pa. Council of Chief Juvenile Probation Officers Aftercare Specialist, at kfranklin@epix.net.

development of an Individualized Service Plan (ISP) within 30 days of admission.⁴ (For those entering state-operated facilities, a similar Master Case Plan (MCP) is required.) The ISP development process is supposed to involve a variety of players and elicit input from a variety of sources, including probation. It is required to address a number of content areas, including "how the child's educational needs will be met" and what the "discharge or transfer plan" will be. When plan development is complete, a meeting is held at the facility, in which the ISP is reviewed and signed.

While the existing ISP/MCP process could provide a platform for early collaborative planning of the kind envisioned by the Joint Policy Statement, the county aftercare assessment found that current probation participation in the process varies considerably across the state. First, there is the issue of attendance at ISP/MCP review meetings:

- 21 counties (31%) require a probation officer to attend in person at each ISP/MCP meeting.

- 43 counties (64%) reported that they "sometimes" send probation officers to meetings, depending on such factors as the location of the facility, the type of placement, and staff workloads. Most of these—a total of 32 counties—allow probation officers to participate by phone or video conference at times.
- 3 counties (4%) said they never send probation officers to meetings.

In any case, the ISP/MCP process generally produces a plan for the placement phase only, not a comprehensive plan that looks ahead and incorporates post-release goals. Most counties reported that the only aftercare issue addressed in ISP/MCP planning is the identification of the "release resource"—that is, the person with whom the juvenile is expected to live after release. (In fact, eleven counties indicated that they are not in favor of addressing aftercare issues this early in a youth's placement, because of the possibility that this "focus on going home" may detract from the intended impact of placement.)

Education goals are not addressed in detail at this stage either, and there is no face-to-face consultation with home school district representatives.

Where do we go from here? Forging a “single plan”—one that guides the management of a juvenile’s case through placement and beyond—will take leadership on the part of juvenile courts and probation. Currently, as the county aftercare assessment makes clear, many counties are simply opting out of the initial planning process for juveniles in placement. Few if any are driving the process. The single plan approach will require most counties to do much more than they are currently doing—not just passively signing off on facility-generated plans that focus solely on the placement phase, but articulating their own longer-term goals and expectations for each juvenile, and working with facility staff to ensure that programming in placement is directed at achieving those goals.

The All-Sites Group is currently working on a model for a single-plan process that may eventually serve as a basis for statewide training. It’s a work in progress, but when it’s completed it will feature an ongoing cycle of assessment, planning, and review that is probation-driven and focused on achieving Balanced and Restorative Justice goals (see sidebar, “Specs for a Single Plan”).

3. “Juvenile probation officers, in cooperation with residential treatment staff, host school district representatives and resident school district representatives, refine the plan as youths move closer to leaving the facility to include post-release provisions that establish the services to be provided and planned conditions of supervision.”

What does it mean? The previous goal statement set a deadline—30 days—for the initial development of a plan. This one calls for continuous revisiting and refining of that initial plan as the placement phase proceeds. It’s a living document, in other

words, and it becomes more concrete and detailed as the day of the juvenile’s expected release gets nearer.

Where do we stand? Currently, the county aftercare assessment found, most planning for the post-release period occurs just before release. The degree to which probation and placement facility staff collaborate in devising a plan for the period after release varies across the state:

- 42 counties (63%) said they engage in collaborative planning with facilities to identify necessary aftercare services and to assure that they are in place prior to release.
- 18 county probation departments (27%) said they develop these plans without collaborating with facilities.
- 7 counties (10%) described a post-release service planning process that is primarily driven by facility staff.

School representatives are rarely involved in pre-release planning. In most cases, the respective school districts serving the placement facility and the home community appear to have no collaborative relationships with any of the other systems responsible for youth in placement, and little real interaction with one another, except indirectly through the exchange of transcripts. In most counties, it was reported that the home school district first learns of the impending return of a student from a juvenile probation officer.

