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Using Performance Monitoring to Improve the Accountability,
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Using Performance Monitoring to Improve the Accountability, Operations, and Effectiveness of Juvenile Justice

Abstract

The juvenile justice system has been transformed in recent years with a wide range of policies designed to hold youth accountable, but how does society hold this system accountable? Calls for governmental accountability are common, yet few jurisdictions can provide comprehensive information about the basic operations of juvenile justice or the effectiveness of system reforms. Most elements of the juvenile justice system operate on faith—managers and policymakers have to assume that their programs are based on sound evidence and that reform efforts are fully implemented with fidelity to their original designs. Performance monitoring provides a way to address this situation, but it is unlikely to occur without a substantial commitment of resources. This paper describes performance measurement and monitoring, their relevance for improving the accountability, operations, and effectiveness of juvenile justice, and three examples of how the techniques are currently being applied in the United States.

Introduction

The founders of the first American juvenile courts established general goals for managing and sanctioning young offenders. Juvenile justice decisionmaking was to be in the “best interests” of young people, with rehabilitation and individualized approaches to treatment constituting central guideposts for all interventions (Feld, 1999; Howell, 2003; Mears et al., 2007). In the decades after the first juvenile court emerged in Cook County, Illinois in 1899, states and local jurisdictions created hundreds of new youth justice systems across the United States (Butts and Mitchell, 2000). In so doing, they developed the specific rules, procedures, sanctions, programs, and, more generally, the practices that collectively comprised “juvenile justice.” The sum result, today, is a diverse set of juvenile justice systems, each with its own practices and policies aimed at achieving broadly stated goals, including improving the “life chances” of young people and, not least, reducing the offending of youth and making society safer.

Unfortunately, little is known empirically about the actual day-to-day operations—that is, the performance—of juvenile justice systems or the real changes wrought by the plethora of reforms passed in recent decades. In short, what occurs in juvenile justice is still largely a “black box.” Nationally, pockets of illumination exist (Blomberg et al., 2001; Harp et al., 2006), where one can identify to some degree how much of various activities occur, but by and large there is darkness. The situation creates many problems, not least one of accountability. For example, case processing standards typically require that cases be processed in a speedy manner, yet few jurisdictions regularly collect the data necessary for identifying the time, say, to adjudication. Even if the data exist, insufficient resources typically exist to allow for regular monitoring of time-to-adjudication.

Performance measurement and monitoring are important for many reasons, accountability

being foremost (Hatry, 2007). Are required services, for example, being offered and are policies being implemented as they were intended? Which policies are effective, how can they be more effective, and how can managers improve system operations and the implementation of specific reforms? In a context in which unprecedented numbers and types of new juvenile justice policies have been implemented nationally, information about the implementation of various reforms is especially needed. Are prosecutors, for example, actually using the laws that legislatures enact? Similarly, are public defenders providing youth with the types and quality of counsel expected of them? An equally important contextual consideration lies in the fact that government accountability has emerged as a near-national mantra in recent decades, under both Republican and Democratic presidencies and throughout all aspects of government (Logan, 1993; Riveland, 1999; Cullen et al., 2000; Campbell, 2003; Farabee, 2005; Lipsey et al., 2005; Perry et al., 2006). Against the backdrop of policy changes and calls for increased accountability, the absence of a prominent infrastructure for, as well as any systematic or consistent execution of, performance monitoring in juvenile justice is problematic (Bazemore, 2006). Absent sustained attention to and financial support for performance monitoring, it is unclear whether the juvenile justice system can truly be held accountable.

The goals of this paper are to describe performance measurement and monitoring, to argue for its relevance to making juvenile justice systems accountable (and at the same time to argue that such accountability increasingly is needed), to describe specific ways in which monitoring would assist with accountability in both systems operations and implementation of reforms, and to provide examples of how such monitoring can be implemented throughout juvenile justice. Although we emphasize many ways in which the performance measurement and monitoring landscape in juvenile justice looks bleak, we identify promising directions for such efforts. We also discuss possible explanations for why performance monitoring is not more widespread in juvenile justice and some limitations and potential harms arising from monitoring.

Background

Performance Monitoring

In recent decades, policymakers have called for greater accountability at all levels of government (Hatry, 2007). As but one symbolic example—in 2004, the name of the U.S. General Accounting Office, the official research arm of Congress, was changed to be the U.S. Government Accountability Office. Although accountability can be achieved many ways, performance monitoring can perhaps be the most critical method for achieving this goal.

The definition of performance measurement varies. However, most accounts emphasize the use of empirical indicators to document the extent to which intended services and activities are actually undertaken and to measure outcomes that are supposed to result from these services and activities (Rossi et al., 2004; Bazemore, 2006; Hatry, 2007). In evaluation research, it is the equivalent of conducting implementation and outcome evaluations, respectively. Performance monitoring involves the ongoing analysis of these indicators. It does not constitute an impact evaluation, for which special research designs are required to identify whether a given set of activities (e.g., counseling and employment training) create a particular outcome (e.g., reduced offending). Rather, it simply documents trends over time in activities and the delivery of services and the outcomes used to judge whether a given program is effective.

