

**Summary of Aftercare Practices in Pennsylvania**

**Prepared for**

**The Pennsylvania Aftercare Working Group**

**by**

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### **Introduction**

Between July 2005 and February 2006, each of Pennsylvania's sixty-seven county juvenile probation departments was visited by the Aftercare Specialist of either the Pennsylvania Council of Chief Juvenile Probation Officers or the Juvenile Court Judges' Commission. The purpose of these visits was twofold: to provide information relative to the Aftercare component of Pennsylvania's Models for Change initiative, and to complete in-depth information gathering within each juvenile probation department to determine their current practice and procedure for the provision of aftercare activities. An assessment tool, developed in June 2005, was used to guide discussion with Chief Juvenile Probation Officers and key staff. Logistical data and information regarding procedural activities was gathered at each site.

This report is intended to give a brief overview of current practice in Pennsylvania, developed from comprehensive information gathered during the site visits. Listed below are the goals of the Aftercare system to which we aspire as set forth in the Joint Policy Statement on Aftercare released in January of 2005. For each, a summary of the current practice associated with each of these principles is contained. Additionally, a list of the most commonly reported barriers to successful aftercare reintegration is included at the end of this document.

### **Findings Related to Goals of the Joint Policy Statement on Aftercare**

- **Aftercare begins at disposition and is tailored to the individual needs and capacities of each youth.**

This goal implies that that the juvenile probation officers' decision-making process and recommendation to the court is a critical starting point for a sound aftercare process. Generally, it was found that youth committed to residential placement are "known entities" to the probation department. Placement recommendations and decisions are therefore usually based on historical information and first hand knowledge of the child's overall situation. Placement rarely occurs at the time of a first referral to the Juvenile Court.

In virtually all jurisdictions, the process for placement consideration begins with discussions between probation officers and their supervisors. A decision that placement is necessary is usually based on a variety of factors. Although placement decisions appear to be consistent within jurisdictions, the decision-making process was not generally found to be based on a well-documented, formalized assessment.

Specific decisions about where to place youth are generally described as being made based on an individualized assessment of the child. Placements are typically made to facilities that have proven to “do well” with particular types of children and the issues they present.

Some counties, however, have policy-driven, well-documented processes that include assessments of risks and needs through a standard format, with defined and consistent placement decision-making tools and guidelines available to line staff and supervisory personnel. In these jurisdictions, the process and factors reviewed are not only consistent, but documented clearly.

In most jurisdictions, it does not appear that “aftercare begins at disposition”. Placement decisions are primarily based on escalating negative behaviors and a failure by the child to respond positively to community based efforts of intervention and supervision. As such, considerations of community safety and stabilization of behavior often are at the forefront of the decision-making process, with consideration of reintegration issues not a priority at the time of the placement decision. While many presenting issues and behaviors are identified as areas to be addressed by the youth while in placement, services required to meet these needs upon release are often not considered at the time of disposition. Planning for reintegration typically begins during the latter stages of placement.

- **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.**

In current practice, this “single plan” is best represented by the development of the Individualized Service Plan (ISP) in the case of private providers, or the Master Case Plan (MCP) in the case of state-operated facilities. 55 Pa. Code, Ch. 3800.224 (Development of the ISP), this plan must be completed within thirty days of placement and involve input from a variety of sources, including the probation officer (as a contracting agency representative). With respect to the ISP, “reasonable effort shall be made to involve” a variety of individuals, including the child, parent, facility staff, and other professionals in the development of this plan. Ultimately, the plan development culminates with a meeting to review it in its entirety, with participation documented through signature and dating of the plan by those present and/or involved. The regulations also require specific areas of content within the ISP, one of which is defined as “a discharge or transfer plan”. Additionally, the regulations require that the plan contain a component that addresses “how the child’s educational needs will be met in accordance with applicable Federal and State laws and regulations”.

Involvement and input by the juvenile probation officer in the ISP or MCP process can vary greatly from jurisdiction to jurisdiction and from facility to facility. Probation officer attendance at the ISP or MCP conference also varies greatly across the Commonwealth. In some jurisdictions, personal attendance is required in every case (twenty-one out of sixty-seven counties). Others qualify this requirement with a variety of factors that may preclude attendance including type of placement, general workload limitations, and, most frequently, the proximity of the placement to the home county. Forty-three counties reported that they "sometimes" attend the ISP meeting, while three indicated that they "never" attend. Thirty-two counties allow participation through teleconferencing or videoconferencing technology in the absence of physical attendance.

