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Data Resources Program

Evaluation of Utah's Early Intervention Mandate: Juvenile Sentencing Guidelines and Intermediate Sanctions, 1996–2000

ICPSR 3502

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John DeWitt, Edward C. Brynes, and
Amanda Barusch

Data Collection Instruments for Parts 2-6



Inter university Consortium for Political and Social Research

Evaluation of Utah's Early Intervention Mandate:
Juvenile Sentencing Guidelines and Intermediate Sanctions,
1996-2000

(ICPSR 3502)

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REQUEST FOR INFORMATION ON USE OF ICPSR RESOURCES

To provide funding agencies with essential information about use of archival resources and to facilitate the exchange of information about ICPSR participants' research activities, users of ICPSR data are requested to send to ICPSR bibliographic citations for each completed manuscript or thesis abstract. Please indicate in a cover letter which data were used.

DATA DISCLAIMER

The original collector of the data, ICPSR, and the relevant funding agency bear no responsibility for uses of this collection or for interpretations or inferences based upon such uses.

DATA COLLECTION DESCRIPTION

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Evaluation of Utah's Early Intervention Mandate: Juvenile Sentencing Guidelines and Intermediate Sanctions, 1996-2000 (ICPSR 3502)

SUMMARY: This study was an evaluation of changes initiated by the State of Utah to reduce youth crime: a program of early intervention comprised of Juvenile Sentencing Guidelines and a new intermediate sanction called State Supervision. Together, the Sentencing Guidelines and State Supervision sanction were designed to bring about a reduction in juvenile recidivism rates and subsequently reduce the number of offenders placed out of the home in the custody of the Division of Youth Corrections by 5 percent. Researchers combined quantitative measures of sentencing guidelines compliance and recidivism rates with qualitative interviews of juvenile justice system personnel and youth offenders. Data were gathered on all offenders receiving a sentence to probation for the first time from January to June during 1996 and 1999, enabling a comparison of offenders before and after program implementation (Part 1, Juvenile Information System Data). Part 1 data include demographic data, prior charges, age at start of probation, detention use, reoffense, and commitment to Youth Corrections. Interviews with 168 court and corrections personnel were conducted in two interview rounds, from June to December 1999, and again from July to September 2000, soliciting their views of the sentencing guidelines, state supervision, and probation (Parts 2-3, Juvenile Justice System Personnel Interviews, Rounds 1 and 2). Interviews with 229 youth offenders obtained information on their involvement with and views of the sentencing guidelines, state supervision, and probation during a single interview in either the first or second round (Parts 4-5, Youth Offender Interviews, Rounds 1 and 2). A random sample of paper case files for pre- and post-guideline offenders was selected to analyze changes in contact and interventions provided (Part 6, Youth Offender Case File Analysis). These files were examined for documentation of contact frequency and type with offenders and their families and the number and types of programs used.

UNIVERSE: Youth offenders and juvenile justice system personnel in the state of Utah from 1996-2000.

SAMPLING: Purposive sampling (Miles and Huberman, 1994) was employed to create a qualitative sample that adequately reflected the wide range of persons involved in the new program and in each geographical area. Study participants were chosen as follows: All permanent judges, trial court executives, and chief probation officers in the state of Utah were solicited to participate due to the centrality of their contributions to the new program. All probation officers who specialized in provision of State Supervision services and program providers were solicited for participation to ensure a complete description of State Supervision programs. Forty percent of all full-time intake and probation officers in each judicial district and assistant regional directors and case managers in each correctional region were solicited for participation. These participants were chosen at random from a list provided by the chief probation officer in each court district and the central administration of the Division of Youth Corrections, respectively. Additionally, a list of prosecutors and defense attorneys provided by each chief probation officer was used to randomly solicit participation from one person in each category in each judicial district. Finally, interviews were sought from five offenders on each participating field or State Supervision probation officer's caseload. These offenders were randomly chosen from a list provided by the officer. Participants were recruited using the following protocol: The head of each agency sent a letter to employees of the agency requesting accommodation of the evaluation. Informed consent was obtained from all adult participants and parents or guardians of minors. Case files for 10 percent of offenders receiving a sentence to probation for the first time in the first six months of 1996 (n = 87) and 1999 (n = 110) and 10 percent of first-time State Supervision offenders in 1999 (n = 45) were selected. Forty-three percent of files were unable to be located, resulting in a total sample of 122 files.

NOTE: (1) Due to the high number of youth offender case files that could not be found and the low number of files obtained that contained sufficient offender and family contact information, the researchers did not conduct an analysis of the paper case files. Self-reports from offender interviews were substituted. (2) The user guide, codebook, and data collection instruments are provided by ICPSR as Portable Document Format (PDF) files. The PDF file format was developed by Adobe Systems Incorporated and can be accessed using PDF reader software, such as the Adobe Acrobat Reader. Information on how to obtain a copy of the Acrobat Reader is provided on the ICPSR Web site.

RESTRICTIONS: Data from Parts 2-6 are restricted from general dissemination. Users interested in obtaining these data must complete a Data Transfer Agreement Form and specify the reasons for the request. A copy of the Data Transfer Agreement Form can be requested by calling 800-999-0960 or 734-647-5000. The Data Transfer Agreement Form is also available as a Portable Document Format (PDF) file from the NACJD Web site at <http://www.icpsr.umich.edu/NACJD/Private/private.pdf>. Completed forms should be returned to: Director, National Archive of Criminal Justice Data, Inter-university Consortium for Political and Social Research, Institute for Social Research, P.O. Box 1248, University of Michigan, Ann Arbor, MI 48106-1248, or by fax: 734-647-8200.

