
ENHANCING COURT AND PROBATION PRACTICES FOR CASES INVOLVING JUVENILES WHO COMMIT SEXUALLY ABUSIVE BEHAVIORS

FINAL REPORT

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June 2019



CENTER FOR SEX OFFENDER MANAGEMENT

C S O M

June 17, 2019

Acknowledgements

This report is the culmination of a collaborative effort between the National Center for State Courts (NCSC), the Center for Effective Public Policy's Center for Sex Offender Management (CEPP/CSOM), the Arizona Supreme Court's Juvenile Justice Services Division and the project's Advisory Committee. We extend our sincere gratitude to Jillene Lemke who acted as scheduler, organizer and all-around point person on this project, as well as the many other JJS staff who helped the team along the way by coordinating meetings, collecting case file data, providing data, and being available for countless phone calls to better understand case processing and management of these youth. We also would like to thank all of the committee members for their ongoing attention to the details of this project and their input; their hard work helped to ensure the quality of this study. Finally, we owe a huge debt of gratitude to Joe Kelroy, JJS Director, Dave Byers, Administrative Director of the Courts and Mike Baumstark, Deputy Director of the Courts for their keen interest and direction on this project.

We could also have not conducted this research project without the forthright assistance and openness provided by the probation department staff, program administrators, treatment providers, evaluators and polygraph examiners who gave freely of their time to help us understand their work.¹ Likewise, we'd like to thank the probation directors in Coconino, Maricopa, Pima, Pinal and Yavapai Counties for making themselves, their staff available for interviews, and information regarding their work, as well as for providing their case files for critical review. This project could not have been done without their willingness to completely open to this critical review.

Finally, we would like to extend a special note of thanks to the peer reviewers who spent countless hours volunteering to assist in collecting data from case files and engaging, expressing their interest to engage. The peer reviewers also provided the project staff with contextual information and learnings to us along the way, helping us to navigate the system and being open and candid about their processes. Specifically, we'd like thank people from the following counties: *Coconino County*: Anne Harmes; *Maricopa County*: Cindy Goertz, Sherry Love, Rochelle Russell, Donna Swistek, Nate Velez, Kim Watson, Kristine Younger, Olivia Omotinugbon, Geoff Hilberg, Gloria Cravens, Christine Jacobs, Amber Stressman, Charles Counts, Sarah Embury, Sarah Murillo, Jeff Luick; *Pinal County*: Sheley Beck, Rebecca Laughner, Nik Osborn, Sarah Woelfel; *Yavapai County*: Shawn McCready. A special note of thanks to Teresa Tschupp, Maricopa County Juvenile Probation Chief of Staff for her organizing and protecting the files for review and for Elizabeth Eells, Maricopa County Juvenile Probation Research and Planning Manager, for the detailed information she provided to assist with the file reviews in that county.

There were also several JJS staff who assisted with case file data collection and provided additional relevant information regarding service expenditures, contracting information and other data. We would be remiss if we did not provide a special note of thanks to these individuals (DeAnna Faltz, Lori Hudson, Jillene Lemke, Yvonne Plasurcia, David Redpath, Regina Rodriguez).

¹ It is important to note that the professionals interviewed were not necessarily those whose work is reflected in the findings from this research project. The research was conducted largely in 2018 on a sample of youth who terminated probation in 2016.

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EXECUTIVE SUMMARY

INTRODUCTION

Juveniles who have engaged in sexually abusive behaviors (JSAB) represent a small proportion of justice-involved youth nationwide, yet disproportionate amounts of time and resources are utilized for these cases.^{2,3} In Arizona, JSAB accounted for 10% of youth exiting probation, and 38% of treatment resources, in calendar year 2016. Based on information received from the Juvenile Justice Services Division of the Administrative Office of the Courts, \$6,050,015 was spent on JSAB youth for JSAB-specific treatment compared to \$16,057,757 on all other youth. Practitioners throughout the country find JSAB cases to be particularly challenging. In a 2018 statewide survey of justice system stakeholders in Arizona, 77% of the respondents – including judicial officers, probation officers, treatment providers and others – indicated that JSAB are more challenging than other types of cases for which youth are adjudicated.⁴

Historically, system responses for JSAB were modeled after policies and practices designed for adults convicted of sex offenses, based on presumed similarities that have since been demonstrated otherwise. Research shows that JSAB are a diverse population who more closely resemble other justice-involved youth and, as a group, have very low sexual re-offense rates. Beyond the fundamental differences between adolescents and adults overall, a large body of empirical evidence about JSAB underscores the need for evidence-informed, individualized, and developmentally appropriate strategies.

In 2017, the Association for the Treatment of Sexual Abusers (ATSA) released the first evidence-informed

² For example, in a 2013 workload assessment study for Colorado Probation, aspects of managing juvenile probation cases with youth who had sexually offended took up to 47% more time than non-sexually offending populations. Workload assessment studies with juvenile probation in Kansas, Iowa and South Dakota, all conducted in 2018, indicated longer supervision times for this population, anecdotally, though workload values for the sexual offending population were not specifically computed.

³ UCR and Juvenile Justice data.

⁴ This survey was conducted as part of the current initiative.

best practices guidelines for intervening with JSAB.⁵ Shortly thereafter, the Juvenile Justice Services Division of the Arizona Administrative Office of the Courts contracted with the National Center for State Courts and the Center for Effective Public Policy's Center for Sex Offender Management to review JSAB-related practices for JSAB on probation and offer recommendations to support alignment with best practices.

METHODOLOGY

The consultants used a multi-faceted data collection approach, including a review of pertinent Arizona juvenile probation policies and practices, data collection from probation case files (which included treatment documentation) for JSAB exiting probation in calendar year 2016, interviews with a range of practitioners, and a statewide survey.

KEY FINDINGS

Of the cases reviewed, nearly all (96%) were male. The majority of youth in the sample (72.8%) were originally charged with a higher-level offense than the offense for which they were adjudicated, 11.9% of which were non-sexual in nature. The charged and adjudicated offenses remained the same in 17.4% of the cases; however, two of those were offenses not defined as sexual in nature. The charging and/or adjudication data was not present in 9.8% of the case files.

The mean age of the youth when placed on probation was 14.7 years, and they remained on probation for an average of 19.8 months (ranging from 1-70 months). In nearly one quarter of the cases (22.8%), it was not clear how the youth terminated from probation. For cases in which probation exit type was identified, 64.9% ended successfully, 22.5% aged out, and 12.6% exited supervision unsuccessfully.

During the course of the review, many strengths were identified, as were several areas in which practices can be modified to support alignment with evidence-informed best practices. These include, but are not limited to, the findings below.

- There is clearly a strong commitment among key stakeholders in Arizona to serving the needs of JSAB and their families, victims, and communities;
- Individually and collectively, there is considerable experience and expertise among the stakeholders with roles and responsibilities for JSAB. At the same time, judicial officers, probation

⁵ Association for the Treatment of Sexual Abusers (2017). *Practice guidelines for assessment, treatment, and intervention with adolescents who have engaged in sexually abusive behavior*. Association for the Treatment of Sexual Abusers.

and surveillance officers, and contracted service providers expressed and evidenced a strong need for professional development opportunities regarding JSAB;

- Psychosexual evaluations were provided routinely to the courts and evaluators appeared to strive for thoroughness. However, concerns about quality, reliability, and validity were commonly noted;
- Pre-disposition reports were structured, tended to be comprehensive, and included risk assessment estimates, information from psychosexual evaluations, victim impact statements, and a series of clear recommendations to the court;
- Officers frequently overrode the AZYAS score to a higher level, based on a misperception that it is not a valid risk assessment instrument for JSAB and a belief that these youth pose a higher re-offense risk, contrary to the research;
- Many stakeholders recognized the value of JSAB-specific assessment tools but tended to undervalue the importance of risk factors linked general delinquency;
- Decision-making with JSAB was largely offense-based, rather than assessment-driven; hence, condition-setting, supervision practices, and treatment services typically were not individualized to a given youth's risk, needs, or other important factors. Of particular concern is the lack of attention to, or accommodation for, identified mental health issues and social, developmental, and/or functional impairments (e.g., autism spectrum, cognitive functioning difficulties);
- A wide continuum of treatment services is available; however, the full range of programs was not maximized. Long term intensive outpatient programs of high dosage (e.g., 2 hours per day, 5 days per week) and relatively extended stays in residential programs were favored over other community-based options such as Multi-Systemic Therapy (MST/MST-PSB), a rigorously tested evidence-based program;
- There is an over-reliance on the use of polygraph, despite the clear lack of empirical evidence for its use in general, and specifically with youth. Among many treatment providers and officers who were strongly invested in its use, there was a culture of strong resistance to considering potential collateral consequences or empirically-supported alternatives;
- Some county probation departments have a strong culture that emphasizes youth success, skill building, and positive youth development, and officers capitalize on their roles as change agents. Prevailing probation philosophies in other counties were primarily focused on monitoring, enforcement, and sanctioning;
- JSAB were subjected to an extremely high number of probation conditions – namely restrictions and prohibitions – as a matter of course, rather than selective conditions based on the individual case. Many of the conditions seem to be more adult-focused in language and content. The nature and number are likely to inadvertently hinder rather than support positive youth development.

To build upon the existing strengths in the system and to promote evidence-informed JSAB practices, a number of recommendations are offered and framed within the context of five guiding principles. Additional recommendations, not directly related to the guiding tenets are provided in Appendix J.

RECOMMENDATIONS

GUIDING TENET 1: WELL-INFORMED STAKEHOLDERS ADVANCE WELL-INFORMED – AND MORE EFFECTIVE – SYSTEM RESPONSES.

RECOMMENDATIONS

1. Conduct routine needs assessments to establish professional development priorities within and across disciplines, including judicial officers, attorneys, probation officers, victim advocates, evaluators, treatment providers, and others responsible for case management-related strategies with JSAB.
2. Provide fundamental and advanced, skills-based training – using multiple modalities – on an ongoing basis to help maintain a well-informed, confident workforce.
3. Ensure that information and training resources are designed to support consumers with an understanding of adolescent sexual development and the range of sexual behaviors exhibited by youth (e.g. normative, developmentally expected behaviors and sexually reactive behaviors).
4. Develop collaborative, semi-annual continuing education events through the Arizona ATSA chapter and the Annual Probation Conference.
5. Provide state- and county-level support to facilitate access to no-cost/minimal-cost training opportunities regarding best practices with JSAB.
6. Develop web-based, other online resources, and/or written resource materials to disseminate to state and county practitioners and contracted service providers.
7. Establish a separate juvenile population-focused AOC Training Academy to ensure that developmental differences, principles, and practices are clearly understood. With respect to JSAB specific content, revise the AOC Training Academy Curriculum to emphasize the distinct differences between adults and adolescents who engage in sexually abusive behavior and highlight research-informed best practices with these youth.
8. Establish and implement coaching, mentoring, and peer consultation mechanisms to leverage existing strengths and competencies of probation officers, evaluators, and treatment providers responsible for assessing and intervening with JSAB.
9. Establish partnerships with colleges, universities, and community providers to support internships, practicum placements, and supervision to bolster capacity.

GUIDING TENET 2: DISPOSITION AND CASE MANAGEMENT DECISIONS ARE MORE EFFECTIVE WHEN DRIVEN BY ASSESSMENTS, RATHER THAN BEING OFFENSE DRIVEN.

RECOMMENDATIONS

10. Adopt an evidence-informed, JSAB-specific risk-need assessment tool – such as the J-SOAP-II or PROFESOR – that can be used system-wide.

11. Equip officers with the skills to score and apply the findings from the JSAB-specific risk-need tool – as a complement to the AZYAS – to develop effective disposition and case management recommendations. The JJSD should periodically review scoring to ensure that officers are correctly using the instrument.
12. Implement quality assurance processes to prevent unjustified AZYAS overrides.
13. Provide skill-building training, peer-to-peer mentoring, and supervisory supports to maintain high quality pre-disposition investigations.
14. Establish agency guidelines and implement quality assurance strategies to ensure that psychosexual evaluations are conducted in accordance with evidence-informed best practices. This includes streamlining the assessment process and eliminating the use of tools that lack research support and/or do not provide added value.
15. Identify ways in which the JJSD service specifications can be adapted to allow for the Sexual Behavior Risk Assessment (SBRA) to be used as a less resource-intensive approach for youth who may not require a full psychosexual evaluation.
16. Build capacity for psychosexual evaluations by identifying incentives, providing access to training and clinical supervision/peer consultation, and establishing competitive market rates.
17. Establish an equitable rotating process by which contracted evaluators are assigned to conduct psychosexual evaluations.

GUIDING TENET 3: THE USE OF POLYGRAPH EXAMINATIONS WITH JSAB IS BEST CONSIDERED THE EXCEPTION, NOT THE RULE.

RECOMMENDATIONS

18. In keeping with evidence-based practices, the use of the polygraph is not recommended as a tool for JSAB.
19. If – despite longstanding concerns about the polygraph, and best practice guidelines that do not support its use with JSAB – stakeholders/policymakers elect to continue the use of polygraph with JSAB under probation supervision, the JJSD should develop clear written policies to restrict its use to exceptional circumstances and age parameters.
20. To be proposed and reviewed as an exceptional circumstance, the clinical necessity and intended use of the examination findings should be:
 - Clearly documented and agreed upon through a collaborative decision made by the probation officer, treatment provider, and all other professionals involved in case management decisions for a given youth;
 - Submitted by a licensed mental health provider for review to a decision-making authority at the managerial/supervisory level of the Juvenile Probation Department in the county with jurisdiction over the youth.
21. For the exceptional circumstances in which a polygraph is ultimately conducted, the specific ways in which the findings were used must be clearly documented and provided to the approving authority.
22. The findings from a polygraph examination should not be used as the basis for – or to drive decisions about – the assessment of risk, determinations of treatment or supervision progress,

probation violations, or successful completion or unsuccessful termination from treatment or probation.

23. The polygraph should not be used for a JSAB who:

- Is less than 14 years of age;
- Is diagnosed with and/or demonstrates evidence of significant mental health, cognitive, social, or developmental difficulties or impairments; or
- Does not demonstrate patterns of age-inappropriate or non-consensual interests or arousal as objectively assessed through a research-supported, reliable, and valid instrument.

24. Polygraph examiners must demonstrate adherence to current standards and guidelines of the American Polygraph Association and provide evidence of quality assurance activities.

GUIDING TENET 4: INDIVIDUALIZED, EVIDENCE-INFORMED TREATMENT INTERVENTIONS PROMOTE SUCCESSFUL OUTCOMES WITH JSAB.

RECOMMENDATIONS

25. Probation officers should strive to place youth in programs that are most appropriate for a given youth's assessed risk, needs, and responsivity factors, not based on availability at the time of placement on probation. Youth should not be placed in detention, unless warranted, while waiting for a treatment placement.
26. The JJSD should adopt an empirically informed JSAB-specific treatment progress scale, for use by all JSAB treatment providers, to guide treatment planning and to provide more objective measures of progress toward goal attainment.
27. The JJSD should establish clear performance measures, benchmarks and quality assurance mechanisms for JSAB treatment services
28. The JJSD should explore the reasons that MST/MST-PSB are substantially underutilized, given the longstanding and compelling evidence of the effectiveness of this model with JSAB. If it is found that there is a lack of capacity by treatment providers to offer MST/MST-PSB – or resistance among officers to refer JSAB to these programs – JJSD should strategize ways in which capacity could be enhanced.⁶
29. The JJSD should explore existing capacity for programs that can provide quality, evidence-informed treatment for JSAB who experience significant mental health difficulties, developmental, social or cognitive impairments, as this appears to be a pressing need.
30. The JJSD should closely examine the treatment dosage JSAB receive across the range of treatment programs, and the extent to which it aligns with research – albeit limited – on the risk-need differentiated treatment dosage.

⁶ For more information regarding access to MST programs, please access the following link: <http://info.mstservices.com/white-paper/funding-juvenile-programs>.

GUIDING TENET 5: PROBATION PRACTICES WITH JSAB SHOULD BE EVIDENCE-BASED AND PROMOTE POSITIVE YOUTH DEVELOPMENT.

