



STATE OF FLORIDA  
DEPARTMENT OF JUVENILE JUSTICE

INTEROFFICE MEMORANDUM

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DATE: April 19, 2013 (PCI-13-003)

TO: Probation and Community Intervention Staff and Providers

FROM: *Joan M. Wimmer* Joan M. Wimmer, Assistant Secretary, Probation and Community Intervention

SUBJECT: *ERM* Effective Response Matrix (ERM) Implementation- Amendment 1

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The Effective Response Matrix (ERM) is a key component of the Department's reform initiative, as well as a requirement of Florida Administrative Code 63D-10.004(4). The ERM is being implemented in stages and offers an opportunity for circuits to monitor progress and provide feedback before ERM expands to other circuits. Circuits 7, 13, & 19 probation staff received training first, followed by Circuit 5. By July 1, 2013, the ERM will be implemented statewide.

ERM strategy is intended to minimize the number of technical violations of supervision filed with the court and significantly reducing the number of youth admitted to secure detention solely on a technical violation. The ERM was constructed to ensure that all appropriate responses to noncompliance with court-ordered sanctions are considered before a formal violation or transfer staffing.

It is equally important to recognize youth for compliant behavior. Not only does the ERM provide the Juvenile Probation Officers (JPO) with a menu of options to encourage completion of court-ordered sanctions, but it also provides incentives to recognize and reinforce positive behavior. It should be noted that the various interventions and incentives included within the ERM are not exhaustive. Each circuit may have additional resources at its disposal that are specifically appropriate for the youth and families within that particular community.

The JPO is not expected to attempt every intervention identified by the ERM. The ERM is simply a menu that offers the JPO options to consider while exercising professional discretion to select the most appropriate option(s) for the youth. This ERM shall serve as a guide to structure the decision-making of the JPO, not determine it.

Implementation of the ERM has an impact on many of the Department's partners, including law enforcement agencies, the judiciary, providers, and other community-based stakeholders. To gain the support of our partners, it is critical that the circuit management team meet with their partners to explain the purpose of the ERM. Key points for local juvenile justice partners and stakeholders:

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Rick Scott, Governor

Wansley Walters, Secretary

*The mission of the Department of Juvenile Justice is to increase public safety by reducing juvenile delinquency through effective Prevention, intervention, and treatment services that strengthen families and turn around the lives of troubled youth.*

- The Positive Achievement Change Tool (PACT) will continue to be used to determine what interventions are necessary to address each youth's needs and reduce his/her risk factors;
- Swift sanctions and interventions shall be used to hold youth accountable for noncompliance with court-ordered sanctions, as well as to prevent further delinquency, by utilizing available resources;
- Interventions will be focused on reducing criminogenic needs and enhancing protective factors;
- Incentives and positive reinforcements will be provided to encourage and support positive behavior changes and compliance with court-ordered sanctions;
- The Department is committed to balancing the interests of public safety, accountability, and restitution to victims while promoting lasting behavior change in our youth;
- Local response options not included on the ERM should be used if available (the ERM is not an exhaustive or exclusive list);
- A delinquency petition resulting from new charges shall generate an Affidavit/Petition for Violation of Probation in accordance with Florida Administrative Code 63D-10.004(3); and
- In the event that the court requires written notification of technical violations, the JPO shall provide notification in the form a progress report, letter, etc. As always, the JPO must comply with orders of the court that require the reporting of any technical violations in the form of an Affidavit/Petition for Violation of Probation.

### **Effective Response Matrix (ERM) Procedures**

These procedures are applicable to all youth on court-ordered supervision (Probation, Post-Commitment Probation, and Conditional Release):

1. In accordance with Florida Administrative Code 63D-10.004(2), "The JPO shall investigate all known or reported violations of supervision. Such investigations shall include interviewing the supervised youth, parents/guardians, school officials, and other important collateral sources as deemed necessary."
2. If it is determined that the youth is noncompliant with court-ordered sanctions, the JPO shall use the following three-step process to identify the most appropriate intervention to immediately address the noncompliant behavior:
  - Identify the youth's risk to re-offend, as determined by the most recent PACT.
  - Determine the seriousness of the violation. The seriousness of the violation is determined through an assessment of the following six categories: victim impact,

community impact, relation to the underlying offense, frequency of the violation, duration of the violation, and compliance (refer to Page 2 of the ERM).

- Utilize the ERM to identify an appropriate sanction(s) and/or intervention(s).
3. The JPO shall document all noncompliance and the sanction(s)/intervention(s) used to promote positive behavior, including circuit-specific options not included on the ERM, in the Juvenile Justice Information System (JJIS) Case Notebook Module.
  4. If the court requires notification of noncompliance, the JPO shall advise the court in the manner requested.
  5. The sanction(s)/intervention(s) selected to address the noncompliant behavior should be implemented as soon as possible once the JPO has confirmed that the youth violated the terms and conditions of supervision.
  6. The JPO Supervisor must approve the filing of any Affidavit/Petition for Violation of Probation. In accordance with Florida Administrative Code 63D-10.004(4)(a), "If the JPO and JPOS decide that court action is warranted, an Affidavit/Petition for Violation of Probation shall be filed with the state attorney alleging that the youth is in violation of supervision. The affidavit shall be filed within seven calendar days of the JPO becoming aware of the technical violation. Any violation that was previously addressed through progressive response shall be included in the affidavit."
  7. For conditional release youth, the JPO Supervisor must approve any request for transfer staffing and must ensure the ERM was appropriately used prior to requesting transfer.