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2

PATHWAYS TO JUVENILE DETENTION REFORM

# COLLABORATION AND LEADERSHIP

in juvenile detention reform

*by Kathleen Feely*

***About the Author:***

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## SERIES PREFACE

Many years ago, Jim Casey, a founder and long-time CEO of the United Parcel Service, observed that his least prepared and least effective employees were those unfortunate individuals who, for various reasons, had spent much of their youth in institutions, or who had been passed through multiple foster care placements. When his success in business enabled him and his siblings to establish a philanthropy (named in honor of their mother, Annie E. Casey), Mr. Casey focused his charitable work on improving the circumstances of disadvantaged children, in particular by increasing their chances of being raised in stable, nurturing family settings. His insight about what kids need to become healthy, productive citizens helps to explain the Casey Foundation's historical commitment to juvenile justice reform. Over the past two decades, we have organized and funded a series of projects aimed at safely minimizing populations in juvenile correctional facilities through fairer, better informed system policies and practices and the use of effective community-based alternatives.

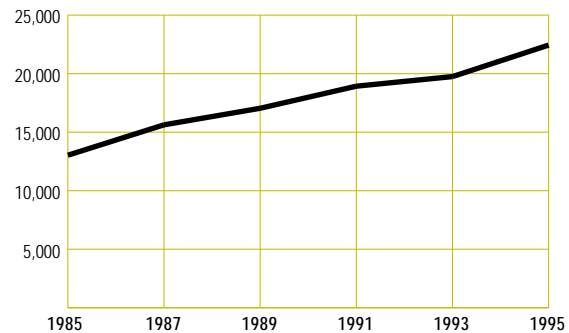
In December 1992, the Annie E. Casey Foundation launched a multi-year, multi-site project known as the Juvenile Detention Alternatives Initiative (JDAI). JDAI's purpose was straightforward: to demonstrate that jurisdictions can establish more effective and efficient systems to accomplish the purposes of juvenile detention. The initiative was inspired by work that we had previously funded in Broward County, Florida, where an extremely crowded, dangerous, and costly detention operation had been radically transformed. Broward County's experience demonstrated that interagency collaboration and data-driven policies and programs could reduce the numbers of kids behind bars without sacrificing public safety or court appearance rates.

Our decision to invest millions of dollars and vast amounts of staff time in JDAI was not solely the result of Broward County's successful pilot endeavors, however. It was also stimulated by data that revealed a rapidly emerging national crisis in juvenile detention. From 1985 to 1995, the number of youth held in secure detention nationwide increased by 72 percent (*see Figure A*). This increase

might be understandable if the youth in custody were primarily violent offenders for whom no reasonable alternative could be found. But other data (see Figure B) reveal that less than one-third of the youth in secure custody (in a one-day snapshot in 1995) were charged with violent acts. In fact, far more kids in this one-day count were held for status offenses (and related court order violations) and failures to comply with conditions of supervision than for dangerous delinquent behavior. Disturbingly, the increases in the numbers of juveniles held in secure detention facilities were severely disproportionate across races. In 1985, approximately 56 percent of youth in detention on a given day were white, while 44 percent were minority youth. By 1995, those numbers were reversed (see Figure C), a consequence of greatly increased detention rates for African-American and Hispanic youth over this 10-year period.<sup>1</sup>

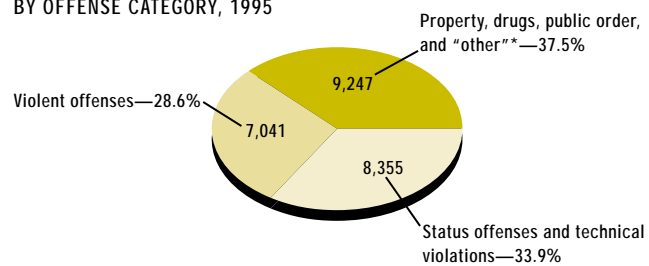
As juvenile detention utilization escalated nationally, crowded facilities became the norm rather than the exception. The number of facilities

FIGURE A  
AVERAGE DAILY POPULATION OF JUVENILES IN  
U.S. PUBLIC DETENTION CENTERS,  
1985-1995



Source: Census of Public and Private Juvenile Detention, Correctional and Shelter Facilities, 1985-1995.

