Positive Behavior Support in the Juvenile Justice System

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If you are reading this on the PBIS.org web site, chances are you're already aware of the profound impact school-wide positive behavior support (SWPBS) is having on public schools throughout the US. However, you may not know that it also is being successfully applied in a variety of juvenile justice settings. The absence of a large-scale information gathering system makes it difficult to estimate the scope of implementation in these settings, but reports from state coordinators, trainers, and administrators indicate that SWPBS is a viable alternative to traditional approaches to behavior and discipline. In this newsletter, we describe the unique characteristics of juvenile detention and correctional settings, how SWPBS is adapted to these, and provide examples and resources.

Characteristics of Juvenile Justice Settings

Obviously, significant differences exist between juvenile justice and public school settings. When the topic of incarceration of juvenile delinquents comes up, one of the first thoughts that comes to mind is, "these are bad kids!" which suggests that they all belong in the yellow or red zones of the triangle. But the following quote from the Education Administrator, Illinois Youth Center-Harrisburg (IYC-Harrisburg) illustrates, this doesn't mean that the full range of SWPBS practices will not apply.

"When I listened to what Lucille (Eber) was saying, my first response was, 'This will never work at Harrisburg, because I have everybody's worst five percent of kids.' But as I sat there and listened...I realized that 20% of the kids cause 80% of the problems. All of the numbers just match up" (Melva Clarida, June, 2004).

Nevertheless, the population of incarcerated youth is characterized by numerous and complex needs: 50 to 75% of approximately 170,000 incarcerated youth are estimated to have one or more mental health disorders (Coalition for Juvenile Justice, 2005) and 30 to 50% are estimated to have educational

disabilities (Quinn, Rutherford, Leone, Osher, & Poirer, 2005). In addition, many of these youth lack basic academic, social, and problem-solving skills (Nelson, Leone, & Rutherford, 2004). These issues, as well as histories of physical, sexual, and substance abuse require that juvenile facilities have a variety of treatment and rehabilitative programs. Typically, these programs operate under separate agencies with separate budgets, which, in addition to the fact that youth are incarcerated 24 hours a day, 7 days a week, make the implementation of SWPBS substantially more complicated.

Another issue is the often non-therapeutic attitudes of staff within a facility. The primary focus of a juvenile detention or correctional facility is security, and concerns for addressing the needs of incarcerated youth are overridden by the attitude (also held by the majority of the public) that incarceration shouldn't be positive. Here's how a teacher at IYC-Harrisburg put it (with tongue in cheek):

"This is a prison. So let's punish, punish, and punish some more" (Denise Drue, Teacher, IYC-Harrisburg June, 2004).

One shortcoming of this attitude is that it overlooks the fact that the vast majority of incarcerated youth will return to their home communities, where such punishments will not be in place to control behavior. Furthermore, people who live in these communities should ask themselves whether punishment is a successful rehabilitation strategy—that is, does it change behavior? The answer, based on a sizeable body of research, is that used by itself, it doesn't (Gable & Van Acker, 2000; Kerr & Nelson, 2006).

Implementing SWPBS in Juvenile Correctional Settings

The issues just mentioned pose substantial challenges for the implementation of a systems change that focuses on a consistent, positive culture where prevention and positive reinforcement rule over reaction and punishment. The extension of SWPBS into the juvenile justice system is just beginning (Nelson, Sprague, Jolivette, Smith, & Tobin, in press). However, efforts focused on improving treatment and outcomes for incarcerated youth have recognized the value of SWPBS. The National Council on Disability (2003) has cited SWPBS as an effective approach to addressing the needs of adjudicated youth in the juvenile justice system. Implementation is occurring in a number of facilities across the country, and two states (North Carolina and New Mexico) are pursuing adoption in all juvenile facilities.

Initiatives that promote delinquency prevention as a framework for developing more effective prevention prior to entry into the correctional system also have endorsed SWPBS. For example, the School-to-Prison Pipeline Reform Project is promoting SWPBS as an approach to reduce the number of students with academic and behavioral deficiencies, educational disabilities, mental health needs, and those representing minority groups, from entering the juvenile and adult criminal justice systems (Ron Lospennato, personal communication, October 18, 2007).