Where do we go from here? Instead of ongoing planning involving all the key players, then, we seem to have last-minute planning that doesn’t necessarily involve much in the way of collaboration. Changing that will have to begin with development and dissemination of the alternative, probation-driven “Single Plan” approach already mentioned (again, see the sidebar on “Specs for a Single Plan”). But the staffs of the placement facilities themselves have a role to play here too. In order to better understand the barriers to early collaborative planning from the facility point of view, the aftercare specialists responsible for the county

aftercare assessment are conducting a similar statewide assessment of placement facilities. The assessment will begin with a comprehensive survey of facilities, intended to shed light on the current aftercare-related planning practices of the whole range of placement providers in Pennsylvania, and will proceed to selected site visits and focus group discussions. It is hoped that the assessment will be the first step in the process of recruiting facility input and involvement in the statewide aftercare reform movement.

Finally, there’s the job of drawing in school representatives. Fortunately, statewide aftercare reform efforts are being aided by the Pennsylvania Department of Education, one of the signatories to the Joint Policy Statement. The PDE is working with an Education Subcommittee of the state’s Aftercare Working Group. Among other measures, it is now drafting a new Basic Education Circular to be sent to Pennsylvania’s 500-plus school districts, defining expectations regarding the cooperation of school districts serving placement facilities and home communities, and suggesting best practices for planning for the return of youth in placement.

4. “There is systematic oversight to ensure that placement facilities link their ‘supervision, care and rehabilitation’ within the facility to the plan for treatment and supervision in the community.”

What does it mean? Probation departments stay in close touch with youth and with facility staff throughout the period of placement. They not only take a leading part in setting goals for placement at the outset, but also actively monitor progress towards those goals afterwards. Like intelligent consumers, they spell out what they want from providers—individualized programming that focuses on a successful return to the community—and they insist on getting what they pay for.

SPECS FOR A SINGLE PLAN

A crucial element of comprehensive aftercare as envisioned in the Joint Policy Statement is multi-party collaboration on a “single plan” that follows a youth through placement and reentry. What would a single plan look like? The All-Sites Group of aftercare pilot counties has been charged with the task of helping to turn Pennsylvania’s broad aftercare reform policy into practice. The following synopsis of a working document produced for the All-Sites Group represents their current consensus on the single plan issue.

Vision: Integrated planning that guides, and ensures continuity of, case management of juveniles under court supervision, in placement and on aftercare supervision

Strategy: A single plan that is probation-driven and that outlines court/probation expectations for supervision, placement and reentry. Any other plan (e.g., the facility’s ISP or MCP) must reflect the vision outlined in the probation plan.

Key Elements of the Single Plan:

- ✓ Individualized in terms of the juvenile’s risks, needs, strengths, age and abilities
- ✓ Prescriptive in terms of community protection, competency development, accountability and behavioral health treatment objectives to be addressed during and after placement
- ✓ Links residential treatment to post-release expectations and long-term outcomes in areas of school, work, living situation, adult and other support systems, and community engagement
- ✓ Gets refined and revised as probation officer becomes more familiar with case and as juvenile’s status changes
- ✓ A tool that directs all parties toward targeted activities, clarifies expectations (of probation, youth/parent, and facility staff), ensures that key objectives are not forgotten and more essential activities are given higher priority
- ✓ Shared with service provider in a timely manner

The Single Plan is characterized by an ongoing cycle of assessment, planning, and review that guides supervision, placement and reentry activities.

- ✓ An ongoing process of assessment for the purpose of:
 - Identifying the juvenile’s delinquency-related risks, needs, strengths, and developmental issues and considering the interests of the community, victim and offender
 - Assessment conducted via interviews with juvenile and parents, review of prior court and placement history, review of educational records, screening for mental health/substance abuse issues, review of victim impact statement, other collateral contacts; including an assessment of parental needs, strengths and issues
 - Prioritizing targets of intervention in relation to Balanced and Restorative Justice goals (selecting those areas most closely associated with the offending behavior)
- ✓ An ongoing process of planning (that begins at the point of staffing) for the purpose of:
 - Making the pre-disposition recommendation /determining whether placement is required
 - Outlining expectations and guiding activities during placement
 - Preparing for release and reentry
- ✓ An ongoing process of review for the purpose of:
 - Assessing progress in placement
 - Preparing for placement review hearings
 - Assessing immediate engagement at end of first 30 days on aftercare supervision
 - Documenting progress and intermediate outcomes
 - Needing to make a change in status or as a result of a change in circumstance

Where do we stand? Current practice, as uncovered by the county aftercare assessment, is far from consistent with this goal. The “systematic oversight” is often lacking. And, partly as a consequence, so is the linkage between what facilities do with a youth and any larger post-release plans for that youth.

