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OJJDP Update on Programs

Terrence S. Donahue, Acting Administrator

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Privatizing Juvenile Probation Services: Five Local Experiences

With juvenile courts placing more than 80 percent of adjudicated delinquents on some form of probation, probation departments have become the single largest component of juvenile corrections. They spend a significant portion of State and county correction dollars and employ a large share of corrections professionals.

Many probation departments, however, have been unable to maintain the quality and cost-effectiveness of services, and State and local governments are often not flexible enough to quickly create and implement innovative changes when shortcomings are identified.

At the same time, the juvenile justice system's role and responsibilities have

grown. Such problems as illegal drug use, youth gangs, school violence, and homeless and runaway youth strain the services of the public sector. More and more, the private sector is offering its expertise and performing services previously performed only by the government.

To help juvenile courts tap this resource, the Office of Juvenile Justice and Delinquency Prevention funded a \$1.7 million 3-year project called the Private Sector Probation Initiative. The immediate purpose was to study the feasibility of having the private sector provide selected juvenile probation services. The larger goal was to help jurisdictions improve their juvenile probation services.

Focusing on local courts

OJJDP selected the National Office for Social Responsibility (NOSR) to carry out the project, focusing efforts at the local level—at the courts responsible for juvenile probation. OJJDP set up demonstrations in five jurisdictions, with NOSR providing guidance through a detailed assessment process that would help the jurisdictions determine if they should contract out some of their juvenile probation services. The five sites were the Third (formerly the Second) Judicial District of Utah (Salt Lake City); Cuyahoga County (Cleveland), Ohio; Kenosha County, Wisconsin; Oklahoma County (Oklahoma City), Oklahoma; and the City and County of San Francisco.

From the Administrator

Juvenile probation is a major component of the juvenile justice system, and one that is finding both its human and fiscal resources strained by growing caseloads. To help local and State jurisdictions develop new approaches for providing effective probation services to juvenile offenders, the Office of Juvenile Justice and Delinquency Prevention developed and funded the Private Sector Probation Initiative. The project helped local jurisdictions convert existing services to private sector operation.

The Initiative demonstrated that to be successful, jurisdictions must implement a well-organized planning process to ensure that the conversion proceeds smoothly and meets their needs. For example, before a probation department can solicit bids from the private sector, the department must be clear about the services it expects the contractor to perform. Just as important, the probation department has to change its role, becoming a monitor of probation services rather than a direct service provider.

OJJDP, through its grantee, developed a seven-step process to help five demonstra-

tion sites determine the feasibility of contracting out existing juvenile probation services. This *Update* describes those steps and the results of this demonstration program. We hope that what we have learned from this program will help other local and State policymakers as they examine the effectiveness of their own juvenile probation services.

Terrence S. Donahue
Acting Administrator

The sites take steps to convert their services

With NOSR guidance, the juvenile court responsible for probation services in each jurisdiction followed a step-by-step procedure for converting selected probation services to the private sector. Each court developed a detailed operating plan to guide and monitor the many activities required to restructure services, reallocate resources, and contract with private providers. The plan took into consideration the organizational needs, resources, and political climate of the individual site.

Each of the sites formed a partnership with community and business leaders, tapping their expertise and applying it to the court's probation department activities. This strong alliance with the private sector fostered a community spirit and promoted the development of comprehensive strategies for delivery of probation services.

The local leaders were particularly useful in helping the courts collect, analyze, and evaluate information about their existing probation structure and services. The public-private partnerships helped the courts identify both their strengths and their weaknesses.

Based on this assessment, the courts selected probation functions that were amenable to privatization, and with NOSR guidance, developed Requests for Proposals that clearly described the services they sought as well as the contractual terms and conditions that applied to the procurement.

They reviewed the proposals, selected the contractors, drew up and signed the contracts, and transferred operation to the private sector, all the while keeping ultimate responsibility within the government through careful monitoring procedures.

Sites tap private resources

While each site's experience was different, all succeeded in establishing local public-private partnerships, developing operating plans, gathering information about their services, and making major

changes in how they provide probation services.