The differences between public schools and juvenile detention or correctional facilities and the obstacles described previously require some major adjustments in strategies for implementing SWPBS in the latter settings. As we noted earlier, it might be assumed that the nature of the population demands that the focus of intervention be at the secondary and tertiary levels. However, it has been found that addressing universal systems through primary prevention reduces occurrences of relatively minor behavior problems that occupy a great deal of staff time and distracts them from addressing—or even recognizing—the needs of youth who have more serious behavioral and emotional issues. That is, although the structures necessary to facilitate success across the majority of students in the correctional setting are necessarily more intensive and complex, putting universal prevention strategies in place has demonstrated effectiveness in reducing problem behaviors. For example, data from the IYC-Harrisburg show a marked reduction in major and minor behavior incidents for 2-month blocks of time following the implementation of SWPBS in 2002 (see Figure 1).

Figure 1. Major and Minor Reported Behaviors at the IYC-Harrisburg (2001–2007)
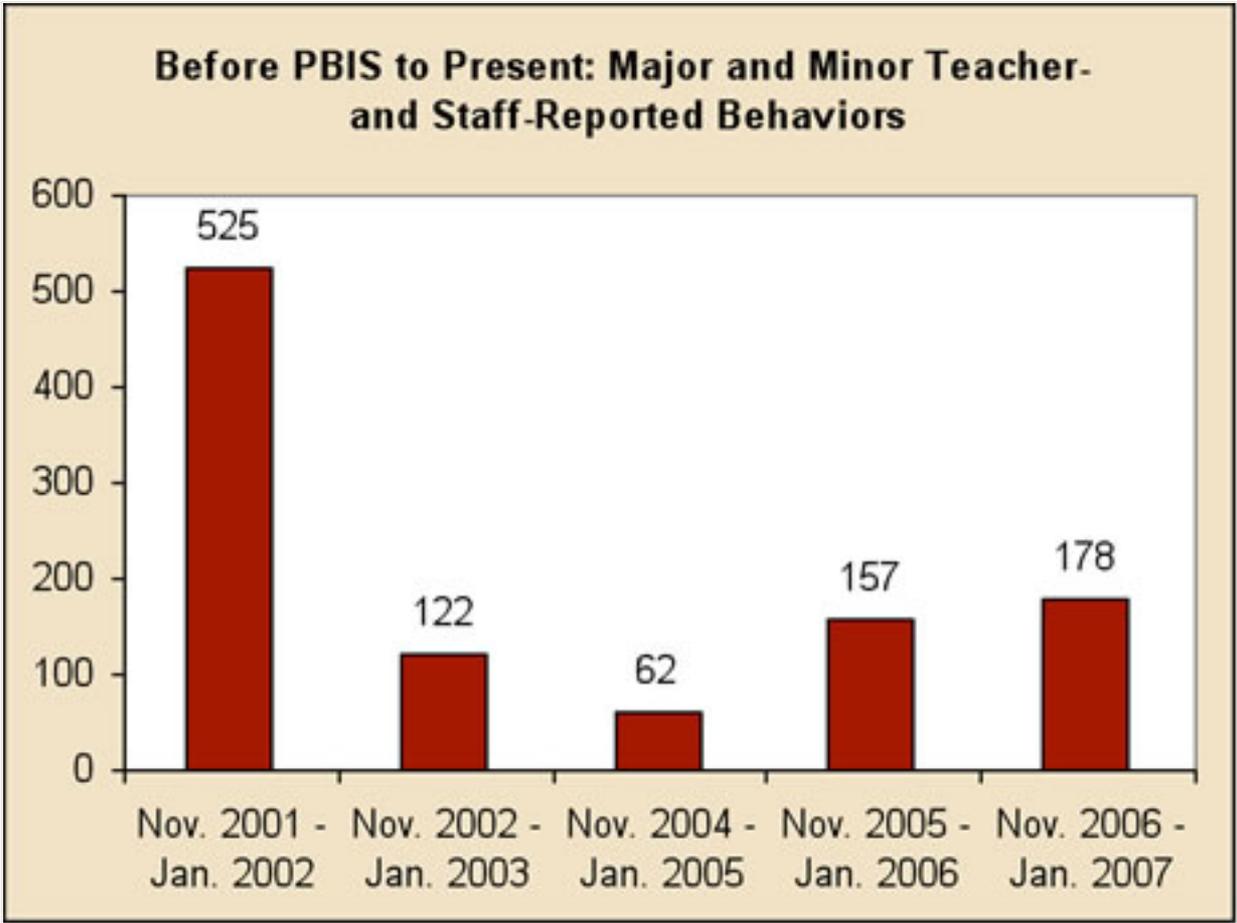
The Iowa Juvenile Home (IJH) experienced similar reductions in the number of problem behaviors requiring disciplinary action following the implementation of SWPBS in 2001. Former principal Craig Rosen reported a 73 percent reduction in the use of restraint and seclusion at IJH between July 2003 and September 2004.