One way to judge the extent to which counties actively monitor and oversee the placement phase is by the frequency with which probation officers visit placement facilities:

- 37 counties (55%) said that whenever they place a juvenile in a residential facility, a probation officer is required to visit the facility on a monthly basis.
- 19 counties (28%) reported requiring probation visits to placement facilities every 2-3 months.
- 5 counties (7%) said they require visits every 3-6 months.
- 3 counties (4%) said they never send probation officers to visit youth in placement facilities.

Even if counties were more consistent about maintaining frequent contact during the placement period, it wouldn't necessarily amount to systematic oversight directed at linking treatment in placement to longer-term reintegration plans. For one thing, facility visits seem to be too open-ended and unstructured for that: few counties reported having developed policies or protocols that clearly define what probation officers should be doing on facility visits, or how these activities relate to expected outcomes.

Besides, as has already been pointed out, during most of the placement period the only real plan for the youth is the ISP/MCP, which rarely addresses post-release issues in any detail. Detailed aftercare plans and expectations aren't developed until shortly before the youth's release. So how can treatment and programming in placement—with or without systematic oversight—be “linked” to something that doesn't exist?

Many counties suggested that in practice, programming in institutions is not individualized on the basis of post-release circumstances, and often not very closely related to the needs and challenges of post-institutional life.

Where do we go from here? With consistent standards and adequate training and resources, there is no reason why Pennsylvania can't raise the level of probation oversight of youth in placement. More than half of all county probation departments already make monthly facility visits. Of the remaining counties, many reported that they would do so if resources were available. While frequent visitation isn't all there is to systematic oversight, it's a start. And without it, real oversight is probably impossible.

A Probation Planning and Implementation Subcommittee of the state-level Aftercare Working Group that developed the Joint Policy Statement has been working on ways to remove obstacles to probation visitation and generally raise the bar on systematic oversight. Measures being discussed include changes to the Juvenile Court Judges' Commission Standards Governing Aftercare Services (which mandate monthly visitation of placement facilities for “Aftercare Officer” and “Drug/Alcohol Aftercare Officer” specialist positions funded by the JCJC Specialized Probation Services program, but are only advisory for non-funded positions). The group is also considering new training initiatives—including training for chief juvenile probation officers on the necessity of active placement oversight and the art of funding it.

5. “Competency development” is a key, well defined part of residential treatment and of post-placement expectations.”

What does it mean? This one goes with the previous statement about efforts in placement being linked with—aimed at furthering—the post-placement plan. All juveniles in placement need to learn. But what they need to learn has to be

individualized, and mapped out, if they are going to be equipped to succeed in the communities to which they will return.

Where do we stand? The county aftercare assessment suggested that the competency development goal of Balanced and Restorative Justice has been eagerly adopted by most residential facilities. Every county reported that facility-developed ISPs always include competency development goals, and that competency development activities are a feature of all residential programs. However, most chiefs noted that these activities are not always particularly individualized, and may not be specifically designed to match opportunities and challenges in youths' home communities.

Where do we go from here? A separate assessment of competency development activities in six of Pennsylvania's largest placement facilities was commissioned last year by the Philadelphia Youth Network, one of the partners in the city's ambitious Reintegration Initiative.⁵ The study focused on both vocational/occupational and academic programming in the facilities. While it came to generally favorable conclusions regarding the overall quality of the programming, given the challenging population being served, it offered numerous detailed suggestions for practical changes that could increase juveniles' chances of educational and employment success following their return to the community—such as expanded vocational offerings, more apprenticeships, internships, and on-the-job training opportunities, and formal affiliations with local vocational-technical schools. These and other facility-specific recommendations were provided to each of the providers assessed, and a summary report was submitted to the Philadelphia Family Court and the Philadelphia Department of Human Services. Changes in line with the recommendations are currently being discussed among the parties involved, all of whom are enthusiastic about the possibility of improving in this critical area.