EXTENT OF COLLECTION: 6 data files + machine-readable documentation (PDF) + SAS data definition statements + SPSS data definition statements

EXTENT OF PROCESSING: REFORM.DATA/ REFORM.DOC/ DDEF.ICPSR/CDBK.ICPSR

DATA FORMAT: Logical Record Length with SAS and SPSS data definition statements (Part 1), inap. (Parts 2-6)

Part 1: Juvenile Information
System Data

File Structure: rectangular

Cases: 2,061

Variables: 78

Record Length: 195

Records Per Case: 1

Part 2: Juvenile Justice

Personnel Interviews, Round 1

Record Length: 61

Part 3: Juvenile Justice
Personnel Interviews, Round 2

Record Length: 61

Part 4: Youth Offender

Interviews, Round 1

Record Length: 60

Part 5: Youth Offender
Interviews, Round 2

Record Length: 60

Part 6: Youth Offender Case

File Analysis

Record Length: 60

RELATED PUBLICATIONS:

Van Vleet, Russell K., Matthew J. Davis, John DeWitt, Edward C. Brynes, and Amanda Barusch. "Evaluation of Utah's Early Intervention Mandate: The Juvenile Sentencing Guidelines and Intermediate Sanctions" (Final Report). NCJ 197047. Washington, DC: U.S. Department of Justice. National Institute of Justice, March 2002.

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ICPSR NOTES

ICPSR replaced the original values for JIS ID Number in Part 1 and Part 6 with sequentially-assigned values for reasons of confidentiality. Part 1 and Part 6 data files do not link.

The original filenames for Part 4 and Part 5 indicated the round of the interview. The file identified as Round 1 contained completed questionnaires indicating "Round 2". The file identified as Round 2 contained no indication from which round the data were obtained. ICPSR used the internal identification when assigning the file and part names.

Original Documentation Supplied by Principal Investigator
[Available only in PDF version]

APPENDIX A

Description of Utah's System

The Utah Board of Juvenile Justice

The board was an initiative of the Utah Sentencing Commission whose primary mission is to look at juvenile justice. The board is made-up of 21 appointees from a variety of professions involved with the juvenile justice system. The board and commission are under the Executive branch of the Utah State government.

Juvenile Court

Utah's Juvenile Court system is a unified state-level system divided into eight districts. A board of juvenile judges has the responsibility for the overall operation of the court and is charged with the formulation of policies and procedures. Local administration for each district includes the court judge(s), a trial court executive, and chief probation officer(s). The court is charged with administering the Other Sanctions, Probation and in-home portion of the State Supervision sanctions.

Division of Youth Corrections

The Division of Youth Corrections is under the Executive branch of the Utah State government. The division is divided into three separate regions throughout the 29 counties of Utah. Local administration for each region includes a regional administrator and assistant regional administrator(s). The division is charged with administering the Secure Care, Community Placement, and out-of-home portion of State Supervision Sanction.

APPENDIX B

Description of the Sentencing Guidelines

The following description of the guidelines was compiled from the Sentencing Guidelines Manual produced by CCJJ to assist in training justice personnel on their intended use. From the viewpoint of the Sentencing Commission, as expressed in the sentencing manual, juvenile sentencing should focus on the particular circumstances of each criminal episode, offender, and victim. The guidelines are divided into two major parts: a 50-cell matrix of presenting offense by criminal history and a list of aggravating or mitigating override factors (see Figures B.1 and B.2). Criminal charges are grouped using an episode system. The Sentencing Guidelines Manual defines an episode as “all conduct which is closely related in time and is incident to an attempt or an accomplishment of a single criminal objective” (Commission on Criminal and Juvenile Justice, 1997, p.2). A guidelines recommended sentence is obtained by computing the presenting offense severity and the criminal history. The intersection of these two factors is a cell on the matrix that falls within the recommended sanction.

Description of the Continuum of Sanctions

Covering the continuum of interventions available in the juvenile justice system, offenders can be sentenced to five different sanctions:

Other Sanctions- The least intrusive sanctioning option available is composed of sentences for fines, restitution, and work hours.

Probation- The guidelines were structured to recommend probation earlier than previously with the objective to intervene earlier in an effort to halt further criminal development. Under the guidelines greater numbers of youth will enter probation with fewer previous offenses.

State Supervision- This sanction is a new sentencing option created alongside the guidelines. It was designed as an intermediate sanction to fall between probation and community placement. As mentioned in the introduction, this sanction was intended to deliver an intensified level of intervention for those juveniles who need more than regular probation service without removing them from the home. Most youth in this sanction are under the care of the Juvenile Court, although the Division of Youth Corrections and Division of Child and Family Services have responsibility for these youth if a short-term placement is needed.

Community Placement- This sanction comprises a continuum of residential and nonresidential services. Possible placements include work programs, proctor care, wilderness programs, group homes, and specialized programs focusing on sex, mental health, and substance abuse offenders.

Secure Facility- This sanction is the most intrusive sentencing option available under the current guidelines. The guidelines are structured to limit this sanction to the most serious offenders from whom the community needs protection.

FORM 1 JUVENILE SENTENCING GUIDELINES

These are guidelines only. They do not create any right or expectation on behalf of the juvenile.