In a few cases it was reported that the juvenile probation officer develops an aftercare plan at the time of the placement, and that this information is incorporated into the ISP at this early stage. However, it was reported by the majority of counties that the ISP usually does not significantly involve aftercare planning / services, and that the ISP usually limits aftercare considerations to the identification of a "release resource" (who the child will return to upon discharge) and, in some cases, where the child will return to school.

Only one county reported that the home school district was regularly involved through invitation and attendance at the ISP meeting. In that jurisdiction, attendance only occurs at a local, in-county residential facility. Information relative to educational planning is more often limited to the school's release of transcripts to the facility and/or its educational entity. This sharing of information is generally accomplished through the mailing of this information. Very little interaction, particularly face-to-face, appears to occur between the facility educational program and the home school district. The extent to which this educational information is included in the treatment plan appears to be limited, and often is represented by a general goal that education will occur as part of the placement. Consultation about educational placement and goals with home school districts does not appear to be a strong component of most ISP's.

- **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.**

It appears common that the development of the "aftercare plan" most often occurs at some point close to the release of the youth to the home community or elsewhere. Most jurisdictions describe this as occurring at a point in time closer to the time of release than to the time of initial placement. The degree to which this plan is mutually developed appears to vary greatly. In some counties, the juvenile probation officer and facility work together to identify the key components of the aftercare

activities, and to assure that these services are in place prior to release (forty-two of sixty-seven counties reporting). In other counties, juvenile probation officers receive recommendations from the facility through a process that is not collaborative, and tends to be facility-generated (seven counties). In other jurisdictions, the juvenile probation officer has the primary responsibility for this plan (eighteen counties).

Host and resident school districts appear to begin interaction only as a child's release date approaches, and for the most part this interaction is reflected through the transfer of transcripts and the assignment / acceptance of credits. It does not appear that this process is substantially connected to the development of the "aftercare plan", nor could it be described as a collaborative effort to refine the plan with other key entities. In most cases, juvenile probation officers indicate that they are usually the first to contact schools to inform them of the impending return of a student. The timing of this notification appears to fluctuate greatly, as well.

Although all jurisdictions report some sort of aftercare planning as release approaches, the aftercare planning process is more often characterized as the initiation of the process as opposed to a refinement of ongoing activities. This is particularly evident with respect to educational reintegration planning, and is best characterized as a transfer of transcripts in conjunction with a re-enrollment process. These activities could best be described as parallel to, as opposed to coordinated with, the refinement of the aftercare plan. Also, in most jurisdictions, some type of an aftercare plan is generated in addition to the ISP put into place within thirty days of placement.

The degree to which this goal is met also is greatly impacted by the visitation policies and activities of each probation department, which vary significantly between and, in some cases, within departments.

- **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.**

Given the information described above, it would appear that current practice is not consistent with this goal. The relatively limited amount of aftercare planning and activities included within the treatment plans of most youth make it difficult to conclude that activities within the facility tie directly to anticipated activities upon return home. Virtually every county indicated that the content of ISPs developed by residential facilities include only the very basic aftercare goals (release resource, name of home school). Furthermore, eleven counties indicated that they are not in favor of addressing aftercare issues early in a child's placement, because this "focus on going home" may detract from the intended impact of placement.

Most facilities have defined protocols for positive movement of children through their treatment continuums, many in the form of levels of promotion that lead to release recommendations. A number of counties expressed concern that these levels, and the

related expected behavior of youth who reach these levels, are often impractical and reflective of the artificial environment within the facilities. This environment, it is argued, is seen as far removed from the realities of what can be expected upon the child's return to the community. Several counties questioned the degree to which facility staff understand and discern differences between "normal" and expected adolescent behavior versus delinquent behavior.

The degree to which systematic oversight exists to ensure that placement facilities link activities within the facility to the aftercare plan is highly related to the extent that the juvenile probation officers involve themselves in the treatment process. In some counties, involvement is limited to review of facility-produced monthly/quarterly reports in conjunction with supervisory caseload reviews and occasional telephone contacts with facility staff and youth. Three counties reported that they never visit youth while in placement. Thirty-seven counties indicated that they visit youth in placement at least monthly, while nineteen reported visits every two to three months, and five reported visits every three to six months. Thirty-eight counties indicated that visitation frequency varies as a function of the proximity of the facility to the county: youth placed farther from their homes tend to be visited less frequently (or not at all) than those who are closer. A general lack of resources such as staff complement, time constraints, and funding are reported as reasons for this variation in practice. For those counties that visit youth in placement on a regular basis, the activities, expectations, and visitation process is critical to the "linking" of services to expected post-placement actions. While most jurisdictions could describe the activities, discussions and outcomes expected during each facility visit, only a few have developed procedures and practices that clearly define these activities and how they relate to expected outcomes.