The model used here—in which a large-scale “buyer” of placement services uses its leverage to explore and negotiate new terms with “sellers,” for the ultimate

benefit of all young people in placement—could be usefully employed statewide. If Pennsylvania counties are consistent and unified in communicating concrete expectations regarding competency development in placement, and insisting on linkages between training and education inside facilities and markets and opportunities outside them, it is likely that placement providers will adapt their approaches accordingly. The effort has already begun, with dissemination of *Advancing Competency Development: A White Paper for Pennsylvania*, which articulates a common vision for the state’s juvenile justice system. One next step will be this year’s statewide placement facility survey and assessment, which will explore the providers’ views and open the necessary discussions regarding change.

6. “Juvenile court judges, at disposition review hearings, routinely inquire about a youth’s aftercare plan, and enter court orders, in anticipation of discharge, that are sufficiently detailed to give direction to probation officers or treatment staff.”

What does it mean? Juvenile court judges use post-disposition hearings in placement cases to hold everyone accountable and enforce good aftercare planning and collaboration. Detailed, substantive review hearings assess the juvenile’s progress in placement and establish what remains to be done before release to ensure a successful reintegration. Clear written orders assign responsibility for doing it.

Where do we stand? This is another area in which practice varies, both from county to county and from case to case. But if the ideal is active judicial management of the post-disposition planning process, it’s clear that actual practice often falls short.

First, judges are not necessarily providing the kind of direction that is called for here: in response to a Juvenile Court Judges’ Commission mail survey conducted for the state’s Aftercare Working Group, only 28% of juvenile court administrative judges indicated that they “almost

always” provide direction regarding specific aspects of the aftercare plan during review hearings, while 34% said they “usually” provide direction, and 36% said they “occasionally” do so.

The county aftercare assessment suggested that the disposition review process is often perfunctory with respect to aftercare issues until the anticipated release date approaches—and only then becomes detailed and substantive. Even when in-depth aftercare discussions do occur in hearings, the assessment found, court orders do not reflect it. Most court orders are not sufficiently detailed to give direction to probation officers or treatment staff.

The length of an average disposition review hearing in a case involving placement, as estimated by chief juvenile probation officers interviewed for the county aftercare assessment, varies considerably as well:

- 29 counties (43%) reported that the average length of a placement review hearing was less than fifteen minutes.
- 27 counties (40%) reported the length to be fifteen to thirty minutes.
- 10 counties (15%) reported that hearings of thirty to forty-five minutes are typical.
- 1 (1%) reported average typical lengths of over forty-five minutes.

Most jurisdictions reported that disposition review hearings in “contested” cases—that is, cases in which the juvenile’s treatment progress is disputed and the parties do not agree as to the appropriate recommendation—last longer than uncontested ones.

Where do we go from here? Insofar as this is a judicial training issue, change may be on the way. The Juvenile Court Judges’ Commission’s recently revised *Pennsylvania Juvenile Delinquency Benchmark* makes a point of emphasizing that “meaningful disposition review hearings... [are] what ultimately drives good aftercare planning,” and offers practical suggestions to judges wishing to

use the review process to ensure timely, collaborative planning for reintegration. The JCJC has also expressed interest in sponsoring regional judge-to-judge training efforts along these lines. And a Court System Subcommittee of the state’s Aftercare Working Group has been discussing small-scale measures that might make a practical difference—including amending the Rules of Juvenile Court Procedure to require greater specificity in post-dispositional court orders.

7. “Juvenile court judges and juvenile probation officers further the principles set forth in the Juvenile Court Judges’ Commission Standards Governing Aftercare Services.”

What does it mean? While JCJC Standards are only “mandatory” for grant-funded specialist positions, they spell out best practices that everyone should try to follow, and are treated as general guidelines for aftercare planning and coordination.

Where do we stand? JCJC Standards Governing Aftercare Services impose strict practice requirements on annually audited “Aftercare Specialist” probation positions—limiting caseloads, mandating monthly facility visits, and requiring regular family contacts and administrative reviews, for example. But that’s only about 4% of all juvenile probation officers statewide—for everyone else, the Standards are only advisory. In any case, they were written with the specialist in mind, and many county probation departments have exclusively “generalist” staffs—all of their line probation officers carry mixed caseloads that may include juveniles currently in placement, juveniles released from placement, and ordinary probationers.

