

COVID-19 AND JUVENILE PROBATION

A Qualitative Examination of Emergent Challenges and Useful Strategies

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The emergence of COVID-19 placed immediate pressure on the juvenile justice system to adapt to changes in case processing and decision-making practices. Juvenile probation agencies were tasked with quickly altering their policies and practice to abide by local public health measures. As probation supervision is the most common disposition in the juvenile justice system, there is both an empirical and practical need to understand the impact that COVID-19 has on a variety of issues surrounding the supervision and provision of services for juveniles. Using self-report survey data from juvenile probation directors across the United States, the current study examines (a) the biggest challenges faced by juvenile probation agencies during the pandemic, (b) the strategies implemented in response to these challenges, and (c) the most pressing issues currently facing the field of juvenile community corrections. Results have the potential to inform future agency decision-making when adjusting juvenile probation policy and practice.

Keywords: juvenile probation; juvenile justice; COVID-19; community supervision

INTRODUCTION

The emergence of the COVID-19 pandemic immediately transformed the daily practices and policies of the juvenile justice system beginning in March 2020. To decrease the spread of the virus among incarcerated justice-involved youth and correctional staff, government and juvenile justice agencies were tasked with reducing the population of youth housed in detention and residential placement facilities. While reporting challenges make it difficult to estimate national reductions, some states have clearly publicized these efforts (e.g., Colorado, Georgia, and California; Amaro, 2020; American Civil Liberties Union, 2020; Kemp, 2020). For new referrals to juvenile court, administrators and agencies

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focused on retaining youth in the community versus holding them in secure detention or placed in a residential facility, and prosecutors were advised to limit the use of pre-adjudication detention (Buchanan et al., 2020). These changes to policies and practice in the juvenile court and residential facilities ultimately impacted the field of community corrections, resulting in a sudden increase in juvenile probation cases and new challenges presented to juvenile supervision agencies. Decisions to reduce the use of detention, residential placement, and revocation for probation violations have implications for community corrections agencies and the juvenile justice system in general because the outcome is an inevitable increase in the number of youths on supervision. Many adolescents who would otherwise be housed in residential facilities are likely now on community supervision (National Council on Crime and Delinquency [NCCD], 2020).

Traditional community supervision practices rely on face-to-face contact between the juvenile probation officer (JPO), youth on supervision, and treatment/services (e.g., drug testing, mental health services) included as conditions of probation (Bonta & Andrews, 2016). Within the juvenile community supervision system, probation officers must interact with multiple individuals involved in the youth's life, including parents/guardians and teachers (Schwalbe, 2012). As a result, probation officers must develop relationships not just with the client (i.e., the youth) but also with other key adults in their life (Maschi et al., 2013). However, the global COVID-19 pandemic instantly changed the day-to-day practices of probation, with many states implementing "stay at home" orders, curfews, and social distancing requirements. Youths' schedules and regular probation practices were immediately halted, such as drug testing and face-to-face meetings (Viglione et al., 2020). Some treatment providers (e.g., mental health, substance use) closed their facilities or implemented virtual telehealth visits in lieu of in-person treatment (Schwartzapfel, 2020). Juvenile probation agencies had to modify their policies and practice quickly to ensure safety of their staff, along with adolescent clients and their families.

As probation is the most common disposition in the juvenile justice system (Hockenberry & Puzzanchera, 2020), there is both an empirical and practical need to understand the impact that COVID-19 has on a variety of issues surrounding the community supervision of justice-involved youth. Probation is the most common sanction assigned, making up 51% of all juvenile court dispositions (Hockenberry & Puzzanchera, 2020), illustrating the critical role this form of supervision plays within the juvenile justice system.

The overall aim of the current study is to advance the knowledge and understanding of juvenile community supervision responses to the COVID-19 pandemic. The current study highlights emergent findings in the transformation of juvenile probation practices in light of COVID-19. Using self-reported survey data of juvenile community supervision directors across the United States, we examine the perceptions of juvenile probation directors regarding the largest challenges their agencies faced due to COVID-19 and the strategies implemented in response to these challenges. Of these strategies, we also investigate what juvenile probation directors perceived could have been done differently when changes were implemented, along with their beliefs of the most pressing issues facing the field of community corrections for justice-involved youth. Findings can set the foundation for understanding how public health crises challenge public safety, the treatment of youth in the juvenile justice system, and overall youth outcomes.

LITERATURE REVIEW

The emergence of the COVID-19 pandemic resulted in quick and significant changes in youths' daily routines, as stay-at-home orders, virtual learning, and overall closures of economic and social sectors put added stressors on children and their families. Schools swiftly transferred to online learning for the remainder of the school year, afterschool programs and extracurricular activities halted, and social connections between peers were restricted due to social distancing (Buchanan et al., 2020). Children were either supervised more by their parents and caregivers (who were now working from home, furloughed, or unemployed), or had less monitoring because family members were considered essential workers.

In addition to the significant impacts on the daily lives of adolescents in general, COVID-19 introduced changes to the daily structure and inner workings of youth community supervision practice. The success of youth on community supervision depends on a variety of factors surrounding frequent contact with probation officers, treatment/services for identified needs, family engagement, and school attendance (Rudes et al., 2020; Torbet, 1996; White, 2019). Justice-involved youth are a higher risk population compared with the general public (Buchanan et al., 2020; Mooney & Bala, 2020), often characterized by residing in poorly resourced communities (Voisin et al., 2017), a history of trauma and adverse childhood experiences (Baglivio et al., 2014), emotional difficulties (Cauffman et al., 2004), mental health and substance use problems, and engagement in other risky behaviors (Teplin et al., 2005).