- **"Competency development" is a key, well defined part of residential treatment and of post-placement expectations**

For the most part, it would appear that this goal is largely met during the placement phase of the aftercare continuum. It appears that the competency development goal of Balanced and Restorative Justice has been eagerly adopted by most residential facilities. Every county reported that ISPs developed by residential programs included Balanced and Restorative Justice language and goals. However, most chiefs noted that the degree to which the principles of Balanced and Restorative Justice are truly infused into residential programming fluctuates from facility to facility. Residential programs offer a variety of competency development activities for most youth. However, it would appear that these activities may not be particularly individualized, as a "one size fits all" practice may be in place. Our planned assessment of placement facilities will lead to a better understanding of efforts to individualize competency development activities.

The degree to which competency development activities follow the youth into the community also varies significantly from jurisdiction to jurisdiction. Some counties have developed, or are in the process of developing, well-defined competency development

activities that are specific to each youth. Some also include a consistent means of assessment to measure success and positive impact. Counties that have developed clearly defined aftercare plans and expectations at the time of placement expect residential programs to provide child-specific competency development activities. In these instances, services can clearly be linked to expectations for youth. Interpretation and implementation of the findings in the recently distributed document “Advancing Competency Development: A White Paper for Pennsylvania” should prove helpful in moving towards actualization of this goal.

- **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.**

All jurisdictions report that judges inquire about the specifics of a child’s aftercare plan, particularly if the review hearing is in close proximity to the anticipated release date. In a survey of Juvenile Court Administrative Judges, 28% 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. For those jurisdictions that require a formal hearing to effectuate the release, this judicial aftercare review is standard practice. Court orders, on the other hand, do not appear to regularly include detail that gives direction to probation officers and facility staff. Attempts to collect examples of model court orders have not been particularly successful. It appears that detailed aftercare discussions occur during court hearings, but most court orders are not sufficiently detailed to give direction to probation officers or treatment staff.

A significant variation in practice among jurisdictions is apparent regarding the length of a typical placement review hearing. Twenty-nine counties reported that the average length of a placement review hearing was less than fifteen minutes; twenty-seven counties reported the length to be fifteen to thirty minutes; ten counties reported thirty to forty-five minutes; and one reported average lengths of over forty-five minutes. The range in length from only several minutes to approximately one hour in length is significant.

Most jurisdictions also reported major differences between a “contested” versus a “non-contested” placement review hearing. Most hearings are reportedly “non-contested”, meaning that there is general consensus about treatment progress and, most importantly, the recommendation that will occur at the end of the hearing. If “contested”, hearings last considerably longer than the averages listed above, in order for all issues to be reviewed and, eventually, ruled upon. Also, in many cases where hearings are anticipated to be “contested”, it was reported that issues are often “worked out” before the hearing.

It is noted that, in many jurisdictions, a juvenile probation officer is responsible for developing a written aftercare plan before discharge. This may be incorporated into, or in addition to, discharge summaries and recommendations completed by residential placement facilities. Often, these documents are submitted to the judge in preparation for the hearing. Detailed aftercare discussions often occur during placement review hearings, but court orders often lack this detailed information.

- **Juvenile court judges and juvenile probation officers further the principles set forth in the Juvenile Court Judges' Commission Standards Governing Aftercare Services.**

Clearly, the standards are adhered to by those counties who receive Specialized Probation Services (SPS) funding specifically for Aftercare Probation Officer positions. This is a mandatory practice in order to receive and remain eligible for this funding through the Juvenile Court Judges' Commission. Adherence to these standards is audited yearly by JCJC staff.

On the other hand, many counties do not use their SPS funds for aftercare positions, choosing instead to fund other SPS probation services such as Community-Based, School-Based, or some form of Intensive Probation Supervision. In counties that are not receiving Aftercare SPS funding, these standards are advisory in nature. It is in these counties where the most variation to the standards is observed. This is particularly true in relation to the visitation requirements.

To further complicate the issue, there are many counties that do not have designated "aftercare staff". While all counties, at varying rates, place youth in residential facilities, many do not have specific or specialized aftercare or placement staff. Staff oversee youth who are placed in and released from facilities as part of their expected activities with a general caseload. Interestingly, this type of supervision is not related to size or class of county. Both relatively large and small counties alike have adopted this "generalist" approach to supervision. It was also reported that a number of jurisdictions have chosen not to pursue continued Aftercare SPS-funded positions because of the requirements of the JCJC Standards and the perception that adherence to these standards taxes already limited resources. Chief juvenile probation officers reported that specialized Aftercare positions are not more frequently utilized because of limited staff resources, the high costs associated with youth visitation, and required minimum lengths of post-placement supervision. Some counties indicated their desire to eliminate JCJC-funded Aftercare position(s) in favor of other, less demanding SPS programs.