The relevance of the JCJC Standards to actual aftercare practice seems to have declined over time. A number of counties reported that they now stay away from grant-funded Aftercare Specialist positions because of what they see as the high cost of complying with the

Standards—especially the monthly facility visitation requirement. Some counties indicated that they intend to eliminate existing grant-funded Aftercare Specialist positions in the future, and substitute less restrictive specialized positions.

Where do we go from here? The JCJC will soon be amending its Standards, in part to reflect what is being learned in the course of the statewide aftercare reform effort. JCJC representatives are already involved in discussions with the Probation Planning and Implementation and Court System Subcommittees of the Aftercare Working Group, regarding the direction of these amendments. Possible changes being discussed include redrafting the Standards to make them more broadly applicable to departments without dedicated aftercare staff.

8 & 9. “Juvenile defenders and prosecutors attend all disposition review hearings. Juvenile defenders visit their clients in placement.”

What does it mean? Disposition reviews are full-dress legal proceedings, with attorneys involved on both sides. And defenders do more than just “cover” hearings—they continue their advocacy, and their contact with their clients, beyond disposition and throughout the period of placement.

Where do we stand? The county aftercare assessment was undertaken before the final effective date of the new Pennsylvania Rules of Juvenile Court Procedure, which affirmed the right to counsel in post-disposition review proceedings, and made it clear that attorney representation in delinquency matters extends beyond the disposition hearing, all the way to case-closing. Nevertheless, the assessment found nearly all jurisdictions in formal compliance:

- 65 counties (97%) reported that juvenile defenders attend all disposition review hearings.
- 1 county (1%) reported that defenders attend only “high-profile” cases.

- 1 county (1%) reported that youth are generally not represented except by private counsel.

Prosecutors were reported to be involved in disposition review hearings somewhat less often than defenders:

- 49 counties (73%) reported that prosecutors are always involved in disposition reviews.
- 11 counties (16%) reported that prosecutors do not attend placement review hearings.
- 7 counties (10%) indicated that the prosecutors appear only in serious or high-profile cases.

It should be noted, however, that prosecutors and defenders at disposition review hearings do not necessarily have any prior knowledge or involvement with the cases in which they are appearing. And few jurisdictions reported significant interaction between defenders and their clients outside of the hearings. Only 6 counties said local defenders ever visited residential placement facilities. This finding is consistent with a separate 2003 assessment of the quality of legal representation in Pennsylvania delinquency cases, which found that, with a few notable exceptions, active legal representation past the point of disposition was “virtually non-existent” across the state.⁶

Where do we go from here? It may be that the new Rules are already bringing about some of the desired change, at least on the defender side of the equation. But changing practice so that defenders are really engaged in the post-dispositional planning process—staying in touch with their clients and advocating effectively on their behalf—will probably take a lot more in the way of training and resources. Defender representatives are actively involved in the Court System Subcommittee of the Aftercare Working Group, but they are not optimistic about the possibility of defenders visiting clients in placement facilities any time soon. Outside of some places like Philadelphia—where the Defender Association has special funding from the city’s Department of Human Services to visit clients in placement—most defenders

are too hard-pressed, overloaded and underfunded for that.

But as part of the Models for Change aftercare reform work, the Northeast Juvenile Defender Center has begun training county public defenders in aftercare planning advocacy. Planned work will also include the development of sample disposition review pleadings covering release planning issues, and the creation of a defender database containing information on residential programs in Pennsylvania.

10 & 11. “Upon their request, the views of crime victims are invited and considered in aftercare planning and at dispositional review hearings. The aftercare plan addresses the youth’s activities related to accountability to the victim and the community.”

What does it mean? Victims—and offender accountability to victims—are not forgotten in the post-disposition review and planning process.

Where do we stand? Direct victim input into the placement review and aftercare planning process seems to be rare. But 51 counties reported that victims are invited to placement review hearings, and that they sometimes attend and participate. More often, victim advocates employed by the county contribute victim perspective at this stage. In one jurisdiction, for instance, a Victim/Witness Coordinator sits on a committee that reviews home pass requests.

Accountability-based aftercare planning is common, but is usually focused solely on restitution and community service obligations.