Probation is considered the "workhorse" of the juvenile justice system (Buchanan et al., 2020; Torbet, 1996), where JPOs hold numerous roles from the time that youth are referred to juvenile court until their cases are resolved/closed. Duties surrounding intake, case management, investigation, supervision, surveillance, and reporting to the juvenile court are the overarching functions of probation services and serve as an integral part of the juvenile justice system (Maloney et al., 1988). JPOs are tasked with a multitude of responsibilities, such as facilitating probation conditions, linking an adolescent's needs to appropriate treatment, case planning and casework services, counseling, ensuring youth are attending school or work, monitoring family environments, and determining any potential law-violating behaviors (Hsieh et al., 2016). As these responsibilities primarily occur face-to-face, the COVID-19 pandemic drastically shifted the daily operations of juvenile probation. This results in direct implications for hundreds of thousands of justice-involved youths every year.

In April 2020, the NCCD released guidelines to assist juvenile community corrections agencies accommodate the sudden increase of confined adolescents being released into the community due to the COVID-19 pandemic. While decreasing the confined youth population is a positive step in limiting the spread of COVID-19 (Hagar, 2020), this translates to a rise in juvenile probation caseloads and the emergence of potential challenges to community corrections agencies (NCCD, 2020). These fast-track releases resulted in a shift in youth from one end of the juvenile justice system (i.e., residential placement) to the other (i.e., community supervision), where probation is already strained (Buchanan et al., 2020; Torbet, 1996). For youth who were recently released from residential facilities, NCCD recommended focusing on case management support through risk assessment information versus supervision level or contact standards (NCCD, 2020).

Regarding current caseloads, recommendations included having assessment interviews, one-on-one meetings, and case planning conversations through video technology (NCCD, 2020). As face-to-face meetings halted for at least some time throughout the last year, virtual check-ins became essential for keeping in contact with adolescent clients, their families, and service providers (Buchanan et al., 2020). However, for those who had limited technology during this technology-heavy time, agencies were asked to reach out to additional community resources (e.g., schools, community centers, faith-based organizations) to provide youth with adequate technology. Further suggestions included learning about other potential services/vendors when current community-based treatment opportunities have closed or have limited availability, and expanding a youth's "circle of care" for additional support networks (NCCD, 2020).

Agencies were also recommended to proactively respond to youth misbehavior without relying on detention or out-of-home placement options (NCCD, 2020). In other words, to be more flexible in responding to their clients, agencies were asked to explore limiting or removing official technical violations and restricting the use of detention and confinement in response to technical violations (Mooney & Bala, 2020; NCCD, 2020). Instead of issuing youth a technical violation or revoking probation, NCCD (2020) suggested that agencies address underlying factors related to the misbehavior.

To accommodate potential increases in caseloads as more youth were released from residential facilities, the NCCD (2020) guidelines also encouraged community corrections agencies to assess caseloads for potential early releases or reductions in supervision requirements. Agencies were directed to review existing policies for early release and what types of adolescents could be successful with more limited-contact or termination of probation (e.g., suspending home visits, drug testing, or fewer virtual check-ins; Buchanan et al., 2020; NCCD, 2020). Early termination of probation is one mechanism that can decrease caseloads for JPOs and reallocate resources for higher risk youth on supervision (Mooney & Bala, 2020).

Although not specifically suggested by the NCCD, certain advocacy groups, such as the American Civil Liberties Union, the Sentencing Project, and National Association for the Advancement of Colored People, are urging juvenile probation departments to cease the collection of fines, fees, and issuing violations for unpaid balances during the pandemic (Marcum, 2020; see also Uppal, 2020). Research has shown that supervision fees disproportionately impact low-income minority children and contribute to tension between children and families (Kaplan et al., 2016). While this decision eases economic pressure for youth on probation and their families, it may present significant financial challenges for agencies who rely on fees to support their operations. In a survey of adult and youth community supervision agencies, Viglione and colleagues (2020) found that 62% were still collecting supervision fees although not issuing violations for late fees once the pandemic emerged, compared with 14% of agencies who were still issuing late-fee violations. Only 2.5% of community supervision agencies suspended the collection of fees. However, as budget strains are a current pressing issue for community corrections agencies (see Viglione et al., 2020), COVID-19 may present both short- and long-term consequences for juvenile probation, as some agency budgets are largely dependent on supervision fees.

Overall, there is a void in knowledge surrounding the challenges of day-to-day workings of juvenile probation since the emergence of COVID-19, and how agencies have responded

to such obstacles. For example, as JPOs are tasked with maintaining relationships with families and teachers of adolescent clients, NCCD (2020) did not describe how these occurrences should continue during the pandemic. A similar void in the recommendations surrounds the ability of JPOs to perform drug tests for youth who have this requirement as a part of their supervision conditions. Although helpful in that specific guidelines and tips have been provided to juvenile probation agencies to adjust to a massive shift in traditional supervision policies and practice, these changes may translate to additional challenges and subsequent responses to these difficulties.

THE CURRENT STUDY

Within the juvenile justice literature, emerging research has provided a greater understanding of changes in policies and practice surrounding juvenile court procedures (Buchanan et al., 2020; Hrdinova et al., 2020; Warner, 2020) and residential facilities (Barnert, 2020; Wang et al., 2020) due to COVID-19. However, less is known about the challenges of supervising youth on probation since the emergence of COVID-19, and how community supervision agencies have responded to these difficulties during a global pandemic. As such, it is imperative that research, policy, and practice understand the challenges and strategies that juvenile probation agencies have witnessed and addressed, because it will impact not only staff but a substantial number of justice-involved youth. The emergence of COVID-19 as a global pandemic instantly transformed the daily practices of the juvenile justice system; however, less is known about how community corrections agencies perceive the challenges that juvenile probation is currently facing and strategies that have been implemented in response to these challenges. We address this void by using self-reported survey data of juvenile community supervision agency administrators across the United States. Three general research questions are examined.