To use a sports analogy, monitoring the win-loss record of a team provides a basis for assessing how well the team is doing. Wins and losses are the relevant performance outcomes. At the same time, if we monitor how often a team works out, we have some basis both for documenting whether the team practices as often as it should and whether a possible cause of good or poor performance is the frequency (or quality) of practices. The frequency of practices

becomes an additional performance measure. In this example, we might place greater emphasis on outcome monitoring rather than activity monitoring, but each is an important area of performance and we might want performance criteria relevant to each. In each instance, we are measuring “performance,” but one relates to activities and the other to outcomes.

The same distinction can be seen in juvenile and criminal justice, where monitoring of activities may be just as important as monitoring outcomes. Consider, for example, that prior to custodial interrogation, the police are supposed to provide suspects a Miranda warning to avoid coercive self-incrimination. How often do the police actually provide these warnings in circumstances where it is legally required? Answering that question involves performance measurement of police activities. If the interest were in linking such activities to some outcome, then measurement of the outcome would be relevant.

Performance monitoring—which is the equivalent of conducting ongoing process and outcome evaluations—can have many benefits. First, it can help show that a given agency or system is operating as it should be and that changes, such as recent juvenile justice reforms, are implemented as intended. Second, it can help identify problems as they arise to allow for corrective action to be taken to improve system operations and the implementation of reforms. For example, performance monitoring might be used to document whether certain practices or services are provided equally to diverse populations, and, thus whether the system is operating fairly or equitably (Hatry, 2007). Third, performance monitoring can help to identify whether policies are even likely to be effective. Insufficient implementation of a policy would suggest it is not likely to be effective. Fourth, monitoring can help to facilitate evaluation efforts aimed at showing whether or how specific system or reform-related activities are related to specific outcomes (e.g., outcomes can be monitored and linked to changes in practices or service delivery).

To be clear, performance monitoring does not allow for causal assessments of impact (e.g.,

activity X caused outcome Y). However, it provides an empirical foundation on which such assessments can be constructed. It provides a foundation for linking a range of activities to what might be termed “in-program” (or “in-system”) outcomes and to “out-of-program” (or “out-of-system”) outcomes. For example, within any juvenile justice system, numerous activities occur that directly influence others, any one of which might be termed an outcome. To illustrate, risk assessments are an everyday activity in some juvenile courts, but consistent and well-done assessments may be premised on other activities, such as hiring qualified assessors (Mears, 2004). From this perspective, the completion or quality of risk assessments could be viewed as an outcome resulting from specified activities, or it could be viewed as an activity that affects other outcomes, such as the likelihood that only high-risk youth are detained pending adjudication.

The use of “outcome” terminology can be confusing because outcomes frequently are conceptualized as measures of the “end” or “ultimate” goals of a program. Reduced recidivism constitutes an obvious end goal, or outcome, of the juvenile court process, although it typically happens *after* a juvenile is out of the system. However, the processing of cases involves many other performance-relevant indicators—such as successful targeting of at-risk youth for detention—that occur *within* the system (i.e., while youth are being processed or are under direct control of the system) and arguably constitute important outcomes. For this reason, the distinction between “in-system” and “out-of-system” outcomes can be useful. Causal logic models can be used to clarify relationships between the various parts of a system as well as how in-system activities contribute to out-of-system outcomes (Rossi et al., 2004).

The salience of performance monitoring is difficult to overstate, given that all policies, programs, and activities are unlikely to be effective if they are implemented poorly or not implemented at all. As Rossi et al. (2004:179) have emphasized, “We believe that more program failures are due to such implementation problems [as not delivering the intervention and/or not

delivering it to the right targets] than to lack of potentially effective services.”

Finally, one of the most difficult aspects of performance measurement and monitoring is the selection of *relevant* criteria of evaluation. The goal is not to identify indicators willy-nilly, but rather to select those most relevant to assessing the performance of the system. As Rossi et al. (2004:74) have written: “We stress that the criterion issue cannot be avoided. An evaluation that only describes program performance, and does not attempt to assess it, is not truly an evaluation. At most, such an evaluation only pushes the issue of setting criteria and judging performance onto the consumer of the information” (Rossi et al., 2004:74). The standards for setting performance criteria—that is, for assessing whether agency performance is adequate or good—vary greatly and depend on many considerations. For example, if a program referred both first-time offenders and chronic offenders to a summer jobs program, should we expect to find equal rates of success in placing those youth in jobs? Likely not. But what criteria should be used? Typically, any criteria should allow for measurement not only of the amount of a given activity or outcome but also the quality (Garry, 1997), though there generally is no one “right” answer. A range of sources can be used to develop criteria for judging performance, including:

the needs and wants of the target population, stated program goals and objectives, professional standards, customary practice [or] norms for other programs, legal requirements, ethical or moral values [such as] social justice [or] equity, past performance [based on] historical data, targets set by program managers, expert opinion, preintervention baseline levels for the target population, conditions expected in the absence of the program (counterfactual), [and] cost or relative cost (Rossi et al., 2004:75).

In short, performance monitoring can provide a critical foundation for improving the operations, efficiency, and effectiveness of government. Effective performance monitoring, however, requires ongoing support for research and a willingness to make difficult judgment calls about what activities and outcomes merit monitoring for purposes of increasing

accountability (Harp et al., 2006).