Third Judicial District of Utah.
After consulting with its partnership

members, the court decided to look for more cost-effective ways to provide probation services. It concluded that it should respond to certain juvenile offenders with short-term, intensive

Seven Steps to Privatization

The Private Sector Probation Initiative Project developed seven steps that agencies can follow to accomplish the transfer of services from public to private sector operation:

Step 1. Prepare a comprehensive, realistic plan for accomplishing the transfer.

Specify the goals and expectations of the privatization process. Identify decisionmakers, define their roles, and establish a system for monitoring the conversion process.

Step 2. Enlist the help of the business and professional communities and form a public-private partnership.

Develop a working partnership between your agency and the business and professional leaders of your community. Get business leaders to contribute their management expertise to help you examine your agency's functions, goals, operating costs, and strengths and weaknesses.

Step 3. Assess your agency's existing organizational structure, procedures, and services.

Collect and analyze information about operating costs, staffing, service delivery systems, procurement procedures, legal requirements, liability issues, and the community and its political environment. This will help you structure future activities so they are consistent with ongoing goals and operations.

Step 4. Identify the juvenile probation functions most suited to privatization, and adjust or redesign probation components as needed.

Using the information gathered in step 3, with constructive advice from your partnerships, develop ideas for using privatization to improve your

operations, then make plans for implementing the desired changes.

Step 5. Write clear, concise solicitations or Requests for Proposals. Select a contractor to carry out the privatized function.

Write a clear, concise solicitation or Request for Proposal that will attract bids from qualified contractors. Develop evaluation criteria and form a review team to select the contractor most responsive to your solicitation. Negotiate a contract that clearly spells out the contractor's responsibilities and expected performance standards.

Step 6. Implement the conversion of the probation function to contractor operation.

Following a predetermined timetable and procedure, transfer responsibility for management decisions, notify your staff and your clients of the transfer, turn over client files and other records, and train the staff. The foregoing will ensure a smooth transition of services.

Step 7. Establish a monitoring process to track the contractor's performance and evaluate the quality of services provided.

Identify the performance standards spelled out in the contract, develop indicators for measuring the contractor's performance against those standards, and work out a procedure and timetable for evaluating the results and taking remedial action when necessary.

supervision instead of traditional probation counseling, special services, and surveillance.

The court issued an RFP and subsequently awarded a 1-year \$50,000 contract, with a 3-year renewal option, to (1) provide 90-day intensive supervision of youth assigned by the court, (2) assess each youth's risk of recidivism, and (3) recommend a course of action for each youth after 90 days.

The results have been very positive, with recidivism rates lower than anticipated since the intensive contact supervision program began. The District is now considering expanding the existing contract to provide intensive short-term supervision to a greater number of delinquent youth.

Cuyahoga County (Cleveland), Ohio. The public-private partnership helped the juvenile court develop and institute a three-phase plan to convert services to the private sector. During phase 1, the court randomly diverted 411 pre-adjudicatory status offenders and delinquents (who normally would have been officially processed and provided traditional court services such as probation) to one of six private sector organizations that provided alternative case management services for \$350 per youth.

As part of phase 2, the court issued a Request for Proposal (RFP) and awarded a joint, 9-month \$200,000 contract to two nonprofit organizations to supervise more than 200 juveniles (status offenders and delinquents) who were on court probation. The cost per youth was \$800 compared to \$1,200 for public sector probation services.

An independent consultant conducted a formal study of phase 1 and found that although the county spent less money on case management, the recidivism rate of the status offenders did not go up after privatization. (Delinquents' recidivism rate *did* rise, however.)

The public-private partnership therefore recommended that privatization of probation services be continued and

extended, but for status offenders only. Phase 3 begins in late 1989 with the publishing of an RFP for a new program to divert all status offenders from the traditional juvenile court process to private sector programs. Over a 2-year period, this program will serve about 4,000 status offenders at a cost of \$1.5 million.

The court also plans to issue another RFP to open a local community sanctions project in January 1990. Under this 2-year \$1 million project—largely funded by the State of Ohio—Cuyahoga County nonviolent juvenile offenders will remain in the community rather than being sent to State training schools.