Research Question 1 (RQ1): What are the largest challenges that juvenile probation is currently facing because of COVID-19?

Research Question 2 (RQ2): What strategies have juvenile probation agencies implemented in response to these challenges?

Research Question 2a (RQ2a): Relatedly, of these strategies, what do juvenile probation directors perceive could have been done differently?

Research Question 3 (RQ3): What do juvenile probation directors perceive to be the most pressing issue facing the field of community corrections?

Research Question 3a (RQ3a): Tied to RQ3, what are juvenile probation directors' recommendations for how to address this issue?

More thorough knowledge of the challenges that juvenile probation has been facing throughout the last year, along with a greater awareness of adaptations that have occurred due to the COVID-19 pandemic, can potentially inform innovative models of community supervision for juveniles under court authority. In addition, these data can aid in the development of future emergency preparedness plans that consider the unique context and nuances associated with juvenile community supervision and the complex needs of the youth served.

METHOD

DATA COLLECTION

Data for this study were collected as part of a larger, longitudinal project to examine how community corrections agencies adapted in response to the COVID-19 pandemic. As part of this greater study, surveys were administered to directors of adult and juvenile probation and parole agencies across the country, and interviews were conducted with frontline probation officers to understand the experience of working during the pandemic. The current research focuses on qualitative data that were collected via open-ended survey questions.

Surveys were administered to probation/parole directors across the United States via Qualtrics (Snow & Mann, 2013) from June through August 2020. Respondents were identified through a comprehensive search to identify a representative from each county-level community supervision agency (for a full description of these procedures, see Viglione et al., 2020). Once the contact list was complete, the survey was administered following the Dillman (2000) method. Respondents were first sent information about the survey, including the purpose of the study, instructions to select only one representative from the agency to complete the survey, the voluntary nature of the study, and confirmation that the study was approved by the university's institutional review board. Next, respondents were sent reminder emails weekly for three weeks. Follow-up telephone calls were made in Week 5, followed by an email reminder in Week 8, a second follow-up phone call in Week 10, and a final reminder in Week 12. In addition, survey information was distributed via the Center for Advancing Correctional Excellence's (ACE!) listserv, which reaches active members of community supervision agencies. A total of 347 survey responses were received, representing unique agencies across 42 different states.

SAMPLE

The sample from the current study includes juvenile community supervision directors who responded to the qualitative portion of the surveys. Table 1 presents the sample characteristics of the respondents' probation agencies. The sample includes 29 probation directors from unique agencies across 13 states. Participating agencies primarily served rural areas (69%) and employed an average of 22 JPOs. Most respondents included in this study oversaw agencies who provided supervision to adolescents and adults (62%), while 38% only supervised juveniles. The average caseload was 37 justice-involved youth, with most serving fewer than 250 clients (38%).

MEASURES

The current study examined four open-ended questions included in the survey. These questions were designed to measure director perceptions regarding their experiences adapting in response to COVID-19. First, directors indicated the biggest challenge present in their agency by responding to the question: "In the last 12 weeks, what challenges has your agency faced in responding to the COVID-19 pandemic?" (RQ1). Second, directors indicated their agency's use of strategies to alleviate these challenges by answering, "In the last 12 weeks, what strategies has your agency used that have been most beneficial in adapting to the COVID-19 pandemic?" (RQ2). Third, directors were asked to evaluate these strategies by responding to the prompt, "Please describe any responses/policies implemented in your agency you think could have been handled differently" (RQ2a).

TABLE 1: Sample Characteristics (N = 29)

Variable	%	<i>n</i>	<i>M</i>	<i>SD</i>	Minimum	Maximum
Geographic region served						
Rural	69.0	20				
Suburban	44.8	13				
Urban	31.0	9				
Number of JPOs			22.0	27.1	1	88
Population served						
Adults + youth	62.1	18				
Youth only	37.9	11				
Caseload			36.8	26.6	1	125
Total supervision population			697.9	948.6	1	3,200
1–250	37.9	11				
251–500	20.7	6				
501–750	0.1	1				
751–1,000	6.9	2				
1,000+	20.7	6				
Not indicated	13.79	4				

Note. Some juvenile probation agencies serve multiple geographic regions. JPOs = juvenile probation officers.

Fourth, directors responded, “Think of the most pressing or difficult issue relating to community supervision right now. Describe this issue” (RQ3). Finally, directors were asked to indicate their suggestion for alleviating the most pressing issue they listed using the question, “What are your recommendations or thoughts for how to address this issue?” (RQ3a).

CODING AND ANALYSIS

One member of the research team exported all survey responses from Qualtrics into Excel and then transferred all open-ended survey responses to Word. This researcher then linked all Word documents to ATLAS.ti, a commonly used software for data management (Muhr, 1991). Prior to coding, the research team developed a “start list” of codes (Charmaz, 2006; Miles & Huberman, 1994) developed by identifying a code for each open-ended survey question (i.e., challenges, solutions, most pressing issue, most effective response). Once in ATLAS.ti, one research team member coded the data using this start list followed by inductive line-by-line coding to capture additional themes and patterns in the data. This coding procedure allows for the further identification of themes, including those not solicited by the survey questions (Charmaz, 2006), allowing for a systemic and inductive analysis of the data (Glaser & Strauss, 1967). Next, iterative thematic coding was used to more deeply examine the themes present within the data, which included generating new codes for each outcome (e.g., positive, negative, mixed; Morgan & Nica, 2020). Once this process was complete, the research team queried the data to examine themes and patterns present among juvenile probation director perceptions of beneficial changes and continuing challenges due to the COVID-19 pandemic. During this process, researchers queried the occurrence of “challenges,” “solutions,” “most pressing issue,” and “most effective response,” in conjunction with other codes, such as “health policies,” “court,” and “detention,” to inform the analysis presented below.