An Illustration of Performance Monitoring

Before discussing the application of performance monitoring to juvenile justice operations and reforms, it may be useful first to explore what such monitoring might look like for the most prominent part of juvenile or adult justice systems—namely, custodial facilities. Notably, few treatments of this topic exist within the literature on juvenile justice (Bazemore, 2006). However, Logan (1993) has provided a systematic examination of performance measurement and monitoring in adult prisons, and the analysis he provides applies equally well to custodial facilities that house young offenders.

Insert Figure 1 about here

As inspection of Figure 1 shows, Logan identifies eight dimensions, or domains, along which correctional facilities and systems might measure their performance, including security, safety, order, care, inmate activity, justice, conditions, and management. Each domain is an abstract concept, one ideally measured using indicators for a range of specific sub-domains. To illustrate, security might be measured using such sub-domains as security procedures, drug use, significant incidents, community exposure, freedom of movement, and staffing adequacy. Each sub-domain, like each domain, is itself an abstract concept requiring specific empirical indicators. For example, indicators of “security procedures” might include such measures as the proportion of staff who, during a given 6-month period, observed staff ignoring disturbances, or the frequency of shakedowns or body searches. A full list of potentially useful indicators for each of the domains and sub-domains is provided in Logan (1993:42-57). The indicators largely rely on staff and inmate surveys and institutional records, with the latter including incident logs, disciplinary logs and files, grievance logs and files, inmate employment records, education records, health

clinic logs, psychologist logs, and personnel records (pp. 34-35). Regularly scheduled focus groups and interviews, as well as observational data, could also be collected.

The relevance of specific indicators typically depends on overarching agency goals or philosophies. For example, from some perspectives (e.g., “rights-based” theory), justice is a process, “an ongoing property of criminal sanctioning as it occurs” (p. 21) rather than the achievement of a specific outcome (e.g., less crime). As with any evaluation of a program or policy (Rossi et al., 2004), indicators of justice system performance should reflect relevant goals and give greater weight to those considered to be most important (Mears, 2000). Goals as diverse as “justice,” “retribution,” and “public safety” are likely to be prominent in any policy evaluation, but they may carry different weight in one era versus another (Bernard, 1992; Roberts and Stalans, 1998). Returning to custodial facilities—it is not necessary to conduct performance monitoring of all the domains and sub-domains in Figure 1. Rather, emphasis should be given to those that most directly relate to priority goals (Harp et al., 2006), recognizing that many aspects of performance (e.g., providing adequate health care) are critical even if they do not relate to such overarching goals as “justice” or “public safety.”

The measurement domains and sub-domains provided in Figure 1, and the accompanying empirical indicators listed in Logan (1993), illustrate that performance monitoring can be used to track a wide range of important areas of system operations. Yet, despite calls for greater government accountability, few juvenile or adult justice systems systematically collect, much less analyze, such information about their custodial facilities or prison systems. As we describe below, the situation in juvenile justice has improved, but many aspects of juvenile justice operations, and especially the implementation of various reforms, remains largely unmonitored.

Performance Measurement and Monitoring in Juvenile Justice

Performance monitoring permeates many aspects of government, but a substantial gap between ideal and actual practice remains in juvenile and criminal justice (Bazemore, 2006; Marion and Oliver, 2006). The gap is particularly glaring in juvenile justice, both because the target population consists of young people who have not yet reached the age of majority, and because dramatic changes in juvenile justice policy have been enacted in virtually every state. To use a medical analogy, the situation is akin to one in which a person goes to a hospital for an expensive surgery and yet little effort is made to monitor the person's blood pressure and heart rate or even whether they survive. Perhaps such monitoring is unnecessary where a life is not at stake and few costs are involved, but, as with surgery, it certainly would be warranted where substantial risks arise and where the costs are high. By extension, we should expect performance monitoring in juvenile justice to be commensurate with the risks to individual youth and society as well as to the costs involved. Because any involvement in juvenile justice holds the potential to harm or help youth, and because virtually any processing of a youth entails substantial costs, such monitoring should pervade all aspects of juvenile justice systems operations. Yet, it generally does not (see, however, Blomberg et al., 2001; Bazemore, 2006).

Consider one of the most expensive aspects of any juvenile justice system—detention and correctional bed space. Few states systematically provide comprehensive, updated profiles of the lengths of stay for their incarcerated juvenile populations, disaggregated across different groups (e.g., age, sex, race, type of offense), even though such information is essential for planning (Butts and Adams, 2001; Mears, 2002a, 2006). For example, length of stay reporting by type of offense can be used to determine the impact that an influx of say, drug offenders, might have on bed space capacity. And length of stay information by age, sex, and race can be used to monitor whether some groups experience stays that are disproportionate to those of other groups.

More generally, juvenile justice accountability could be enhanced by institutionalizing performance monitoring of *systems operations* and *reforms*. The focus on operations is critical

because the everyday activities of probation departments, courts, defense counsel, prosecutors, and judges, as well as various providers of supervision and custody make up the bulk of what constitutes “juvenile justice.” The focus on reform is critical because of the large-scale changes to juvenile justice that have been implemented in recent decades (Feld, 1999; Mears et al., 2007).

