

# Opportunity-Based Probation (OBP): A Brief Report

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## What Is Opportunity Based Probation (OBP)?

Opportunity-based probation (OBP) is a new and innovative approach to probation supervision based on the science of adolescent brain development. It recognizes that adolescent brains are more responsive to rewards than the threat of punishment. A matched comparison evaluation of the program showed a 60% reduction in new referrals to court for youth involved in OBP compared to usual supervision.



The evaluation also found a 67% reduction in the rate of probation violations which often lead to detention time and deeper entrenchment in the justice system. A majority (53%) of youth who participated in the program were youth of color, demonstrating value for the populations most likely to be arrested and subject to the negative collateral consequences of arrest and court contact. Adolescence is a time of intense identity development, and family systems play an important role in shaping and supporting positive behavior. OBP is based on the understanding that: (1) Youth's decision-making and emotion regulation skills are still developing, and (2) Youth are highly influenced by their current environmental context when making decisions. OBP structures probation in a way that guides youth to achieve their goals through positive reinforcement and family support. As youth complete the weekly goals they set in collaboration with the probation staff and caregivers, their rewards increase. At an appropriate time during the program, youth are connected to partners in the community through employment and/or internship opportunities.

## How Does OBP Work?

The OBP model (Table 1) integrates new practices within the four phases of typical probation: pretrial, assessment, case planning and supervision. The new practices reflect guided principles around (1) family engagement, (2) structured goal setting, (3) rewards, and (4) positive youth development.

**Table 1. Components of OBP model by probation phase**

| Probation Phases                     | Model Components  |
|--------------------------------------|---|
| <b>Pretrial</b>                      | <ul style="list-style-type: none"> <li>• Provide OBP overview.</li> <li>• Provide points for attending hearings, staying crime free and other goals at Probation Counselor discretion.</li> </ul>   |
| <b>Assessment</b>                    | <ul style="list-style-type: none"> <li>• Conduct risk assessment as usual.</li> </ul>   |
| <b>Caregiver Meeting</b>             | <ul style="list-style-type: none"> <li>• At risk assessment or another time, hold caregiver only meeting.</li> <li>• Discuss caregiver goals and plans for addressing "relapse" behaviors.</li> </ul>   |
| <b>Feedback and Planning session</b> | <ul style="list-style-type: none"> <li>• Briefly review the court order.</li> <li>• Develop the feedback goal sheet.</li> <li>• Ask youth to identify community opportunities and desired material rewards.</li> </ul>  |
| <b>Supervision</b>                   | <ul style="list-style-type: none"> <li>• Check in weekly, in person biweekly.</li> <li>• Set new weekly goals to move youth towards community opportunities.</li> <li>• Coach caregivers on restorative plans when youth not adherent with responsibility and probation goals.</li> <li>• Reduce supervision time at Probation Counselor discretion following community opportunity.</li> <li>• At the end of probation, youth who complete early are recognized and celebrated in a court ceremony.</li> </ul> |

In pretrial, the Juvenile Probation Counselor (JPC) provides a brief overview of the OBP model to the youth and caregiver prior to receiving a disposition. During this time, the JPC awards the youth small incentives for attending hearings and for completing any pre-disposition activities (e.g., receiving a behavioral health assessment). After being placed on community supervision, the JPC conducts the standard court risk/needs assessment in a meeting with the young person and parent/caregiver to identify areas of highest needs and strengths. The JPC then holds a separate one-on-one meeting with the caregiver to have a focused informational discussion about the probation process. Building from research on effective family engagement strategies, this meeting focuses on building rapport, clarifying caregiver concerns, and increasing the caregiver’s investment in the process. Holding this meeting separately from the assessment is important because it provides a time where the JPC can validate the caregivers’ concerns and frustrations without the youth feeling shamed or defensive. In addition to this rapport building, the JPC discusses the

caregivers' most significant concerns so that these can be brought into a case planning meeting with the youth.

The JPC then meets with the youth and caregiver again to hold a case planning meeting where they review the results of the risk/needs assessment and caregiver meeting. This information is used to develop goals in three areas: probation goals, responsibility goals, and life goals. Probation goals focus on building skills to avoid re-arrest and are broken into 1-3 concrete action steps each week. For example, if a youth has difficulty managing anger that is driving violent behavior in the home, concrete action steps might include attending a group treatment session during that week, identifying common anger triggers and bringing them into the supervision meeting for discussion, and identifying one specific coping skill to practice. As youth are successful with goals, the JPC begins to expect slightly more of the youth. This can include practicing more difficult skills in the same goal category or shifting to a new area (e.g., school attendance). Only one major probation goal is identified for a youth at a time, but the goal may have up to three action steps for the week. The responsibility goal is focused on home behaviors that reflect the major area of concern of the caregiver. The JPC role is to work with the caregiver and youth to operationalize a large expectation (e.g., helping out around the house more) into an observable and achievable weekly goal (e.g., do one load of laundry a week). The caregiver is fully responsible for monitoring this goal and letting the JPC know on a weekly basis whether it was accomplished. The purpose of identifying this caregiver-driven goal is two-fold: To model setting concrete and achievable goals for youth, and to involve the caregivers in positive reinforcement through the awarding of weekly points.

