

Incentivizing Success and Implementing Graduated Responses

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WHAT DOES THIS FACT SHEET COVER?

A [research overview](#) for why juvenile probation should incentivize success and implement graduated responses.

Suggestions for how to [incentivize success through positive enforcement](#), including determining incentives and focusing on strength-based goals.

Suggestions for how to [encourage accountability through graduated responses](#), including pursuing fairness and understanding, being structured, and explaining reasoning.

Suggestions for how to [ensure procedural fairness](#), including applying responses fairly across all youth, checking for understanding, and being mindful of school consequences.

A solely punitive approach to youth probation misses out on valuable opportunities to encourage accountability and promote positive development. Probation officers can align practice with research by (1) incentivizing success through positive reinforcement, (2) encouraging youth accountability through graduated responses, and (3) ensuring procedural fairness and equal treatment.

INCENTIVIZE SUCCESS THROUGH POSITIVE REINFORCEMENT

WHY: A primary goal of probation is to promote long-term behavior change and help youth get back on track to successful adulthood. Incentive structures effectively motivate behavior change among young people in various contexts.

HOW: Determine incentives. Engage youth, caregivers, and supportive adults in determining meaningful incentives. Consider a range of rewards, including nonmonetary and monetary options, but be realistic about what incentives can be promised. Provide incentives that promote positive development, such as sports equipment, art classes, event tickets, and civic engagement opportunities.

HOW: Use a strengths-based perspective. Focus on strengths of individual youth and encourage development of unique skills, interests, and goals. Use incentives to reward short-term accomplishments.

ENCOURAGE ACCOUNTABILITY THROUGH GRADUATED RESPONSES

WHY: A graduated response system would focus on accountability rather than punishment, given that noncompliance with probation conditions is normal for young people, further system involvement can be harmful, and holding youth accountable in constructive ways promotes healthy moral development.

HOW: Pursue fairness and understanding. Ensure that responses to noncompliance are certain, immediate, proportionate, and fair. When possible, take individual circumstances into account, consider the context around a violation, and recognize that not all violations reflect a youth's negative intentions.

HOW: Use a structured decisionmaking process and explain reasoning. Use a structured decisionmaking process, such as a graduated response grid, to choose an appropriate response. Discuss the justification behind a response to a violation; explain a logical connection between the action and the consequence received.

HOW: Use the least restrictive appropriate option to avoid further system involvement. Responses to violations do not always need to be progressively severe. Avoid removing services or treatment as a punishment, and do not assign services or treatment as a consequence for noncompliance.

ENSURE PROCEDURAL FAIRNESS

WHY: Youth of color are disproportionately represented at every stage of the juvenile justice system, and girls are more likely than boys to be placed out of home because of a technical violation of probation. Fair application of sanctions and rewards is critical to promoting procedural justice, facilitating positive legal socialization, and decreasing the likelihood of reoffending.

HOW: Apply responses fairly. Make sure that responses and incentives are fairly applied regardless of race, ethnicity, gender, class, religion, and sexual identity. Ensure that youth receive due process in instances where sanctions for probation violations could include severe consequences.

HOW: Check for understanding. Ensure that youth understand system processes ahead of time. Use age-appropriate language and examples to communicate the positive and negative consequences of specific actions. Document incentives provided and sanctions imposed.

HOW: Be mindful of school consequences, and ensure that they do not automatically trigger justice system responses without review of the incident within the context of the youth's probation goals and criminogenic needs.

RESTORATIVE JUSTICE

Restorative justice programs are one way to promote positive accountability while keeping youth in their communities. The programs seek to repair relationships between youth and victims and emphasize mediation and respect between youth, communities, and victims. They are intentionally nonadversarial and are designed to encourage accountability, meet the needs of victims, and repair harms caused by crimes. Research has found that restorative justice programs show moderate decreases in future youth misbehavior relative to traditional court processing, although the strength of these findings vary. Most studies show strong evidence of improved victim satisfaction.

CASE STUDY: OPPORTUNITY-BASED PROBATION IN PIERCE COUNTY, WA

In Pierce County, Washington, the Juvenile Probation Department has taken a research-informed approach in designing a model of [opportunity-based probation](#) based on principles of adolescent development. Probation officers and youth work together to identify goals that will move youth closer to compliance with probation conditions. These goals focus on helping youth resist criminal behavior, building protective factors like school engagement and relationships, and encouraging positive development of youth interests and strengths. By achieving short-term weekly goals in support of these objectives, youth earn points that can be redeemed for rewards of their choice. Failing to meet weekly goals first triggers problem-solving conversations with the probation officer; a hearing with a judge is scheduled only if youth repeatedly fail to meet specific goals related to crime-free behavior.

ADDITIONAL RESOURCES

EXAMPLES OF SHORT- AND LONG-TERM GOALS: [Washington, DC DYRS's positive behaviors table](#)

ON GRADUATED RESPONSES: [NCJFCJ's incentives and sanctions program workbook](#) and [Center for Children's Law and Policy graduated responses toolkit](#)

ON DETERMINING SEVERITY OF A VIOLATION: [Maryland DJS's guide](#)

This fact sheet summarizes chapter 6 of [Bridging Research and Practice in Juvenile Probation: Rethinking Strategies to Promote Long-Term Change](#). The full report includes citations for the research summarized here.