The juvenile justice system encompasses many interlocking and interdependent parts. Law enforcement activities, as well as reporting activities of communities and schools, influence whether young people are referred to juvenile court intake departments. How intake occurs in turn influences subsequent decisions. A decision to detain a youth, for example, can contribute to perceptions about the youth and, ultimately, whether he or she is adjudicated delinquent. Yet, intake departments are not all the same. Detention facilities also vary considerably, and while a youth is detained many decisions are made, including determinations about whether psychiatric assessments are warranted, who to monitor more closely for at-risk behavior, and how to coordinate service delivery for youth with multiple needs. Each of these decisions can influence not only the detained youth but their families and communities as well. Probation officers also vary greatly in their approach to writing summary reports and recommendations for courts, which can influence critical court decisions about youth who await a disposition (Bridges and Steen, 1998). Court decisions determine, of course, which youth receive particular dispositions. And for every disposition—whether it be probation, placement in residential treatment, or confinement at a correctional facility—a range of activities will occur that influence the experience of the disposition and, ultimately, the behavior of the youth upon their release from the jurisdiction of the juvenile court.

Many of the activities, services, and decisions of the juvenile justice system constitute important areas of monitoring in their own right as indicators of performance. For example, most conventional notions of justice (and laws require) that cases referred to juvenile court be processed in a timely manner (Butts and Halemba, 1996). From this perspective, it is important

to create and monitor such indicators as the average number of days from referral to adjudication and from adjudication to disposition. Similarly, when laws require that assessments be conducted and the resulting information be used to inform court decisions, most observers would agree that it is important to monitor such activities (Mears and Kelly, 1999). Ultimately, the specific indicators must reflect the varying activities, emphases, and goals of each stage of processing. The critical undertaking remains, however, one of creating and monitoring such indicators, and using them both to hold the system, and its component parts, accountable and to inform policymaker and practitioner efforts to improve system operations and, ideally, impacts.

Performance monitoring of systems operations is uncommon in juvenile justice, but performance monitoring of large-scale reform is rarer still. The range of new juvenile justice laws and policies enacted in the past 25 years, relative to all of the changes that occurred previously, is extraordinary (Singer, 1996; Torbet and Szymanski, 1998; Fagan and Zimring, 2000; Butts and Mears, 2001; Mears, 2002b; Howell, 2003; Guarino-Ghezzi and Loughran, 2004; Snyder and Sickmund, 2006). Consider simply the *categories* of juvenile justice legislation undertaken in 2006 by states, as compiled by the National Juvenile Defender Center (2007): aftercare and reentry; age specifications; competency; conditions of confinement; detention; disproportionate minority contact; diversion, community-based, and rehabilitative services; drug and alcohol treatment and penalties; due process (indigent defense systems and funding); due process (procedural issues); electronic monitoring; expungement, privacy, and DNA databases; female offenders; funding, administration, and organization; mental health treatment; miscellaneous; offenses and penalties, sex offender registrations and restrictions; task force and policy planning groups; transfer and sentencing; truancy and schools; and victims and restitution. Of course, for each category there are many specific statutes. In addition, juxtaposed against the recent legislative activity is the wealth of legislation enacted in recent decades and the wide range of new programs and policies that have been developed to address juvenile crime.

Unfortunately, performance monitoring of most of these laws and policies never occurs. A rare exception, perhaps, involves transfer laws. During the 1990s, almost every state created new mechanisms for transferring juveniles to adult courts, and a large body of research subsequently accumulated that detailed the characteristics of transferred youth (Butts and Mitchell, 2000; Mears, 2003). Viewed through an evaluation research perspective, most of the studies constituted ad hoc implementation evaluations aimed at identifying which types of juvenile offenders were transferred. Few states, however, actually monitor the use of various types of transfer or the extent to which the different transfer options are used. Policymakers created transfer laws to target the most serious, violent juvenile offenders. Yet, few studies have documented how many such offenders actually enter various systems or the percentage of youth eventually transferred. Instead, most of the descriptive accounts create empirical profiles of youth who were transferred versus those who were not. In short, even for one of the most studied reforms in juvenile justice, basic questions have not been answered, such as the extent to which prosecutors invoke specific transfer statutes in cases where transfer is an option, or the extent to which transferred youth receive adequate assessments and representation (Grisso, 2004).

The situation is far more bleak for other laws and reform efforts. Indeed, relative to transfer, research on other juvenile justice changes lags far behind (Mears, 2002b). Consider juvenile drug courts. Despite their proliferation in the past two decades, considerable confusion exists about what exactly are the core activities of these courts (Butts and Roman, 2004). The uncertainty makes performance measurement and monitoring a challenge. Yet, the same can be said of most reforms in juvenile justice. Indeed, for every category of legislative activity listed above, similar problems arise. For example, most states and jurisdictions do not empirically document how often various laws are being used in cases where their use is indicated, whether legally required services are being provided or legally required activities are being undertaken, and whether, more generally, any of a range of laws, policies, and programs target the types of individuals for

which they were intended.