Figure B.1 Juvenile Sentencing Guidelines Matrix

Criminal Episode History Assessment

I	0 to 3 Misdemeanor Episodes <i>or</i> 0 Felony Episodes
II	4 to 5 Misdemeanor Episodes <i>or</i> 1 Felony Episode
III	6 to 7 Misdemeanor Episodes <i>or</i> 2 to 3 Felony Episodes
IV	8 or More Misdemeanor Episodes <i>or</i> 4 Felony Episodes <i>or</i> 1 Person Felony Episode <i>or</i> 1 Firearm Felony Episode
V	5 or More Felony Episodes <i>or</i> 2 or More Person Felony Episodes <i>or</i> 2 or More Firearm Felony Episodes <i>or</i> Any Felony After Community Placement (Including Presenting Offense)

Disposition Assessment

Presenting Episode Severity

		A	B	C	D	E	F	G	H	I	J	
		1st Degree Person Felony	2nd Degree Person Felony	3rd Degree Person Felony	1st Degree Property Felony	1st Degree Public Order Felony	2nd Degree Property & Public Order Felony	3rd Degree Property & Public Order Felony	Class A Misdemeanor	Class B Misdemeanor	Class C Misdemeanor	
Criminal Episode History	V	SECURE FACILITY							Drug Related		Not Drug Related	
	IV											
	III	COMMUNITY PLACEMENT							Drug Related		Not Drug Related	
	II											
	I	PROBATION							Drug Related		OTHER SANCTION	

Sentence Suggested By Matrix: _____

Aggravating Circumstances (list number if applicable): _____

Mitigating Circumstances (list number if applicable): _____

Sentence Recommended: _____

Actual Sentence Imposed: _____

Figure B.2 List of Aggravating and Mitigating Factors

Aggravating Factors

Extreme Cruelty: Those facts surrounding the commission of a violent felony demonstrate such callousness and cruelty towards the victim as to shock the conscience of the Court.

Prior Violent Delinquent Conduct: Defendant has demonstrated by prior history of delinquency, a propensity for violent, delinquent conduct.

Repetitive Delinquent Conduct:

Repetitive Delinquent Conduct is adjudication for the same or similar offense on two or more previous, separate occasions or a gross number of prior offenses

Need for Secured Treatment: The Juvenile Offender is in need of rehabilitative treatment which can be most effectively provided in secured confinement.

Undo Depreciation of Offense: It would unduly depreciate the seriousness of the offense to place the juvenile in unsecured confinement.

Victim Suffered Substantial Injury or Monetary Loss: (1) The offense involved actual or attempted money loss substantially greater than typical for the offense; (2) The offense caused substantial physical or psychological injury to the victim.

Prior Abuse of Victim: On prior occasions, the offender has harassed, threatened, or physically abused the victim of the current offense.

Custody Status at the Time of the Offense: The offender was in the custody of the Division of Youth Corrections at the time the offense was committed.

Lack of Remorse/Undue Appreciation of Offense: The juvenile has demonstrated a total lack of remorse, an undue appreciation of the charge, or a lack of acceptance of responsibility with regard to the offense.

Supervision to Monitor Restitution: A long period of supervision is necessary to monitor the offender's restitution responsibilities.

Lack of Amenity (Cooperation) with Lesser Sanctions: The offender has demonstrated a lack of cooperation with lesser restrictive sanctions through violation of a prior or current period of probation.

Vulnerability of Victim: The offender knew, or should have known, that the victim was particularly vulnerable or incapable of resistance due to extreme youth, advanced age, disability, or ill health.

Juvenile Used Weapon: The juvenile used a weapon during the commission of an offense.

Prior Delinquent Adjudications in Other States: The juvenile has been adjudicated delinquent by other states.

Lack of Attendance/Participation in Educational Programs: The Juvenile has failed to attend or participate in school or other appropriate programs at the time of the delinquent acts and said failure was without proper excuse.

Probation Violations, Contempt, Etc.: The juvenile has probation violations, contempt orders, or non-judicial actions that should be considered.

Previously Qualified for a More Severe Sanction: The juvenile has previously qualified for a particular disposition, then re-offended with a recommendation of lesser severity than the original disposition.

Other:

Mitigating Factors

Victim Participation: To a significant degree, the victim was an initiator, willing participant, aggressor, or instigator of the incident.

Voluntary Redress or Treatment: Before adjudication the offender compensated, or made a good faith effort to compensate the victim of the delinquent conduct for any damage or injury sustained, or before adjudication, the offender voluntarily sought professional help for drug/alcohol treatment, or any other recognized compulsive behavioral disorders related to the offense.

Under Duress: The juvenile committed the offense under duress, coercion, emotional distress, threat or compulsion insufficient to constitute a complete defense but which significantly affected his or her conduct.

Inducement by Others: The offender, with no apparent predisposition to do so, was induced by others to participate in the delinquent act.

Physical/Mental Impairment: The offender, because of physical or mental impairment, lacked substantial capacity for judgement when the offense was committed. The voluntary use of intoxicants (alcohol or other drugs) does not fall within the purview of this circumstance.

Concern for Victim by Non-Principal: The offense was principally accomplished by another person and the offender manifested extreme caution or sincere concern for the safety or well being of the victim.

No Prior Adjudications: The juvenile has no prior adjudications.

Treatment Needs Exceeds Need for Punishment: The offender is in greater need of an available treatment program than of punishment through incarceration.

Assistance to the Prosecution: Offender rendered substantial assistance to authorities in the investigation and/or prosecution of this or other offenses or crimes.

Mental Retardation: (1) The offender is "significantly sub-average in general intellectual function (usually interpreted as an IQ score of 70 or less); and (2) "bias deficits in adaptive behavior" (has sufficient life skills to get along without constant assistance from others); and (3) "manifested the above handicaps during the developmental period".