RECOMMENDATIONS

31. Eliminate the use of a blanket, offense-driven approach to condition setting. Limit the use of restrictions to those needed based on the assessed level of risk and intervention needs.
32. Reframe case plan goals and probation conditions to support skill building, positive youth development, and the successful, transition to adulthood.
33. Provide clear direction, training, mentoring, and support to assist probation officers with implementing an evidence-based model of supervising JSAB. This includes:
 - Developing high quality, assessment-driven case plans with goals that are specific, measurable, time-limited, and realistic;
 - Structuring contacts to capitalize on probation officers' roles as agents of change with the JSAB population;
 - Increasing attention to identifying and leveraging the strengths and assets of JSAB and their families; and
 - Focusing on professional alliance and using motivational strategies that promote trust, engagement, and respect.
34. Increase collaboration with victim advocates and victim services providers to help ensure a victim-centered probation approach and to ensure that identified victims have the opportunity to heal from the experience.
35. Probation administrators, supervisors, and judicial officers should take active steps to empower probation officers and demonstrate their support for their decisions – provided that they align with the policies. At present, probation officers appear to feel concerned about the extent to which they will be supported in the event that a JSAB case has less than desirable outcomes.

SECTION I: BACKGROUND AND INTRODUCTION

REQUEST FOR ASSISTANCE

The public expects the juvenile and criminal justice systems to protect them from crime. Research-based findings suggest that when appropriate and evidence-based sentencing, supervision and programming interventions are applied, the likelihood for recidivism is significantly decreased. To be the best stewards of public resources, it is imperative to understand what constitutes the most effective interventions to reduce risk and promote positive lasting behavioral change.

Juveniles adjudicated for sex offenses and placed on community supervision pose a challenge to the courts in a number of ways. These cases present unique dynamics, heightened concerns among public officials and the community at large, and multiple barriers to ensuring that disposition decisions, probation supervision approaches, and treatment and other interventions align with evidence-based principles and practices.

Juveniles who have engaged in sexually abusive behaviors (JSAB) represent a small proportion of justice-involved youth nationwide, yet disproportionate amounts of time and resources are utilized for these cases.^{7,8} In Arizona, JSAB accounted for 10% of youth exiting probation, and 38% of treatment resources, in calendar year 2016. Based on information received from the Juvenile Justice Services Division of the Administrative Office of the Courts, \$6,050,015 spent on JSAB youth compared to \$16,057,757 on all other youth. Practitioners throughout the country find JSAB cases to be particularly challenging. In a 2018 statewide survey of justice system stakeholders in Arizona, 77% of the respondents – including judicial officers, probation officers, and

In many ways – when it comes to expanding and utilizing our knowledge base...we've reached a national tipping point...In filling our most important responsibility – protecting the American people – we are committed to identifying and implementing evidence-based solutions; an approach that allows us to be both tough and ... I'm happy to say it again – “smart on crime” – *U.S. Attorney General Eric Holder, National Institute of Justice Conference, June 22, 2011.*

⁷ For example, in a 2013 workload assessment study for Colorado Probation, aspects of managing juvenile probation cases with youth who had sexually offended took up to 47% more time than non-sexually offending populations. Workload assessment studies with juvenile probation in Kansas, Iowa and South Dakota, all conducted in 2018, indicated longer supervision times for this population, anecdotally, though workload values for the sexual offending population were not specifically computed.

⁸ UCR and Juvenile Justice data.

treatment providers – indicated that JSAB are more challenging than other types of cases for which youth are adjudicated.⁹

What practices *are* most closely associated with successful outcomes for juveniles who have engaged in sexually abusive behavior in Arizona? What are the evidence-based, evidence-informed and best practices that drive the desired outcomes? These are the driving questions that fueled this initiative.

The JJSD is responsible for the administration of juvenile justice programs for delinquent and incorrigible youth in coordination with the juvenile courts. The 15 juvenile courts are a division of the Arizona Superior Court. County probation departments in Arizona operate under the authority of the presiding juvenile court judge in each county. Each juvenile court judge has the authority to appoint a chief juvenile probation officer/director of juvenile court services, who, in turn, supervise the officers in the juvenile probation departments.

The JJSD routinely conducts performance reviews within the juvenile probation system in Arizona; however, the division has never performed a review of the statewide juvenile court and probation practices for juveniles who have engaged in sexually abusive behavior (JSAB).

In response to the growing body of literature regarding youth who sexually offend, in 2017 the Association for the Treatment of Sexual Abusers (ATSA) released “best practice” guidelines for intervening with adolescents who have engaged in sexually abusive behaviors. The guidelines provide critical direction regarding the treatment of adolescents who sexually offend to probation officers, treatment providers and other decision makers. Additionally, the Chief Justice’s strategic agenda goal #2 is “Protecting Children, Families and the Community” is in keeping with this work.¹⁰ The combination of the ATSA guidelines and the two goals from the Chief Justice’s strategic agenda aligned to support the JJSD’s desire to conduct a thorough review of the juvenile probation’s system of managing youth within the specialized supervision program for juveniles with sexually maladaptive behaviors.

The JJSD contracted with the National Center for State Courts (NCSC) and the Center for Effective Public Policy’s Center for Sex Offender Management (CEPP/CSOM) to conduct this comprehensive review and make recommendations for improvement that are consistent with contemporary research and practice literature. The consulting team was made up of Kurt Bumby, Ph.D. (CEPP/CSOM) and Suzanne Tallarico, M.A. (NCSC).

⁹ This survey was conducted as part of the current initiative.

¹⁰ Please see <http://www.azcourts.gov/portals/0/AdvancingJusticeTogetherSA.pdf> for this strategic plan. Specifically included in this plan are objectives to do the following: “Evaluate and, as appropriate, implement new or expanded evidence-based programs for Arizona’s Adult and Juvenile Probation Services (p. 3).”

Defining the Term

For the purpose of this report, “Juveniles with Sexually Abusive Behaviors” (JSAB) generally refers to adolescents (e.g., 13-18 years of age) who have engaged in a wide range of behaviors of a sexual nature that may be considered harmful to others. These are oftentimes “hands on” behaviors, such as sexual contact with, or behaviors directed toward, individuals who are unwilling or unable to provide consent. It is important to note, however, that legal definitions of what constitutes a “sex offense” vary across jurisdictions and may include “hands off” behaviors such as indecent exposure, accessing child pornography, and “sexting.”

Terminology such as JSAB is deliberately used – as opposed to “juvenile sex offender.” Labels such as “sex offender” are problematic in that they define the entire person based on a given set of behaviors and do not represent the individual as a whole. In addition, such labels suggest that all individuals who engage in illegal and/or harmful sexual behaviors are the same, when in fact they are diverse in many ways (e.g., demographics, types of behaviors, persons they have victimized, motivations and circumstances, risk factors, strengths and assets, and developmental and social functioning, among many other characteristics).

CURRENT AND HISTORICAL CONTEXT

Juveniles with sexually abusive behaviors (JSAB) represent a small proportion of cases handled by the juvenile courts nationwide and of the number of youths adjudicated for delinquent behavior – roughly 2% – in the juvenile justice system nationwide.¹¹ In Arizona, JSAB accounted for approximately 10% of youth terminated from probation in 2016; however, we were unable to identify the proportion of JSAB youth on active probation, which we assume would account for a smaller proportion of youth. Despite the relatively

¹¹ UCR and Juvenile Justice data.

low numbers, a disproportionate amount of time and resources are utilized for these cases.^{12, 13} Furthermore, professionals working in and with juvenile and family court systems nationwide – including judges, probation officers, and treatment providers – find cases involving sexually abusive youth to be more challenging than justice-involved youth with other delinquent conduct. The same holds true in the state of Arizona, as evidenced by the findings from a statewide survey of professionals who have roles and responsibilities with JSAB, including judicial officers, public advocates and county attorneys, probation administrators and supervisors, probation officers and surveillance officers, evaluators, and treatment providers, which was conducted as part of the current initiative. Specifically, 77% of the respondents asked, indicated JSAB are more challenging than other types of cases for which youth are adjudicated.

Early strategies for JSAB were modeled after policies and practices designed for adults. This “trickle-down effect” emerged based on assumptions that these youth were much like adults who offend sexually, that they posed a high risk to reoffend sexually, and that they were apt to continue offending as adults. Research about JSAB has advanced exponentially over the last two decades, and the cumulative body of empirical evidence about JSAB reveals the following:

- JSAB differ from adults who offend sexually in a number of important ways, and more closely resemble other justice-involved youth;
- Sexual recidivism rates are low, whereas recidivism rates for non-sexual delinquency are significantly higher;
- JSAB are likely to desist – even in the absence of formal interventions – and tend not to persist with sex offending behaviors into adulthood.

¹² For example, in a 2013 workload assessment study for Colorado Probation, juvenile probation cases involving youth who had sexually offended took longer than their non-sexually offending population. The time differences ranged from 13% more time for those youth on maximum supervision to 37% for youth on a minimum supervision level. When looking at time requirements for youth within the first thirty days of probation placement, JSAB youth required 47% more time than the non-JSAB youth, based on the additional information that must be gathered and the time requirements to enroll youth in treatment. Additional workload assessment studies with juvenile probation in Kansas, Iowa and South Dakota, all conducted in 2018, indicated longer supervision times for this population, anecdotally, though workload values for the sexual offending population were not specifically computed.

¹³ For youth terminated from probation in calendar year 2016, JSAB accounted for 10% of youth, and 38% of treatment resources.

Characteristics often cited as “high risk” indicators for adults were assumed to have the same significance for JSAB – yet many of these features are hallmarks of adolescence. These include impulsivity, risk-taking, lack of empathy, self-centeredness, minimizing responsibility, and failing to think of the consequences of one’s actions typify the adolescent experience. The presence of these types of features among JSAB should be considered within the context of adolescent brain development, rather than attempting to separate and attribute them as risk indicators in ways that they are often considered with fully developed adults who have committed sex offenses.

Juveniles who engage in sexually abusive behaviors are a diverse group. They can differ from one another in a number of ways, including – but not limited to – their demographics, cognitive functioning, developmental functioning and maturity, mental and behavioral health-related factors, family dynamics, trauma histories, and peer and other interpersonal relationships. Moreover, they vary with respect to offense-related variables such as the following:

- Age and gender of the individuals they victimize sexually;
- Onset, nature and extent of the sexual behavior problems exhibited;
- Motivations and driving influences;
- Perspective-taking and understanding the impact regarding their behaviors on victims and others;
- Denial, minimization, responsibility-taking, and other thinking patterns that support sexually abusive behavior;
- Personal victimization and trauma history;
- Presence or absence of risk and protective factors associated with re-offending and desistance, and the associated sexual and non-sexual recidivism potential; and
- The context in which the youth committed sexually abusive acts, such as circumstantial and situational conditions, family dynamics and environmental influences.

Fundamental and necessary shifts in philosophies, policies, and practices related to JSAB began over two decades ago. The growing body of research about adolescent development, protective factors and desistance, and the similarities between JSAB and other justice-involved youth continues to underscore the need for evidence-informed, developmentally appropriate, and individualized system responses to JSAB. The longstanding movement, which has gained widespread acceptance, led to the development of internationally recognized best practice guidelines for this population¹⁴, and sparked critical changes in multiple arenas (e.g., legislative, court, corrections, probation supervision, treatment, victim advocacy and services). Federal agencies and leading professional organizations and leading entities around the globe have long assumed strong leadership roles in advancing developmentally-responsive, research-informed policies and practices with JSAB. These prominent entities include but undoubtedly are not limited to the following:

- American Academy of Child and Adolescent Psychiatry (AACAP);
- American Bar Association (ABA);
- American Probation and Parole Association (APPA);

¹⁴ ATSA, 2017.

- American Professional Society on the Abuse of Children (APSAC);
- Association for the Treatment of Sexual Abusers (ATSA);
Center for Sex Offender Management (CSOM);
- Council of Juvenile Correctional Administrators (CJCA);
- International Association for the Treatment of Sexual Offenders (IATSO);
- National Adolescent Perpetrator Network (NAPN);
- National Center on the Sexual Behavior of Youth (NCSBY);
- National Center for State Courts (NCSC);
- National Council of Juvenile and Family Court Judges (NCJFCJ);
- National Judicial College (NJC);
- National Sexual Violence Resource Center (NSVRC);
- Office of Juvenile Justice and Delinquency Prevention (OJJDP, U.S. Department of Justice; and
- Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART Office, U.S. Department of Justice).

It is through this research-informed best practices lens that the guiding tenets, key observations and findings, and recommendations in this report are presented for consideration.

PROJECT FOCUS AND METHODOLOGY

FOCUS: This statewide review focused on assessment and evaluation, disposition, supervision, and other decision-making practices – along with a “snapshot” of treatment and polygraph practices – for JSAB within the Arizona juvenile court and probation system context, specifically with respect to JSAB who were released from probation supervision during calendar year 2016.

METHODOLOGY: To meet the objectives of the present initiative the project team used a multi-faceted data collection approach, including a review of the statutes and codes, JJSD policies and service specifications, and juvenile probation policies relevant to the management of JSAB; an extensive probation case file review process; a review of treatment-related materials and documentation contained the probation case files and other materials provided by JSAB-specific treatment providers; and interviews with and a statewide survey of key stakeholders who have roles and responsibilities with JSAB. The policy review, case file review, and stakeholder survey represented statewide data collection efforts. The interviews were conducted in five counties selected by the JJSD, including Coconino, Maricopa, Pima, Pinal and Yavapai counties. These five counties represent approximately two-thirds of the population of youth terminated from JSAB-specific supervision during calendar year 2016.

ADVISORY COMMITTEE: The JJSD appointed an advisory committee to provide oversight and guidance to the consulting team throughout the life of the initiative. The committee included five presiding juvenile court judges, five juvenile services directors, and seven probation staff members. The committee refined the approach and content of the initiative and helped the consulting team resolve important issues affecting data collection, interpretation and analysis.

In November 2017, the consulting team held an initial meeting with the advisory committee and key AOC members to present the initial project plan and to obtain feedback from the committee. The advisory committee met with the consulting team a second time to receive a mid-course update on our progress and make recommendations for changes, especially to the statewide survey questions. The committee met for a final time in June 2019 to hear the findings and provide recommendations for next steps. Further details about the methodology are provided in Appendix A.

The remainder of this report highlights key data analyses from the sample of JSAB, followed by a series of observations, findings and accompanying recommendations presented within the context of research-informed guiding tenets for best practices for JSAB – as well as other justice-involved youth.

SECTION II: FINDINGS

SAMPLE DESCRIPTION

The final sample of cases reviewed included 92 JSAB released from probation during calendar year 2016. As shown in Table 1, slightly more than half of the youth in the sample were under probation supervision in Maricopa County (52.1%), the second largest number of youths in the sample were on probation in Pima County (18.5%).

Table 1: County of Probation Supervision

County	N	%
Cochise	1	1.1%
Coconino	2	2.2%
Gila	1	1.1%
Graham	3	3.3%
Maricopa	48	52.1%
Mohave	4	4.3%
Navajo	3	3.3%
Pima	17	18.5%
Pinal	7	7.6%
Yavapai	4	4.3%
Yuma	2	2.2%
Total	92	100%

Table 2 presents the gender and age makeup of the sample, indicating that 95.7% of the study sample was male (n=88) and 4.3% female (n=4). The mean age of youth at the start of probation was 14.7 years. In nearly one quarter of the cases (22.8%), it was not clear how the youth terminated from probation.

Table 2: Sample Demographics

Gender	N	%
Male	88	95.7%
Female	4	4.3%
Age at Probation Placement	N	%
11	1	1.1%
12	6	6.5%
13	13	14.1%
14	21	22.9%
15	24	26.1%
16	14	15.2%
17	13	14.1%
Total	92	100%
Mean	14.7	

Table 3 shows that, for those of whom the termination type was present (valid percent), the termination reasons explicitly expressed in the case file were identified in the following ways: 63.9% completed probation successfully by meeting probation expectations; 23.6% were terminated because they had reached the age of 18 and were no longer under the jurisdiction of the juvenile court (aged out)¹⁵ and 12.5% were discharged unsuccessfully from probation, either by not meeting supervision terms (7.0%), failing to successfully complete treatment (1.4%), failure related to one or more polygraph exams (1.4%) committing a new non-sexually-based offense (1.4%) or committing a new sexually-based offense (1.4%).