The situation arises in part from the fact that no one agency in most jurisdictions or states is responsible for systematic and comprehensive monitoring of governmental functions, much less juvenile justice operations and reforms. In addition, many factors impede the monitoring and assessing of the juvenile justice system, including organizational and structural issues, database limitations, and data sharing obstacles. However, as we discuss below, a number of promising initiatives have emerged that highlight how performance monitoring can become an integral part of juvenile justice system operations and improve system accountability and effectiveness.

The New Accountability Movement: Examples of Efforts to Implement Juvenile Justice Performance Monitoring

Three prominent efforts to improve the accountability of juvenile justice share a common focus on measuring and sharing performance data. The efforts are: (1) the Performance-based Standards system developed by the Council of Juvenile Correctional Administrators (CJCA), (2) the National Performance Measures Demonstration (“report card”) Project of the National Center for Juvenile Justice (NCJJ), the American Prosecutors Research Institute (APRI), and the Community Justice Institute at Florida Atlantic University (FAU), and (3) the Reclaiming Futures initiative funded by the Robert Wood Johnson Foundation (RWJF). Each collects information about the consistency and intensity of juvenile justice interventions and their relationship to client-related benchmarks or outcomes, and each pursues a similar set of goals: to document the routine operations of the juvenile justice system, to identify where the system succeeds or fails to meet its objectives, and to use real-time data to guide management reform and system change.

Performance-based Standards

The Performance-based Standards (PbS) system may be the most well-known juvenile justice accountability improvement project of recent years. Launched in 1995, the PbS system was developed by the CJCA with support from the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP). It is a program of standardized performance measures that encourages juvenile detention and youth correctional facilities to monitor the quality of their operations and the effectiveness of their interventions with youth. Using a secure web portal, participating facilities enter data from administrative records, incident reports, exit interviews with youth, and organizational climate surveys completed by youth and staff. The data are organized by PbS and reported back to each facility in simple tables and graphs.

As of April 2007, the PbS system was used in more than 180 detention facilities and correctional institutions in 28 states (<http://www.pbstandards.org>). It includes a set of goals and standards that individual facilities and agencies must strive to meet, tools to help them achieve these standards through regular self-assessment and self-improvement, data reports that allow facilities to evaluate their performance over time and in comparison with peers, and mechanisms for sharing effective practices with other facilities. The PbS system provides facility managers and staff with opportunities for continuous learning and improvement in policies and procedures.

When a facility signs up with PbS, it receives whatever technical support it needs to begin implementing the recommended series of performance measures. Twice a year, the facility compiles the information needed to create each performance measure. Staff enter the data on a confidential area of the PbS website. The PbS team uses the information to calculate approximately 100 outcome measures. The measures indicate how close each facility is to meeting the PbS standards, in what areas the facility is succeeding, and in what areas it needs to improve. A data report is returned to each facility portraying that facility's data in comparison

with general trends among the other facilities in the PbS system. Each facility works with an assigned PbS “coach” to develop a Facility Improvement Plan (FIP), which is also entered into the website and monitored by facility staff, agency leaders and the PbS coach.

The PbS system asks juvenile facilities to collect a wide range of data that can be used to rate the facility’s performance on seven key goals (Council of Juvenile Correctional Administrators, 2007). The seven key goals are: (1) safety, (2) order, (3) security, (4) health and mental health, (5) programming, (6) justice, and (7) reintegration. For each of the seven goals, the PbS system designates a number of specific standards. For example, the safety goal is defined by three specific standards:

- Protect staff and youths from intentional and accidental injuries.
- Minimize environmental risks and reduce harm in the use of restraints and isolation.
- Protect staff and youth from fear.

The justice goal is defined by four standards:

- Ensure that youths, their custodians, and other appropriate parties know their legal rights and how to protect them.
- Ensure that the number of minority youths in secure facilities is proportionate to the number of minority youths under the agency’s jurisdiction.
- Administer the rules and policies for staff and youths fairly and consistently and offer effective means of redress of grievances or violations of rights.
- Provide confidential and reasonably prompt communications between youths and their lawyers and make youths available for legal or administrative proceedings.

A PbS coach helps each facility to develop appropriate methods for collecting the data that will be used to measure each standard and several specific outcomes under each standard. For example, Safety Standard 1 (i.e., protect staff and youths from intentional and accidental injuries) is assessed by measuring seven outcomes:

- Number of confirmed cases of abuse or neglect over the last six months per 100 days of youth confinement.
- Injuries to youths per 100 person/days of youth confinement.
- Injuries to staff per 100 staff/days of employment.
- Injuries to youths by other youths per 100 person/days of youth confinement.
- Injuries to youths by staff per 100 person/days of youth confinement.
- Suicidal behavior with injury by youths per 100 person/days of youth confinement.
- Suicidal behavior without injury by youths per 100 person/days of youth confinement.

Similarly, the Health and Mental Health Standard 3 asks facilities to “develop or continue individual treatment plans for each confined youth to respond in an appropriate and timely manner to new and chronic health, mental health, substance abuse or behavioral problems of youth in confinement.” Each facility’s progress in meeting this standard is assessed using three separate outcome measures:

- Percent of youths confined for more than 60 days whose records indicate that they received the substance abuse treatment prescribed by their individual treatment plans.
- Percent of youths confined whose records indicate that their performance on standardized physical fitness assessments increased between admission and release.
- Percent of interviewed youths who report receiving at least one hour of large muscle exercise each day on weekdays and two hours each day on weekends.

