

# **Motivating Behavior Change- Developing Individualized Responsive Processes to Support Tribal Youth in the Tribal Juvenile Healing to Wellness Court**

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National Council of Juvenile and Family Court Judges**

**10<sup>th</sup> Annual Tribal Healing to Wellness Court Virtual  
Enhancement Training**

# Disclaimer

- Points of view or opinions expressed in this presentation are those of the presenter(s) and do not necessarily represent the official position or policies of OJJDP or the U.S. Department of Justice.
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## BEFORE WE BEGIN...

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1



Mute



Chat



Raise Hand



Q&A

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2

3

4



# ADOLESCENT DEVELOPMENT



# Characteristics of Adolescents That Make them Vulnerable to Delinquency and Substance Use

- Risk taking (experiment – what’s it like?)
- Sensation seeking (appeal of being “high”)
- Underdeveloped critical thinking
- Here and now thinking
- Susceptibility to external (peer) pressure
- Heightened emotionality
- Lack “brakes”/self-regulation
- Identity formation

# Adolescence...

- The period between childhood and adulthood
- The existence, length, and meaning of adolescence is largely socially determined
- In U.S., often broken down into three phases: early (9-14), middle (15-18), and late (19-25 or adoption of independent adult role)
- Heavily stereotyped phase of development

# Development occurs across several interacting domains, including...

- Abstract reasoning

Cognitive



- Role of peers

Social




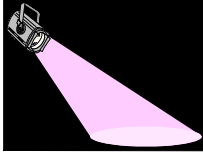


- Hormones

Physical



# ADOLESCENT ISSUES

Adolescent Issue	Specific Behavior Example
<b>Concrete Thinkers</b> 	<ul style="list-style-type: none"><li>• forgetting rules</li><li>• youth perceives unfairness between his or her treatment and the treatment of others for similar behavior</li><li>• overwhelmed with information</li></ul>
<b>Strong Emotions</b> 	<ul style="list-style-type: none"><li>• missed appointment because girlfriend broke up with him, too upset to go</li><li>• expresses strong anger about how system professionals are “treating” them</li><li>• starts to raise voice and gets agitated when they feel confronted</li></ul>
<b>Little Control of Environment</b> 	<ul style="list-style-type: none"><li>• missed meeting because parent too drunk to drive him/her there</li><li>• school has a big problem with drug use and dealing</li><li>• brother is an active drug user</li><li>• most friends in neighborhood are in gangs</li></ul>
<b>Spotlight Effect</b> 	<ul style="list-style-type: none"><li>• walks into meeting with new blue and spiked hairdo</li><li>• needs to be questioned about information the court received about not following rules at home</li><li>• came to court dressed provocatively</li></ul>



# Case Scenario 1

- Everyone has been asked to write a personal history within the first 30 days of involvement in the program.
- The rules were explained at orientation.
- Drug court participants are seated in the back of the courtroom and witness the judge letting some participants “off the hook” for this assignment, even at 60 days.
- You overhear one of the new youth in the program turn to another youth in the program and say, “This judge is a pushover. I bet she won’t do nothing if I keep smoking weed.”
- How would you respond?

# Case Scenario 2

- A youth is consistently late to group because they have a hard time getting a ride. Their mother's shift end about 30 minutes before the scheduled time and she is often late to pick up the youth.
- How do you respond as a team?

# Working with Adolescents

- Focus on strengths and accomplishments
- Provide structure
- Explain decisions
- Provide consistency
- Guide decision-making
- Provide natural and logical consequences

# Plan Accountability Measures

- Help youth recognize harms
- Are culturally appropriate for your community
- Determine ways to repay or repair
- Engage community to plan meaningful community service
- Engage volunteers as mentors
- Develop goal-oriented sanctions
- Get input from victims and community

# Responsibility Requires

- Understanding impact of behavior
- Acknowledging that behavior is a choice
- Acknowledging harms done
- Repairing the harm
- Working to avoid such behavior in future





# INDIVIDUALIZING RESPONSES

# Begin Individualization with an Assessment

1. Juvenile Justice History
2. Family and Living Arrangements
3. Peers and Social Support Network
4. Education and Employment
5. Pro-Social Skills
6. Substance Abuse, Mental Health, and Personality
7. Values, Beliefs, and Attitudes

# Static Risk Factors

History of violence & aggression/delinquent activity



Early initiation of violent behavior



Early age of first offense



Young age at first substance use



Parental criminality

(Vincent, Guy and  
Grisso 2012, pg. 31)



# Dynamic Risk Factors

Antisocial/pro-criminal attitudes



Poor school  
performance/behavior at school



Negative peer associations



Poor parental management



Community disorganization

(Vincent, Guy and  
Grisso 2012, pg. 31)