RESULTS

LARGEST CHALLENGES IN JUVENILE PROBATION

To examine RQ1 and RQ2, directors were asked to report on the largest issues within their juvenile probation agency and what strategies were implemented in response to these challenges. Of the issues reported, the two most prevalent problems were related to (a) office health policies, and (b) maintaining public safety and providing effective supervision. Additional challenges included coordination with the courts, staff challenges with maintaining a work–life balance and adjusting to new work environments, concerns regarding limited access to or closures of detention/residential facilities based on COVID-19 safety precautions, adapting policies to allow officers to hold face-to-face meetings following safety protocols after stay-at-home orders were lifted, implementing new technology, and a lack of existing formal policies and procedures to guide response efforts.

Office Health Policies

Over half of the directors (52%) noted agency challenges with developing and implementing strategies to reduce the risk of COVID-19 transmission among staff, clients, and the community. Since the onset of the COVID-19 pandemic, juvenile probation agencies were challenged to provide an environment that allowed for a safe workspace for staff. To mitigate the spread of COVID-19, some agencies worked to limit staff contact with clients by reducing or rotating schedules, or by providing an office space that allowed for social distancing. Some agencies closed entirely and did not meet with clients at all for a period of time. Still, challenges largely stemmed from these adjustments being rapidly forced on agencies, and without clear guidance provided on how to provide a safe working environment while also continuing operations. For some agencies, difficulty achieving a safe working environment related to the physical layout of the office space and ability to implement appropriate social distancing guidelines, as one director mentioned difficulty surrounding “office configuration for employees to create a safe work environment.” For other agencies, the risk of contracting COVID-19 was based on the geographic location of the office (e.g., area with high COVID-19 case rates). As one director noted, “our area is surrounded by high-risk COVID areas,” and these concerns were more prominent in some regions of the country compared with others. Some agencies described the challenge of purchasing personal protective equipment (PPE) for their agency to provide for officers and youth. With already tight budgets, COVID-19 tightened budgets further by making these additional and unexpected purchases challenging. One director noted they addressed this challenge by “applying for grants to purchase large supplies of PPE” for their agency.

Public Safety and Effective Supervision

Challenges involving maintaining public safety and effective supervision were noted by 35% of the directors. While prior to the pandemic, juvenile probation staff balanced many different tasks (e.g., case management, surveillance), the pandemic introduced new responsibilities associated with maintaining their own health and safety and that of their families, coworkers, and clients. Policies that were put into place to promote the prevention of COVID-19 transmission created challenges for agencies as they grappled with how to identify noncompliance, concerns that needed intervention, and development and

maintenance of relationships. For example, one director noted a challenge “limiting face to face contacts while providing accountability of offenders.” Directors argued that not having the in-person interaction with youth limited their ability to address concerns, problem solve, or provide a sanction. Directors discussed the challenge of rethinking how they provide supervision services to ensure they provided effective services. One director explained that their biggest challenge was “finding new ways to supervise [offenders], while keeping the community safe.” Given the traditional model of supervision relied on face-to-face interactions, directors struggled with how to implement the same level of services in either a different modality or at a reduced frequency. As a result of these changes, directors noted it was difficult at times to maintain a regular level of contact with youth.

The majority of agencies responded to the need for these changes through the implementation of technology, with nearly all the participating agencies reporting a new use of video conferencing to continue supervising youth. However, this was a rapid change in the delivery of probation services for most agencies. Directors noted that they were not prepared for these changes and faced a multitude of challenges early in the pandemic, including limited access to the tools necessary to allow staff to work remotely or limited access to wireless internet (WiFi) in some parts of a county. Some agencies did not have the funds to purchase technological tools for staff. In one office, the director noted these issues could be alleviated if the agency had “money to pay for Zoom and headsets for officer appointments”; however, funds were not available to do so.

Court Closures

Approximately 17% of directors noted that court closures were one of the largest challenges their agency faced during the pandemic. As a result of COVID-19, courts have faced widespread closures or limiting of in-person hearings (NCSC, 2020). Due to closures, many courts had backlogged cases or were unable to maintain usual court schedules. Several directors noted that courts ceased juvenile probation hearings altogether, adding to the previously mentioned challenge of not being able to hold youth accountable for their actions while on supervision. Juvenile probation agencies faced the challenge of “not being able to schedule court cases as needed,” resulting in delays in processing any orders filed with the court (e.g., violations, terminations). Even in those courts that did not stop hearing juvenile probation cases, they commonly “pushed court violations” back to later dates, leading to administrative and supervision challenges for probation agencies.

Increased use of technology allowed some court proceedings to continue. Courts implemented technologies such as Zoom to allow juvenile probation hearings to continue safely. In addition, directors discussed increasing their communication with the court to alleviate challenges associated with closures. For example, one director mentioned working closely with the court to ensure cases were heard. This director “asked the county court judge to handle misdemeanor court cases on an emergency basis.” Thus, instead of canceling juvenile cases, probation agencies worked with the juvenile court to prioritize which cases should be heard.