All of the PbS goals are measured bi-annually using this approach, with several outcome measures for each standard and several standards for each goal. The PbS system incorporates facility “climate” measurements as well, many derived from exit interviews with youth. These measurements focus on the quality of life for youth during the time they are incarcerated, including whether they feel safe and whether they are treated well and are receiving services as intended.

The PbS system appears to have been successful in shaping a culture of mutual accountability in juvenile detention and correctional facilities. In 2004, the PbS system won an “Innovations in American Government Award” from the Harvard University Kennedy School of Government and Council of Excellence in Government. In making the award, Gowher Rizvi, Director of the Ash Institute for Democratic Governance and Innovation, proclaimed that “one of the best things about [PbS] is that it is easy for facilities to use the technology on their own and monitor their own improvement” (Council for Excellence in Government, 2004:1).

The Performance Measures Demonstration (“Report Card”) Project

The National Performance Measures Demonstration Project involves the collaborative efforts of the NCJJ, the APRI, and FAU’s Community Justice Institute (Bazemore, 2006). Also known as the juvenile justice “report card” project, the project is designed to improve the accountability of juvenile justice systems using simple, affordable methods. Many juvenile justice agencies do not have (and may never have) the resources required to construct detailed performance measurements as a central part of their automated information systems. Juvenile courts and other juvenile justice agencies face ample challenges in supporting their information systems for legal documentation, the docketing of court proceedings, case management, accounting, and administration functions. Creating and maintaining integrated systems for measuring agency performance is not likely to be a priority for the resource-starved organizations making up the juvenile justice system. The report card project pursues a different approach. It relies on juvenile court workers to describe their own activities and the results of their efforts with youth. These descriptions are aggregated and converted into a stand-alone database that can be used to track system performance.

The report card project began with similar efforts in two different states. In 2000, juvenile

justice agencies in Deschutes County (Oregon) and Allegheny County (Pennsylvania) began collecting and reporting case closure data about youth on probation. Analogous to a hospital discharge record, the case closure reports summarized the services and sanctions provided for each youth prior to release from probation supervision, as well as any school, work, or other activities in which the youth was involved during the period of supervision. Based partly on this objective information and partly on the subjective impressions of probation officers, the case closure reports were compiled into a standardized format that allowed juvenile courts to track their effectiveness in meeting their goals. For example, the reports tracked the goal of maintaining “law abiding behavior” by recording any new offenses committed by a youth while under court supervision and any violations of probation. The reports assessed whether youths were held “accountable” to the victim(s) of their offense by recording whether they completed their community service hours and whether they paid all restitution as ordered by the court. Other goals focused on youth “competency” by recording whether each youth participated in, or successfully completed, any educational or vocational programs. Some reports tracked “pro-social attachment” by recording the extent of a youth’s participation in other community-based activities, such as sports and recreation, arts programs, or volunteering.

The information contained in each case closure summary was directly related to the community safety goals and youth development goals of the juvenile justice system. The annual “report cards” created from the case closure data allowed the juvenile courts in Deschutes County and Allegheny County to provide their communities with information about their system performance and they expanded the notion of juvenile justice performance beyond the single measure of recidivism. The juvenile courts in these two jurisdictions were able to inform the public about their work, their effectiveness, and their responsiveness to basic community concerns. In 2001, with funding from the Pennsylvania Commission on Crime and Delinquency, the NCJJ used the “report card” approach to develop aggregate performance measures that

supported the balanced and restorative justice (BARJ) agenda of the State of Pennsylvania. By 2004, basic performance measures were available for the juvenile justice systems in all 67 counties in the State.

The National Performance Measures Demonstration Project was born in 2003, when the APRI received a federal grant to demonstrate the potential of the “report card” approach. Working in five communities and in collaboration with NCJJ and the Community Justice Institute at FAU, the project identified the performance goals that were most salient to each jurisdiction and then worked with juvenile justice officials to develop methods of collecting case closure reports that focused on those goals: reducing juvenile crime, enhancing services to crime victims, holding youth accountable for the harm caused by their behavior, and helping youth to become competent, responsible, and productive (Thomas, 2006).

For each youth leaving a probation officer’s caseload, the APRI case closing form asked a few simple questions, including:

- Were charges filed against the juvenile for committing a new offense while under juvenile court supervision? (Yes/No)
- Were drug/alcohol tests administered while under supervision? (Yes/No)
- Results of drug/alcohol tests while under supervision (number of negative/positive tests).
- Was restitution ordered? (Yes/No) Amount of restitution ordered? Amount paid?
- Was youth enrolled in school at time of case closing? (Yes/No)
- Last grade completed in school?
- If not enrolled in school, why? (Select from a provided list.)
- Reason for case closing? (Select from a provided list.)

