Day Two

8:30 AM – 9:00 AM  BREAKFAST
9:00 AM – 9:30 AM  RECAP OF DAY I
9:30 AM – 10:45 AM MODULE 5: SYSTEM PARTNERSHIPS
11:00 AM – 12:15 PM MODULE 6: ACCOUNTABILITY & REPORTING
12:15 PM – 1:15 PM  LUNCH
1:15 PM – 2:30 PM  MODULE 7: ESSENTIAL PROGRAM COMPONENTS
2:45 PM – 4:00 PM  MODULE 8: HELPING YOUTH CHANGE
4:00 PM – 4:30 PM  NEXT STEPS
Day I Recap

- What was your number 1 takeaway from yesterday’s training?
Module 5:

System Partnerships

“Some of the most valuable policies for dealing with delinquency are not necessarily those designated as delinquency policies.”

- Edwin Schur

Radical Non-Intervention: Rethinking the Delinquency Problem (1973)
There are some new rules for the ATI Training Institute. Make sure you write them down.
Let’s Process!

- How did learning about these rules affect your motivation?
Learning Objectives

At the end of this module, participants will be able to:

- Understand the costs and benefits of formal partnerships with the justice system
- Understand the danger of “net-widening”
- Understand the difference between true diversion/alternative-to-incarceration programs and “net-widening” programs
Intrinsic vs. Extrinsic Motivation

- Children at play received rewards from adults for playing with certain toys
- When the rewards were taken away, the children avoided playing with the toys for which they had previously been rewarded
Intrinsic vs. Extrinsic Motivation

- An activity is *intrinsically* motivating if a person does it voluntarily, without receiving payment or other type of reward.

- An activity is *extrinsically* motivated if it is performed primarily for external reinforcement such as food or money.
Benefits of Mandates

- Help ensure attendance and participation due to threat of sanction for non-compliance
- The juvenile justice system provides an additional source of accountability & supervision

“If I hadn’t been forced to go to this program I would probably still be running the streets. I didn’t want to go, but they forced me and it probably saved my life.”

- Often mandates are more for the benefit of the program or the system stakeholder than the young person
Cost of Mandates

- Mandates reduce intrinsic motivation
- Mandates roster resistance & resentment on the part of youth
- Mandates reduce provider ability to provide unconditional support and confidentiality

“I’m only here because they’re making me go. The minute I’m off Probation I’m out of here.”
Cycle of Mandate

Pre-Mandate Antisocial Behavior → Pro Social Behavior under Mandate → Post-Mandate Anti Social Behavior → Pre-Mandate Antisocial Behavior
Question

- What are some ways you might reduce the negative effect of mandates?

- BE CREATIVE!!!!
Tips for Countering the Negative Impact of Mandates

- Start working with youth when they are under more supervision than your program

1. Meet youth while they are still in detention
2. Offer your program as a step-down in supervision
Tips for Countering the Negative Impact of Mandates

- Use positive youth development principles by:

1. Start with the young person’s **wants**
2. Give young people **ownership** of their plan *(within reason)*
3. Include **non-mandated** program activities that youth genuinely enjoy doing
A young person has been assigned to an alternative for getting into a fight in school. Initially the young person has been mandated to participate in a peacemaking circle as a condition for diversion. However, while participating, multiple issues emerge and the youth is assigned services for each of these issues:

- How easy or difficult is it for this young person to successfully complete all of these services?
- Are we helping or harming this young person?
DIVERSION:

“an attempt to divert, or channel out, youthful offenders from the juvenile justice system’ (Bynum and Thompson, 1996). The concept of diversion is based on the theory that processing certain youth through the juvenile justice system may do more harm than good (Lundman, 1993).”
Diversion vs. Net Widening

**NET WIDENING**

“a term most commonly used to describe a phenomenon whereby a program is set up to divert youth away from an institutional placement or some other type of juvenile court disposition but, instead, merely brings more youth into the juvenile justice system who previously would never have entered. Instead of shrinking the ‘net’ of social control, one actually ‘widens’ it to bring more in.”
Net Widening

- Net Widening occurs whenever a young person is mandated to participate in a program or service that would not have been essential for them to avoid incarceration.

- Even if the program provides services that are good for the young person, the mandate is inherently harmful in that it increases the likelihood of future incarceration for non-compliance.
A young person is adjudicated delinquent and receives a disposition of Probation where she will already be subject to many requirements and restrictions, such as avoiding re-arrest, remaining drug free, and going to school. At her disposition hearing, her mother tells the judge that Tatiana has too much free time on her hands and she wants her mandated to attend an afterschool program. That becomes a condition of her Probation and Tatiana is required to go to the afterschool program and participate in activities like homework help, dance class, and sports. Tatiana attends inconsistently and after a while stops going altogether. When her Probation Officer checks up on Tatiana’s attendance and finds she hasn’t been going, she reports back to the court that Tatiana is in violation of the conditions of her Probation.
Net Widening occurs on a SYSTEMIC or COMMUNITY level when an alternative option is created to divert a certain population of youth from deeper system involvement. However, instead of reducing the overall number of youth who proceed deeper into the system, the initiative engages youth who normally would have had less system involvement. Non-compliance with an unnecessary program then leads to deeper system involvement.