Treatment

Limited access to treatment options during the COVID-19 pandemic were reported as a challenge by 17% of directors. For many youth, the pandemic caused shutdowns

or disruptions to the treatment programs they were enrolled in. One director stated, “Evidence-based juvenile programs ended due to COVID-19.” For programs that did not cease, they either shut down temporarily or closed waiting lists to ensure they could abide by COVID-19 precautions. For youth on probation, treatment closures meant they were not receiving services necessary to help them to be successful. These closures also meant probation officers were limited in the resources they could refer youth to when youth experienced a crisis. As one director noted, closures in treatment programs resulted in a “lack of alternatives for solutions in crisis related to dangerous behavior, delinquent behaviors, and homicidal and suicidal clients” for some juvenile probation agencies. Coupled with the inability to process probation violations, directors reported feeling like they had very little options in terms of responding to youth behavior and needs.

Because COVID-19 mandates sometimes varied between counties, some juvenile probation agencies were able to collaborate with outside treatment agencies to help meet the needs of their clients. For example, one director addressed limited treatment options in their county via “referral to testing programs in adjoining counties.” For other juvenile probation agencies, they reported having to wait for treatment programs to reopen with new safety protocols in place.

Staffing

Approximately 14% of directors reported agency issues specific to staffing. During the pandemic, many staff were forced to quickly adjust to new work schedules. For some staff, widespread school closures resulted in their own children at home without child care. For other staff, caring for medically vulnerable or higher risk family members served as an additional burden. A representative example highlights this challenge:

Work and life balance is an issue. 90–95% of the employees are working from home and many have school-aged children or elderly parents to care for . . . the majority of the staff had never worked from home, it was not an option [in the past].

As illustrated in this quote, the probation staff at the agency struggled with balancing work and home responsibilities. Furthermore, not only did staff struggle to balance family and care responsibilities with their simultaneous work responsibilities, but many struggled with the newness associated with working from home. Even for those staff who did not have family responsibilities, the pandemic introduced an entirely new way of completing their job requirements without much time for preparation. An additional staffing issue was related to the inability to fill open positions. Agencies who had unfilled positions at the start of COVID-19 noted they were unable to fill those positions due to looming budget cuts. In particular, one director explained that they were purposefully “not filling some openings to account for decreased funding” to come in the next fiscal year.

Policies and Procedures

The COVID-19 pandemic resulted in uncertainty and new challenges for juvenile probation agencies. At the onset of the pandemic, juvenile probation agencies lacked guidelines or formal policies for how to proceed with daily work functions. As such, challenges

surrounding formal policies and procedures were listed as one of the largest challenges by 10% of juvenile probation directors surveyed. One director noted the challenges of “writing operational guidelines during uncertain times as constant change occurs” while another stated the difficulty of working within juvenile probation while receiving “changing information/expectations from the county and state.” That is, juvenile probation directors in our sample often felt they were on their own to develop policies and procedures in a rapid fashion that had to be adjusted frequently as the situation changed or new information was available.

For some agencies, the unprecedented challenge of limited in-person contact was addressed through policies allowing use of technology and telework. One director noted the agency “implemented a telework policy” to provide specific procedures and guidelines for staff to use technology to continue their job as usual. For other agencies, new procedures specific to COVID-19 prevention were implemented in hopes of promoting staff and youth safety. For example, one juvenile probation agency “created a new condition of probation requiring clients to undergo a COVID-19 test and to report the results to the PO.”

Drug Testing

Safety concerns regarding drug testing during the COVID-19 pandemic were expressed by 7% of directors. Drug testing during a pandemic was challenging for several reasons. First, many drug testing tools, such as urinalysis or oral swabs, could lead to the transmission of COVID-19 through fluids. Second, prior to the COVID-19 pandemic, clients on community supervision were tested for substance use in close quarters, often in small rooms without proper ventilation. With social distancing guidelines, directors were unsure of how to conduct drug tests while preventing or reducing the risk of COVID-19 transmission. As one director noted, their biggest challenge was “keeping our clients and ourselves safe during urinalysis.”

In response to the challenges with drug testing during a pandemic, some juvenile probation agencies opted to discontinue drug testing entirely. Other agencies implemented new procedures for conducting the tests by increased cleaning of testing locations or changing the location of tests. For example, one director explained, “We have tasked one toilet to be used to urinalysis and we disinfect after each use.”

Detention and Residential Facilities

Given their confined spaces and inherent vulnerability for infectious disease transmission, detention and residential facilities presented challenges for three (1%) of the juvenile probation agencies. During the pandemic, juvenile facilities had limited options to implement social distancing, especially those that suffered from overcrowding. Probation directors expressed concerns that their staff or adolescent clients would be exposed to COVID-19 from youth cycling in and out of these facilities and would lead to increased community transmission. However, some directors noted that a major challenge was the “closing of private detention centers” as it limited the options for responding to youth behaviors and noncompliance. That is, in those areas where juvenile probation agencies utilize detention centers to respond to probation violations, they struggled with appropriate alternatives during the pandemic.

DIRECTOR EVALUATION OF RESPONSE STRATEGIES

In addition to asking directors to report on the biggest challenges they faced and any solutions they implemented to address those challenges, we also asked them what they could have done differently (RQ2a). These areas covered responses that agencies used to address: (a) office health issues and (b) technology implementation during the pandemic.