The questions were simple and the number of questions on each case closing form was kept to a minimum. This is the central goal of the project: to create a mission-relevant system for reporting performance measures that is easy to manage, affordable, and practical. As it becomes

more widely known, the National Performance Measures Demonstration Project is increasingly popular among juvenile justice leaders. By 2006, similar “report card” efforts were underway in at least five states, including Oregon, Pennsylvania, Illinois, Michigan, and South Carolina.

Marquette, Michigan, for example, was able to produce a report card about the performance of its juvenile justice system during 2006. The report card provided statistics on cases closed or discharged during 2006, including information such as the following (Marquette County, 2006):

- 59 percent were handled by the juvenile court’s diversion unit.
- 25 hours per case were expended by court staff working with diverted youth and families.
- 86 percent of discharged youth paid the full amount of court-ordered restitution.
- 77 percent of all fines and court costs were paid by discharged youth paid, who also performed 83 percent of all court-ordered community service hours.
- 91 percent of discharged youth were attending school at the time of case closure.
- 82 percent of youth committed no new offenses while under court supervision, nor were returned to court for violating the terms of their supervision.

The presiding juvenile court judge in Marquette County believed the new annual report card would allow his court to demonstrate in real terms that it is accountable to the community.

According to Judge Michael Anderegg: “[T]his system can provide the public and policy makers with information that they are very eager to have. . . . [The data] can be used as a starting point for important dialogue about a wide variety of juvenile justice issues” (Thomas, 2006:1).

Reclaiming Futures Project

The RWJF Reclaiming Futures initiative began as a ten-community demonstration effort in 2002 (for more information, see <http://www.reclaimingfutures.org>). The goal of the project was to enhance the coordination and integration of services for drug-involved youth in the juvenile

justice system (Nissen et al., 2006). As a funding organization that focuses on healthcare, the RWJF initiated Reclaiming Futures to address a well-known problem. Many youth involved in the juvenile justice system have emerging or established problems with substance abuse, but few receive high-quality substance abuse services during their time under court supervision. To RWJF, this situation results from a failure of prevention. A potentially chronic public health problem is too often neglected by the one service system that might be able to identify youth headed for the most trouble before their problems become intractable.

The Foundation, along with a grantee appointed to oversee the initiative, Portland State University (PSU), approached the ten demonstration communities believing that lack of knowledge was probably not the core issue preventing the juvenile justice system from responding adequately to youth substance abuse. More likely, the core issue was a lack of inter-organizational communication and coordination. Juvenile justice and drug treatment agencies simply did not collaborate effectively. The top juvenile court officials often did not know the treatment providers in their communities. The juvenile justice system operated as if it were independent of the treatment system, the schools, and even the community itself. Screening and assessment of young offenders was inconsistent at best. Service providers and court officials did not often use the same assessment instruments and this made it difficult for them to share information about specific youth and families. Much of the information required to assess substance abuse problems was not available until late in the juvenile court process and service providers often had to make early treatment decisions in the dark. Likewise, the court system often did not know whether services were provided to youth as intended because treatment providers were not allowed, or least believed they were not allowed, to share clinical information with officials outside their own agencies. Many youth simply ignored court orders to begin substance abuse treatment, and neither the court nor the treatment agency had any idea such a profound system failure existed.

The Reclaiming Futures initiative was designed to address these systemic problems and to make the juvenile justice and substance abuse treatment systems more accountable to one another, to their mutual clients, and to the entire community. The initiative builds upon previous reform efforts in adolescent treatment (Nissen et al., 1999), balanced and restorative justice (Bazemore, 2006) and children's mental health (Pires, 2002). It relies on effective leadership, judicial commitment, active teamwork among treatment providers and juvenile justice agencies, and broad community partnerships that can alter the trajectory of substance abusing youth through (and beyond) the juvenile justice process. It also recognizes that youth substance abuse is a public health or community-wide problem and not a juvenile justice system problem per se. The central goal of Reclaiming Futures is to enhance community capacity to provide a comprehensive response to substance abuse problems among justice-involved youth by emphasizing inter-agency, community, and family collaboration as well as the broader use of evidence-based treatment.

The Reclaiming Futures Model developed from the ten-site demonstration helped the communities to identify the strengths and weaknesses of their service systems and to design a shared approach for improving those systems (Nissen et al., 2006). It is an inter-organizational performance measurement model that encourages communities to ignore agency boundaries as they create system-level performance data. As a conceptual tool, it helps communities stitch together the efforts of courts, service providers, community organizations, and individual volunteers as they cooperate to identify and reduce substance abuse problems among court-involved youth. The Model helps communities to create processes that can track youth across the six key stages of the juvenile justice process: (1) initial screening, (2) assessment, (3) care coordination, (4) service initiation, (5) service engagement, and (6) service completion. At several stages in the Model, simple data measures are suggested to assess implementation (process) and performance (outcome). By implementing the Reclaiming Futures Model,

communities learn to identify their systemic gaps so they can begin to make real and lasting improvements.