After setting goals in the case planning meeting, the model moves to field supervision. In field supervision, the youth is awarded points and material rewards for successfully accomplishing goals. The JPC checks in with the youth and caregiver weekly until the youth obtains enough points to decrease the frequency of supervision meetings. Reaching a specific benchmark of earned points also allows the youth to earn early time off from probation.

## How Was OBP Developed?

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The program was codesigned with probation staff and researcher partners with input from families and youth. The workgroup members used the following six guiding principles when designing the program:

1. Positive recognition and rewards help youth develop an identity tied to achievement and potential.
2. Rewards work best when they are frequent and administered immediately following desired behavior.
3. Rewards work best when they are concrete and meaningful to the youth.
4. Families are a critical part of supporting and sustaining strengths-based behavior management.
5. Accountability is a key piece of behavior management, and consequences are most effective when administered immediately after a behavior happens.
6. To succeed, the principles of positive behavior management will need to be communicated effectively to stakeholders both within and outside of probation.

In codesign, the researchers' role is to locate and synthesize research findings relevant to the community agency's goals and assist in integrating these principles within real world programming (Jagosh

et al., 2012). The design team included a research psychologist with specialization in adolescent behavioral health and public systems (Dr. Sarah Walker), a Probation Supervisor, and four Probation Counselors representing a mix of different probation caseload types (sex offender, low/medium/high risk, mental health, substance use). The workgroup also brought in additional stakeholders at different times as needed, including support from information technology, research analysis, and probation management staff.

The design process occurred in four phases: Development, piloting, evaluation and refinement (Martin, 2012). In the development phase, the researcher facilitated biweekly and then monthly workgroup meetings that began with mapping system values and reviewing the research literature on behavior change and motivation principles for adolescents (six months). The workgroup members were also asked to brainstorm techniques and strategies they observed working well to motivate youth, promote success in meeting conditions of probation, and promote improvements in well-being and functioning, as well as areas they wanted to see improve in youth and caregiver engagement and interactions with probation. These values and observations were then discussed in light of available research on adolescent development (Steinberg, 2007), behavior change principles (Higgins & Silverman, 1999; Kok et al., 2015; Moller et al., 2017) and behavioral health treatment strategies for adolescents (Morean et al., 2015; Whittle et al., 2014). The group also reviewed programmatic examples of efforts to promote more effective behavior change and motivation in probation, including an adult probation model, JSTEPS, developed by Taxman and colleagues (Taxman, 2012), and contingency management for addiction treatment for adolescents (Henggeler et al., 2008).

## Is OBP an Effective Probation Model?

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### Qualitative methods

Following the six months of beta testing, Probation Counselors and supervisors were asked to participate in a two-hour focus group facilitated by the research team, which included the research facilitator of the OBP workgroup and a research assistant supervised by the facilitator. Focus group participation was voluntary, and participants were given the opportunity to submit their feedback in a non-interview format. The OBP workgroup probation supervisor and the research facilitator collaboratively developed questions to guide the focus group. These questions included: (1) How does OBP differ from usual probation supervision; (2) What principles in OBP have the most potential to work well to support youth development; (3) What principles seem to work well for mostly all youth and which, if any, work well for some youth and not others; (4) What needs improvement and should anything be eliminated; (5) What specialized skills might Probation Counselors need to implement OBP correctly; and (6) What would you recommend for next steps in developing and implementing the OBP model? The research team captured the focus group via audio recording and handwritten notes.

### Qualitative findings

Content analysis of the probation focus group revealed four unique themes, and three subthemes, (Table 2) which both describe key components of the OBP model and highlight areas for model improvement. The themes include: 1) The benefits of setting achievable goals; 2) The need to balance

structure with flexibility; 3) The perceived family benefits; and 4) The need for time and emotional resources to deliver the model well.