¹⁵ Termination at the age of 18 is considered neither a positive nor negative termination type. These youth were terminated from probation, as required by law, when they turned 18 years of age, due to the court’s loss of jurisdiction because of age. Recently passed Arizona legislation allows the court to retain jurisdiction until the youth’s age of 19 under certain circumstances (ARS 8-201, Section H).

Table 3: Terminations from Probation

Probation Termination Type		N	%	Valid % ¹⁶
Successful Termination	Completed Supervision Conditions	46	50.0%	63.9%
Neutral Termination	Aged Out	17	18.5%	23.6%
Unsuccessful Termination	Did Not Meet Terms of Supervision	5	5.4%	6.9%
	Failed Treatment	1	1.1%	1.4%
	Failed Polygraph	1	1.1%	1.4%
	New Sexually-Based Offense	1	1.1%	1.4%
	New Non-Sexually-Based Offense	1	1.1%	1.4%
Missing		20	21.7%	--
Total		92	100%	100%

With respect to charged offenses versus adjudicated offenses, the majority of youth in the sample (72.8%) were originally charged with a higher-level offense than the offense for which they were ultimately adjudicated. For example, some youth were charged with molestation of a child, but adjudicated for public indecency or indecent exposure; others were charged with sexual contact with a minor and adjudicated for indecent exposure to a minor. The charged and adjudicated offenses remained the same in 17.4% of the cases, although two of these cases involved offenses not defined as sexual in nature (data not shown).¹⁷ Finally, in 9.8% of the cases data was missing for either the charged offense, adjudicated offense or both. For those cases in which the adjudicated offense was a lower level than the original charge (n=67), 28 (41.8%) cases were adjudicated for the “attempted” version of the original sex offense-related charge, such as a charge of molestation of a minor and an adjudicated offense of attempted molestation of a minor, 31 (46.3%) cases were adjudicated for a lesser sexually-based offense and 8 (11.9%) were adjudicated for a non-sexual offense.¹⁸

¹⁶ Valid percent is provided in tables where significant missing data occurred. The valid percent provides the percentage for each category in which data were available compared to the percent of all cases in the sample.

¹⁷ In one case, the youth was charged with and adjudicated for assault, in the other case the offense charges and adjudication were for threats/intimidation and criminal damage.

¹⁸ See ARS 8-350.01, which limits specialized sex-offender treatment to those adjudicated for those offenses codified as “sexual offenses” or “sexual exploitation.”

The general practice of reducing the charges at adjudication might require further investigation and consideration. Stakeholders should consider the potential impact on victims (especially when youth are adjudicated for a non-sexual offense), and the implications for youth when charged with either an attempted sexually-based offense or a non-sexual offense. Such reductions in charges could allow for greater leeway in terms of denial and the lack of participation in treatment. This is a key decision-point, and it would be beneficial to discuss this issue in each county to determine what the potential consequences are. One positive aspect of this practice is that the adjudication offense is likely to be less problematic to youth in the future if the offense is for a non-sexual offense and/or is for an attempted behavior.

The absence of a sexually-based adjudication may also preclude a given youth who may need specialized JSAB-specific interventions from receiving such services. Indeed, Arizona statute 8-350.01 C states, in part *“For the purposes of this section, “sex offender” means a person who is twenty-one years of age or younger who is adjudicated delinquent for or convicted of an offense that involves a violation of title 13 chapter 14 [sexual offenses] or 35.1 [sexual exploitation of children] and that does not involve the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument.”* Relatedly, while it did not appear to happen often, the reviewers identified some cases in which youth without such an adjudication – including youth placed on diversion¹⁹ – did in fact receive JSAB-specific services, in conflict with statutory provisions.

It is also important to note that researchers have identified potential unintended collateral consequences that a sex offense adjudication can have on a youth (e.g., social ostracizing, loss of community supports, restrictions on housing and employment, sex offender registration), which can not only affect positive youth development, but also can impact victims and families in some circumstances. This, too, has the potential to contribute to underreporting by victims, other children in the home or family, parents, or other caregivers – as well as potentially reducing self-disclosure and responsibility-taking by a youth who has engaged in sexually abusive behaviors - in order to prevent these and other impacts. From this perspective, an adjudication for a lesser or non-sexual offense can mitigate this potential.

The mean probationary period includes time on probation for JSAB who terminated successfully, neutrally (terminated due to reaching their 18th birthday) or unsuccessfully, as presented in Table 3. When looking at the average length of time on probation based on the termination type, there are differences between the JSAB who were discharged unsuccessfully (18.3 months), those who completed probation successfully (21.1 months) and those with a missing/unknown termination type (22.1 months), as shown in Table 4. Compared to the overall average, there was a noticeably shorter time on probation for JSAB who “aged out” (13.8 months) by turning 18 years of age. The mean duration of time on probation for all youth in the sample was 19.8 months, with a range of 1 month to 70 months.

¹⁹ Once identified, diversion cases were removed from the study sample.

Table 4: Average Length of Time on Probation

Termination Type	N	Months
Unsuccessful	9	18.3
Successful	46	21.1
Aged Out	16	13.8
Unknown	21	22.1
Overall	92	19.8

Staff from the JSD researched whether any of the 92 youth in the sample were charged with new offenses between their termination probation and the end May 2019. Of the 92 cases in the sample, 17 cases closed due to aging out without completing services and zero recidivated sexually as adults. Moreover, data pertaining to the remaining 75 cases showed that only 2 recidivated with a new sexual offense as adults, which would indicate a 2% recidivism rate for sexual offenses. Relating to offenses other than sex offenses there was a 17% recidivism rate. Taken together, both findings from this cohort are consistent with the body of empirical literature on recidivism among JSAB, which consistently reveals that youth who engage in sexually abuse behaviors recidivate sexually at a very low rate and are much more likely to engage in non-sexual delinquency.

GUIDING TENET 1: WELL-INFORMED STAKEHOLDERS ADVANCE WELL-INFORMED – AND MORE EFFECTIVE – SYSTEM RESPONSES.

While the investment in and implementation of evidence-based strategies in the broader juvenile justice arena has advanced steadily, the pace has been slower with respect to policies and practices for youth who have engaged in sexually harmful behaviors. This has been a function of multiple influences, including the unsettling nature and oftentimes complex dynamics of sex offenses, the initial lag in high quality research, and until very recently, the absence of formally established and nationally recognized “best practices” guidelines. With this ever-evolving field, enhancing relevant knowledge across branches of government, levels of influence, and disciplines and agencies (as well as the general public) is essential. It is vital for ensuring that policies and practices involving JSAB effectively address the rights, needs, and interests of victims and their families; facilitate community safety; and support accountability, positive youth development, and lasting success of these youth well into adulthood.

KEY FINDINGS

Throughout the course of this initiative, the desire and need for professional development with respect to JSAB was a prominent theme. This was evidenced in a number of ways.

- Stakeholders with a wide range of roles and responsibilities, and across levels, agencies, and departments indicated that they find cases involving JSAB to be particularly challenging relative to other populations of justice-involved youth;
- Professionals involved with JSAB system-wide verbalized concerns about having insufficient understanding about this population and research-informed best practices to guide decision-making at key decision points and case management practices overall. Many expressed considerable frustration with the lack of dedicated training opportunities to support their work;

- Stakeholder survey respondents reported limited confidence in their understanding of key substantive areas and identified topics about which additional training and information would be beneficial;
- Interviews and interactions with professionals, documentation and reports present in the probation case files, and findings from the stakeholder survey revealed several widely held perceptions and beliefs – including those of seasoned practitioners – that were not consistent with research and best practices. These included beliefs that JSAB are largely distinct from other justice-involved youth, are more likely to reoffend sexually than with other delinquent behaviors, and that long-term, intensive, specialized interventions are generally required for JSAB.

It is important to emphasize that many professionals’ awareness, knowledge base, diligence, and skills were outstanding regarding evidence-based practices with justice involved youth more broadly, and some were particularly well informed with respect to JSAB. Nonetheless, individually and collectively, the reviews of the case files and other documentation and materials, interviews and interactions with a range of stakeholders, and responses to the stakeholder survey signaled strong needs for professional development and support. Policies and practices, confidence in decision-making, and professionals’ abilities to be informed consumers can be enhanced if grounded further in the current research and best practices literature.

RECOMMENDATIONS

1. Conduct routine needs assessments to establish professional development priorities within and across disciplines, including judicial officers, attorneys, probation officers, victim advocates, evaluators, treatment providers, and others responsible for case management-related strategies with JSAB.
2. Provide fundamental and advanced, skills-based training – using multiple modalities – on an ongoing basis to help maintain a well-informed, confident workforce.
3. Ensure that information and training resources are designed to support consumers with an understanding of adolescent sexual development and the range of sexual behaviors exhibited by youth (e.g. normative, developmentally expected behaviors and sexually reactive behaviors).
4. Develop collaborative, semi-annual continuing education events through the Arizona ATSA chapter and the Annual Probation Conference.
5. Provide state- and county-level support to facilitate access to no-cost/minimal-cost training opportunities regarding best practices with JSAB.
6. Develop web-based, other online resources, and/or written resource materials to disseminate to state and county practitioners and contracted service providers.
7. Establish a separate juvenile population-focused AOC Training Academy to ensure that developmental differences, principles, and practices are clearly understood. With respect to JSAB specific content, revise the AOC Training Academy Curriculum to emphasize the distinct differences between adults and adolescents who engage in sexually abusive behavior and highlight research-informed best practices with these youth.

8. Establish and implement coaching, mentoring, and peer consultation mechanisms to leverage existing strengths and competencies of probation officers, evaluators, and treatment providers responsible for assessing and intervening with JSAB.
9. Establish partnerships with colleges, universities, and community providers to support internships, practicum placements, and supervision to bolster capacity.

GUIDING TENET 2: DISPOSITION AND CASE MANAGEMENT DECISIONS ARE MORE EFFECTIVE WHEN DRIVEN BY ASSESSMENTS, RATHER THAN BEING OFFENSE-DRIVEN.

JSAB are a diverse population, and contrary to misperceptions, they are not a wholly distinct group characterized by a specific profile of risk factors and intervention needs. Therefore, a “one size fits all” approach to decision-making – based primarily on the type of offense – runs counter to evidence-based principles and practices, exhausts limited resources, and undermines the potential for successful outcomes for JSAB and their families, victims, and communities. High quality assessments and evaluations are needed to identify “who” is most likely to benefit from “what” types of interventions, and “how” to engage with and tailor approaches effectively for a given youth. Pre-disposition investigations and psychosexual evaluations are key examples of assessments that support well-informed and individualized disposition decisions and ongoing case management practices with JSAB.

Pre-disposition investigations provide comprehensive information about the youth’s background; adjustment and stability in school, with peers, and in the home; prior involvement in the juvenile justice or child welfare system; risk and protective factors (strengths); circumstances of the case; victim impact; and recommendations regarding suitability for probation, the least restrictive placement, supervision conditions, victim and community safeguards, restitution, and interventions to support skill-building and positive youth development.

Similarly, psychosexual evaluations are designed to provide judges and others with individualized and carefully formulated recommendations that are based on a holistic “picture” of the youth, including a thorough sexual history (e.g., normative and atypical sexual development, attitudes, interests, behaviors, experiences, and adjustment) and exploration of the frequency and range of a given youth’s sexually abusive behaviors, offense dynamics, contributing factors, and risk for sexual and non-sexual recidivism. Best practice guidelines indicate that psychosexual evaluations should also include cognitive, developmental, social, and psychological functioning; peer, school, and family adjustment; history of trauma; and strengths and protective factors of the youth, caregivers and environment. The synthesis of this information leads to clear, research-based recommendations about the most appropriate interventions (e.g., type, dosage, and setting), placement, and other strategies on a case-by-case b

Assessments and evaluations of JSAB are most reliable when structured, research-informed measures are used (rather than unstructured clinical judgment alone), the assessment tools are valid for the population being assessed (e.g., juveniles versus adults, males versus females), the approaches and methods are appropriate given the cognitive and developmental functioning of a youth, multiple sources of information

are accessed, and youth and caregivers are actively engaged in the process. With respect to assessing risk and protective factors and identifying intervention needs of JSAB, the findings from empirically guided JSAB-specific measures²⁰ can provide an important *complement* to the findings from validated “general delinquency” risk-need assessment tools (e.g. the AZYAS, SAVRY, Youth Level of Service/Case Management Inventory).

“Assessments also inform decisions about youth who may need a more restrictive environment or more intensive services as well as youth who may need little or no further intervention and for whom common sex-offense-specific interventions, high levels of restrictions, or punitive sanctions may unintentionally do harm” (ATSA, 2017, p. 16).

KEY FINDINGS: PRE-DISPOSITION INVESTIGATIONS

Pre-disposition investigation reports were present in nearly all of the JSAB case files in the current sample and were found to have a number of noteworthy strengths, including the following:

- Across counties, the pre-disposition investigation reports were generally well-structured and user-friendly;
- Officers collected comprehensive information from multiple sources, including official records, the AZYAS, and psychosexual evaluations (if conducted);
- Interviews with JSAB and their caregivers were routinely conducted as an integral part of the pre-disposition investigation process and included in the reports;
- When conducting pre-disposition investigations, officers clearly recognized the importance of evidence-informed, JSAB-specific risk-need assessment tools (i.e., J-SOAP-II, ERASOR);
- Victim impact statements were solicited and included in the reports when victims and/or their families elected to provide input; and
- Recommendations to the courts consistently addressed victim and community safety considerations, level of care and placement, intervention and service needs, and probation conditions.

At the same time, some of the processes and practices – and the content included in the pre-disposition investigations reports – did not align fully with evidence-informed best practices with justice-involved youth more broadly or JSAB specifically. The following issues were commonly identified and warrant further attention:

- While strengths and protective factors of youth and caregivers were noted in some of the pre-disposition reports, many of the reports did not include thorough discussions of these important

²⁰ The J-SOAP-II and ERASOR were the most commonly accepted, research-informed JSAB-specific tools available for use with the cohort of JSAB cases in this review. Since that time, the ERASOR has been replaced by the PROFESOR.

indicators and the implications for capitalizing on the strengths for disposition and other case management decisions;

- Risk-need findings from the AZYAS were routinely over-ridden from low or moderate to high risk designations, as officers inaccurately perceived and reported the AZYAS as being invalid for JSAB;²¹
- In some counties, officers consistently asserted to the courts that all JSAB pose a high risk to reoffend until they have completed sex offense-specific treatment, a claim that is not supported by research;
- Officers, at times, appeared to defer largely to psychosexual evaluations when formulating the recommendations for pre-disposition investigation reports. This “deferment” appeared to be related to following factors:
 - Under-estimating the applicability of their own expertise and skills with justice-involved youth when assessing JSAB;
 - Having limited confidence in their understanding of best practices for assessing and intervening with JSAB; and
 - Experiencing heightened concerns about victim protections, community safety, and professional liability;
- Ultimately, many of the recommendations provided to the courts appeared to be primarily offense-driven and reflected a boilerplate approach. This was particularly evident with respect to probation conditions. In the majority of JSAB cases reviewed (88%), officers recommended that judges impose the full set of uniform standard conditions as well as the full addendum of specialized sex offender conditions.

Taken together, these findings have significant policy and practice implications, as research demonstrates that the effectiveness of interventions is dramatically increased when tailored to the level of risk and criminogenic needs of a given individual.

KEY FINDINGS: PSYCHOSEXUAL EVALUATIONS

A number of strengths regarding psychosexual evaluations were identified through the review process.