- **Juvenile defenders and prosecutors attend all disposition review hearings.**

In virtually all jurisdictions, juvenile defenders reportedly attend all disposition review hearings. Sixty-five counties reported this to be true, while one reported that defenders attend only "high profile" cases, and one county reported that youth were generally not represented unless it was through private counsel. During the time that the county-specific assessment was being completed, the Pennsylvania Rules of Juvenile Court Procedure became effective (October 1, 2005). As such, defenders are now required to represent youth in all proceedings, including dispositional review hearings. It would appear that Pa.R.J.C.P. 150(B) intends to assure not merely representation, but also consistency of representation. Some jurisdictions reported that consistency of representation appeared to be improving prior to the adoption of the Rules of Juvenile Court Procedure. This is seen as improving practice in that these defenders become better informed, comfortable, and effective in the juvenile justice setting.

While prosecutors are reportedly present at the majority of dispositional review hearings (forty-nine out of sixty-seven counties), there are jurisdictions where this is not always the case. Eleven counties reported that prosecutors do not attend placement review hearings. It would appear that in some jurisdictions, lack of attendance is largely due to lack of staff. Seven counties indicated that the prosecutor generally attended only those cases that had been "high profile" or particularly serious in nature. Some felt that the prosecutor's office simply did not see juvenile cases "as a priority".

- **Juvenile defenders visit their clients in placement.**

There are few jurisdictions that report significant interaction between defenders and youth outside of the court room setting and/or the time immediately preceding or following a formal court appearance. However, six jurisdictions report that defenders have visited juvenile residential placement facilities. In these counties, it appears that the visits are more facility-specific than child-specific; in that defenders visit facilities primarily to become familiar with their programs. In this manner, they feel that they have some first-hand knowledge of the physical plant and overall operations of certain facilities. When making these visits, defenders will often meet with any youth from their county who happen to be in placement at that time.

- **Upon their request, the views of crime victims are invited and considered in aftercare planning and at dispositional review hearings.**

Overall victim input and consideration has significantly improved over the past decade as part of Balanced and Restorative Justice implementation on a statewide basis. Many jurisdictions (fifty-one) report that victims are invited and, in some instances, attend and participate in placement review hearings. However, direct victim

involvement reportedly is most intensive at the “front end” of delinquency proceedings: prior to, and during adjudication and disposition hearings.

Jurisdictions appear to have instituted the provisions of the Crime Victim’s Bill of Rights, whereby victims are given opportunities to participate, have input, and be informed at all key stages of the process. In many jurisdictions, however, the majority of victim input on placement review hearings and aftercare planning appears to be handled through county Victim/Witness Coordinators or individuals in similar roles, as opposed to direct participation by the victims themselves. Many jurisdictions report that Victim/Witness Coordinators serve as key participants throughout the juvenile court process, and provide appropriate and significant advocacy for victims. One jurisdiction involves the Victim/Witness Coordinator as a part of a committee that reviews home pass requests. In this county, the Coordinator reportedly has “full veto power” of a home pass request.

- **The aftercare plan addresses the youth’s activities related to accountability to the victim and the community.**

This appears to be true in most cases. Most jurisdictions, in virtually all of their formal documentation, reflect the key components of the Balanced and Restorative Justice philosophy, including accountability measures. However, accountability expectations are often limited to issues of restitution and community service. Some jurisdictions utilize other activities and resources incorporating additional restorative accountability practices (Victim Awareness, Conferencing, Crime Panels, etc.).

Many residential facilities have incorporated activities that address both restitution and community service. Most facilities also report having a victim awareness curriculum. The degree to which these activities are tied to reintegration efforts, in general, and the actual aftercare plan, specifically, is unclear.

As indicated previously, some jurisdictions may not develop an “aftercare plan”. In these jurisdictions, the youth’s activities related to accountability to the victim and the community may not be addressed in any document.

- **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.**

There remain significant differences between jurisdictions, as well as within individual probation departments, in relation to this goal. There is considerable need for ongoing activities (training, procedural development, “best practice” identification, resource allocation, etc.) if we are to move toward statewide achievement of this goal.