Other :

Instructions for inputting interview data:

*Use codes to save time entering the data. If answer doesn't fit any code, type out entire response. Codes will usually be first letter of each word in the answer.

*Enter all the answers to each question in the order they appear on the form.

*Highlight each question or part of question NOT entered into the computer.

*Type in additional comments on any yes/no or forced answer questions in the same field.

*Use only lower case.

*When entering a code do not put spaces between the letters because it will screw up searching for that code.

*If question is not filled out either put dna or unk (whichever code is appropriate).

Don't leave blank!

*Use the summary at the end of the interview to correct/add information on previous questions.

*When the interview contains an answer pertaining to one of the following specific codes and the answer is not part of a question asking about these codes, *then* apply the highlighter that matches the answer topic:

*When inputting any #'s put space after field bracket or else the computer ignores the #.

*Italicized = helpful hints for coding

Theme

Guidelines +

Guidelines -

State Supervision +

State Supervision -

(This will apply mostly to the summary at the end of the interview, notes in the margin or comments on the yes/no questions.)

Highlighter

Dark Green

Dark Red

Blue/Green

Bright Red

Qualitative Codes for Round One:

Answer

All have baseline

Appropriate

Because

Behavior

By compliance

By needs

By suspicion

Call if problems

Chemical Dependency

Community Center

Computer vs. hand-calculated

Continued criminal activity

Day

Don't care

Code

ahb

a

b/c

beh

bc

bn

bs

callifprob

cd

cc

chc

cca

day

dc

Did not ask	dna
Different programs used	dpu
Dollars	\$
Don't know	dk
Early or earlier intervention	ei
Every	q
Family counseling	fcx
Family situation	fs
Field	f
High	h
History	hx
House arrest	ha
How to count episodes	htoce
Increased consistency	ic
Increase fairness	if
Increase structure	is
Increased structure of decision-making	sdm
Increase uniformity	iu
Individualize	ind
Intake	i
It is happening like that	itis
Left up to the school	school
Length of time between offenses	tbo
Low	l
Mandatory treatment	mt
Medium	m
Money	\$
More info leads to better decision-making	mibd
More intensive supervision	mis
More money	mm
Need more resources available	nmra
Never	ne
No	n
No difference	nd
None or 0	none
No previous services	nps
No treatment	nt
Number of bracelets	(#) b
Often	o
Orientation	orient
Other:	o: (then type response)
Overly intrusive	oi
Parole officer initiates	parole
Positive	pos
Probation	pro
Probation violations/contempt	pvc
Problems for P.O. precourt recommendation	prerecpro
Program	p
Protective factors	pf
Random	ran
Rarely	r
Risk factors	rf
Sanction level	sl
School situation	schs
Severity of the crime	sofc
Somewhat	s

Sometimes	st
State Supervision	ss
Substance abuse	sa
Tested for dependency	tford
Time between offense	tbo
Too lenient	tl
Training tool	tt
Treatment/Counseling	tx
Treatment needs	tn
Week	wk
With	w/
Unknown	unk
Voluntary	v
Very often	vo
Yes	y

Adult Round 1 Computer Entry Template

ID#[]

Interview round 1

Introduction

Specialized caseload?

Intake Field State Supervision Other: []

How long have you been employed as a P.O.? []

Guidelines

Describe your sentencing philosophy? []

Considering the following four statements, what is the order of their importance for the youth with whom you work?

1 ----- 4 []

Least Important Most Important

____The youth I see need psychotherapy or psychotherapeutic medication.

____The youth I see need educational or vocational training.

____The youth I see need to be held responsible for their actions.

____The public needs to be protected from the youth I see.

Comments: []

Is there another major area that the youth you see need help with that isn't covered by the statements above? Yes No []

If yes, what? [] [y] [n]

Have the guidelines helped you in your work with juveniles? Yes No []

If yes, how? [] [y] [n]

Has the experience of a juvenile in the system changed due to the implementation of the guidelines? Yes No []

Why or why not? [] [y] [n]

Does it appear to you that judges, probation officers, prosecutors, defense attorneys, youth and their parents have a knowledge of the guidelines and their purpose?

Do the guidelines appear to be considered by judges, probation officers, prosecutors and defense attorneys when deciding or recommending a sanction?

Have knowledge of the guidelines: Consider the guidelines:

Yes	No	Don't Know	Yes	No	Don't Know
[y]	[n]	[dk]	[y]	[n]	[dk]
Judges	[]		[]		
Probation Officers	[]		[]		
Prosecutors	[]		[]		
Defense Attorneys	[]		[]		
Youth and Parents	[]		[]		
Comments:	[]				

Are there areas of the guidelines that are or were confusing? Yes No []
If yes, what areas? [] [y] [n]

How have these confusions been resolved? []

Are there areas of the guidelines that seem to have problems? Yes No []
If yes, what areas and what are the problems? [y] [n]
Area: Problem:
[]

Should the way in which contempt charges are handled by the guidelines be changed? Yes No []
[y] [n]

Would you support making separate programs for these youth? Yes No []
[y] [n]

Would you support adding contempt points to the guidelines so that once a youth has a predetermined number of contempt of courts, the guidelines would recommend placement in a more restrictive level? Yes No []
[y] [n]

Comment: []

Are the sanctions recommended by the guidelines, on average:
overly intrusive appropriate too lenient? []
[oi] [a] [tl]