- The AOC’s JSD provides dedicated resources and detailed service specifications for contractors to conduct comprehensive psychosexual evaluations, thus making clear the expectations for these services;
- Psychosexual evaluations were typically ordered and/or conducted with JSAB cases and were largely conducted at an appropriate and ideal decision point (i.e., post-adjudication evaluations, rather than pre-adjudication). Specifically, post-adjudication psychosexual evaluations were present in 68% of the cases reviewed, pre-adjudication evaluations were present in 8% of cases reviewed, and there was no psychosexual evaluation in 24% of the cases reviewed;
- Research-informed risk-need assessment tools specific to JSAB (e.g., JSOAP-II and/or ERASOR) were used in the majority of the evaluations; one or both of these risk-need assessment tools were used in 56% of the pre-adjudication psychosexual evaluations and in 79% of pre-disposition evaluations;

²¹ Personal communication with researchers at the University of Cincinnati indicated that the OYAS to accurately predict risk and both general and sexual recidivism rates among all delinquent youth, including those who were adjudicated for the commission of a sexual offense. Publication forthcoming.

- Multiple sources of information were used to support comprehensiveness, including reviews of official records, various testing measures, and interviews with the youth and caregivers;
- Safety planning variables and victim considerations were noted in many reports; and
- Recommendations typically addressed presumed level of care and intervention needs.

As presented in Table 5, judicial officers report seeing strong value the evaluators’ expertise, and indicated they “always” or “often” found the evaluations to be useful and placed considerable weight on the information and recommendations provided in the psychosexual evaluation reports. Probation officers also reported seeing strong value in these reports, though somewhat less so than judges.

Table 5: Judicial Officers’ and Probation Officers’ Perceived Value of Psychosexual Evaluations

Percent of Respondents Endorsing “Always” or “Often” for the Following Statements About Psychosexual Evaluations:		
	Judges	Probation Officers
User friendly	83%	79%
Helpful for understanding youth’s behaviors in context	100%	79%
Inclusive of logical conclusions and recommendations that are linked to information in report	100%	80%
Beneficial for informing decisions	100%	81%

While there is considerable value placed on the psychosexual report, especially by judges, case file reviewers found the quality of these evaluations to be highly variable and raised a number of concerns about reliability, validity, and alignment with best practices, including the following:

- An excessive number of assessment tools – up to 15 tools in a given evaluation – were used, oftentimes in the absence of clear relevance, need, or research support. This is likely to be unnecessarily time-consuming for the youth being evaluated and time and resource intensive for evaluators, while adding little value to the findings and recommendations;
- Some misuse of assessment tools (e.g., purposes were inaccurately described, measures designed for adults were used, imprecise scoring was found and findings were represented inaccurately);
- Approaches to assessing risk varied considerably, and it was frequently unclear as to how the risk designations were ultimately made. In most reports, the evaluators did not differentiate between sexual and non-sexual recidivism risk;
- Critical developmental considerations (e.g., cognitive or social functional impairments, mental health difficulties) were consistently identified, yet the essential implications seemed to be overlooked when framing the conclusions and recommendations;
- Similarly, individual and family strengths and protective factors were referenced in many reports, but the positive implications, including ways in which to build on said strengths, were often not fully captured in the recommendations;
- The information collected for sexual histories tended to emphasize the sexually problematic behaviors or “sexual deviance” factors. In many instances, only limited information was included regarding normative, developmentally expected, and age-appropriate sexual interests, experiences, and behaviors;
- At times, the extensive assessment information and data collected by evaluators was ultimately not well synthesized and did not provide a clear and holistic “picture” of the youth; and

- Lastly, in several cases, recommendations were not clearly linked to the assessment data and did not comport with evidence-based practices. For example, for a youth with substantial cognitive, developmental, and social impairments, and an extensive history of trauma, the priority recommendation was for intensive sex offense-specific outpatient services in a group modality. This type of recommendation clearly ignores the specific issues that likely contributed to the undesirable behavior.

RECOMMENDATIONS

10. Adopt an evidence-informed, JSAB-specific risk-need assessment tool – such as the J-SOAP-II or PROFESOR – that can be used system-wide.
11. Equip officers with the skills to score and apply the findings from the JSAB-specific risk-need tool – as a complement to the AZYAS – to develop effective disposition and case management recommendations. The JSD should periodically review scoring to ensure that officers are correctly using the instrument.
12. Implement quality assurance processes to prevent unjustified AZYAS overrides.
13. Provide skill-building training, peer-to-peer mentoring, and supervisory supports to maintain high quality pre-disposition investigations.
14. Establish agency guidelines and implement quality assurance strategies to ensure that psychosexual evaluations are conducted in accordance with evidence-informed best practices. This includes streamlining the assessment process and eliminating the use of tools that lack research support and/or do not provide added value.
15. Identify ways in which the JSD service specifications can be adapted to allow for the Sexual Behavior Risk Assessment (SBRA) to be used as a less resource-intensive approach for youth who may not require a full psychosexual evaluation.
16. Build capacity for psychosexual evaluations by identifying incentives, providing access to training and clinical supervision/peer consultation, and establishing competitive market rates.
17. Establish an equitable rotating process by which contracted evaluators are assigned to conduct psychosexual evaluations.

GUIDING TENET 3: THE USE OF POLYGRAPH EXAMINATIONS WITH JSAB IS BEST CONSIDERED AS THE EXCEPTION, NOT THE RULE.

In a number of states, polygraph testing is used as a treatment and/or supervision tool for youth under court or correctional supervision for having engaged in sexually abusive behaviors. Proponents indicate that it is used as a decision-support tool that can be used to assist supervision and treatment with youth. File review data indicated that 63% of youth in the study sample underwent at least one polygraph exam. Four types of polygraph exams are generally used with individuals who have engaged in sexually abusive behavior. These include the following:

- *Instant Offense Examinations*, which focus specifically on the details of the behavior for which the youth has been adjudicated, when the juvenile's version of the events are substantially different from the information in the official record;

- *Sexual History Examinations*, which focus on the youth’s lifetime history of sexual abusive behaviors;
- *Specific Issue Examinations*, which focus on exploring a specific event or behavior; and
- *Maintenance and Monitoring Examinations*, which are used at intervals to assess the youth’s behaviors while in treatment and under supervision.

To date, there are no rigorous empirical studies demonstrating that the use of the polygraph facilitates treatment progress, enhances treatment or supervision outcomes, or contributes to recidivism reductions. Its use is steeped in great controversy, both in general and as a “therapeutic tool” with JSAB. For example:

- There are significant questions regarding its validity and reliability with anyone, as it is largely scientifically unsupported;
- Its use with these youth has significant potential for resulting in either false positives, or false negatives, both of which have considerable implications for its value and application;
- Researchers have argued that developmental factors inherent in adolescents heighten concerns regarding the use of polygraph testing with youth (e.g., the lack of future orientation, susceptibility to outside influences, and inability to regulate emotions), as it may increase vulnerability to perceived coercion;²²
- Research suggests that justice-involved youth are more likely than adults to comply with authority figures in the face of self-incriminating disclosures and are less likely to recognize the risks associated with their legal choices; and²³
- Ethical concerns regarding the possibility of coercion and for the potential to cause fear, shame or other issues that could interfere with positive adolescent development.²⁴

KEY FINDINGS

- Several probation departments and treatment providers in Arizona routinely use and are strongly invested in the polygraph as a treatment and supervision tool with JSAB;
- At the same time, many stakeholders – across roles and responsibilities – expressed reservations about its use and/or do not believe it is an effective, necessary, or appropriate tool;
- Many system actors – including a number of experienced practitioners with routine access to research and training regarding research-informed best practices – reported they believe that polygraph exams are reliable, valid, and effective with JSAB; however, as noted above, these beliefs are not supported by research.

²² Ben-Shakhar, 2008; Scott & Steinberg, 2008.

²³ Grisso, et al., 2003.

²⁴ ATSA, 2017.

- Nearly two-thirds of the JSAB in this cohort received at least one polygraph exam during the period of their probation supervision. In all, 295 polygraph exams were found to be associated with the 57 JSAB in the sample who were polygraphed, with an average of 5.1 tests conducted per youth²⁵
- Youth as young as 12 years of age underwent polygraph examinations (see Table 6);
- The terminology, content, and questions appeared largely oriented to what would be expected with an adult examinee;
- Contrary to guidelines and protocols, a number of JSAB were polygraphed despite clear evidence of interfering mental health problems, autism spectrum disorders or other cognitive functional, developmental or social impairments;
- The Arizona AOC’s service specifications for Polygraph Examination of Juvenile Sex Offenders (Service Code 177, 3 (a)) state: *“To safeguard against habituation and familiarization between the examiner and the subject, it is recommended that the polygraph examiner not conduct more than two (2) separate clinical polygraph sessions per year on the same offender unless significant reason exists for more frequent testing. A re-examination over previously examined issues where no opinion was formed would not be considered a separate session;”*
 - Yet, of the 57 youth who underwent polygraph testing, 32 (57%) received at least three or more exams per year, in violation of this policy data not shown);
 - The average amount of time between all polygraph examinations was two months, regardless of the number of polygraph examinations administered;

Table 6: Age at First Polygraph Exam

Age	N	%
12	4	7.0%
13	11	19.3%
14	10	17.5%
15	16	28.1%
16	12	21.1%
17	4	7.0%
Total	57	100%

- File review data, interviews, and findings from the stakeholder survey yielded conflicting information regarding the ways in which the polygraph findings are used and who drives decision-making regarding polygraph examinations;
- It was difficult to determine from the case file documentation how the results of the polygraph were ultimately used. Of the 295 polygraph exams identified in the case files, there was a clear indication that the results were discussed in treatment in less than 10% of the cases (data not shown);

²⁵ These figures may be underestimated, as it was not common to find a reference to a polygraph examination for a given youth, but to have no report included in that file. Additionally, frequently-used treatment provider had an in-house polygraph examiner associated with their program. The polygraph exams conducted in this program were included in the treatment costs, so the number of exams administered could not be independently verified.

- Despite a stated commitment to evidence-based practices, there is a strong culture of resistance among many stakeholders with respect to re-evaluating their extensive use of the polygraph with youth. This is somewhat surprising, given the absence of quality empirical evidence regarding its reliability, validity, and effectiveness in enhancing treatment or probation outcomes – and the longstanding ethical questions and concerns about collateral consequences. There is, however, compelling evidence about the considerable influence that the therapeutic relationship, professional alliance, and client engagement have on increasing the effectiveness of interventions.

RECOMMENDATIONS

18. In keeping with evidence-based practices, the use of the polygraph is not recommended as a tool for JSAB.
19. If – despite longstanding concerns about the polygraph, and best practice guidelines that do not support its use with JSAB – stakeholders/policymakers elect to continue the use of polygraph with JSAB under probation supervision, the JSD should develop clear written policies to restrict its use to exceptional circumstances and age parameters.
20. To be proposed and reviewed as an exceptional circumstance, the clinical necessity and intended use of the examination findings should be:
 - Clearly documented and agreed upon through a collaborative decision made by the probation officer, treatment provider, and all other professionals involved in case management decisions for a given youth;
 - Submitted by a licensed mental health provider for review to a decision-making authority at the managerial/supervisory level of the Juvenile Probation Department in the county with jurisdiction over the youth.
21. For the exceptional circumstances in which a polygraph is ultimately conducted, the specific ways in which the findings were used must be clearly documented and provided to the approving authority.
22. The findings from a polygraph examination should not be used as the basis for – or to drive decisions about – the assessment of risk, determinations of treatment or supervision progress, probation violations, or successful completion or unsuccessful termination from treatment or probation.
23. The polygraph should not be used for a JSAB who:
 - Is less than 14 years of age;
 - Is diagnosed with and/or demonstrates evidence of significant mental health, cognitive, social, or developmental difficulties or impairments; or
 - Does not demonstrate patterns of age-inappropriate or non-consensual interests or arousal as objectively assessed through a research-supported, reliable, and valid instrument.
24. Polygraph examiners must demonstrate adherence to current standards and guidelines of the American Polygraph Association and provide evidence of quality assurance activities.

GUIDING TENET 4: INDIVIDUALIZED, EVIDENCE-INFORMED TREATMENT INTERVENTIONS PROMOTE SUCCESSFUL OUTCOMES WITH JSAB.

Treatment programs for JSAB have tended to be specialized and delivered in group modalities with “JSAB-only” youth. Such programs oftentimes closely mirror programs designed for adults who have committed sex offenses. Developmentally-appropriate programs are essential for justice-involved youth – including JSAB – given the fundamental differences between adults and adolescents. Furthermore, an ever-growing body of research indicates that JSAB are not a discrete population. They are a heterogeneous group and are more similar to other justice-involved youth than they are different, calling into serious question the longstanding “one size fits all” treatment practices in which JSAB are mandated into long term, specialized sex offense-specific treatment. In addition, sexual recidivism rates are exceptionally low, more “general” (non-sexual) recidivism tends to be much higher, and the overlap of risk factors linked to recidivism of JSAB and non-JSAB youth is substantial. Taken together, this research indicates that most JSAB are likely to benefit from evidence-based interventions for other justice-involved youth, and that the specialist-only model of treatment is not warranted for many JSAB.

It is important to underscore that, given the diversity of this population – and in line with the evidence-based principles of effective intervention for justice-involved youth – decision-making about the type of treatment, dosage, and level of care must be individualized and assessment-driven, versus the offense-driven approaches to treatment that have been utilized historically for JSAB. At present, the bulk of treatment outcomes research for JSAB involves cognitive-behavioral interventions, as this has been the most common model of treatment utilized with this population. The evidence suggests that such programs, particularly community-based, can be effective in reducing sexual and non-sexual recidivism, although Multi-Systemic Therapy (MST) – and an adaptation for JSAB (MST-PSB) – have the most robust outcomes.

As noted previously, this project was not designed to provide a “deep dive” review of treatment practices involving JSAB on probation. Rather, it was intended to obtain a snapshot of these services and the intersection and interrelatedness between treatment and probation strategies. Treatment-related data was collected from the probation files and typically included treatment start and end dates, the number and name(s) of service providers, treatment plans and progress reports, and the type of treatment termination (i.e., successful, unsuccessful, aged-out). Brief interviews with providers during program and office visits, program materials shared by providers, and discussions with probation officers and other stakeholders (e.g., supervisors, evaluators, administrators) also provided beneficial information, as did findings from the stakeholder survey.

KEY FINDINGS

The majority of JSAB in the study sample received JSAB-specific treatment. As shown in Table 7, only eight youth (9.8%) did not: one was not referred because of competency issues, one was not recommended for treatment, though the reason was not captured, one received non-SAB treatment and one was placed in ADJC for the commission of a new sexually-based offense shortly after being placed on probation. It is

unknown why the remaining four youth did not receive treatment. The average length of stay in treatment increased as the number of episodes did. Across all treatment episodes, the average duration of time JSAB received treatment was 16.9 months, with a range of 1 to 44 months.

Table 7: Treatment Episodes and Average Length of Stay Information

Total Treatment Episodes	N	%	Average Length of Stay in Treatment (Months)
0	8	8.7%	NA
1	52	56.5%	13.9
2	27	29.3%	21.4
3	5	5.4%	24.2
Combined Treatment Time	92	100.0%	16.9

As shown in Table 8, treatment was not exclusively limited to either residential or community-based facilities. Sixteen youth (17.4%) in the JSAB sample were placed in only a residential treatment setting at some point during their terms of probation. For these youth, the length of stay ranged between 1 and 30 months, with an average length of stay of 16 months. Fifty-two youth (56.5%) were placed exclusively in community-based treatment, with an average length of stay of 14.4 months and a range between 1 and 31 months. Sixteen youth (17.4%) were placed in a *combination* of residential and community-based treatment, with an average length of stay of 26.9 months in treatment and a range of 10 to 44 months. The overall average treatment time was 16.9 months.

Table 8: Treatment Placement Type and Average Length of Stay Information

Treatment Placement Type	N	%	Average Length of Stay in Treatment (Months)
None	8	8.7%	NA
Residential Only	16	17.4%	16.0
Community Only	52	56.5%	14.4
Residential and Community	16	17.4%	26.9
Combined Treatment Time	92	100.0%	16.9

The following strengths were noted:

- Program administrators and clinicians demonstrated dedication, passion, and investment in serving the needs of JSAB, their families and the larger community;
- Within and across the JSAB-specific programs, treatment providers collectively bring considerable expertise and experience;
- A continuum of JSAB-specific programming exists, and includes psycho-educational services, standard and intensive outpatient programs, Multi-Systemic Therapy (MST) and other home-based/family-based interventions, therapeutic groups homes, and residential/secure care programs. This continuum of services can be a considerable strength, if it is structured and implemented using the evidence-based risk-need-responsivity framework;
- Treatment providers commonly reported using modalities and targets of intervention that generally align with research-informed practice guidelines;

- A number of treatment providers report a strong commitment to engaging and providing an array of services to parents/caregivers; and
- Treatment plans and treatment progress summaries were routinely provided to probation officers.