As part of a national evaluation of Reclaiming Futures, the Urban Institute and Chapin Hall Center for Children at the University of Chicago conducted three years of bi-annual surveys in each of the ten communities participating in Reclaiming Futures. The surveys measured the coordination, quality, and effectiveness of the juvenile justice and substance abuse treatment systems in each project site. The pattern of survey responses suggested that the initiative was a promising strategy for improving the efficacy of court-supervised interventions for youth. Most of the quality indicators measured by the evaluation improved significantly during the course of the initiative. Improvements were especially dramatic in the measures of treatment effectiveness, the use of client information in support of treatment, the use of screening and assessment tools, and overall systems integration (Butts and Roman, 2007).

Conclusion

Policymakers and the public increasingly expect government accountability, yet the gap between ideals and actual practice remains large. The situation is especially pronounced in juvenile justice, where little is known about the system's everyday activities or the implementation of numerous reforms enacted over the past 25 years. Given the growing demands for accountability, the substantial costs of juvenile justice, the potential for harm to victims and communities, and, not least, the risk of failing to improve the life outcomes of young offenders, systematic implementation of performance monitoring in juvenile justice is essential.

As we have shown, a number of promising initiatives have illustrated how such monitoring can be undertaken and used to improve system operations. At the same time, substantial barriers still exist. Funding for research is nominal within most justice agencies. The collection and

sharing of relevant data is often impeded by resource constraints, “turf” considerations, and a lack of integrated data systems that cross organizational boundaries. In addition, the highly politicized environment in which juvenile justice agencies operate may generate a high degree of caution among managers and administrators. Agencies might justifiably fear that evidence of poor performance could have significant repercussions, and that no evidence might be better than negative evidence. Perhaps the most likely explanation for why juvenile justice agencies have not embraced performance monitoring on a more widespread basis is the limited analytical capacity in many agencies, either in terms of staff or funding. Performance monitoring, even if mandated by law or policy, is difficult if not impossible to undertake under such conditions.

Of course, performance monitoring is not a “cure-all” and it has limitations. Performance monitoring may not be able to detect why a given activity does not occur (e.g., proper use of screening and assessment instruments). It may identify that an activity is not occurring as expected, but in-depth study may be needed to isolate the particular problem. Performance monitoring can also be time-consuming and expensive, and ultimately of little use if focused on activities and outcomes other than those most important to an agency. Moreover, if considerable effort is put into performance monitoring, yet no actions are taken to use the information and to make appropriate changes, an agency risks wasting resources and possibly harming staff morale. Agency staff are often required to collect and submit performance data on a regular basis, sometimes at considerable cost. If they see no evidence that their extra work led to useful results, morale might suffer and future their cooperation may be even more difficult to secure.

Not least, there may be harms associated with performance monitoring. In an era in which accountability and evidence-based practice is increasingly promoted, sometimes by policy or statute, juvenile justice agencies may unwilling to embrace performance monitoring out of a fear that new evidence could point to ineffective programs and lead to funding cuts. If a program is indeed ineffective, or if other programs could be more effective, such a decision would not

necessarily be inappropriate. However, performance monitoring is not the same thing as conducting an impact evaluation, where firmer conclusions can be drawn about comparative effectiveness. It simply provides information about whether intended activities are being undertaken and about the levels of relevant outcomes. Should two programs differ in, say, the recidivism of participants, this may not mean it is more effective. A difference between programs could arise purely because of differences in the types of individuals placed in them. These limitations are important, but nonetheless may be misunderstood in policy and funding debates, leading to the termination of programs that actually may be quite effective. In a “get tough” era, a related problem is that undue emphasis may be given to recidivism. For example, a program may be quite effective at improving the life skills or education of young people but not especially effective at reducing recidivism. Although recidivism is always relevant in juvenile justice policy debates, it is not the only relevant criterion of performance.

The benefits of performance monitoring substantially outweigh its costs, but as with any tool, its impact will be greatest when it is wielded with care and precision. Particular care is needed when, as with almost all juvenile justice agencies, resources are scarce. Yet, scarcity itself underscores the need for performance monitoring—every dollar counts, and ideally it should count as much as is possible. Addressing the barriers to performance monitoring and to the appropriate use of monitoring results will be a continuing challenge in coming years, but it is one worth meeting. Fortunately, there are bright spots around the country where lessons can be learned. Juvenile justice systems do not have to start from scratch.

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Figure 1. Correctional Facility Performance Measure Domains and Sub-Domains*

<u>Domains</u>	<u>Sub-Domains</u>
1. Security:	security procedures, drug use, significant incidents, community exposure, freedom of movement, staffing adequacy
2. Safety:	safety of inmates, safety of staff, dangerousness of inmates, safety of environment, staffing adequacy
3. Order:	inmate misconduct, staff use of force, perceived control, strictness of enforcement
4. Care:	stress and illness, health care delivered, dental care, counseling, staffing for programs and services
5. Activity:	involvement in and evaluation of work and industry, education and training, recreation, and religious services
6. Justice:	staff fairness, limited use of force, grievances (number and type), grievance process, discipline process, legal resources and access, justice delays
7. Conditions:	space in living areas, social density and privacy, internal freedom of movement, facilities and maintenance, sanitation, noise, food, commissary, visitation, community access
8. Management:	job satisfaction, stress and burn-out, staff turnover, staff and management relations, staff experience, education, training, salary and overtime, staffing efficiency

* Adapted from Logan (1993:34-35).