The 1999 Legislative Auditor's report on the Juvenile Justice System states "Although Utah uses a set of sentencing guidelines to determine the level of intervention, the sentencing guidelines do not account for all factors normally considered when deciding the specific type of intervention a juvenile should receive." Do you agree with this statement? Yes No []
[y] [n]

If yes, what factors do the guidelines not address that are needed in deciding a sanction level? []

Risk factors [rf]

Protective factors [pf]

Substance Abuse [sa]

School Situation [schs]

Family Situation [fs]

Others: [o:]

The sentencing guidelines were developed within the context of offending histories, meaning juveniles would be placed in a particular sanction level based only on the crimes they have committed. Risk and needs assessments were purposefully excluded because the policy makers believe these factors are more appropriately administered during treatment and release planning. Do you agree with this approach? Yes No []
Why or why not? [] [y] [n]

What effect have the guidelines had on charge filing? []

What effect have the guidelines had on plea bargaining? []

(J)Do you usually look at the guidelines before sentencing a case? Yes No []
[y] [n]

(J)Are the guidelines attached to the cases you are sent? Yes No []
[y] [n]

(J)Does the authority recommending a sentence usually provide you with a sanction that is guidelines based? Yes No []
[y] [n]

(J)Do you consider the guidelines an intrusion into or attempt to control your discretionary powers? Yes No []
[y] [n]

Why or why not? []

(J)In general, how often are your sentences dictated by available placement?
Very often Often Sometimes Rarely Never []
[vo] [o] [st] [r] [ne]

(J)How often do you recommend a particular program for the youth, rather than a general sanction level?

Very often Often Sometimes Rarely Never []
[vo] [o] [st] [r] [ne]

In your opinion, how often do your recommendations deviate from the guidelines?

Very often Often Sometimes Rarely Never []
[vo] [o] [st] [r] [ne]

What are the most common reasons? []

(J)In your opinion, how often do your recommendations deviate from staff recommendations?

Very often Often Sometimes Rarely Never []
[vo] [o] [st] [r] [ne]

What are the most common reasons? []

Considering the list of aggravating and mitigating circumstances provided with the guidelines, are there aggravating and mitigating circumstances that do not appear on the list but should?

Yes No []
[y] [n]

If Yes, what are they? []

Are there particular aggravating factors that would lead you to deviate from the guidelines in most cases? []

Are there particular mitigating factors that would lead you to deviate from the guidelines in most cases? []

(P.O.)When recommending a sentence to a judge do you suggest a particular program or only a particular sanction level? Program Sanction Level
Other: _____ []

(Pro/Def)What criteria do you use to decide which programs to recommend a youth be placed in? []

(P.O.)In general, how often are your recommendations dictated by available placement?

Very Often Often Sometimes Rarely Never []
[vo] [o] [st] [r] [ne]

In your opinion, how often do judges deviate from your placement recommendations?

Very Often Often Sometimes Rarely Never []
[vo] [o] [st] [r] [ne]

What are the most common reasons they do this? []

What barriers have you seen in the implementation of the guidelines?
None Other: []

How could the guidelines be improved?

Don't know Other: []
[dk] [o:]

Early Intervention Programming

Can you provide two correction/treatment plans for youth who are currently on your caseload?

Yes, attached to interview No, _____ []

What new programs have your district started since the guidelines were implemented? []

What type of program is this? []

How long have these programs been available to use? []

Do these programs appear to be effective programs? []

Name of Program Type Length Used Effectiveness

Not at all-----Extremely

1-----5

1[][][][]

2[][][][]

3[][][][]

4[][][][]

5[][][][]

6[][][][]

7[][][][]

How were these programs chosen? []

Why were these programs chosen? []

How do you decide what program to place a youth in? []

Do you have specific criteria for what kind of youth each program accepts?

Yes No []

[y] [n]

Can you provide a copy of the following materials:

Yes, attached No, because... []

Orientation materials for youth on probation []

Orientation materials for youth on State Supervision []

Form used to make correctional plan for youth. []

Levels of probation and their requirements []

List of programs you are currently using for probation and State Supervision
(mark which are for each sanction) []

Information on how probation was set-up in 1996: []

Research has reported that a small percentage of youthful offenders are responsible for the majority of serious and violent crime. Do you have programs or interventions targeted towards these youth before they are entrenched in the system? Yes No []

[y] [n]

If yes what are the programs? []

If yes, how are these offenders identified? []

Do you measure program effectiveness? Yes No []

If yes, how? [] [y] [n]

Do you use a formal assessment form to evaluate each youth's risks? Yes No []

If yes, can you provide a copy? [y] [n]

Yes, attached to the interview No, _____ []

Do you use a formal assessment form to evaluate each youth's needs? Yes No []

If yes, can you provide a copy? [y] [n]

Yes, attached to the interview No, _____ []

Do you give your probation officers specific selection criteria for each program? []

Yes No

[y] [n]

If yes, can you provide a copy?

Yes, attached to interview No, _____ []

What is your district's current average caseload per probation officer? []

<12 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 >35

How has your caseload changed since the implementation of the guidelines?