Several observations warrant further examination.

- Program utilization appeared to favor long-term services with high intensity and dosage, despite the lack of evidence demonstrating the need for this level of programming, and the lack of rigorous research demonstrating the effectiveness of such approaches. A number of stakeholders – including those in clinical, administrative, judicial, and probation capacities – expressed concerns about these practices;
- Assessment-driven decision-making to inform the nature and dosage of treatment interventions was limited. In addition, the goals and objectives tend not to be relatively broad, not behaviorally anchored, and are not readily measurable or time-limited, nor are responsible parties identified for the responsibility of reaching each goal. Finally, a number of goals identified are neither realistic, attainable, or measurable (e.g., be honest 90% of the time);
- Very few treatment providers deliver MST,²⁶ which is perhaps the most robust, evidence-based intervention for justice-involved youth, and the only model deemed evidence-based for JSAB through rigorous research. Indeed, through the case file reviews, interviews with stakeholders, and other records, only one county probation department appeared to be utilizing MST/MST-PSB (problem sexual behavior) programs on a consistent basis with JSAB;
- It was reported on multiple occasions that probation officers are the “gatekeepers” and programs that are less intensive, non-JSAB-specific and shorter terms are not always valued by officer; and
- Some treatment philosophies and practices appeared punitively oriented, potentially coercive, may unintentionally undermine the therapeutic alliance and hamper positive youth development. For example, in some treatment programs, JSAB are required to sign contracts that include an extensive list of rules and restrictions that resemble probation conditions (see inset below), such as the examples listed below:

Examples of Treatment Contract Conditions:

- I will not enter any establishment whose primary purpose is to sell sexually suggestive material or pornography.
- I will not display in my room pictures of people who are partially clad, e.g., wearing swimsuits, underwear or tight and revealing clothes.
- I understand that the invocation of my 5th Amendment Rights against self-incrimination (admitting to a crime) may be grounds for discharge due to the extent that the invocation

²⁶ MST is an internationally recognized program for at-risk youth and their families. For more than 30 years, MST has consistently demonstrated positive outcomes with chronic juvenile offenders. Based on the program’s success, rigorous randomized trials were conducted to explore the feasibility and effects of adaptations of MST with other target populations. Results have been positive for treating problem sexual behavior, child abuse and neglect, substance abuse, serious emotional disturbances and chronic health care conditions.

interferes with treatment. I understand that I may have to incriminate myself in order to cooperate with the treatment process.

- I understand that the results of the polygraph tests could be used to make decisions regarding my probation, parole or treatment status.
 - I understand that the risks associated with complete and honest disclosures of abusive behaviors may be that the required reporting of child sexual abuse could result in additional investigation and/or prosecution.
-
- In a number of instances, there appeared to be little consideration given to important contextual variables that could impact or interfere with treatment (e.g., family dynamics, previous and existing circumstances beyond the control of the youth, and other factors that may underlie some of the behaviors exhibited);
 - Treatment plans for many JSAB did not appear to be individualized or assessment-driven. This was particularly evident for youth with cognitive, developmental, and/or social difficulties or significant mental health concerns; and
 - Treatment planning and treatment progress did not appear to be informed by the use of structured, research-informed tools.

RECOMMENDATIONS

25. Probation officers should strive to place youth in programs that are most appropriate for a given youth's assessed risk, needs, and responsivity factors, not based on availability at the time of placement on probation. Youth should not be placed in detention, unless warranted, while waiting for a treatment placement.
26. The JJSD should adopt an empirically informed JSAB-specific treatment progress scale, for use by all JSAB treatment providers, to guide treatment planning and to provide more objective measures of progress toward goal attainment.
27. The JJSD should establish clear performance measures, benchmarks and quality assurance mechanisms for JSAB treatment services
28. The JJSD should explore the reasons that MST/MST-PSB are substantially underutilized, given the longstanding and compelling evidence of the effectiveness of this model with JSAB. If it is found that there is a lack of capacity by treatment providers to offer MST/MST-PSB – or resistance among officers to refer JSAB to these programs – JJSD should strategize ways in which capacity could be enhanced.²⁷
29. The JJSD should explore existing capacity for programs that can provide quality, evidence-informed treatment for JSAB who experience significant mental health difficulties, developmental, social or cognitive impairments, as this appears to be a pressing need.

²⁷ For more information regarding access to MST programs, please access the following link: <http://info.mstservices.com/white-paper/funding-juvenile-programs>.

30. The JJSD should closely examine the treatment dosage JSAB receive across the range of treatment programs, and the extent to which it aligns with research – albeit limited – on the risk-need differentiated treatment dosage.

GUIDING TENET 5: PROBATION PRACTICES SHOULD BE EVIDENCE-BASED AND PROMOTE POSITIVE YOUTH DEVELOPMENT.

Historical approaches to supervising JSAB reflected a “more is better” and “better safe than sorry” approach to case planning and condition setting. However, research consistently reveals that an exclusive reliance on surveillance, sanctioning, and punishment is not effective in reducing recidivism.²⁸ The evidence indicates that supervision is more effective when officers employ a balanced orientation that blends traditional “risk management strategies” with change-promoting interventions, particularly when implemented within the evidence-based risk-need-responsivity framework.²⁹ This requires the use of research-informed risk-need assessment tools to develop effective probation case plans that guide the probation supervision period, including intended and measurable behavior changes and goals. Risk-need tools that assess factors linked to general delinquency and well as those that are specific to sexual recidivism risk should be used.

An important objective of probation is to promote positive youth development, by assisting youth with practicing skills that will allow them to achieve goals and meet their needs in healthy, non-harmful ways. Probation officers can enhance outcomes considerably when they establish a strong professional alliance that promotes trust and optimism and when they engage youth and caregivers in the goal-setting process, as it enhances ownership, individualization, motivation to change, and ultimately yields better outcomes. Additional evidence-based probation practices include modeling healthy, pro-social attitudes and behaviors, and interactions, maximizing opportunities to teach skills during home, school, and office contacts, providing reinforcers and incentives, and responding to non-compliance with timely and proportional responses.³⁰ Simply put, supervision is most effective when officers capitalize in their role as change agents and spend more quality time discussing behaviors and goals during routine face-to-face supervision contacts than on reviewing compliance with probation conditions.

A victim-centered approach is fundamental to supervising individuals who have committed sex offenses. This best practices model underscores the importance of ensuring that the rights, needs, and interests of victims are paramount. It requires elevating the voices of victims and their families – oftentimes by

²⁸ Aos et al., 2001; Lipsey & Wilson, 1998.

²⁹ Pappozzi & Gendreau, 2005

³⁰Bonta & Andrews, 2016; Bonta et al., 2008; Dowden & Andrews, 2004; Robinson et al., 2012.

engaging victim advocates or service providers – at key decision points (e.g., disposition, case planning, condition-setting, family reunification). Doing so can support healing and restoration, foster empowerment, and mitigate system-induced harm to victims, siblings, other family members, and the JSAB themselves. Cases in which a JSAB has sexually abused another child in the family unit or home is common and oftentimes quite challenging to all parties involved. Probation officers play vital roles in assisting parents or caregivers with navigating the system and helping youth understand the potential need for removal from the family home.³¹

“Give more weight to recent behavior than past behavior. When considering placement, recent offense-free behavior in the community could help support remaining in the community. The same applies for remaining in school. When considering a return to school, recent examples of appropriate behavior during structured and supervised activities could weigh in favor of reenrollment. (ATSA, 2017, p. 79).

KEY FINDINGS

- Juvenile probation administrators, supervisors, and officers in Arizona expressed a strong commitment to ensuring public safety, victim protection, compliance, accountability, and preventing sexual reoffending;
- Probation philosophies and practices for JSAB varied considerably across counties. Some probation supervisors and officers embraced the positive youth development approach that is adopted for other youth on probation in those counties (Kids at Hope). There was evidence that officers took steps to engage youth and caregivers in the case planning and goal setting processes, and a success-oriented climate was clearly palpable;
- In contrast, the prevailing approach to supervising JSAB appeared to be compliance, enforcement and sanctions-focused. Positive youth development was not a readily identifiable goal, and officers did not appear to leverage their roles as change agents with the JSAB on their caseloads. Rather, probation strategies appeared to be driven by an underlying “failure-expected” and “prove yourself” sentiment;

³¹ Just over one-third (34%) of JSAB youth in the sample were reportedly victims of sexual abuse themselves. While this in no way diminishes the severity of their behavior, it is an issue that should be explored in treatment. Most treatment providers with whom the research team spoke indicated that they use trauma-informed treatment protocols, though this was not readily identifiable in the treatment progress reports.

- Juvenile probation officers in Arizona have the benefit of an empirically validated risk-need assessment tool (AZYAS) that is expected to be used at adjudication for all youth.³² This tool provides a valuable mechanism to support disposition recommendations and probation case planning decisions. However, as noted elsewhere in this report, there is a misnomer among probation officers, as well as other stakeholders (e.g., some evaluators and treatment providers) that the AZYAS is not valid for JSAB. This appeared to lead to frequent over-rides of the AZYAS and a tendency to discount general criminogenic needs when developing probation case plans;
- Many probation case plans for JSAB tended to appear somewhat boilerplate and offense-driven. It was oftentimes difficult to identify specific, measurable, realistic, and time limited probation goals and strategies that were individualized and assessment-driven. The “weight” of the case plans tended to center around a youth’s attendance in, and completion of, JSAB-specific treatment. This gave the appearance that change-promoting, skill-building interventions with JSAB are left primarily to the treatment providers;
- Exceedingly high numbers of probation conditions are imposed routinely for JSAB. These include between 14-25 standard/uniform conditions of probation, which are supplemented with 18-20 specialized conditions (via the sex offender addendum terms). With the additional treatment rules/expectations in some JSAB programs, these youth may have from 63-76 probation conditions, rules, restrictions, and prohibitions to which they are expected to adhere. Additionally, most treatment programs have additional conditions that are imposed on youth.
 - It was very easy to identify what JSAB are *not* allowed to do but challenging to identify what youth *are* allowed to do that can support healthy peer, school, social, and relationship skills and experiences. The focus on what youth are *not allowed* to do are called avoidance goals, compared to approach goals, indicate what a youth *can* do. The default response to activity oftentimes appeared to be “no.” The nature and number of the conditions are more likely to hinder, rather than support, positive youth development. See appendix G for examples of approach and avoidance goals;
 - Probation conditions were nearly always applied using a blanket approach, without respect to the risk, offense-related dynamics and circumstances, strengths, and intervention needs of a given youth. Please see appendix G for examples of how certain conditions can be applied based on behavior instead of just blanketly;
 - The “sex offender addendum” probation conditions read much like conditions imposed with adults who have committed sex offenses (e.g., with extensive language prohibiting and/or restricting the youth from being in or near settings or situations such as schools, parks, playgrounds, and other locations in which children may be present); and
 - Still other conditions others did not seem to fit the ages of youth on probation, and others appeared less relevant/applicable for some of the youth, given the nature of some of their offenses and victims targeted (e.g., do not go to adult establishments).
- Several victim-protection measures were addressed in the sex offender addendum probation terms. These include conditions for no-contact or only supervised contact with victims; or restrictions on contact – or potential contact – with children (whether in or outside of the home). Some conditions further specified the age ranges of the identified victims of the JSAB to provide an added safeguard;

³² The AZYAS is the identical tool as the Ohio risk assessment tool, which has been found to be valid for assessing general risk for recidivism among JSAB.

- For cases in which the juvenile victimized a child in the same residence, probation officers and other stakeholders expressed a strong conviction to ensuring victim protection by recommending out-of-home placements in nearly all circumstances. Sibling/family reunification in cases with JSAB requires careful consideration and close collaboration among the JSAB providers, probation officers, victim and family therapists, and others. Anecdotally, probation officers' recommendations and treatment providers' plans spoke to reunification goals and strategies in many instances;
- Officers' contacts with the youth, parents/families, school representatives, treatment providers, the courts, and other system actors were routinely present in case notes. The documentation suggested that contacts were primarily focused on "check-ins" (e.g., compliance checks, scheduling, reminders) and information-sharing (e.g., upcoming CFT, status of treatment, concerns identified, polygraphs, respond to activity requests); and
- As noted earlier in this report, officers appeared at times to defer to evaluators and treatment providers when making probation case management decisions. This appeared to be particularly evident with respect to disposition recommendations, approving activity requests, and determining goal attainment for the JSAB on their caseloads.

RECOMMENDATIONS

31. Eliminate the use of a blanket, offense-driven approach to condition setting. Limit the use of restrictions to those needed based on the assessed level of risk and intervention needs.
32. Reframe case plan goals and probation conditions to support skill building, positive youth development, and the successful, transition to adulthood.
33. Provide clear direction, training, mentoring, and support to assist probation officers with implementing an evidence-based model of supervising JSAB. This includes:
 - Developing high quality, assessment-driven case plans with goals that are specific, measurable, time-limited, and realistic;
 - Structuring contacts to capitalize on probation officers' roles as agents of change with the JSAB population;
 - Increasing attention to identifying and leveraging the strengths and assets of JSAB and their families; and
 - Focusing on professional alliance and using motivational strategies that promote trust, engagement, and respect.
34. Increase collaboration with victim advocates and victim services providers to help ensure a victim-centered probation approach and to ensure that identified victims have the opportunity to heal from the experience.
35. Probation administrators, supervisors, and judicial officers should take active steps to empower probation officers and demonstrate their support for their decisions – provided that they align with the policies. At present, probation officers appear to feel concerned about the extent to which they will be supported in the event that a JSAB case has less than desirable outcomes.

SECTION III. SUMMARY AND CONCLUSIONS

This report presents a comprehensive set of findings and recommendations stemming from a review of policies and practices applied to JSAB, as depicted through a review of probation case files, interviews and a statewide stakeholder survey.

During the course of this review, we identified many strengths as well as a number of areas in which practices can be improved to ensure behavioral and cognitive changes among JSAB on probation.

There is clearly a strong commitment among key stakeholders in Arizona to serving the needs of JSAB, their families and the communities in general. Among the professionals engaged in this work, there is evidence of clear dedication, passion and investment in providing excellent care to this population. There also exists a wide continuum of treatment services available for JSAB; however, they may not always be appropriately utilized. While many of these professionals have a great deal of experience and expertise, their grasp of the most recent research on evidence-informed practices with JSAB appears to be somewhat lacking.

Key findings from this research endeavor include the fact that frequent, easily-accessible and updated training is greatly needed for all professionals involved in interacting with this population, including judges, probation and surveillance officers and all contractors.

There is a lack of understanding regarding research on the recidivism risk for JSAB and the value of using a validated, general risk-need assessment (AZYAS) instrument in identifying critical criminogenic needs among this population. Evaluators often disregard the AZYAS and probation officers frequently over-ride the risk level obtained from this tool, erroneously assuming that all JSAB youth are high risk.

There is an over-reliance on the use of polygraph, despite the lack of empirical evidence for its use in general, and specifically with youth. Potential damage to youth is frequently disregarded or even ridiculed. Treatment is often long-term and includes very high dosages, sometimes requiring a youth to attend outpatient sessions as often as seven times per week. Treatment placement is sometimes more dependent on where a “treatment slot” opening appears, rather than on what treatment modality is most appropriate for the youth. Treatment is frequently not individualized, but seems to be more formulaic (Phase 1, Phase 2, etc.).

Probationers are generally overburdened with an extremely high number of conditions – things they cannot do – which are typically applied to all youth, rather than being individualized to the youth. Decisions about case management tend to be based more on the fact that the youth has engaged in sexually abusive behavior and are not based on a holistic picture of the youth. Of particular concern is the lack of attention to, or accommodation for, identified mental health issues and social or developmental deficits.