**Table 2. OBP probation focus group themes and illustrative quotations**

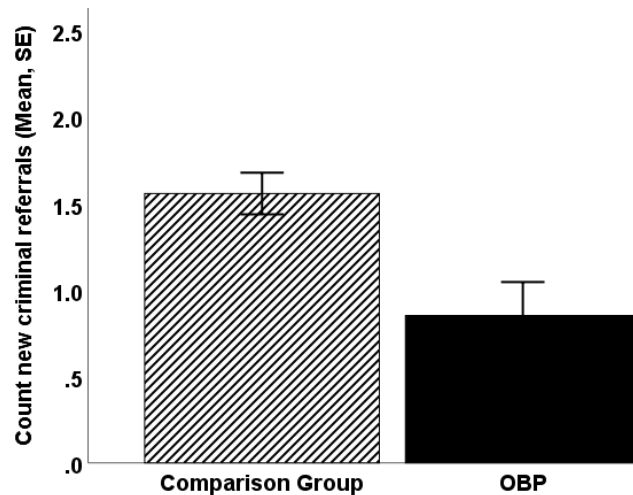
| Themes  | Mentions (n) | Description  | Quotation  |
|---|--------------|--|--|
| <b>Benefits of setting achievable goals</b>   | 21           | OBP supports the development of small, short-term, tangible goals that are within the youth’s capacity to meet.  | "[OBP] breaks down behaviors to where they're a lot more tangible for the youth and family to really specifically target [them]."  |
| <b>Balance structure with flexibility</b>     | 29           | The positive benefits of the OBP model’s structure must be met with clearer instructions regarding model adherence and use of discretion.                                  | --   |
| → <b>Increased intentionality</b>             | 16           | The structure of OBP’s model requires JPC to be more intentional when meeting with families, which facilitates increased confidence in JPC effectiveness.                  | "More intentional on meeting with parents and caregivers."<br>"I always walk out [of a meeting] with an outcome as well, where before I could walk out and be... what did I accomplish today?" |
| → <b>Concerns regarding model flexibility</b> | 13           | More explicit instruction should be provided regarding balancing model adherence with individualized family needs.   | "I meet with them more frequently when they're in, you know,[their] pre-contemplative, contemplative [stage]."   |
| <b>Perceived family benefits</b>              | 19           | JPCs observe that youth and families engage positively with the OBP model.   | "[W]e kind of empower [parents] and make them feel like they have a say..."<br>"[W]e are addressing what the parents see as the need and what they want."                                      |
| → <b>Reduction of family crises</b>           | 9            | The OBP model provides specific tools (structured goal setting) to address escalating processes of the family dynamic, resulting in an overall reduction of family crises. | "I think OBP sets it up [for families] to have less crises."<br>"[Families] are not getting into these fights that... can lead to Assault 4s."   |
| <b>Time and emotional resources</b>           | 12           | JPC require additional support in meeting the demands of the OBP model.  | "[W]e have pressure that we put on ourselves, like, I have to have a meeting, I have to have a goal..."  |

This feedback was integrated back into the final version of the OBP model and in the plan for rolling out the model to the rest of the probation staff.

## Evaluating the OBP model for re-offense outcomes and technical violations

The recidivism analysis examined new criminal justice referrals (Figure 1) and probation violations (PVs) for youth referred to the OBP program (n= 34). A majority (53%) of the OBP group were youth of color (35% African American, 9% Asian or Pacific Islander, and 9% Hispanic or Latinx). A comparison sample (n=333) was drawn from youth in probation prior to the launch of OBP and from youth who received regular supervision during the beta testing period. Group differences were examined using bivariate and multivariate models. As the groups differed in several demographic characteristics (gender, race/ethnicity) and prior arrest history, multivariate models were run to control for these factors. The primary outcomes of this analysis were new criminal offenses or probation violations.

**Figure 1. New criminal offenses by group (unadjusted)**



In the models, adjusting for demographic and prior arrest history, individuals in the comparison group versus the OBP group were 2.53 times more likely to have a new referral and 3.08 times more likely to have a new probation violation after controlling for baseline characteristics.

## Summary

Opportunity-based probation is a Pierce County model of supervision that capitalizes on the strengths of the probation department and the community. Results from the qualitative and quantitative analyses demonstrate the feasibility of implementing a probation model that attends to the developmental needs of youth and the positive benefits for increasing probation success and decreasing re-offenses. While feasible to implement, the model also requires more upfront planning from Probation Counselors and more frequent check-in's in the first few months of probation (tapering off subsequently). Because of this, the OBP model may be hard to sustain if probation caseloads exceed a manageable number of youth. The model also requires material incentives and community opportunity programs, both of which require financial and time resources that probation departments may not initially have available. The next phase of evaluation includes

feedback from caregivers and youth on whether the quality of probation collaboration is different for OBP compared to usual supervision and if family cohesion improves as a result of the program.

## References

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