Office Health Policies

Over 17% of directors mentioned their agency could have handled responses differently surrounding office mitigation and safety during COVID-19. In an attempt to mitigate the spread of COVID-19, some juvenile probation agencies closed their doors or restricted public access. For some probation agencies, this choice created additional challenges for staff and youth, including disruptions in the provision of services. One director emphasized this issue in the response below:

Initially, we completely restricted access to the building and eliminated face-to-face contacts. I think we could have reinstated some of the expanded access sooner (i.e., meeting youth outside or in spaces that allow for social distancing).

For some staff and youth, rapid changes and restricted access to office spaces led to uncertainty. One director mentioned their juvenile probation agency could have used lessons from other jurisdictions to inform their choices and therefore aid in being proactive. The director stated,

Preparation would have placed us in a better position. We should have prepared as soon as we heard about the pandemic and learned from other jurisdictions.

That is, this director wished they had more closely evaluated what was being done in other agencies to help inform their response strategies and done so more quickly.

Technology

Increased use of technology took place across juvenile probation agencies during the pandemic. However, some agencies were not prepared for this switch or lacked the ability to rapidly adjust to the use of new technology (e.g., Zoom, laptops for home use). One director spoke to the difficulty of adding new telework strategies quickly, noting, “telework could have been rolled out more strategically if the department had additional time before implementation.” That is, because agencies were not prepared to implement telework on a widescale, the implementation was haphazard. For some agencies, the rapid switch to technological supervision required the use of personal equipment because they were not prepared to support such vast use of technology. This director indicated,

We lack technological sophistication, which means no laptop computers, no company cellphone. The only access to a computer was in my office or through use of my own phone, which I had to use. We need more funding.

This finding suggests that the lack of preparation went beyond the procedural preparation not only to roll out technology but also in the allocation of funds to support this type of

supervision work. For some agencies, a lack of financial resources not only served as a challenge when attempting to carry out supervision duties but also influenced the way technology was able to be implemented within the agency altogether.

MOST PRESSING ISSUE IN JUVENILE PROBATION

Juvenile probation directors were asked to indicate the most pressing issue facing the field of juvenile probation at this time (RQ3). The common thread throughout all the most pressing issues reported was the inability to hold youth accountable and respond to behavior and noncompliance. We also asked directors to report any ideas they had for addressing these issues in the months or years to come (RQ3a). Juvenile probation directors expressed a concern that limited in-person contact with youth and reduced drug testing, and fewer treatment options have led to increased substance use. A representative example illustrates this finding:

When you are used to meeting with the clients several times a week, talking solely on the phone didn't seem as effective. I think there was more drug use occurring when clients knew there were no office visits being completed.

Directors also shared a concern that the inability to physically check on youth led to the increase of other antisocial behavior. One director explained,

Juveniles are not being held accountable for their actions and are getting away with things that they otherwise might not have if the pandemic was not going on. We have had more calls for behavior issues in the past 12 weeks than the whole five years that I've been here.

Directors also perceived the lack of swiftness in their ability to respond to behavior due to the closure of courts or delay in hearings increased the willingness of youth to engage in misbehavior. As one director explained,

I believe that our juveniles know that our hands are kind of tied due to the limited court hearings that have been happening and/or the duration between scheduled hearings. The juvenile offenders live for the moment and if the response to their actions is further in the future, they weigh that out and have been very up front with the violations.

In another example, the director discussed the lack of swiftness in responding to probation violations because of court closures and backlogs:

The court has only recently begun to process all case types again (e.g., court had stopped hearing technical probation violations and was only processing new law violations). Due to the court implementing case restrictions there is a backlog of cases and it appears that it will be fall before the backlog is addressed, assuming the court continues to decrease restrictions vs. remaining status quo or returning to previous restrictions. This has created a delay in responding to violations of probation in a timely way.

Related to concerns surrounding the inability to hold youth accountable, directors noted the reduced access to detention facilities as a pressing issue. Limited access to detention facilities as an attempt to mitigate COVID-19 risks required increased flexibility among juvenile probation agencies when responding to youth misbehavior. One director explained,

Now that the weather is nicer and the community restrictions are lifting, youth are out and about more, so they are engaging in more risky behavior again. We are still limiting access to detention, so we have to be creative in how to respond to behaviors.

For some youth, behaviors that typically resulted in detention (e.g., commission of a new offense, absconding from supervision) were dealt with differently. Agencies did not have traditional responses available to them (e.g., detention, revocation) when addressing youth misbehavior and holding youth accountable. Directors also shared concerns regarding how detention facilities made decisions to release youth. For example, one director explained, “Facilities don’t want to hold individuals due to the virus so potentially dangerous individuals are released without having a risk assessment done.” The reduction in the use of detention and residential facilities, either through limited use or early release, was perceived to impact probation via receipt of youth for probation who (a) would traditionally be detained or (b) were potentially exposed to COVID-19 while confined.

To address the challenge of accountability in the future, directors noted that time was the primary factor. As the pandemic progresses and restrictions lifted, directors felt they would be more able to respond to behavior and hold youth accountable for probation conditions. A representative example highlights this finding:

We are now able to meet with the clients in office, if necessary. It’s nice to know that if I do feel I need to bring the client for a face-to-face meeting I am able to. Having the ability to bring them into the office due to behavioral concerns, substance abuse screening, etc. requires them to conduct themselves differently.

Thus, even though agencies were not back to business as usual, the ability to have a youth come into the office alleviated concerns regarding how officers could intervene and provide services. In those agencies where in-person meetings were not possible yet, directors suggested the use of alternative meeting locations to increase the face-to-face contact with youth. For example, one director noted, “agencies may need community locations to visit with kids (e.g., parks), which will enable social distancing.” That is, juvenile probation directors argued that the primary way to address accountability concerns was to increase the face-to-face contact with youth.