APPENDICES

APPENDIX A: EXPANDED METHODOLOGY

To meet the objectives of the present initiative the project team used a multi-faceted data collection approach, including: a review of all pertinent Arizona juvenile probation policies and practices related to the juvenile probation system's management of juveniles who sexually offend, probation case file review and data collection; interviews and a statewide survey. These are each described below.

POLICY REVIEW

At the inception of this project, JJSD staff provided the consulting team with a comprehensive set of service specification documents that address interactions with, and treatment of, this population. There are no standards or guidelines promulgated by the AOC that specify how SAB youth, in particular, are supervised on probation; rather the JJSD has developed general standards for all probationers, which includes the requirement to conduct a general risk-need assessment for general delinquency risk for all youth on probation (AZYAS). The policy review helped to inform the findings from this study.

INTERVIEWS AND SITE VISITS

At the onset of the research project, the consultants met with stakeholders from each of the five counties selected by the JJSD for a more detailed review. These counties, including Coconino, Maricopa, Pima, Pinal and Yavapai, were selected because, together, they represented over 80% of all JSAB cases on probation. The team provided an overview of the project and answered questions posed. The team queried these individuals about their philosophies and practices in managing, overseeing and treating this population of youth. The interviews helped the consulting team identify differences among and between the counties regarding their approach to and supervision of youth who have engaged in sexually abusive behaviors.

PROBATION CASE FILE REVIEW

The case file review included a systematic collection of data that allowed the team to identify common practices and to make recommendations that prioritize issues warranting attention, and further strategic planning.

All juvenile probation files for which youth received JSAB-specific services and whose probation terminated in 2016 were selected for inclusion in the sample. Originally, 153 cases were identified for review by the JJSD. Upon closer review, some of these cases were placed on diversion³³ or were terminated outside of the 2016 timeframe. Further, since Maricopa County had such a large number of cases (originally, this included 71% or 109 of the 153 cases), the project team, in consultation with JJSD and the Maricopa County

³³ In Arizona, youth placed on diversion are restricted from receiving treatment for sexually abusive behavior if the funding is provided through state funds (ARS 8-350.01). The statute requires that a youth be *adjudicated* (emphasis added) for a violation included in Title 13, Chapter 14 (sexual offenses) or 35.1 (sexual exploitation of children).

Juvenile Probation Department, agreed to review only half of the Maricopa County cases.³⁴ This decision was made for two reasons. First, the team was concerned that such a large number of cases from one county would overwhelmingly impact the findings, primarily representing the practices of a single county. Second, the case file review process took much longer than expected, given the amount of data collected and the size of the files, and resources simply did not allow for a review of all cases. Based on these two determinations, half of the cases from Maricopa County were randomly selected for inclusion in the overall review sample. Ultimately, 92 files from across the state were reviewed and analyzed.

The consulting team, with agreement from the JJSD and the Advisory Committee, incorporated a peer review model of case file reviews. This decision was made for several reasons. First, it was determined that, since this review will likely result in recommendations for some practice changes, it would be advantageous to have probation officers who are engaged in this work see first-hand the varying practices that occur around the state. When questioned about the process, peer reviewers indicated that participation in the peer review process had several benefits, including: better understanding processes and policies associated with supervising and managing this population, including the history behind them, dispelling myths about the research project, helping to promote learning about evidence-based practices with this population, reinforcing some practices and raising questions about other practices they have engaged in, promoting buy-in to the research project and identifying implications that transfer to other populations of youth they supervise. Fourteen people from four probation departments participated in the peer review process.³⁵

The case file review process was designed to identify key decision points and their drivers, such as the use of developmentally appropriate, research-informed assessment tools, the extent to which developmental considerations and context are taken into account for decision-making, the presence and quality of key documentation and the application of evidence-based/evidence-informed interventions. The specific domains included in the data collection effort include the following:

- **Adjudication Information** – dates, offenses charged and adjudicated, probation start and end dates.
- **Disposition Report Contents** – psychosexual summary, incorporation of strengths/assets, risk information, probation officer recommendation.
- **Judicial Disposition/Probation Supervision Information** – probation conditions.
- **Probation Supervision and Case Plan Information** – assessment information used to develop case plans, strengths/assets incorporated, involvement of key players in development of case plan.
- **Probation Termination Information** – length of supervision, termination type.

³⁴ After removing cases that did not fit the review criteria, the number of Maricopa County cases reviewed was 48, or 52.2% of the cases.

³⁵ All peer-reviewed files were reviewed for accuracy and completeness by the NCSC-CEPP consultants.

- **Violations of Probation** – number and type of violations, probation officer recommendations, detention placement, court disposition.
- **Psychosexual Evaluation Information** – report date, assessment and evaluation information included, risk level (sexual and general delinquency risk).
- **Additional Specialized Risk Assessment** – dates of assessments, scores, risk levels.
- **Polygraph Information** – dates, types of exams, use of informed consent/assent by youth and parents, rationale for requesting exam, exam results, response to exam outcome.
- **Treatment Plan Information** – presence of plan, use of formal assessment, whether the plan is individualized, whether plan is based on risk and need information, involvement of key players in plan development, assessment of treatment progress and ongoing documentation.
- **Treatment Services Information** – provider, start and end dates, whether treatment was court ordered, termination type.
- **Treatment Completion and Criteria** – criteria for successful completion, presence of progress summaries, discharge summaries, persons with whom treatment plans and/or changes to treatment plan were shared.
- **Residential Placement** – whether used, time in residential placement, reason for transfer (if any).
- **Responses to Victims in Home** – assessment of ability to keep youth in home, how the family was assessed, existence of family safety plan, documentation of reunification.

The statewide data review was conducted in an effort to benefit the JJSD by creating a foundation of information identifying critical system strengths and shortfalls that can be used to build evidence-based strategies and practices that meet the needs of the juvenile offenders, families, and victims of these acts.

SURVEY OF CURRENT KNOWLEDGE AND PRACTICE

In December 2018, a survey link was sent to probation officers, surveillance officers, probation supervisors and directors, judicial officers, county attorneys, public advocates, treatment providers, evaluators and polygraph examiners. This anonymous questionnaire was designed to explore the beliefs, understandings, strategies, practices and perspectives about juveniles who have engaged in sexually abusive behavior. The link was distributed through the JJSD to ensure that recipients would know the request to complete the questionnaire was legitimate. Key findings from the survey are incorporated throughout this report and in Appendix D.

APPENDIX B: CASE FILE REVIEW SAMPLE DESCRIPTION

As discussed in Appendix A, even when reviewing only 50% of the Maricopa County cases, over half of the sample of cases reviewed were on probation in Maricopa County, which is not surprising, given that this is the most populous jurisdiction in the state. This may have implications for the overall findings, in that the probation practices in Maricopa County may have a greater influence on the findings than cases supervised in other counties. In terms of treatment services, only four cases that involved youth from counties outside of Maricopa placed a youth in a residential treatment facility in Maricopa County. The other cases in which the youth received treatment received treatment from providers that practiced within or near their counties.

The gender and age distribution in the study sample is slightly different from the averages for all probationers as reported in the Arizona Judicial Branch's statistical reports, *Arizona Juvenile Court Counts, Statewide Statistical Information FY 2016 and FY 2017*. In FY 2016 and FY 2017, males accounted for 75.8% and 77.5%, respectively and the mean age of those placed on probation was slightly higher at 16.7 years of age for both years. The lower age among our study sample may suggest that officials take the sexual misbehavior more seriously than other offenses that are delinquent but might be handled outside of the juvenile justice system. The gender differences are not surprising, as males typically account for at least 90% of sexual abuse perpetrators, so the low number of females is to be expected, even though it is lower than the proportion of girls placed on probation across the state.

It is encouraging that two-thirds of the study sample completed probation successfully; however, neither state nor national statistics regarding juvenile probation rates are available for comparison. On the other hand, the average length of time on probation for the JSAB population was 65% longer than the standard probation term of twelve months. The average length of stay on probation was generally correlated with the number of treatment programs attended (see Table 7, in the main body of the report). The average length of stay on probation for these youth ranged from 1 to 44 months, suggesting that these youth are not just placed on probation as they near the age of 18. It would be worth exploring these cases further.

File reviewers found some cases in which a given youth was adjudicated on a date very near their 18th birthday, and therefore probation and treatment services were not pursued during the short duration for which the juvenile court had jurisdiction. In many other cases, youth accessed and received services from one or more treatment programs, with varying results, and then appeared to be terminated abruptly from probation as a result of aging out. This raises questions about the extent to which appropriate transition plans were developed (particularly with respect to housing, employment, and family reunification when offenses involved victims in the family or home), and whether these youth exited probation with the necessarily skills and support for short and long term success as they enter adulthood. Legislation enacted after the 2016 study period – which went into effect in 2018 – extended the amount of time for which the juvenile court may retain jurisdiction, up to 19 years of age. These provisions may help with address concerns about youth aging out prior to successful completion. It should be noted, however, that only 2 of the 17 youth from this cohort who aged out in 2016 have been charged as adults for new crimes, neither of which are sex offenses.

APPENDIX C: ADDITIONAL FINDINGS FROM CASE FILE REVIEW

To focus the reader’s attention on key findings from the case file review, not all data were presented in the main body of the report; however, there are findings that provided additional support for recommendations contained in the report. These findings are provided below.

Of the 92 cases reviewed, two did not have disposition reports in the file. Of the 90 disposition reports reviewed, the risk level was based on a variety of assessment tools or other mechanisms. Specifically, as shown in Table C-1, in 52 of the 90 disposition reports provided (57.8%), risk level based on the AZYAS³⁶ was provided – in 4 of these cases, the level of risk based on sexual specific risk assessments (J-SOAP-II and/or ERASOR) were *also* provided. While not a discreet data collection category, the majority of cases in which risk was determined using the AZYAS indicated an override of risk from low to either moderate or high risk. Fifteen of the 90 cases (16.7%) with disposition reports included risk based solely on sex-specific risk assessment tools (J-SOAP-II/ERASOR) and 23 cases (25.6%) reported risk based exclusively on the psychosexual evaluator’s assessment in which the tools used were unclear. Typically, the psycho-sexual evaluators’ risk determination is based on a battery of tests, which often include sex-offense specific risk assessment instruments. The AZYAS is required in all cases supervised by probation; so, it is likely that these assessments were completed on all youth in our sample, but not placed within the file.

Table C-1: Assessment Tools Used to Determine Risk as Reported in Disposition Reports

Assessment Tool	N	%
AZYAS Only	48	53.3%
AZYAS and Sex Offender Specific	4	4.4%
Sex Offender Specific	15	16.7%
Evaluator Opinion	23	25.6%
No Disposition Report	2	--
Total	93	100%

As shown in Table C-2, just over one-third of the study sample had violations filed during their term of probation supervision. Of the 32 (34.8% of the sample) youth who had any violations filed with the court, 21 had 1 violation filed, 7 youth had 2 violations filed, 3 youth had 3 violations filed and 1 youth had 6 violations filed while on probation. A variety of dispositions were reached as a result of the probation violations; however, only 2 youth were terminated and placed in ADJC, 1 was terminated from probation

³⁶ The Arizona Youth Assessment System (AZYAS) is a risk assessment system used at key decision points in the juvenile justice system in Arizona (diversion, pre-disposition, disposition, detention, residential placement re-entry) to determine the risks and needs of each youth in the system. The use of a consistent assessment tool was designed to ensure consistency in the application of risk and need information used to guide case planning and case management.

and the rest resulted in either the violation being dismissed and/or the youth continued on probation, in some cases ordered to change or increase the level of treatment and/or supervision.

Table C-2: Number of Probation Violations Filed

Number of Violations	N	%
0	60	65.2%
1	21	22.8%
2	7	7.6%
3	3	3.3%
6	1	1.1%
Total	92	

In an effort to maintain victim safety, youth adjudicated for sexually offending against a family member are frequently placed outside of the home. In our sample, 26.1% (n=24) youth were so placed. Among the group who were placed outside of the home, 79.2% (n=19) had developed safety plans and reunification goals to further protect the safety of the victim(s) and to provide a clear process for the youth to return to the home (data not shown).

File reviewers attempted to obtain the evaluator’s treatment recommendation and the probation officer’s treatment recommendation. Unfortunately, data for all fields were not consistently available. Where both data items are available, the recommendations for treatment by the evaluator and the probation officer were consistent, suggesting that the probation officers rely heavily on the expert advice of the evaluators. The reliance on these recommendations is consistent with the survey results, which indicate that 78% of probation officers who responded indicated that the psychosexual evaluation is always or often beneficial for informing their decisions regarding treatment.

Reviewers examined files looking for basic supervision orders and conditions placed on youth by the court. In terms of supervision conditions, 84.9% (n=79) of youth were ordered to abide by standard probation terms as well as the “blanket” terms for youth who have committed sexually abusive offenses, 10.8% (n=10) received individualized conditions of placement and the terms and conditions ordered were missing in 4.3% of the cases (n=4). Blanket terms included, among others, the following requirements: do not date, prohibited contact with the victim (or those of similar age/gender), treatment participation, limited extracurricular activities, family involvement in treatment and polygraph testing. Conditions should be applied based upon the facts of the case or according to behavior while on probation. For example, it may not be relevant, or healthy, to simply tell a youth they cannot date. Rather, the no dating rule would be applicable if a youth was adjudicated for an offense that occurred in a dating situation or with a youth of a similar age. Similarly, if a JSAB youth is an athlete and engaged in sports, or a youth is involved in the school band as a healthy developmental activity, and the circumstances of the offense had nothing to do with participation in sports or band, it is not appropriate to limit such activity. This condition would be appropriate if a youth committed his or her offense during sports or band practice or performances.

In many instances, the youth may have as many as 31 treatment rules, prohibitions, and restrictions that mirror or strongly resemble probation conditions. In addition, such youth tend to have between 14-25 standard/uniform conditions of probation, which are supplemented with 18-20 specialized conditions (via the sex offender addendum). As such, JSAB may have from 63-76 conditions, rules, restrictions, and prohibitions to which they are expected to adhere.

A review of the standard and sex-offense-specific addendum conditions, every one of this framed in an “avoidance goal” perspective as opposed to an “approach goal” perspective. Avoidance goals focus on avoiding or eliminating undesired outcomes; approach goals are those that involve reaching or maintaining desired outcomes. Human nature is such that we respond more to positive goals than to negative goals. For example, the following conditions could be reworded to move from avoidance goals to approach goals:

The National Council of Juvenile and Family and Juvenile and Family Court Judges (NCJFCJ) released a Resolution Regarding Juvenile and Adolescent Development in 2017, which specifically addresses this issue. A copy of the resolution is provided below.



NATIONAL COUNCIL OF
JUVENILE AND FAMILY COURT JUDGES



RESOLUTION REGARDING JUVENILE PROBATION AND ADOLESCENT DEVELOPMENT

WHEREAS, the NCJFCJ supports integrating applicable principles identified and supported by adolescent brain development, including sentencing and disposition options for juveniles, into juvenile and family courts;

WHEREAS, the NCJFCJ encourages judicial leadership to guide policy and practice changes that incorporate the research findings on adolescent brain development;

WHEREAS, the research on adolescent brain development should help juvenile and family court judges understand, anticipate, and respond to the behavior of adolescents by holding them accountable in developmentally appropriate ways;

WHEREAS, the juvenile justice system is grounded in the inherent differences between youth and adults, yet current juvenile probation practices and policies may not reflect those developmental differences;

WHEREAS, the NCJFCJ believes that juvenile justice system policies, programs and supervision should be tailored to reflect the distinct developmental needs of adolescents;

WHEREAS, the NCJFCJ, as declared in the 2005 *Juvenile Delinquency Guidelines*, believes that juvenile delinquency court judges should ensure that court dispositions are individualized and include differential responses of sanctions and incentives;

WHEREAS, the NCJFCJ has called for individualized juvenile probation services and conditions of probation that are implemented through well-developed case plans that include “proactive statements about what must occur in the near future to address youths’ risk to community safety, their most pressing needs related to their delinquent behavior, and their accountability obligations”;

WHEREAS, a developmental approach to juvenile probation should promote as “normal” a path to adulthood as possible, using out-of-home placement as a last resort;

WHEREAS, family engagement and community partnerships are a valuable part of a developmentally appropriate system;

WHEREAS, developmental goals for adolescents on probation must include preparation for the exercise of rights and responsibilities that society assigns to adults;

WHEREAS, too many juvenile courts and juvenile probation departments impose conditions of probation that are not individualized, have too many requirements, and lead to unnecessary detention or incarceration for technical violations;

WHEREAS, enforcement of conditions of probation is too often subjective and exacerbates racial and ethnic disparities;

WHEREAS, Modernizing juvenile probation approaches to incorporate knowledge on adolescent development and behavioral decision making will (1) help youths understand, appreciate, and remember their probation requirements; (2) emphasize short-term, positive outcomes for probation compliant behaviors; (3) deliver sanctions for noncompliant behaviors in ways that enable youths to learn from their mistakes and modify their behaviors in the future; and (4) promote affiliation with positive peers.