Example: Springfield Diversion Program
The Widening Net

5.2.C

Non Compliance

Truancy

Substance Use

Initial Offense
Many programs that claim to be alternatives are actually net widening.

In small groups, discuss one of the following program models and decide whether it is a true alternative or net widening.
Definition of an alternative-to-incarceration program

- A program is a true alternative to incarceration if the program is the reason the young person is not incarcerated, or in other words, if not for the program, the young person would remain incarcerated or be incarcerated.
5.3

Diversion

- Definition of Diversion Program
  - A program is a true diversion program if participation in the program prevents a young person from advancing deeper into the justice system as a result of participating in the program. In other words, had they not had the opportunity to participate, they would have been advanced to the next stage of justice system processing.
Salem Anger Management Program

- A 13-year old boy is charged with assault for a fight at school. He is arrested and taken to Juvenile Court for his Intake Interview. The Intake Worker believes the offense to be a relatively minor infraction and believes the case can be adjusted. The complainant (other boy in the fight) and his parents agree to adjustment. The Intake Worker believes that the boy would benefit from an anger management class and mentoring. She calls a faith-based program in Salem that offers anger management, but they say they only take youth as a condition of Probation Diversion, so she makes completing the course a condition of diversion. Is this a diversion or net widening?
A 13-year old boy is charged with assault for a fight at school. He is arrested and taken to Juvenile Court for his Intake Interview. The Intake Worker believes the offense to be a relatively minor infraction and believes the case can be adjusted. However, the complainant (other boy in the fight) and his parents won’t agree to adjustment. The Intake Worker reaches out to a program in Clinton that conducts mediation between victim and offenders as a condition of pre-court Diversion. They convince the complainant to consent to adjustment if the respondent will agree to participate in the victim offender-mediation session. The Probation Officer makes satisfactory completion of the process a condition of adjustment. Is this diversion or net widening?
A 16-year old boy is charged with assault and robbery for taking a 45-year old woman’s IPhone at knife point. The prosecutor is pushing for a 3-year prison sentence while the defense attorney is asking for probation. The judge is leaning towards a 6/5 split which is six months incarcerated, followed by five years probation. The judge may consider foregoing the jail time if he participates in a year-long intensive supervision community-based program. The Greenville ATI program offers to provide 12 months of intensive supervision, which in addition to counseling, case management, and group therapy includes curfew checks, school attendance monitoring, and monthly reports back to the courts. Is this diversion or net widening?
Franklin Young Offender Program

- A 16-year old boy is charged with assault and robbery for taking a 45-year old woman’s IPhone at knife point. The prosecutor is willing to allow for probation on the condition that the boy be in an intensive community supervision program for six months. The Franklin Young Offender program offers to provide a minimum of twelve months of intensive supervision, which in addition to counseling, case management, and group therapy includes curfew checks, school attendance monitoring, and monthly reports back to the courts. Is this diversion or net widening?
A 12-year old boy is picked up by the police for shoplifting. It his first offense. He stole a pack of gum from a candy store. In Fairview, first time petty larceny is usually diverted from court by Probation. However, the arresting officer brings the youth to an arrest diversion program that will require him to complete a year of counseling and attendance at an afterschool program. If he fails to complete the program, he will automatically be adjudicated delinquent. Is this diversion or net widening?
A 16-year old boy has been cited for multiple failures to comply with the court-ordered conditions of his Probation, including a positive toxicology on a drug test, two curfew violations, six days truant, and failure to attend counseling. His Probation Officer files for a violation of Probation. His Probation Officer files for a Violation of Probation which normally results in commitment to a facility. At the violation hearing, the judge orders the young man to the Asbury Park Community Intervention Coaching program as a last resort before commitment. If the program can motivate the young person to comply with the conditions of Probation, the judge will hold out on out-of-home placement. Is this diversion or net widening?
Reflection

- Is the program I am operating – or thinking of operating – a true diversion program, or a net widening one? If it is net widening, how can I make it a true alternative program?
Community Programs Revisited

- Net widening *harms* young people and creates unnecessary mechanisms of social control.

“*BUT YOUTH NEED SERVICES!!!!*”
CCFY Recommends...

This underscores the need for programs that provide:

- Long-term SERVICES
- Short-term SUPERVISION
- Or even NO MANDATES AT ALL