DISCUSSION

The goal of the current study was to understand the challenges and responses to COVID-19 within juvenile community supervision agencies. The COVID-19 pandemic forced quick adaptation to rapidly changing circumstances, resulting in challenges for agencies across the country. Given the variation in state and county-run probation offices due to a range of factor (e.g., resources, state policies, caseloads), the current study highlights how these challenges (and solutions implemented) varied across participating agencies. Together, findings from the study begin to shed light on successes and solutions to emergent issues amid the COVID-19 pandemic, while also highlighting pressing issues left to be addressed.

The largest challenges reported by directors were consistent with widespread issues across the public sector (e.g., office closures, shifting to telehealth) present during the COVID-19 pandemic. For many of the agencies in the study, following public health guidelines while still working to effectively provide supervision services as usual was difficult.

As traditional community supervision strategies have largely relied on face-to-face methods, agencies were tasked with rapidly adjusting office environments and policies to accommodate COVID-19 safety guidelines and reduce in-person contact. Juvenile community supervision agencies were forced to quickly execute changes to proactively respond to adolescent misbehavior. Therefore, findings from the current study shed light on COVID-19 responses for community supervision in general, while also beginning to unearth responses to these new outlined guidelines specifically for juvenile probation. Despite recommendations for shifts in policy and procedures (e.g., less reliance on detention or out-of-home placements; NCCD, 2020), some agencies may struggle with implementing changes to their traditional strategies. The COVID-19 pandemic required agencies to adopt new procedures and policies they had not previously implemented, and in turn, the current study serves as an examination of a natural experiment and what occurs when agencies make these changes when forced.

Some issues present within juvenile community supervision mimic those which exist within adult community supervision or the justice system as a whole during the pandemic. As one example, court closures during the pandemic have created challenges for both adult and juvenile justice agencies. Several directors noted issues with courts rescheduling or pushing back hearing dates, which delayed responses to violations. Still, the most prominent concerns discussed among directors were relating to youth and staff being exposed to COVID-19 and implementing effective public health policies to decrease and prevent the spread of the disease. This is not surprising, given COVID-19 is the largest public health emergency in recent history (Campedelli et al., 2020) and most juvenile community corrections agencies did not have existing protocols in place to support key mitigation strategies (e.g., social distancing).

Issues surrounding accountability were also noted by the directors sampled. As a general rule, JPOs have an arsenal of strategies for responding to noncompliance and maintaining accountability outside of issuing violations, such as collaboration with family members of the youth, referral to a treatment provider, or through use of community resources. In fact, best practices call for individualized treatment of youth based on their own risks and needs, rather than an umbrella approach of supervision (Hoge, 2002). Still, previous literature on use of youth accountability strategies has been mixed. On one hand, some studies find JPOs to utilize a wide variety of strategies for maintaining youth accountability, such as direct counseling, motivational interviewing, use of community resources, and other tools to build rapport with youth (Lopez & Russell, 2008; Schwalbe & Maschi, 2009). On the other hand, officers have been described as only able to adhere to a social worker mind-set or a rule enforcer mind-set, not a combination of the two (Schwalbe, 2012; Steiner et al., 2003). In the current study, directors voiced concerns about limited options for responding to youth behavior and uncertainty regarding how to hold youth accountable during a time of limited court, law enforcement, and detention/residential placement options. This suggests a significant issue for the field of juvenile supervision. Despite the array of options present for maintaining compliance and addressing youth misbehavior prior to the COVID-19 pandemic, directors perceived their agencies as unable to maintain compliance when violations or other more punitive options were unable to be issued.

Additional challenges presented by juvenile probation directors, such as rehabilitation, treatment, and public safety, outline direct barriers to achieving the goals of juvenile community supervision. Similar to other conditions of community supervision, treatment

services (e.g., mental health, substance use, family counseling) for those youth on probation have historically taken place in a face-to-face capacity (Andrews & Bonta, 2010). However, during the pandemic, many treatment facilities closed. As such, many youth faced disruptions to the normal structure and routine of treatment or received limited or no treatment services as a result of closures. Moving forward, this finding suggests the need to consider the delivery and modality of treatment services as a whole. Especially for populations in hard-to-reach areas (e.g., individuals living far distances from providers), the inclusion of more technology or remote treatment as a part of core treatment curriculum would be beneficial. To illustrate, even prior to the pandemic, youth daily structures and routines could be disrupted by needing to attend treatment, such as removing youth from school early or during class time to meet with providers. Several directors noted the use of telehealth or video conferencing during the pandemic. As such, the continuation of virtual treatment services at home or from afar during COVID-19 conditions and in a postpandemic world can increase the likelihood that youth comply with probation conditions and continue to have structure and stability in their daily routines.

Furthermore, the situations and experiences expressed by the directors surrounding balancing or negotiating different responsibilities along with accommodating needs that surfaced from the pandemic demonstrate the presence of role conflict and confusion. For criminal justice staff, one of the most common job-related stressors includes that of role conflict or ambiguity (Lambert et al., 2005), and recent literature has found similar findings in examinations of juvenile detention officers (Mack & Rhineberger-Dunn, 2021). Directors in the current sample identified a struggle with managing multiple new and conflicting job duties within their agency. While juvenile probation agencies pre-COVID-19 juggled case management and meetings with clients, the additional responsibility of maintaining health and safety for staff and youth created a new barrier to client care and supervision. As role conflict and ambiguity have been linked to criminal justice staff outcomes, the current findings extend to the broader organizational literature (see also Hogan et al., 2006) with directors of juvenile probation agencies. It would be beneficial for future studies to explore the way the pandemic has impacted burnout and job satisfaction within additional juvenile justice staff.