NOW, THEREFORE, BE IT RESOLVED:

The NCJFCJ supports and is committed to juvenile probation systems that conform to the latest knowledge of adolescent development and adolescent brain science.

The NCJFCJ supports and is committed to the development of robust education and training of juvenile probation staff on adolescent brain development; its impact on juvenile justice policy, practice and the law; and its relationship to juvenile probation case planning, conditions of probation, supervision, monitoring and enforcement, and data collection.

The NCJFCJ encourages juvenile probation agencies to implement evidence-based practices and be data-informed by collecting practice-based evidence.

The NCJFCJ recommends the use of validated risk and needs assessments to guide dispositional and programming decisions.

The NCJFCJ recommends juvenile probation that emphasizes individualized case management to provide youth with services that are responsive to their criminogenic needs.

The NCJFCJ encourages an emphasis on the use of incentives—rather than sanctions-- to modify youth behavior.

The NCJFCJ recommends that courts cease imposing “conditions of probation” and instead support probation departments’ developing, with families and youth, individualized case plans that set expectations and goals.

The NCJFCJ encourages jurisdictions to develop alternatives to formal probation revocations for technical violations, to ensure that detention or incarceration is never used as a sanction for youth who fail to meet their expectations or goals.

The NCJFCJ encourages juvenile courts and juvenile probation departments to adopt a developmentally designed juvenile probation system with a differential response system that will:

- a. Help youth improve their decision-making.
- b. Emphasize short-term, positive outcomes for probation-compliant behaviors.
- c. Be designed in such a way that enables youths to experience success almost immediately.
- d. Emphasize effort and improvement through a process of behavior change rather than expecting perfect compliance with probation requirements, goals, and expectations.
- e. Create expectations and goals that address fewer behaviors at a time, rather than emphasizing all probation requirements at once, while taking care to avoid unnecessarily extending the duration of probation.
- f. Utilize incentives and rewards to motivate youth to meet expectations and goals that enable youth to learn from their noncompliant behaviors.
- g. Fairly sanction misbehavior, incorporating elements of procedural justice.

APPENDIX D: STAKEHOLDER SURVEY FINDINGS

The stakeholder survey was completed by 174 individuals professionally involved with juvenile delinquents in the community. In all, 174 stakeholders completed the survey, including:

- 76 probation officers;
- 43 probation agency administrators/ supervisors;
- 24 treatment providers;
- 12 surveillance officers;
- 6 judges;
- 5 clinical evaluators;
- 4 attorneys (county attorney/defense counsel); and
- 4 polygraph examiners.

As the links were sent by the JJSD, the response rate of the survey is not known; however, the number of responses and the fact that all disciplines were represented in the responses generate enough confidence that the consultant team can glean information from the findings to help assess the current state of practice and knowledge regarding the processing and management of JSAB. Many of the questions were posed to each respondent group, whereas others were discipline-specific and posed only to the relevant groups. Below are tables and graphs that represent the responses to key questions from the survey.

SELECT QUESTIONS FOR ALL STAKEHOLDERS

Table D-1: Percent of Respondents Indicating That JSAB Are “More Challenging”

	Judge/ Judicial Officer	County/ Defense Attorney	Clinical Evaluator	Probation Admin/ Supervisor	Probation Officer	Surveillance Officer	Polygraph Examiner	Treatment Provider
From a technical/ case-management perspective, compared to non- sex offense cases, JSAB cases are:	100%	75%	60%	68%	84%	83%	NA	67%
From a personal impact perspective, compared to non- sex offense cases, JSAB cases are:	67%	75%	40%	85%	81%	83%	NA	42%
From a public scrutiny perspective, compared to non- sex offense cases, JSAB cases are:	83%	75%	60%	93%	92%	92%	NA	83%

Table D-2: Perceptions About Whether Specialized, JSAB-Specific Risk Assessment Tools Can Identify Which Youth Will or Will Not Re-offend

	Overall	Judge /Judicial Officer	County/ Defense Attorney	Clinical Evaluator	Probation Admin/ Supervisor	Probation Officer	Surveillance Officer	Polygraph Examiner	Treatment Provider
True	29%	33%	0%	20%	40%	33%	27%	0%	13%
False	71%	67%	100%	80%	60%	67%	73%	100%	88%

Risk assessment tools are neither designed to identify – nor can any such tools identify – whether a given individual will or will not re-offend. Rather, risk assessment tools are designed to provide an estimate of the level of risk posed by an individual. Therefore, “False” is the correct answer.

Table D-3: Extent to which Respondents Report Perceived Benefit from Additional Training and Information about Key Topics Specific to JSAB

	A Great Deal	A Moderate Amount	A Minimal Amount	Not at All
Similarities & differences between adults and juveniles who offend sexually	79	52	34	9
Similarities & differences between JSAB youth & other (non-JSAB) justice-involved youth	73	54	32	15
Adolescent development	68	55	38	13
Risk and protective factors for JSAB	87	56	22	9
Best practices for assessing, evaluating JSAB	97	44	27	6
Best practices for treating JSAB	97	51	20	6
Best practices for supervising JSAB	97	45	26	6
Parent/caregiver engagement, interventions	84	62	23	5
Trauma-informed approaches	88	53	29	4

Table D-4: Percent of Respondents who Report Having Received Specialized Training about JSAB

	Overall	Judge/ Judicial Officer	County/ Defense Attorney	Clinical Evaluator	Probation Admin/ Supervisor	Probation Officer	Surveillance Officer	Polygraph Examiner	Treatment Provider
Yes	49%	33%	50%	100%	51%	29%	42%	100%	96%
No	51%	67%	50%	0%	49%	71%	58%	0%	4%

Table D-5: Stakeholders’ Reported Level of Confidence in Various Aspects of the System Based on Hypothetical Personal Scenario

<i>An adolescent in your family was recently adjudicated for sexually abusive behavior, and the disposition hearing is pending. Given what you know about current practices with JSAB in your county, how confident are you – as the parent or family member of the adolescent – that you will be satisfied with the following?</i>					
	Very Confident	Moderately Confident	Very/Moderately Confident	Minimally Confident	Not at all Confident
Developmental appropriateness of interventions	13%	51%	63%	21%	16%
Any "special needs" of your child being addressed (e.g., autism spectrum disorders)	16%	37%	53%	29%	17%
Services, advocacy for victims	16%	40%	55%	29%	16%
Victim safety, protection	24%	45%	69%	18%	13%
Frequency of polygraph examinations	23%	32%	55%	22%	23%
Impact of polygraph experience on your child	22%	34%	56%	22%	22%
Use of polygraph examinations	28%	32%	60%	21%	18%
Duration of treatment, length of stay	16%	36%	52%	33%	15%
Quality, effectiveness of treatment	20%	40%	60%	30%	10%
Treatment goals and strategies	22%	44%	66%	26%	9%
Range of treatment options available	9%	36%	45%	35%	20%
Extent to which interventions are individualized	19%	40%	59%	31%	10%
Services, supports for you and your family	18%	38%	56%	35%	9%
Your child's interests being taken into account	17%	51%	67%	24%	9%
Your interests being taken into account	18%	41%	59%	31%	10%
Probation goals and strategies	32%	47%	79%	16%	5%
Relevance, appropriateness of probation conditions	29%	48%	76%	17%	7%
Disposition decision (e.g., placement, court expectations)	24%	49%	73%	20%	7%
Quality, thoroughness of psychosexual evaluation	30%	47%	77%	20%	3%
Quality, thoroughness of disposition report	33%	43%	76%	20%	3%
Timeliness of the court processes	17%	40%	57%	26%	17%

Table D-6: Respondents Report JSAB are More Likely to Recidivate the Following Type(s) of Offenses

	Overall	Judge/ Judicial Officer	County/ Defense Attorney	Clinical Evaluator	Surveillance Officer	Polygraph Examiner	Treatment Provider
A non-sex offense	39%	50%	25%	100%	33%	50%	83%
Another sex offense	28%	17%			33%	50%	
They are equally likely to recidivate with sexual and non-sexual crimes	32%	33%	75%	0%	33%	0%	17%

Table D-7: Respondents Report that JSAB Tend to be More Like the Which Other Categories of Offenders?

	Overall	Judge/ Judicial Officer	County/ Defense/ Attorney	Clinical Evaluator	Probation Admin/ Supervisor	Probation Officer	Surv. Officer	Polygraph Examiner	Treatment Provider
More like adult sex offenders	7				2	2	2	1	
More like other justice-involved youth (non JSAB)	30	1	1	4	9	9	2		4
Equally similar to adult sex offenders and other justice-involved youth (non JSAB)	13				1	9	3		
A unique/distinct population altogether	123	5	2	1	31	56	5	3	20

Table D-8: Responses to Research-Based Statements Regarding JSAB

Statement	Strongly Agree/Agree	Strongly Disagree/Disagree
Most JSAB can be managed effectively in the community.	82%	18%
JSAB who victimize young children are fairly likely to be pedophiles as adults.	36%	64%
As a group, JSAB have a fairly distinct psychological/behavioral "profile" (e.g., personality traits, social functioning, other characteristics):	65%	35%
Most JSAB need long-term treatment.	72%	28%
"General" risk assessment tools for justice-involved youth (e.g., AZYAS) tend not to be relevant for JSAB.	70%	30%
Most JSAB pose a high risk to re-offend sexually.	44%	56%
JSAB should not remain in a home if the victim is in that home.	85%	15%
Polygraph examinations are critical for intervening effectively with JSAB.	70%	30%
"General" delinquency-focused treatment (vs. sex offense-specific) is effective in reducing recidivism with JSAB.	27%	73%

Table D-9: Ways in Which Work with JSAB Youth Personally or Professionally Affect Respondents (Respondents checked all that applied)

	Judge/ Judicial Officer	County/ Defense Attorney	Clinical Evaluator	Surveillance Officer	Polygraph Examiner	Treatment Provider
Affected intimate relationships	0%	0%	0%	8%	0%	0%
Less trusting view of people	0%	25%	0%	67%	25%	3%
Sleep difficulties	0%	50%	0%	8%	0%	0%
Mood (e.g., depression, anxiety)	17%	50%	0%	0%	0%	4%
Increased use of unhealthy coping skills	0%	25%	0%	0%	0%	0%
Self-imposed heavy burden of responsibility	33%	50%	80%	8%	25%	42%
Feel more scrutinized professionally	17%	0%	60%	17%	25%	17%
More concerned about personal safety (e.g., myself, family)	33%	25%	0%	58%	25%	21%
Professional isolation	0%	25%	20%	8%	0%	17%
None of the above	50%	50%	0%	25%	50%	33%

Table D-10: How Much Time do Supervisors Expect Officers to Spend on the Following Activities when Supervising JSAB?

	A Great Deal	A Moderate Amount	A Minimal Amount	Not at All
Surveillance, tracking	30%	63%	3%	5%
Field contacts (e.g., home, school)	49%	51%	0%	0%
Searches (e.g., computer, phone, social media)	37%	41%	22%	0%
Interacting with parents, caregivers	73%	22%	5%	0%
Using skill-building techniques	51%	41%	5%	2%
Routine documentation, paperwork	29%	61%	10%	0%
Communicating with treatment providers	76%	22%	2%	0%
Staffing cases with supervisors	39%	46%	15%	0%
Monitoring, enforcing compliance	51%	46%	2%	0%

Table D-11: Treatment Providers Report Providing Specifically-Tailored Interventions for the Following For which of the following Sub-Groups of JSAB

	Always	Often	Occasionally	Rarely	Never
Children 12 and younger	29%	4%	17%	33%	17%
Adolescent females	21%	13%	21%	25%	17%
Youth with autism spectrum disorders	21%	25%	29%	17%	8%
Youth with cognitive or developmental difficulties	17%	25%	38%	17%	4%
Youth with severe, persistent mental health difficulties	33%	29%	25%	8%	4%
Youth with diverse cultural experiences (e.g., youth who would benefit from culturally competent interventions)	29%	38%	25%	4%	4%
Youth with gender identity questions	21%	17%	46%	8%	8%
Youth who deny the offense(s) for which they were adjudicated	29%	38%	21%	8%	4%

Table D-12: How Treatment Providers Assess Treatment Progress

	Always	Often	Occasionally	Rarely	Never
JSAB-specific risk-need tool (e.g., JSOAP-II, ERASOR, PROFESOR)	33%	25%	21%	8%	13%
Therapist's impressions	75%	25%	0%	0%	0%
Behavioral observations	79%	21%	0%	0%	0%
Treatment team review	71%	25%	4%	0%	0%
Youth's self-report	58%	38%	4%	0%	0%
Group members' feedback (if group modality is used)	29%	21%	21%	8%	17%
Completion of assignments	50%	38%	8%	4%	0%
Polygraph results	33%	21%	8%	4%	33%
Parent's/caregiver's feedback	54%	46%	0%	0%	0%

Table D-13: How Treatment Providers Report Using Information Obtained from Polygraph Exams

	Percent of Responses
To identify additional victims or offenses not previously reported, detected	17%
To guide/inform treatment planning, strategies	11%
To assess treatment progress	6%
To explore adherence to treatment expectations	6%
To inform decisions about treatment completion/termination	6%
To guide supervision planning, strategies	0%
To assess compliance with probation expectations	6%
To inform decisions about probation completion	0%

APPENDIX E: JSAB-SPECIFIC TREATMENT RULES, EXPECTATIONS AND THERAPEUTIC ACTIVITIES – DIRECT EXCERPTS FROM THE TREATMENT CONTRACT UTILIZED IN A JSAB-SPECIFIC PROGRAM

Introductory Language

“When you agree to participate in the [treatment program], you are agreeing to all rules of the program. Failure to comply with these rules may result in expulsion from this program. Therefore, you must carefully read this Treatment Contract. [Treatment program staff] can help you read and understand the contract if you want them to do so. When you sign this contract, you are showing that you have read and understand it. You are also agreeing to follow all program rules.”

Items from the “Control Over Deviant Outlets” section

- ✓ “I will not view, buy, or possess pornography. I will not watch pornographic videos or movies. I will not view Internet pornography or adult web sites.”
- ✓ “I will not watch R rated movies unless approved by [treatment program staff].”
- ✓ “I will not enter any establishment whose primary purpose is to sell sexually suggestive material or pornography.”
- ✓ “I will not display in my room pictures of people who are partially clad, e.g., wearing swimsuits, underwear or tight and revealing clothes.”
- ✓ “I will not cruise for victims. I will not visit Internet “chat” rooms to cruise for victims. I will not walk or ride around aimlessly. I will not sit and watch people.”
- ✓ “I will not go to parks or malls where children and other victims are located.”
- ✓ “I will only go to school or school activities as directed in a plan approved by [treatment program staff].”
- ✓ “I will not use prostitutes. I will not travel through or go to places where prostitutes are located”
- ✓ “I will not make obscene telephone calls. I will not make telephone calls just to listen.”
- ✓ “I will not touch persons without their permission. I will not tickle or horseplay. I will not bump into people.”
- ✓ “I will not look down the blouses of women or children. I will not “undress” people with my eyes. I will not rate people in terms of their attractiveness.”
- ✓ “I will not use objects during sexual acts. I will not use fetishism.”
- ✓ “I will not masturbate to deviant fantasies. I will stop deviant fantasies when they occur.”