[]

What is your current caseload? []
6-10 11-15 16-20 21-25 >25

What are the levels of supervision you place youth into while on probation?
[]

How do you decide which youth on probation need the most intensive supervision?
By compliance [bc] Other: []
[bc] [o:]

How often do you or the youth's tracker contact youth on each level:
face to face?
by telephone?
Level Face to face Telephone
[]

[]

[]

[]

What proportion of your contact time with youth is spent outside your office?
[]

How do you involve the youth's family during probation? []
Orientation [orient]
Call in if problems [callifprob]
Family counseling [fcx]

How often do you drug screen your probationers?
All have Baseline Other: []
[abh] [o:]

What happens if a juvenile tests positive for drugs?
Mandatory Treatment No Treatment Tested for dependency Other: []
[mt] [nt] [tford] [o:]

How do you handle probationers who have been expelled or suspended from school?
[]

Do you have a referral procedure for probationers who are doing poorly in school
so that they will be tested for learning disabilities? Yes No []
[y] [n]

If yes, how does it work?
Parole officer initiates [parole]
Left up too school [school]
[]

What proportion of your probationers are included in work crews? []

How many times per week? []
1 2 3 4 5

Are your probationers involved in electronic monitoring? Yes No []
[y] [n]

State Supervision

How is State Supervision set up in your district? []

What do you think about the State Supervision category in terms of it's usefulness? []

How are state supervision programs differentiated from probation programs?

State Supervision is/has: more money [mm] more intensive supervision [mis] different programs used [dpu]

Other: []

What are the levels of supervision you place youth into while on State Supervision? []

How do you decide which youth on State Supervision need the most intensive supervision?

By compliance Other: []

How often do you or the youth's tracker contact youth on each level:

face to face?

by telephone?

Level Face to face Telephone

[]

[]

[]

[]

How do you involve the youth's family during state supervision?

Orientation [orient]

Call if problems [callifprob]

Family Counseling [fex]

[]

How do you decide when it is time to move a youth from state supervision carried out in the youth's home to state supervision carried out in a community placement?

Continued criminal activity [cca] Probation violations/contempt [pvc] Treatment Needs [tn]

Other: []

Are there problems transferring a youth who on is state supervision between

Youth Corrections and the Juvenile Court? Yes No []

[y] [n]

If yes, what are the problems? []

What barriers have you seen in implementation of the state supervision sanction?

[]

How could state supervising programming or probation be improved? []

Conclusion

What is your overall impression of the guidelines' and program changes' impact on the system?

[]

I have no further questions. Do you have anything you would like to add? Yes No

[]

Do you have any questions concerning the study? Yes No []

[y] [n]

Do you want to be contacted with the results of the study? Yes No Don't Care []

[y] [n] [dc]

Interviewer Observations

Summary Observations

on the guidelines: []

on probation: []

on state supervision: []

other: []

Unusual occurrences or problems []

Openness to interview: High Medium Low []

[H] [M] [L]

Interviewee reliability overall: High Medium Low []

[H] [M] [L]

Reliability problems on specific questions: []

Other persons present? Yes No

[y] [n]

If yes, who? []

Adult Round 2 Computer Entry Template

ID # [ID # from 1st round (found in SPSS) then add b to show it is the 2nd round.]

Guidelines

Eighty-four percent of participants stated that the guidelines have helped in their work with juveniles. The three most common reasons respondents gave for the helpfulness of the guidelines included: Because they increase the uniformity, fairness and consistency of the juvenile system; structure decision making during the sentencing process and give a starting point or baseline to which an individual offender can be compared. One probation officer contrasted sentencing before and after the guidelines by stating, "Before the sentencing guidelines we just pulled [sentences] out of a hat." A rural chief probation officer characterized the usefulness of the guidelines as, "Now we are playing off the same sheet of music."

Comments: []

In addition to reporting a high level of use for the guidelines among probation staff, 83% of the judges who were interviewed reported that a guidelines based sentence recommendation is attached to most of the cases which they hear. Further, 16 of the 22 judges that we interviewed stated that they do not consider the guidelines an attempt to control their discretionary powers.

Does this seem accurate to you? Yes No []
[y] [n]

Why or why not? [Every sentence in our court is matrix based.]

The interview results currently support the view that, while the guidelines are considered helpful by most of the persons we interviewed, applying them to actual cases is more problematic (difficult). Three problems arose consistently during our first round of interviews.

1- How to apply the guideline's definition of an episode is confusing for some people.

Would you agree? Yes No []
[y] [n]

Why or why not? []

2- The computer software designed to assist in obtaining the recommended sanction level is perceived by a substantial number of persons as confusing or inaccurate.

(P.O. only) Some even mentioned that they calculate a sentence by hand in order to check the computer's accuracy. Do you see the computer program as having problems? Yes No []

[y] [n]

Why or why not? []

3- The plea negotiation process was also listed as interfering with the guidelines use when dropped offenses change the recommended sanction level. (For example the youth should have gone to State Supervision but because of dropped charges now qualifies only for probation.) Some probation officers felt plea bargaining made it so many sentence recommendations were calculated "on the fly" during the adjudication hearing. In some areas the process didn't appear to be a problem because there was communication with the prosecutors before court on what charges would likely be dropped.

Is this a problem? Yes No []

[y] [n]

Why or why not? []

When aggravating or mitigating factors are used to change a sanction level, 90% are due to mitigating factors. Yet most respondents think the guidelines are helpful because they provide harsher sentences (or earlier intervention) and some desire even earlier intervention. These two findings appear paradoxical to us.

What do you think? In your view why is this the case (why do you think this occurs)?

[]

Do you think that people in the system are using the guidelines differently now than when they were first implemented? Yes No []

[y] [n]

Why or why not? []

How could the guidelines be improved?

Don't know Other: []

[dk]

State Supervision

When asked if the State Supervision sanction has been a useful innovation, study participants responded twice as often with positive over negative responses.

Respondents who view the State Supervision sanction as a positive innovation expressed four common reasons.