Where do we go from here? Pennsylvania has made a lot of progress over the last decade in incorporating Balanced and Restorative Justice mission and goals into everyday practice, but inclusion of victims at the “back end” of the process seems to be coming last. Further training may help: a white paper commissioned by the

PCCD’s Juvenile Justice and Delinquency Prevention Committee, *Advancing Accountability: Moving Toward Victim Restoration*, was recently released and is currently being disseminated. The document advocates both wider incorporation of victim-restorative measures into case planning and more consistent and detailed tracking of accountability outputs when cases are finally closed.

12. “All probation officers have the skills to fulfill their obligations as monitors as well as planners for re-entry and supporters of youth who have left residential care.”

What does it mean? The job of aftercare probation goes far beyond parole-style supervision, and calls for knowledge and skills related to treatment monitoring, collaborative planning, counseling, community networking, and service brokering—among other things.

Where do we stand? The goal statement describes the aftercare probation officer of the future. We’re not there yet. But we’re probably better situated to get there than most other states, because Pennsylvania’s juvenile probation officers tend to be experienced, educated, and well-trained. They’re required to have bachelor’s degrees with at least 18 credits in the social sciences, but about a quarter of them hold graduate degrees as well. Rigorous orientation training is available to all new hires from the Center for Juvenile Justice Training and Research, and 40 hours of continuing training is mandated annually.

Where do we go from here? Model development first. Then, dissemination and training. The Center for Juvenile Justice Training and Research already sponsors statewide “Aftercare Forum” training events, including training focused on building knowledge and skills in such specialized areas as educational reintegration. Over time, with development and refinement of the state’s probation-driven aftercare model, the array of skills required to do this kind of

aftercare—conducting focused assessments, writing concrete case plans, making effective monitoring visits to facilities, etc.—will become clearer. And training to impart those skills will be developed and delivered, with the Center as the vehicle.

13. “Intensity of supervision is proportionate to the risks and needs of delinquent youth.”

What does it mean? Aftercare supervision isn’t one-size-fits-all.

Where do we stand? Generally, the county aftercare assessment found that most counties have individualized levels of supervision. But the individualized approach is seldom based on a formal assessment of risks and needs. In fact, most counties consider all youth transitioning from residential care to be “high-risk,” at least initially. The intensity of supervision is most often adjusted over time at monthly supervisory case reviews, in response to the juvenile’s recent record of adjustment and success.

Where do we go from here? Formalized delinquency-related risk and strengths/needs assessment should be the basis for all supervision planning, not just planning for youth coming out of facilities. The effort to institutionalize this practice in Pennsylvania is being led by the Council of Chief Juvenile Probation Officers.

14 & 15. “County children and youth agencies keep their doors, and cases, open to youths who entered the delinquency system from the child welfare system and who should be receiving foster care and other services as ‘dependent children’ upon release from a residential facility. In appropriate cases, county children and youth agencies support the petitions of delinquent youth to be adjudicated dependent children prior to their 18th birthdays.”

What does it mean? Young people and families with needs that are best addressed by the child welfare system are not disqualified from receiving appropriate services the moment a delinquency petition is filed.

Where do we stand? The county aftercare assessment found a lot of variation with regard to child welfare agencies’ handling of dependent youth who are adjudicated delinquent:

- 27 counties (40%) indicated that child welfare services are generally available to delinquent youth and their families.
- 8 counties (12%) reported that child welfare agencies sometimes provide services to dependent youth and families after an adjudication of delinquency, but not often.
- 32 counties (48%) said child welfare services are never available to delinquent youth and their families. (In fact, many indicated that active child welfare cases are closed at the time of *referral* to the juvenile probation department, as a result of mere *allegations* of delinquency.)

Federal funding sources may require that juvenile probation and county child welfare agencies formally “share” case management of juveniles who straddle the two systems, but the county aftercare assessment found that little actual sharing takes place. In practice, a dually adjudicated, dependent/delinquent youth is the responsibility of one agency or the other, not both.

As for a child welfare agency’s supporting *new* dependency petitions for juveniles already adjudicated delinquent—essentially taking on responsibility where it had had none before—the assessment suggested that the practice is very rare:

- 49 counties (73%) reported that it never occurs.
- 13 (19%) said that it has occurred occasionally.
- 5 counties (7%) indicated that it occurs frequently and is part of current practice.