- **Intensity of supervision is proportionate to the risks and needs of delinquent youth.**

While this is generally true, only a small number of jurisdictions apply a formalized risk/needs assessment to this process. Most counties place a “high risk” label on all youth transitioning from residential care, with a prescribed intensity of supervision reflective of this assumption. Other jurisdictions individualize intensity of supervision based on factors not necessarily attached to a formal assessment process. In still other jurisdictions, transitioning youth are incorporated into existing caseloads with levels of supervision not unlike any other case.

The intensity of supervision most often is adjusted by the probation officer’s assessment of the juvenile’s success, in conjunction with approval by a supervisor. Levels of supervision are typically adjusted in conjunction with monthly supervisory case reviews. All jurisdictions report the availability of graduated sanctions that can be used as a response to poor adjustment. None reported a formalized reward system, but some jurisdictions reported reducing sanctions as a response to positive behavior.

- **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.**

The degree to which Children and Youth (C&Y) agencies keep their doors and “cases” open to youth who enter the delinquency system varies considerably. Twenty-seven counties indicated that general C&Y services are available to delinquent youth, while eight reported that this practice occurs, but infrequently. Thirty-two counties stated that C&Y services were not available to delinquent youth. Many counties indicated that active C&Y cases often are closed at the time of referral to the juvenile probation department as a result of delinquency allegations. Seven counties reported ongoing dual jurisdictional activities of a formal nature, while twelve indicated that this practice has occurred, but is infrequent. Forty-eight counties reported no dual jurisdictional activities. While relationships between Juvenile Probation and Children and Youth agencies were often characterized as positive and/or “improving”, most jurisdictions reported that case management is an “either/or” responsibility for Juvenile Probation or Children and Youth, respectively.

- **In appropriate cases, county children and youth agencies support the petitions of delinquent youth to be adjudicated dependent children prior to their 18<sup>th</sup> birthdays.**

Forty-nine counties reported that this practice does not occur in their jurisdiction. Thirteen indicated that it has occurred on an infrequent, case-specific basis. Only five counties reported that it occurs frequently and is part of current practice.

- **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.**

In most cases, enrollment of youth into resident school districts occurs promptly upon discharge from a residential facility. While a few counties reported that this occurs within the first week of discharge, most reported a wait of only a day or two and some youth were in a classroom on the day of release. Only a few districts were described as slow to accomplish re-enrollment through the use of what was characterized as "foot dragging" or "stalling" tactics.

Despite timely educational re-entry, it is noted that forty-four counties reported school reintegration issues as a significant and ongoing barrier to smooth reintegration efforts. Occasional stalling tactics, issues relating to credit transfer/acceptance, youth inability to perform at an adequate functional level, and general lack of flexibility were reported as problematic.

The most widely reported barrier to appropriate school reintegration was the requirement that youth returning from placement re-enter school in an alternative education setting. Thirty-two counties described problems encountered with one or more school districts in their jurisdiction due to policies that required youth returning from residential treatment programs to be placed into an Alternative Education Program. While this practice was deemed to be appropriate in some cases, the concern was that in many cases it proved detrimental and was due solely to the child's status as a delinquent child returning from residential placement.

Overall, the enrollment process is prompt, but often deemed inappropriate in terms of the school setting required for returning youth.

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

Thirty-six counties reported evidence-based, Blueprint Model programs available for aftercare youth. Six additional counties reported that one or more of these programs would soon be available to them through current implementation strategies.

Thirty-five counties reported that a lack of resources, including these services, was a significant barrier to the transition and reintegration process for youth. In some jurisdictions, the concern was that the quality of existing resources was poor. In other jurisdictions, services were available but not easily accessed for a variety of reasons. In yet other jurisdictions, most notably in more rural counties, services were simply not available or community-based, or the services that were available were located at significant distances from the youth and families.

## **BARRIERS TO SEAMLESS REINTEGRATION**

Each of the counties was asked to identify the key issue(s) that, in their jurisdiction, posed the greatest barrier(s) to seamless reintegration. Listed below is a summary of these responses, with the frequency of the response in parentheses for those issues identified by more than one county.

- Family issues (46)
- School reintegration problems (44)
- General lack of resources (35)
- Lack of service for “older” kids (8)
- Facility activities that don’t relate well to “real world” preparation (7)
- Lack of transportation (6)
- Lack of community support (3)
- Lack of appropriate planning by probation officers (2)
- Negative peer influence upon release
- Timely transfer of case from placement probation officer to community probation officer
- Lack of psychological/psychiatric assessment services that serve as the gatekeeper to other services
- Facility staff turnover
- Poor initial placement decisions (kids are not in “right” facility to meet their needs)
- Insurance issues upon return home
- Lack of/no release resource
- Aging out while in placement/on aftercare supervision