Kenosha County, Wisconsin. The county was originally interested in establishing a small electronic monitoring system for juvenile offenders. After analyzing its juvenile probation services, the county decided to develop an entirely new community corrections program. It released two RFP's in June 1988 and awarded contracts in August.

The contracts provide central case management that includes intensive day treatment and evening activities, such as education, recreation, counseling, structured programs, and electronic monitoring, at an annual cost of \$150,000 to \$200,000.

The most recent contract covers weekend adventure programs that teach wilderness survival skills, group living and social skills, personal financial management, and job preparedness, at a yearly cost of \$50,000 to \$75,000. The Urban County's Group of Welfare Directors has reviewed the public-private community corrections program and has recommended to the State that it be duplicated in other large counties, thus enabling counties to serve more serious offenders.

Oklahoma County (Oklahoma City), Oklahoma. The public-private partnership in Oklahoma City consisted of two groups: one responsible for making management recommendations for the probation department

and the other responsible for assessing client needs and identifying responsive services. Working with the public-private partnership's assistance, the court conducted a comprehensive cost analysis and assessment of its programs. Even though Oklahoma City ultimately decided not to privatize its probation services, the assessment and planning process that led to this decision also led to substantial improvements in organization and service delivery.

The court redefined the duties of its probation officers so that now they serve as "case planners" who link clients to appropriate services both within and outside the public sector.

Working with the public-private partnership, the juvenile court decided to contract for alcohol and drug treatment services, group homes, emergency shelters, job readiness and job training programs, services for adolescent sex offenders, research, value clarification, classes for probationers and their parents, and psychological services. The juvenile court also contracted with the local public housing authority to supervise a pilot youth home detention project in a public housing facility.

The City and County of San Francisco. As a direct result of the Private Sector Probation Initiative, the county was able to retain its status offender programs at a time when massive budget cuts threatened to eliminate them. The county had been working with its local juvenile justice public-private partnership to assess its ongoing services, so it was readily able to identify those programs that could be cut or streamlined instead of eliminated entirely.

The county awarded contracts for a \$540,000 per year supervision, intake, and shelter service program for status offenders. Partnership members, who helped the county develop the RFP, will provide further expertise to the county as it monitors and evaluates its contractor's performance.

Learning from the sites

The seven steps outlined in the box on page 2 are guideposts followed by the demonstration sites as they reevaluated their probation services in light of today's new problems, constraints—and opportunities.

What the demonstration sites found out was that juvenile probation departments can successfully improve some of their functions by transferring them to the private sector. They also learned that the business and professional communities can provide valuable expertise both in measuring productivity and establishing safeguards for quality control and in suggesting alternatives for service delivery. The partnerships opened doors to new ideas and new resources for improving probation services, regardless of which sector operates them.

As a result of the probation initiative's success, OJJDP plans to expand the effort to State juvenile correction agencies. NOSR is identifying States that are interested in involving the private

sector in public policy and program planning. It will help eight States apply its process and materials to specific aspects of their juvenile correctional services.

The involvement of business and industry in government programs is a growing American phenomenon. Advocates argue that private sector/public sector collaboration to remedy pervasive social problems, such as crime and delinquency, is needed because these problems have proved to be resistant to change and because government increasingly lacks the resources (tax dollars) to deal with them. The opening of a partnership with the business community expands the resources and skills available to combat such problems. It is OJJDP's intent to demonstrate the effectiveness of this approach with State-administered juvenile correctional services.

Sector Probation, contact the Special Emphasis Division, Office of Juvenile Justice and Delinquency Prevention, 633 Indiana Avenue NW., Washington, DC 20531.

For a free copy of *Involving the Private Sector in Public Policy and Program Planning* (NCJ 113916), a resource manual on private sector probation, contact the National Office for Social Responsibility, 222 South Washington Street, Alexandria, VA 22314 (703-549-5305).

The Assistant Attorney General, Office of Justice Programs, coordinates the activities of the following program Offices and Bureaus: the Bureau of Justice Statistics, National Institute of Justice, Bureau of Justice Assistance, Office of Juvenile Justice and Delinquency Prevention, and the Office for Victims of Crime.

For more information

For additional information about OJJDP's National Initiative on Private

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