Where do we go from here? The Pennsylvania Department of Public Welfare is one of the agencies that drafted and signed the Joint Policy Statement, and is committed to realizing its goals. The Department is actively working with a Children and Youth Subcommittee of the Aftercare Working Group, and has discussed issuing a DPW Policy Bulletin (1) directing county child welfare agencies to keep petitioned dependency cases open when the juveniles involved are adjudicated delinquent and ordered into placement and (2) suggesting best practices for shared case management of youth involved in both the dependency and delinquency systems. The Subcommittee has also proposed interagency cross-trainings on these issues, to be coordinated by a joint committee of the DPW and the Council of Chief Juvenile Probation Officers.

16. “Resident school districts promptly enroll all youth who wish to return to public school, working with the host school district and juvenile probation to ensure a seamless transition to an appropriate setting.”

What does it mean? Thanks to collaborative planning and timely information-sharing, juveniles released from placement don’t fall through the cracks on their way back to appropriate schools.

Where do we stand? A surprising finding of the county aftercare assessment was that juveniles released from residential facilities do not generally encounter problems or delays in returning to public schools. Most counties reported that reenrollment occurs promptly upon discharge. In fact, while a few counties said the process might take as long as a week, most reported a wait of only a day or two, and some said released juveniles return to the classroom the day they get home.

That’s the good news. The bad news is that 44 counties (66%) still identified educational transition as a significant

reintegration problem. Although stalling tactics designed to delay or discourage reenrollment are not unknown, the more serious problem seems to be assignment to inappropriate programs and settings. A total of 32 counties (48%) said they had local school districts that require all youth returning from delinquency placements to go into Alternative Education for Disruptive Youth, whether or not it makes sense or is necessary. Apart from anything else, these programs may operate as little as 15 or 20 hours a week.

Where do we go from here? Alternative Education for Disruptive Youth is supposed to be for the student who “poses a clear threat to the safety and welfare of other students or the school staff, who creates an unsafe school environment or whose behavior materially interferes with the learning of other students or disrupts the overall education process.”⁷ It might arguably also be appropriate for those who need special services or structure not available in ordinary schools. But alternative placement should never be automatic, and can’t be forced on students who don’t need it, just because they’re returning from institutions.

While this is the settled rule, school districts aren’t necessarily following it. One solution might be to disseminate knowledge of the rules more widely among juvenile probation departments, so they can effectively advocate for appropriate educational services for youth on aftercare. That’s the purpose of the *Educational Aftercare & Reintegration Toolkit* developed by the Education Law Center with support from the Models for Change initiative. Designed to help juvenile justice professionals to do a better job managing educational transitions for youth in the system, the *Toolkit* has sections on identifying juveniles’ educational needs, considering educational issues in making placement recommendations, and assessing the appropriateness of educational services in placement. It lays out what juvenile probation officers need to know in planning for a juvenile’s release, and how to get a returning juvenile reenrolled in school. It explains the law governing entitlement to special education services and describes what those services entail.

And it provides a number of useful appendix materials—such as the Basic Education Circular previously quoted from the Pennsylvania Department of Education, explaining the eligibility rules for Alternative Education for Disruptive Youth.

The toolkit has already been the basis for juvenile probation training in a number of Pennsylvania counties, provided by the Education Law Center with funding from Models for Change. It’s also downloadable for free at both the Models for Change and Education Law Center websites (see sidebar, “Resources Identified in this Issue”).

In addition to the Toolkit and associated trainings, efforts to improve educational reintegration of juveniles on aftercare are being assisted by the Pennsylvania Department of Education. As has already been mentioned, the PDE, working in partnership with an Education Subcommittee of the state’s Aftercare Working Group, is currently drafting a Basic Education Circular on educational handling of youth in the juvenile justice system. The Circular, which when completed will be sent to all Pennsylvania school districts, will suggest best practices for reenrollment of returning youth.

17. “Evidence-based prevention programs, such as Blueprints for Violence Prevention, are considered for use as post-discharge services.”

What does it mean? Returning juveniles who need to continue their treatment in the community have access to a continuum of services that have been demonstrated to be effective.