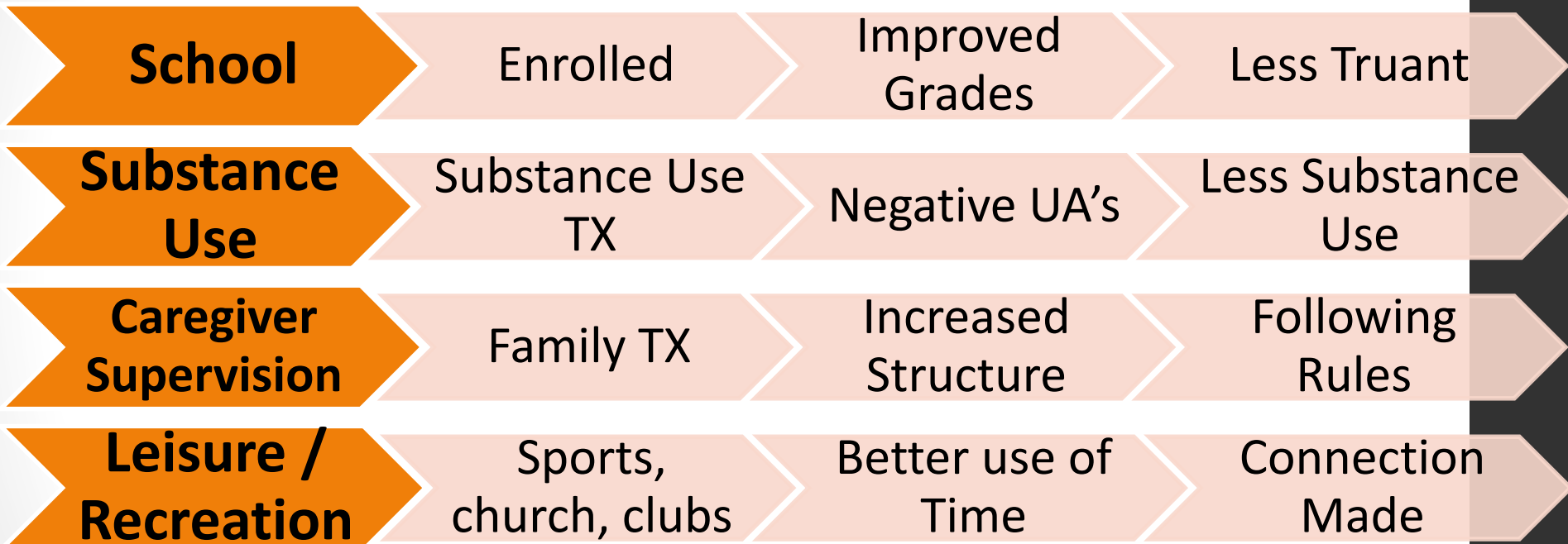
# Protective Factors

Healthy social supports

Prosocial involvement

(Vincent, Guy and Grisso  
2012, pg. 31)

# Remember, a Dynamic Risk Factor is Potentially Changeable



# Case Planning Begins Once Priority Areas Have Been Identified.

We know we should also:

- Work with families to prioritize wants, needs, and capacity.
- Make sure we have the resources / services to address the priority areas.
- Create goals that are Specific, Measureable, Attainable, Relevant, and Time bound – SMART.

# Adolescents as Great Candidates for Behavior Change

- Heightened learning capacity
  - New interests
- Reward seeking – motivated by the short-term/concrete
- In process of identity formation - what are the possibilities?
  - Who am I?
  - What do I like?
  - What can I be good at?
  - Who do I like?
  - What do I care about (idealism)
- Don't have years of habits and dependencies to unlearn

# The Evolution of Incentives & Sanctions

## **Incentives and Sanctions 1.0**

- Lists of possible incentives
- Focus on monetary incentives (gift cards)
- Punitive sanction grids and misuse of detention

## **Incentives and Sanctions 2.0**

- Focus on the structured and measurable delivery of incentives and sanctions
- Effort to increase incentives
- Effort to decrease the misuse of detention
- Focus on individualized and meaningful incentives

# The Four Pronged Approach to Incentives and Sanctions

1. Create a Strength-Based Atmosphere
2. Increase Basic Compliance with a Micro-Economy
3. Support Goal Achievement with Short-Term Contracts
4. Respond to & Reframe Drug Testing

# What Does it Mean to be Strength-Based?

Broadly a strength-based approach can be defined as “...an organizing principle for a family of theories and **practice strategies** that encourage helping professionals to seek out clients’ abilities, resources, and gifts and apply them to current life challenges.”