- ✓ "I will not use animals during sexual acts."

Items from the "Therapeutic Activities" section

- ✓ "I will be on time for all scheduled appointments and activities. [Treatment program staff] act as the timekeepers."
- ✓ "I will comply with the Group Rules and Program Rules."
- ✓ "I may be asked to take a polygraph test or lie detector test. I agree to take a polygraph test if I am asked to do so. I understand that I may be asked to take a polygraph several times while in treatment or on probation or parole."
- ✓ "I understand that cooperating with treatment requires complete and honest disclosure of my past and present sexual behaviors, contacts, thoughts and masturbatory practices even if these disclosures mean that I am admitting to a crime. I understand that the polygraphs I take may be used to determine if I have completely and honestly disclosed as required."
- ✓ "I understand that invocation of my 5th Amendment Rights against self-incrimination (admitting to a crime), even if appropriate, may be grounds for discharge due to the extent that the invocation interferes with treatment. I understand that I may have to incriminate myself in order to cooperate with the treatment process."
- ✓ "I understand that the results of the polygraph tests could be used to make decisions regarding my probation, parole, or treatment status."
- ✓ "I understand that if I fail to make progress, I may be terminated from the program. [Treatment program staff] determine whether or not I am making progress."

APPENDIX F: EXPANDED POLYGRAPH LITERATURE REVIEW

According to the American Psychological Association, *“the accuracy (i.e., validity) of polygraph testing has long been controversial. An underlying problem is theoretical: There is no evidence that any pattern of physiological reactions is unique to deception. An honest person may be nervous when answering truthfully and a dishonest person may be non-anxious”* (American Psychological Association, 2004, p 2).

Polygraph testing is frequently used in Arizona (as well as in other states) with youth under correctional supervision for having engaged in sexually abusive behaviors. Polygraph testing is typically seen as a decision-support tool that can be used to assist supervision and treatment with youth. In 2017, ATSA released their first-ever *Guidelines Adolescents*. In the *Guidelines*, ATSA *“recommends against using polygraph...with adolescents under age 18”* (ATSA, 2017, P. 34). ATSA’s reasons for recommending against the use of polygraphy with adolescents is based on ethical concerns regarding the possibility of coercion and for the potential to cause fear, shame or other issues that could interfere with positive adolescent development. Finally, ATSA raises concerns about using the polygraph with youth on the fact that the use of polygraphy with youth is *“largely unsupported empirically.”* Other concerns are also articulated in the *ATSA Guidelines* document.

Indeed, the validity of the polygraph has long been the subject of debate, since its development in 1915. The lack of scientific validity underlying the results of the polygraph were found to be inadmissible in court in the landmark Frye decision in 1921. In that decision, commonly referred to as the Frye decision, the appeals court judge concluded that *“The thing from which [a] deduction is made must be sufficiently established to have gained general acceptance in the particular field in which it belongs.”* Because the scientific literature on polygraph examinations. have never convinced the majority of scientists (Lykken, 1981, Office of Technology Assessment, 1983, Blasingame, 1998, Rosky, 2012), the Frye standard has excluded them from most courtrooms for almost a century. As noted in a report in *Psychology Today* (2013) *“[F]rom a scientific perspective, there is no rationale for administering a polygraph test. So there certainly is no good reason to take one – if you can avoid it.”*

Studies based on the accuracy of the polygraph have also resulted in mixed findings. One possibility for this lack of consistency in findings is the fact that a great deal of polygraph research relies on the premise that the polygraph works. The American Polygraph Association claims that the accuracy of the polygraph is 90%. Researcher David Lykken (1981) argues that the accuracy of the polygraph is closer to 65% in detecting lies and no better than the flip of a coin in determining truth.

Turning to the use of the polygraph with adolescents, the research is, admittedly, scarce. Jensen et al., (2014) found that *“Polygrapher competence regarding verbal and nonverbal communicative style and overall style of client engagement all impact the validity of polygraph examinations.”* Among clients, severe mental disorders, mental retardation, medical conditions, refusal to adhere to directions, and drug or

alcohol intoxication may influence the results of a polygraph examination.³⁷ Further, research studies have found that biases in polygraph exam outcomes vary significantly for people of color as well as by gender. Despite these findings and concerns, polygraphy remains a common practice in various treatment settings for adults and juveniles who have been adjudicated for sexual offenses.

Additionally, ethical concerns exist regarding the use of polygraph with youth. Many researchers have argued that developmental factors inherent in youth raise concerns regarding the use of polygraph testing. Factors such as the lack of future orientation, susceptibility to outside influences, and inability to regulate emotions, make juvenile offenders more vulnerable to perceived coercion than their adult counterparts (Ben-Shakhar, 2008; Scott & Steinberg, 2008). Research also suggests that adolescent offenders are more likely than adult offenders to comply with authority figures in the face of self-incriminating disclosures and are less likely to recognize the risks associated with their legal choices (Grisso, et al., 2003).

The use of polygraph is steeped in great controversy, both in general and in its use as a “therapeutic tool” for with adolescents. There are significant questions regarding the basic underlying premise on which the polygraph is designed and whether the autonomic responses measured actually relate to a human’s response to lying. Further, the validity and reliability of the polygraph remain under question, and there are compelling concerns regarding the potential or perceived coercion with its use with adolescents.

³⁷ The case file review did not include data on the presence of mental illnesses or other mental disorders, such as autism, but it was noted in at least a handful of cases, that youth with these conditions were subjected to polygraph examinations.

APPENDIX G: RESOURCES AND SITES RELATED TO COURT PROCESSING, SUPERVISION, ASSESSMENT AND TREATMENT OF JSAB

Select Agencies and Organizations

American Probation and Parole Association (APPA) <https://www.appa-net.org/eweb/>

Association for the Treatment of Sexual Abusers (ATSA) <http://www.atsa.com>

Center for Sex Offender Management (CSOM) <https://www.csom.org>

National Center on the Sexual Behavior of Youth (NCSBY) <http://www.ncsby.org>

National Center for State Courts (NCSC) <https://www.ncsc.org>

National Council of Juvenile and Family Court Judges (NCJFCJ) <https://www.ncjfcj.org>

National Sexual Violence Resource Center (NSVRC) <https://www.nsvrc.org>

Office of Juvenile Justice and Delinquency Prevention (OJJDP) <https://www.ojjdp.gov>

Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART), U.S. Department of Justice, Office of Justice Programs. <https://www.smart.gov>

Office on Violence Against Women (OVW) <https://www.justice.gov/ovw>

Stop It Now! <https://www.stopitnow.org>

Select Publications and Resources

ATSA Practice Guidelines for Assessment, Treatment, and Intervention with Adolescents who have Engaged in Sexually Abusive Behavior. (Association for the Treatment of Sexual Abusers, 2017).

<https://www.atsa.com/civicrm/contribute/transact?reset=1&id=38>

ATSA Professional Code of Ethics. (Association for the Treatment of Sexual Abusers, 2017).

https://www.atsa.com/Public/Ethics/ATSA_2017_Code_of_Ethics.pdf

Advancing a Victim-Centered Approach to Supervising Sex Offenders: A Toolkit for Practitioners. (Bumby, K. M., Baker, K., & Gilligan, L., 2018). https://csom.org/pubs/Probation_toolkit_web.pdf

Considering Family Reconnections and Reunification after Child Sexual Abuse: A Road Map for Advocates and Service Providers. (Tabachnick, J., & Pollard, P., 2016.)

https://www.nsvrc.org/sites/default/files/publications_nsvrc_guides_considering-family-reconnection-reunification-after-child-sexual-abuse.pdf

Multisystemic Therapy – Problem Sexual Behavior. (Blueprints for Healthy Youth Development). <https://www.blueprintsprograms.org/programs/multisystemic-therapy-problem-sexual-behavior-mst-psb/>

Principles of Effective Juvenile Justice Policy. (National Conference of State Legislatures, 2018). http://www.ncsl.org/Portals/1/Documents/cj/JJ_Principles_122017_31901.pdf

Promising Victim-Related Practices Fact Sheet Series. (American Probation and Parole Association, 2018). <https://connect.appa-net.org/viewdocument/promising-victim-related-practices>

Promising Victim-Related Practices in Probation and Parole Training Curriculum Package. (American Probation and Parole Association, 2018). <https://www.appa-net.org/eWeb/docs/APPA/pubs/PVRPPP.pdf>

Raised on the Registry: The Irreparable Harm of Placing Children on Sex Offender Registries in the US. (Human Rights Watch, 2013). https://www.hrw.org/sites/default/files/reports/us0513_ForUpload_1.pdf

Resolution Regarding Juvenile Probation and Adolescent Development. (National Conference of Juvenile and Family Court Judges, 2017). https://www.ncjfcj.org/sites/default/files/Fnl_AdoptedProbationPolicyResolution_7-2017_1.pdf

Resolution Regarding Sex Offender Registration Requirements for Youth Younger than 18. (National Council of Juvenile and Family Court Judges, 2019) http://www.ncjfcj.org/sites/default/files/Final_NCJFCJ-Resolution-SexOffenderRegistration_3-2019_Compl.pdf

The Role of Judges in Managing Juvenile Sex Offense Cases: Keys to Informed Decisionmaking: A Judicial Education Curriculum. (Center for Effective Public Policy, 2009). https://www.csom.org/pubs/juvenile_sex_cases.pdf

When Sexual Behaviors in Youth are Problematic or Illegal: A Web-Based Resource for Evidence-based Decision-Making. (National Center on the Sexual Behavior of Youth) <http://www.ncsby.org/content/professionals>

APPENDIX H: ADDITIONAL RECOMMENDATIONS FOR CONSIDERATION

The recommendations offered within the context of the five guiding tenets in the body of this report were determined to be the most pressing areas of need. However, the information gleaned throughout the course of the review surfaced a number of additional items that are recommended for consideration as well. These items are listed below and lettered for ease of reference and differentiation from the numbered recommendations in the body of the report. The additional considerations may help codify the stated desire of ensuring an evidence-informed model of intervening with JSAB, a well-equipped workforce, and the provision of services and use of strategies that meet the needs of JSAB, their caregivers, victims, and the community overall.

- A. Establish a set of formal, overarching guidelines grounded in best practices. This should include a clearly communicated message that the values, principles, and philosophies of Kids at Hope, positive youth development, and an emphasis on success apply equally to JSAB and should be evident in day-to-day practice.
- B. Explore the extent to which transition and reentry-related interventions are provided – beginning when a youth is placed on probation – and take steps to ensure that JSAB are well-equipped with the proper community supports and skills necessary for stability and a sense of agency after the structure and supports of probation and treatment are no longer in place. This includes ensuring opportunities for skill practice and prosocial activities in the community, as well as gradual “stepdowns” in the levels of structure and contact, provided that it does not run counter to assessed level of risk to victims or the community.
- C. Build upon the current independent, objective system review to include a more comprehensive review of treatment services provided to JSAB under probation. As noted elsewhere in this report, the current review was not intended to provide a “deeper dive” exploration of these services. Doing so is important for more thoroughly capturing the strengths and needs of these contracted services and further engage those who provide those services.
- D. Promote staff wellness, specifically by educating officers and others who work with JSAB about the heightened potential for secondary/vicarious trauma and burnout, and by providing supports to mitigate such potential. Relatedly, attention should be paid to the ways in which officers are assigned specialized JSAB-specific caseloads or otherwise supervise JSAB – and the potential rotation of officers – to ensure ongoing goodness of fit.
- E. Identify ways in which officers can play a more active role in engaging caregivers/parents of JSAB and promoting a strong therapeutic and professional alliance, such as collaborating with treatment providers on the provision of psychoeducational groups for caregiver/parents.
- F. Develop peer-review processes (i.e., cross-county) for other areas of focus in probation, building upon the approach used for the current system assessment, and ensure the inclusion of those at

the line level in such a process, recognizing the skills and expertise they offer. This applies also when developing strategies for change.

- G. Facilitate the implementation of a “client/customer satisfaction” assessment of JSAB and their caregivers, to identify strengths and areas for enhancement with respect to probation and treatment services. This should be conducted by independent, objective professionals, and ideally would begin with the JSAB and caregivers from the current cohort of this review process, to ensure the perspectives of these critical stakeholders are included.
- H. Modify the existing statute regarding the required adherence to the ATSA Code of Ethics [A.R.S. §8-350.01 (B)(1)] to include language that also explicitly references adherence to the ATSA Practice Guidelines for Adolescents. Adherence to the ATSA Practice Guidelines is already included in the ATSA Code of Ethics (the converse is true as well), yet there appears to be some confusion and misunderstandings among stakeholders in Arizona about this. Such a modification will make explicit the requirement of adhering to best practices with JSAB.
- I. Explore the costs and benefits of modifying the existing statute that prohibits the provision of JSAB services for youth on probation unless they have been adjudicated for offenses (ARS 8-350.0) codified as “sexual offenses” or “sexual exploitation.” Given the prevalence of charge reductions and plea negotiations identified through the course of this review, the current provision may preclude youth who may need or benefit from JSAB-specific services from receiving them.
- J. Partner with local universities/colleges to conduct rigorous empirical studies of the effectiveness of probation and treatment services provided to JSAB.

APPENDIX I: PROJECT CONSULTANTS

Kurt Bumby, Ph.D., is a forensic psychologist and justice system consultant, primarily specializing in evidence-informed sex offender management policies and practices. Over the past 25 years, he has had a diverse career in the juvenile and criminal justice fields in capacities that include agency administration, organizational leadership, project direction and management, training and technical assistance, the evaluation and treatment of adults and juveniles who have committed sex offenses, product/resource development, expert testimony, and research in the sex offender management field. Most recently – and during the time that this review was conducted – he was a Senior Associate with the Center for Effective Public Policy, a non-profit criminal justice consulting firm. In this capacity he oversaw multiple national justice-related initiatives and served as the Director of the Center for Sex Offender Management (CSOM). Dr. Bumby has contributed to numerous training curricula, guidebooks, peer-reviewed journal articles, and book chapters on topics such as sentencing options, judicial education, juvenile justice, probation and parole, assessment and treatment, multidisciplinary collaboration, victim-centered approaches, and evidence-based policies and practices. He is a Past President of the Executive Board of Directors for the Association for the Treatment of Sexual Abusers (ATSA), is an ATSA Fellow, serves on the International Advisory Committee for the Safer Society Foundation, and is a member of the Advisory Board for the National Center on the Sexual Behavior of Youth (NCSBY).

Suzanne Tallarico, M.A., has been an NCSC Principal Court Management Consultant since 2005 and served as the project director for this effort. Ms. Tallarico holds a Bachelor of Arts degree from Aquinas College in Grand Rapids, Michigan and a Master of Arts degree from the University of Denver. She worked as a researcher for the Colorado State government in both the executive and judicial branches for twenty years prior to joining the NCSC. Her previous roles have provided her with extensive experience in criminal/juvenile justice and probation-specific research, including matters specific to adults and juveniles who offend sexually. She was a member of Colorado’s Sex Offender Management Board from 1998 through 2005 and served as Vice President for part of that time. This board was one of the first to be established in the United States (1992) and the board is responsible for developing statewide standards regarding assessment, treatment and supervision of adults and juveniles who sexually offend. The board also provides guidance to the legislature on sex offender-specific legislation and other related functions. She was also a founding member of the Center for Sex Offender Management’s National Resource Group (CSOM-NRG) which helped direct CSOM’s efforts in its early existence; in this capacity, she has also provided, and continues to provide, extensive training and technical assistance regarding sex offender management across the county. She is the co-author of the 1996 groundbreaking book on adult sex offender management by probation and parole, *Managing Adult Sex Offenders: A Containment Approach*.³⁸ As a member of the joint effort with CSOM and the National Judicial College (NJC), Ms. Tallarico also played a key role in the development of NJC’s multi-year initiative to develop a curriculum for judges regarding the sentencing and management of adult and juveniles who have sexually offended.

³⁸ The authors include: English, K.; Pullen (now Tallarico), S., & Jones, L.

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