Where do we stand? Although Pennsylvania has been a leader in encouraging and supporting the use of proven strategies, evidence-based services are not universally available for aftercare youth:

- 36 counties (54%) reported that evidence-based, Blueprint-style programs are available.
- 6 additional counties (9%) planned to make one or more of these programs available soon.
- In the 25 remaining counties (37%), evidence-based services were reported to be either unavailable or inaccessible to aftercare youth. In rural counties especially, these services were often said to be so far away that juveniles and their families cannot easily access them.

Where do we go from here? One idea being explored by the PCCD and other partners would be to build upon current prevention efforts through the establishment of a center that would both (1) help counties that want to implement research-based services and (2) support efforts to demonstrate the effectiveness of innovative local programs. It's still in the planning stages, but the center being envisioned would provide technical assistance to counties wishing to set up evidence-based and promising programs to serve youth locally—helping them with such start-up matters as finding and training competent staff, facilitating communication with program designers, supporting quality implementation and adherence to program models, and assisting with outcome measurement and long-term sustainability. The center could also help to establish the value of good local programs that already exist, by contributing assessment and evaluation resources.

The Future of Aftercare...

The Joint Policy Statement expresses a vision of a comprehensive aftercare system, and declares, "It is our goal to support every Pennsylvania county in developing a comprehensive aftercare system by the year 2010." As is clear from the findings of the county aftercare assessment regarding current aftercare practice, this is an ambitious goal. In fact, no Pennsylvania county has really comprehensive aftercare at this point. And some features of a comprehensive

system can't be found anywhere in the state.

But the Joint Position Statement has had a galvanizing effect, and the situation is already changing—thanks to the efforts of the many state officials and local probation professionals involved in attempting to bring our practice closer to our shared ideals. To learn more about how you can participate in aftercare reform, contact Rick Steele, JCJC Aftercare Specialist, at c-rsteele@state.pa.us, Kelly Franklin, Pa. Council of Chief Juvenile Probation Officers Aftercare Specialist, at kfranklin@epix.net, or Randa Bieber, DPW Aftercare Specialist, at rabieber@state.pa.us.

ENDNOTES

¹ The Joint Policy Statement on Aftercare, January 1, 2005, downloadable at <http://www.modelsforchange.net/resources/>.

- ² Steele, R. and Franklin, K. "Summary of Aftercare Practices in Pennsylvania," May 3, 2006. The report was co-authored by Richard Steele and Kelly Franklin, aftercare specialists for the Juvenile Court Judges' Commission's Center for Juvenile Justice Training and Research and the Council of Chief Juvenile Probation Officers, respectively. It can be downloaded at <http://www.modelsforchange.net/resources/>.
- ³ Griffin, P. (2004). *Juvenile Court-Controlled Reentry: Three Practice Models*. Pittsburgh, PA: National Center for Juvenile Justice.
- ⁴ 55 Pa. Code, Ch. 3800.224.
- ⁵ Hornberger, C. and Cullen, J. (August 2006). "Evaluation of Workforce Readiness Programs at Six Residential Delinquent Facilities: Summary Report."
- ⁶ Miller-Wilson, L. (October 2003). *Pennsylvania: An Assessment of Access to Counsel and Quality of Legal Representation in Delinquency Proceedings*. Washington, DC: American Bar Association, Criminal Defense Section, Juvenile Justice Center.
- ⁷ Alternative Education for Disruptive Youth, BEC 24 P.S. Article 19-C, issued July 1, 2002.

RESOURCES IDENTIFIED IN THIS ISSUE

– *The Joint Policy Statement on Aftercare* can be downloaded free at <http://www.modelsforchange.net/>. (Click on "Resources" and look under "Aftercare Resources.")

– *Advancing Competency Development: A White Paper for Pennsylvania*
– *Advancing Accountability: Moving Toward Victim Restoration*

The White Papers can be downloaded free at <http://ncjj.org/>. (Click on banner to enter site, go to "Publications" page, and access alphabetical list of titles.) For hard copies, contact Susan Blackburn, Juvenile Court Consultant, Center for Juvenile Justice Training and Research, at sblackburn@state.pa.us.

– *The Educational Aftercare & Reintegration Toolkit* can be downloaded free at <http://www.elc-pa.org/foster/publications.html>.

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