The more time that youth spend out of restraint or disciplinary confinement, the more time they have to spend in classrooms, treatment programs, and engaged in other rehabilitative pursuits. Given that the vast majority of youth will return to their communities, this thought is worth keeping in mind.

In juvenile programs, the presence of staff from a variety of disciplines, often with competing priorities and employing differing treatment modalities, set up conflicting expectations that are difficult for youth to understand, particularly those with learning or emotional problems. The presence of a complex, multilevel "treatment curriculum" or discipline system in many programs sometimes require that youth develop and follow sophisticated restitution plans. Youth with disabilities or limited academic proficiency often have difficulty in creating or following such plans, and consequently fail to meet treatment goals, which may be a condition for their release. Progress in complex plans that involve a number of cognitive steps also is difficult for staff to monitor in a consistent and systematic manner. SWPBS involves prescribed and systematic strategies to both promote desired and reduce problem behavior. The basic elements—clear and consistent expectations, consistent staff support of youth to facilitate success in meeting these expectations, clear and consistent responses for youth when they fail to meet expectations, consistent routines that are taught to youth, and modifications to problematic physical and social arrangements—are simple and straightforward, so both staff and youth pick these up quickly (Read, Quinn, & Nelson, in preparation).

In this country, the juvenile justice system is not a single system, nor is it uniform across or even within states. Especially in large facilities, the presence of multiple programs, operated by various agencies that employ their own staff renders the task of implementing any systems change difficult—particularly one that depends on buy-in and consistency among staff. Therefore, we offer some lessons learned from analysis of implementation efforts (Nelson et al., in press).

1. Start small. Begin implementation in a single program within a large facility (the education program is a logical starting point). In facilities that operate 24 hours a day, 7 days a week, and involve multidisciplinary staff, security considerations, and diverse programs, sheer size and conflicting priorities present formidable obstacles to achieving staff training and buy-in, not to mention implementation with fidelity. In a small facility, such as a county juvenile detention center, it may be possible to implement across all programs. However, in small facilities itmay be difficult to bring on board staff that work for different agencies and who are not accustomed to following the same leadership. Once SWPBS has been initiated in a pilot program and is demonstrating success, staff in other programs are more likely to adopt it (Jolivette, Kennedy, Puckett-Patterson, & Houchins, in review). Even in small facilities or programs, implementers should identify all key personnel and achieve consensus that SWPBS is a necessary and desirable systems change endeavor before going further.

2. Obtain endorsement and support at the state level. While SWPBS has not developed as a top-down initiative, it is beneficial to ensure that higher-level administrators understand and support it as one of their priorities. Getting state juvenile justice administrators to consider SWPBS may seem like a hard sell, but recent public concerns about burgeoning juvenile and adult prison populations, as well

as the questionable rehabilitative effects of incarceration and punishment, has opened doors to consideration of more positive approaches. Information and training are now available in a variety of formats, which permit more efficient dissemination of information and training to state and agency administrators that sponsor juvenile programs and facilities.