- 1- State Supervision is viewed as a needed sanction level, one that adds a necessary step between probation and Youth Corrections.
- 2- Funding accompanying the sanction's creation have allowed for increased staff and subsequently lower caseloads. One probation officer characterized this change by stating "[it is] as different as night to day."
- 3- The programs created for State Supervision are viewed as effective at keeping kids out of Youth Corrections.

Comments: []

A substantial number of participants, however, disagreed with the above views. These participants viewed State Supervision as a negative development.

1- These respondents felt one reason was because it is an unnecessary creation that created confusion and problems for the juvenile justice system. Some of these respondents stated the sanction is confusing because it is shared among three agencies. A probation officer expressed his frustration over this issue when stating, "there is overlap between Youth Corrections and juvenile court ...[and] DCFS [Division of Child and Family Services] doesn't even know what [State Supervision] is!" Over three-fourths of our study participants do not feel there are problems transferring a youth between juvenile court and youth corrections while on State Supervision.

Do you feel there are problems sharing one sanction between agencies? Yes No []
[y] [n]

Why or why not? []

(Judge only) how do you decide when it's necessary to move a youth from Juvenile Court State Supervision to Youth Corrections State Supervision? []

2- Another reason given by respondents who viewed State Supervision negatively was a lack of administrative and legislative direction on how to implement the sanction. Participants stated they were confused over both the purpose of the State Supervision sanction and the 'nuts and bolts' of setting up the program. Speaking on the purpose of the sanction, a chief probation officer complained he had "no available exact definition of [what] State Supervision is."

Comment: []

Some participants did not see "a real difference" between State Supervision and probation. They complained that the funding is "not going to new programs but to old programs and capital improvements."

What do you think about this view? []

State Supervision programs appear to have been implemented by either creating the services using court personnel or by contracting with outside providers. Many chief probation officers appeared to encounter a difficult learning curve during this process because the juvenile court historically has been a service broker not a provider. A rural chief probation officer explained this process as a paradigm shift which involved learning to create and manage in-house or

contracted programs. This chief talked about the difficulty in creating even a “decent” Request for Proposal form without having the benefit of past experience. The pressure of this learning curve was further increased under the short implementation time line established by the legislature.

Comments: []

In our analysis of the first round of interviews, more positive responses towards State Supervision were found in districts which had developed a well-defined, standard State Supervision program. These programs usually consist of youth who are on State Supervision attending a set daily program after school for several hours, have probation officers with State Supervision only caseloads and include a counseling component. In districts where this type of program existed, 91% of respondents viewed State Supervision as a positive innovation compared to 42% in districts without this type of program. Please look over this table and tell me, as far as you know if it accurately represents the State Supervision sanction in your district.

Comments: []

Have you (or your district) made changes to the State Supervision program since last time we interviewed you? Yes No []

[y] [n]

If yes, what? []

What do you currently think about the State Supervision sanction in terms of its usefulness?

[]

What unique challenges has your area faced when creating the State Supervision sanction?

(How is it different implementing State Supervision in this area as opposed to other areas in your district or other districts?) []

How could State Supervision programming be improved? []

Conclusion

Overall (all things considered), after working with the guidelines and State Supervision sanction for sometime now, would you say the guidelines they have helped in your work with Juveniles?

Guidelines Yes No []

[y] [n]

State Supervision Yes No []

[y] [n]

Interviewer Observations

Summary Observations

on the guidelines: []

on state supervision: []

other: []

Unusual occurrences or problems

[]

Interviewee reliability overall: High Medium Low []

[H]

[M]

[L]

Other persons present? Yes No
[y] [n]

If yes, who?
[]

Youth Interview Template Round 2 (use all lower case)
ID # [ID# from SPSS]

Introduction

What is your ethnic (race) background? Caucasian Native American Hispanic Other []
[c] [na] [h] [o]

Male Female []
[m] [f]

Are you currently on state supervision? Yes No
[y] [n]

How long have you been on State Supervision?
[enter #of months]

What do you have to do because you are on State Supervision?
[enter as written]

Contact

How many times in the last week have you seen your probation officer or tracker?
1 2 3 4 5 6 7 >7
[]

Where?
Office Home School Community Center Work Crew Other: []
[O] [H] [S] [CC] [WC] [o: type response]

Have you seen your probation officer and tracker more on state supervision than you did when you were on probation?
Yes No []
[y] [n]

Programs

In which State Supervision programs have you been placed?

Do you think these programs helped you? Why or why not?

<u>Name</u>	<u>Helped (y/n)</u>	<u>Why/Why not</u>
-------------	---------------------	--------------------

[]		(enter in this order: [Program, Helped, Why/Why not]
[]		e.g: [Planned Parenthood, y, because I got treated for STD.]

[]		
[]		
[]		
[]		
[]		
[]		
[]		

How long are you in programs or classes each day? (This should only be State Supervision programs).

[enter # of hours]

While you have been on State Supervision have you been supervised by adults from 2 p.m. to 7 p.m.? Yes No []
[y] [n]

Has your probation officer or the judge had other persons visit you in your home while you've been on State Supervision? Yes No []
[y] [n]

If yes, what was the name or the place they worked for? []

If yes, how often have you seen them? []

Person/Agency

Frequency

[] (enter in this order: [person, frequency], e.g: [a counselor, 2x (x=times)])

[]

What has your family had to do as part of State Supervision?

[enter as written]

How is State Supervision different than probation?

(Is it harder? Easier? How?)

[enter as written]

Conclusion

That's all the questions I have. Thank you for allowing us to talk with you.