(Nissen, 2006)



# Positive Social Recognition can Improve the Team's Ability to be Strength-Based

This *should be* purposeful and include:

- Court case flow
- Structures that force the team to focus on the good
- Opportunities to engage w/ youth and families outside of court

This *should not* include:

- Shaming
- Lecturing

(Saleebey, 1997; Laursen, 2003; and Galvan, 2013)

# Incorporate Meaningful Cultural Activities

- In a strength-based program, cultural activities serve as a meaningful link between the youth and the community.
- Empowerment Developmental Assets:
  - Community values youth—Young person perceives that adults in the community value youth.
  - Youth as resources—Young people are given useful roles in the community.
  - Service to others—Young person serves in the community one hour or more per week.
  - Safety—Young person feels safe at home, school, and in the neighborhood.



# Point-Based Reward System Compliance Grid


Earning full points	Amount	Earning partial points	Amount	Earning Zero points
Attend Therapy with no absences	2	Attend therapy with only one absence	1	Two or more therapy absences
Attend school with no absences	2	Attend school with only one absence	1	Two or more school absences
Take all required drug tests	2	N/A	N/A	One or more missed drug tests
Negative drug test results	2	N/A	N/A	One or more positive drug tests

- Immediate
- Certain
- Consistent
- Fair

- Similar Responses

- Reduces Focus on Violations

# Graduated Responses



<b>Points</b>	Begin by simply not awarding points for non-compliance to see if that is enough of a response. Response is implemented for up to two weeks.
<b>Community Service</b>	Response is implemented for up to five weeks, in increasing implements of one hour.
<b>Evening Reporting Center</b>	If at the beginning of the sixth week the youth fails to be in compliance AND is 70% or below compliance, an increased response is put in place.
<b>Holds</b>	If at the end of the seventh week the youth fails to be in compliance AND is 70% or below compliance, an increased response is put in place.
<b>Corrections</b>	If at the end of the ninth week the youth fails to be in compliance AND is 70% or below compliance, an increased response is put in place.

# 3<sup>rd</sup> Prong – Support Goal Achievement with Short-Term Contracts

Juvenile Healing to Wellness teams can use short-term contracts

- to bolster goal achievement with specific incentives and sanctions
- to make goals *more* actionable for youth and families
- to give youth an opportunity to get back on track

Phase 1 –  
Case Plan  
Developed

Phase 2 –  
Work Begins  
on Goals

30-Day Case  
Management  
Meeting  
(progress not  
met)

Short-Term  
Contract  
Developed



Objective	Activities	Incentives	Non-Compliance	Sanction	Support Services
Finish one lesson in your credit recovery class before the next court hearing	<ul style="list-style-type: none"> <li>• Set aside 30 min. everyday after school</li> <li>• Find location to work</li> <li>• Work on lessons</li> </ul>	<ul style="list-style-type: none"> <li>• Praise</li> <li>• Points</li> <li>• Curfew extended from 7:00 p.m. to 8:00 p.m.</li> <li>• Closer to completing the course</li> </ul>	Failure to complete the lesson.	<ul style="list-style-type: none"> <li>• Unable to earn points</li> <li>• Curfew reduced to 6:00 p.m.</li> </ul>	<ul style="list-style-type: none"> <li>• Tutoring Assistance</li> <li>• Use of Computer</li> <li>• Check-in call mid-week to determine status</li> </ul>

Signed by Youth  
Signed by Caregiver  
Signed by Case manager

# The 4<sup>th</sup> Prong – Respond to & Reframe Drug Testing

- Drug testing is a component of individualized case planning, NOT a standardized measure of success or failure
- Juvenile Healing to Wellness teams should work from a continuum of responses that allow team members to respond consistently *and* immediately

# Adolescent Development Considerations

- Get trained on trauma, cultural humility, and implicit/institutional bias.
- Think about who is drug testing youth in terms of race/ethnicity/sexual identity.
- Emphasize RESPECT in interactions with youth and families.

# Adolescent Development Considerations

- Give youth voice and choice.
- Be transparent.
- Provide meaningful and positive reinforcement for negative tests.
- This is one tool understanding drug use.

Behavior	Responses			
	Court Time Out	E-Reporting Center	Holds	Corrections
<b>Drug Test – no show or fail to call in</b>	Week 1: one-hour Week 2: two-hours Week 3: three-hours Week 4: four-hours Week 5: five-hours	Week 6: if in compliance after, revert back to week five response	Week 8: four-hour holds Week 9: six-hour holds	Week 10: four-day stay Week 11: eight-day stay
<b>Drug Test – tamper with or cheat on test</b>		1st offense	2nd offense: four-hours	3rd offense

# *Evaluations*

**Please remember to fill out the workshop evaluation.**

**Workshop Information:**

**Wednesday September 30, 2020**

**11:00 am - 12:15 pm**

**C3: Motivating Behavior Change-  
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# Thank You!

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