3. Link to an ongoing statewide SWPBS or related initiative. Several states (e.g., AZ, IA, NM, UT) have adopted behavioral initiatives that are based on SWPBS or are closely related to it. The existence of an initiative that connects state children's services agencies offers a distinct advantage in terms of getting state leaders on the same page in pursuit of effective systems solutions. In states that have not adopted a vision that is shared across state agencies, the state SWPBS leadership team may be able to engage in strategic planning with key leaders and facilitate work toward a shared agenda.

4. Adopt a data collection and decision model. A key strategy in advocating systems change is to point out how proposed changes promote the self-interests of the parties involved (Leone, 2006). One way to achieve this is to identify desired outcomes, link these outcomes to data that are collected routinely, and demonstrate how these data can be used to facilitate on-going decision-making. For example, IYC-Harrisburg, teachers reported that, following the implementation of SWPBS, the reduction in behavior incidents in classrooms meant that they could spend more time teaching. Student attendance and academic performance improved, resulting in better test scores, completion of GED and high school diplomas, and enrollment in college courses. These results have meaning for staff because they saw a connection between a reduction in disciplinary behavior reports and an increase in desired student performance. Students saw a connection between academic achievement and a chance for a better life. Ultimately, of course, such social outcomes as a reduction in rates of recidivism or out-of-home placements, and an increase in positive post-school adjustment are the ones that will persuade policy makers that investment in SWPBS for these children and youth is worthwhile.

5. Incorporate SWPBS into an existing treatment or discipline model (if the model is compatible). Finally, administrators and staff must take stock of the treatment or discipline systems currently in place in a program or facility. Through analysis of discipline data or staff surveys, it should be possible to establish whether the system is working. However, it is important to recognize that, in many programs and facilities, discipline data are not used routinely to evaluate practices or to make program adjustment decisions. There also may be a long-standing tradition of using a particularly old and comfortable approach with which staff are reluctant to part. One of the strongest selling points of SWPBS is that it is straightforward and simple. To the extent that the existing treatment or discipline model is positive, accomplishable, effective, and staff are committed to it, there is no reason to discard it. However, if SWPBS allows them to accomplish desired outcomes with less effort, its implementation again promotes their self-interests.

"If you do what you always did, you'll always get what you always got" Teacher, IYC-Harrisburg,

June, 2004).

Conclusions

The hypothesis that SWPBS can be effectively implemented in juvenile justice settings to meet the varied educational, social, mental health, and transition needs of adjudicated youth is appealing, and preliminary results are encouraging. However, empirical studies are needed to validate this hypothesis as well as to address common misconceptions. For example, some professionals assume that all youth in juvenile justice facilities automatically require tertiary tier interventions based on their prior behavior patterns and placement failures. Careful analysis of discipline (and other) data within facilities will make it possible to determine the percentage of youth who will require SWPBS beyond the universal tier. No matter whether youth in a juvenile justice setting have behavioral problems, educational disabilities, and/or mental health needs, it is imperative that proactive and preventative services across the three tiers of the SWPBS approach are available.

The stage has been set for future applications of SWPBS in juvenile justice settings, as well as a strategy for preventing entry into the juvenile justice system. Partnerships between juvenile justice, SWPBS networks, and other organizations advocating for effective and preventative interventions for adjudicated youth have been formed. For example, the National Association of State Directors of Special Education and the National Disability Rights Network (2007) have published Tools for promoting educational success and preventing delinquency, which includes evidence-based practices based on SWPBS. Nelson and Liaupsin (2006), as part of their work with the National Center on Education, Disability, and Juvenile Justice, created an informational video on PBIS in juvenile corrections. The National Evaluation and Technical Assistance Center for the Education of Children and Youth who are Neglected, Delinquent, or At-risk (NDTAC) has also prepared a Policy Brief on positive behavior support that includes case studies of IYC-Harrisburg and IJH (Sidana, 2006).

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