Interviewer Observations

Summary Observations

(including recurrent themes)

on state supervision: [enter as written]

other: [enter as written]

Unusual occurrences or problems

[enter as written]

Interviewee reliability overall: High Medium Low []

[H] [M] [L]

Reliability on specific questions:

[enter as written]

Other persons present? Yes No

[y] [n]

If yes, who?

[] (e.g.: [y, grandmother])

Youth Interview Template Round 1

ID# [] **Interviewer** [only initials]

Interview Questions for Juveniles

Introduction

What is your ethnic background? Caucasian Native American Hispanic Other []

[c]

[na]

[h]

[o:]

Male Female []

[m] [f]

Guidelines

Have you heard of something called sentencing guidelines? Yes No []

[y] [n]

If yes, how did you learn about them? [] (p.o. = probation officer)

If yes, what do you think the purpose of these guidelines are? []

Did anyone talk to you about how these guidelines (rules) would be used in your case? Yes No []

[y] [n]

If yes, who? [] (p.o. = probation officer)

Experience with the system

How long have you been on probation? [enter in months]

Are you currently on probation or state supervision? []

[pro] [ss]

If on probation, what level of probation are you on? []

How many probation officers or case managers have you had?

1 2 3 4 5 6 7 8 9 >9 []

How many times per week do you see to your probation officer or tracker?

1 2 3 4 5 6 7 >7 []

Where have you seen your probation officer or tracker in the past two weeks?

Office Home School Community Center Work Crew Other

[OFF] [H] [S] [CC] [WC] [O:]

How many times have you talked to your probation officer or tracker on the phone in the past two weeks? 0 1 2 3 4 5 6 7 >7 []

Has your probation officer or the judge had other persons visit you in your home? Yes No []

[y] [n]

If yes, what was the name or the place they worked for? []

If yes, how often did you see them? []

Person/Agency Frequency

[] (if answer is 0 enter none)

What programs have you been put in while on probation or state supervision?

How would you rate this program? 1 2 3 4 5

Horrible Great

Do you think this program helped you?

Name Rating Helped (y/n)

[] (enter in this order [name of program, rating, helpful])

[] if answer is 0 enter none, drug ed/alcohol ed = CD classes)

[]

[]

[]

[]

[]

[]

What program taught you the most?

Why? [name of program, reason]

What program taught you the least?

Why? [name of program, reason]

What has your family had to do as part of your probation?

Meet with P.O. [mpo] Supervise juvenile [sj]

Counseling [cx] Parenting Classes [pc]

Other: [o:]

What have you had to do on state supervision that you didn't do on probation? []

Have you seen or talked to your probation officer and tracker more on state supervision? Yes No []
[y] [n]

Did your family have to do things when you went on state supervision that they didn't have to when you were on probation? Yes No []
If yes, what? [] [y] [n]

While you have been on probation have you been supervised by adults from 2 p.m. to 7 p.m.? Yes No []
[y] [n]

and state supervision? Yes No []
[y] [n]

What have you been doing the past two weeks after school?
structured program parent/guardian supervision unstructured time other:
[sp] [p/gs] [ut] [o:]
(work is categorized under "other")

Have you been required to do community service or work hours on probation? Yes No []
[y] [n]

and state supervision? Yes No []
[y] [n]

While on probation, have you been tested for drugs? Yes No []
[y] [n]

and state supervision? Yes No []
[y] [n]

If they found drugs what did your probation officer do?
No action Court Discipline Treatment P.O. action []
[noa] [cd] [tx] [poa]

Were you expelled or suspended from school while on probation?
Yes No []
[y] [n]

If yes, did your probation officer or the judge make you go to an alternative school or program during the day? Yes No []
[y] [n]

Did your probation officer or the judge have you talk to anyone to help you with your grades? Yes No []
[y] [n]

If yes, who? Tutor Teacher Counselor Professional Don't know []
[tu] [te] [cx] [profess] [dk]

What happens if you go to court for another problem that would be considered a major offense? [] (detention = dt)

What happens if you go to court for another problem that would be considered a minor offense? [] (detention = dt)

Each time you have committed a new offense have you received a harder punishment? Yes No []
[y] [n]

Have you violated your probation with out getting caught? Yes No []
[y] [n]

Are there things that your probation officer/tracker/judge have told you to do that are confusing? Yes No []
[y] [n]

If yes, what? []

How do you move up the levels while on probation?

[]

What is the quickest way to get off of probation? []

What would make probation more effective? []

Conclusion

That's all the questions I have. Do you have anything more you want to say about the things we have been talking about?

Do you have any questions about our study?

Thank you for allowing us to talk with you.

Interviewer Observations

Summary Observations

(including recurrent themes)

on the guidelines: []

on probation: []

on state supervision: []

other: []

Unusual occurrences or problems []

Openness to interview: High Medium Low []
[h] [m] [l]

Interviewee reliability overall: High Medium Low []
[h] [m] [l]

Reliability problems on specific questions: []

Other persons present? Yes No
[y] [n]

If yes, who? []

APPENDIX D

The following form was used to structure analysis of the Juvenile Court case files.

JIS ID#

Examiner:

Date:

District:

Probation office providing services:

State Supervision or Probation

Time on: Probation (Include date starting and ending)

State Supervision

Contact history:

(Separate out by level if on Probation)

Level

Time of day

Location

Family contacts:

Comments:

Programs involved with:

(e.g. Positive Solutions, Counseling, Work Crew, Drug/Alcohol Ed. Life Skills, Anger Management, Electronic Monitoring and check list of District specific programs gathered from Round 1.)

Comments: