Graduated Response Intervention Policy and Procedure

Given that it is the responsibility of the 8th Division JPO department “To compassionately and competently assist children and families who are under the jurisdiction of 8th Division Circuit Court in accessing evidence-based early intervention, supervision, treatment and secure care for youth so they can apply effective preventive and intervention strategies to daily life” the department does have a strong system of “graduated responses” – combining sanctions for violations and incentives for continued progress – can significantly reduce unnecessary incarceration, reduce racial and ethnic disparities, and improve successful probation completion rates and other outcomes for youth under supervision.

What Are “Graduated Responses”?

To motivate youth to succeed on probation, juvenile justice agencies have begun to rely on structured systems of graduated incentives and sanctions to respond to youth behavior. Together these are referred to as “graduated responses.” Sanctions take into account the seriousness of a specific probation violation and the risk level assigned to a youth. Incentives emphasize the importance of rewarding youth for meeting short- and long-term goals as a way of helping them develop positive skills.

Graduated Responses, when mentioned, refer to the options available to respond to probation violations and violations of court orders.

To be most effective, research shows that a system of graduated responses should be:

1. **Certain.** If youth know that a negative consequence will automatically follow a particular behavior, they will be less likely to engage in that behavior than if enforcement is erratic. Similarly, if youth know that they will definitely receive a reward for engaging in particular actions, they are more likely to pursue positive behaviors.

2. **Immediate.** Youth must be able to see a direct and close relationship between their behavior and a sanction or incentive. Sanctions and incentives administered long after a behavior occurs lose their impact.

3. **Proportionate.** Administering sanctions that do not correspond with the severity of the violation can lead to feelings of anger and resentment. Disproportionately harsh sanctions for minor misconduct can undermine other attempts at behavior change by leading youth to feel helpless to control their future.

4. **Fair.** Officials should apply similar sanctions for similarly-situated youth. Perceived unfairness undercuts work to change behavior.
5. **Tailored to individual youth.** Certain sanctions or incentives will be more effective for individual youth depending on their circumstances. The goal of graduated responses is not to eliminate discretion in decision-making. The goal is to give juvenile justice professionals a broad array of options – within ranges that ensure proportionality – in order to motivate youth to succeed.10

Policies and practices that keep these five principles at the forefront of work with youth will increase the likelihood that a graduated response system will succeed at promoting positive behavior and deterring negative behavior.

*Accountability does not necessarily require incarceration, and it is possible to get a youth’s attention without locking him or her up. Jurisdictions across the country have developed non-confinement sanctions that youth find onerous and that convey a clear message to obey probation and court orders.*
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Graduated response systems should help officials incentivize the pursuit of concrete goals aligned with a youth’s most significant criminogenic needs. Establishing positive goals for youth should not serve as another avenue for sanctioning youth. Thus, probation officers should not establish a long list of goals that go beyond the youth’s identified risks and needs and later sanction the youth for failing to meet those targets. The purpose is to identify a small number of meaningful and achievable targets that will help youth avoid future system involvement. In a system where youth’s probation plans are developed following risk and needs assessments, services and goals should be focused on the most salient of identified criminogenic factors. Officials should resist the temptation to create a laundry list of requirements.

8th Division Probation department has a dynamic Graduated Response Grid. With components that identifies the severity of behaviors that violate probation (minor, moderate, serious), and identifies the risk level of the youth (low, medium, high). The end result is the matrix of possible responses that probation officers can employ for youth who violate probation or court orders, from low severity of violation by a low risk youth all the way to high severity of violation by a high-risk youth.

When executing a Graduated Response Intervention, the JPO must determine two things: first, which sanctions are appropriate for low, medium, and high-severity behaviors. Second, they should determine which sanctions are appropriate for youth who are identified as low-, medium-, or high-risk. Best practice is to assign a risk level based on the use of a risk and needs assessment tool (SAVRY) that has been validated for the population of youth in the jurisdiction.

If the JPO decides that a Graduated Response Intervention is warranted an office visit will be scheduled by the JPO with the Juvenile and Parent/Guardians. During this office visit the Probation Officer will discuss with the family the nature of the Probation Violation and the various responses to the specific violation.

If when executing a Graduated Response Intervention with a Juvenile and his Parent/Guardian and it appears the Juvenile is in imminent danger to himself or others the office visit shall be terminated and efforts to ensure the juveniles health and safety shall become the priority of the Probation Officer.