STUDY LIMITATIONS

The current study is not without limitations. Data were drawn from a small, qualitative sample. In turn, the findings from the study have limited generalizability and may not be representative of all juvenile probation agencies. In addition, the data were collected relatively early in the pandemic (3–5 months); thus, the current analyses represent only the early experiences of juvenile probation agencies. Future research should continue to examine strategies implemented within juvenile probation agencies to better understand their experiences over time, persistent challenges, and how these vary across a wide range of agencies. The current study does not examine COVID-19-related issues from the perspective of youth on juvenile community supervision nor line-level JPOs. Both of these viewpoints are critical to advancing knowledge on the functioning of juvenile supervision agencies and should be included in future research. Some attention must also be given to the potential for nonresponse bias that may exist within the current sample. While agencies from all geographic locations in the United States were provided the opportunity to

participate in the study, the majority of respondents were directors from rural agencies. A lack of access to technology may not have been such a prominent issue if more nonrural agencies were included in the study. Future research should continue to conceptualize adaptations to COVID-19 while working to identify unique aspects of rural and urban agencies that supervise justice-involved youth. Finally, the current study is unable to assess the outcomes of the newly implemented strategies and whether such changes were effective or had disproportionate impacts on specific groups of youth.

POLICY IMPLICATIONS AND RECOMMENDATIONS FOR NEXT STEPS

The COVID-19 pandemic revealed issues surrounding how probation agencies use sanctions to enforce compliance by youth. In the absence of available sanctions for violating probation conditions, agencies in the sample appeared to struggle to manage youth misbehavior. Several directors noted challenges with limited ability to utilize detention or residential facilities. In light of these findings, it is worth considering certain policy implications based on the fact that juvenile community supervision operated with reduced capacity and sanctions during the pandemic and youth arrest rates still decreased since March 2020 (Florida Department of Juvenile Justice, 2020; Xu, 2021). More careful analysis is needed to understand whether, depending on the type of misbehavior, detention and placement in a residential facility for noncompliant youth are truly needed, and possibly, whether fewer youth should be placed on probation in general. Furthermore, as the goal of the juvenile justice system is, in part, to support youth development through rehabilitation (Bishop, 2006; Champion, 2001), the field of juvenile probation could benefit from future research exploring how agencies that have utilized a more rehabilitative approach (e.g., services in lieu of revocation or violations) have adjusted to the pandemic and whether they have been successful across both youth and agency outcomes. If agencies did not experience negative outcomes (e.g., increased revocations, violations, offending) as a result of decreased punitive response options, this should provide compelling justification for a more rehabilitative approach moving forward, and a greater shift away from compliance monitoring (e.g., frequent drug testing, reduction in probation conditions).

The changes highlighted by directors in this study indicated that jurisdictions were relying on fines and fees levied against families (who may be impoverished) to fund a large portion of their agency budgets. While supervision fees and fines are customary in funding probation agencies, many individuals on community supervision belong to a lower socioeconomic status (Vaughn et al., 2012). Since the onset of the COVID-19 pandemic, poverty rates have increased (Sumner et al., 2020), further disadvantaging youth and their families on juvenile probation. Still, directors in the current sample acknowledged difficulty securing funding for the agency throughout the pandemic largely due to reduced collection of fees/fines. This is a key issue for state legislatures, given the significant role community corrections agencies play across the justice system, the unreliable nature of supervision fees/fines (especially illustrated throughout the pandemic), and the associated disadvantage and consequences that may be perpetuated by using supervision fees as a primary funding source.

The solutions and recommendations outlined by juvenile community supervision directors shed light on unique adjustments which took place during the COVID-19 pandemic that also pave the way for future advances in the field. These data were derived directly

from juvenile probation directors who are in the trenches, dealing with the ongoing challenges presented by COVID-19. Their experiences of shifting agency operations during the pandemic are invaluable for informing policy and practice as they provide a nuanced look into frontline service provision during this difficult time. The increased use of technology present in the juvenile community supervision agencies included in this study mimics strategies utilized within adult community supervision agencies that were used to alleviate pandemic challenges (Viglione et al., 2020). While implementation (or resources and preparedness for implementation) of technology was voiced as a strategy which could have been handled differently by some agencies, the inclusion of new technology was able to alleviate some challenges for juvenile probation systems. For example, both the courts and treatment providers were able to operate virtually to some extent. For community supervision agencies, they were able to provide JPOs with the ability to work from home, which was an option never before presented to certain agencies. As increased comfortability with these new technological advancements continues, successes with telehealth, virtual court, or remote work could pave the way for flexible care and effective supervision of youth. This integration of technology presents key considerations for moving the field of juvenile community supervision forward by providing mechanisms to improve ability to communicate while also removing barriers to service (e.g., transportation). Community supervision agencies should consider whether there is a necessity for all pre-COVID, in-person meetings or whether the traditional goals of community supervision may be achieved through new technological adjustments.

Overall, the COVID-19 pandemic has altered the nature of juvenile community supervision and in turn has forced juvenile probation agencies to adjust to unprecedented challenges. As the goal of juvenile community supervision is to strike a balance between provision of treatment services for youth and public safety for individuals in the community (Griffin & Torbet, 2002; Hsieh et al., 2016), it is necessary for new strategies to be considered to maintain this balance during the rapidly changing climate. The COVID-19 pandemic has altered juvenile supervision practices and may have long-term implications to provide accountability without labeling, utilize alternatives to continued system involvement and incarceration, and increase family engagement between probation services and the adolescent clients they serve.

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