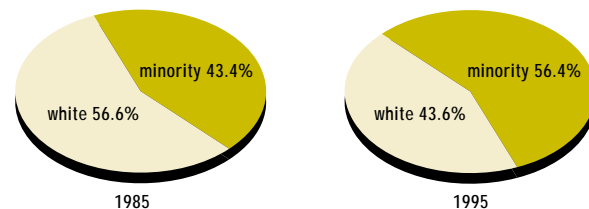
FIGURE B  
ONE-DAY COUNTS IN DETENTION FACILITIES  
BY OFFENSE CATEGORY, 1995



\*Examples of "other" include alcohol and technical violations.

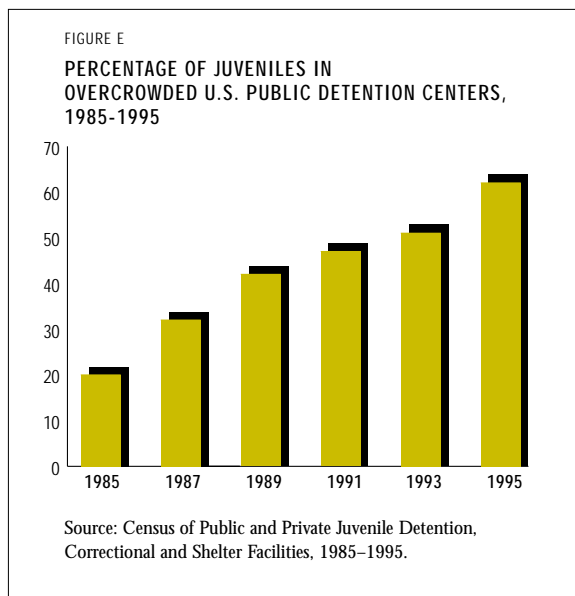
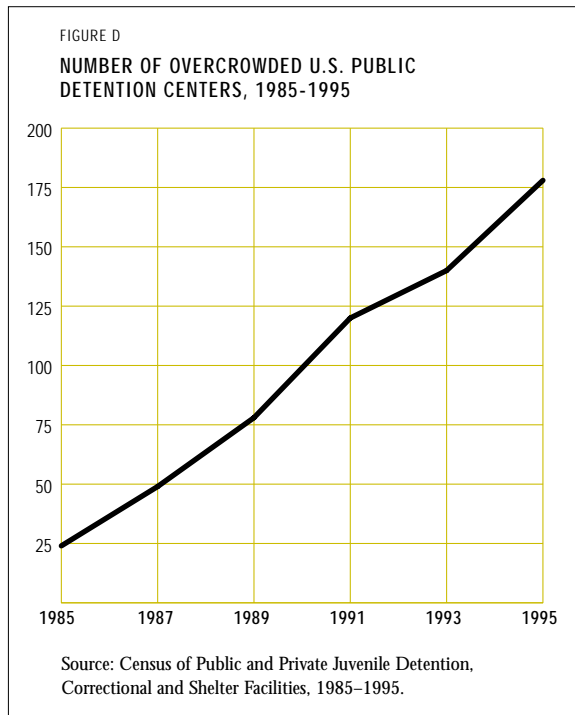
Source: Census of Public and Private Juvenile Detention, Correctional and Shelter Facilities, 1985-1995.

FIGURE C  
JUVENILES IN PUBLIC DETENTION CENTERS  
BY MINORITY STATUS, 1985-1995



Source: Census of Public and Private Juvenile Detention, Correctional and Shelter Facilities, 1985-1995.

operating above their rated capacities rose by 642 percent, from 24 to 178, between 1985 and 1995 (*see Figure D*), and the percentage of youth held in overcrowded detention centers rose from 20 percent to 62 percent during the same decade (*see Figure E*). In 1994, almost 320,000 juveniles entered overcrowded facilities compared to 61,000 a decade earlier.



crowded detention centers rose from 20 percent to 62 percent during the same decade (*see Figure E*). In 1994, almost 320,000 juveniles entered overcrowded facilities compared to 61,000 a decade earlier.

Crowding is not a housekeeping problem that simply requires facility administrators to put extra mattresses in day rooms when it's time for lights out. Years of research and court cases have concluded that overcrowding produces unsafe, unhealthy conditions for both detainees and staff. A recently published report by staff of the National Juvenile Detention Association and the Youth Law Center summarizes crowding's impact:

*Crowding affects every aspect of institutional life, from the provision of basic services such as food and bathroom access to programming, recreation, and education. It stretches existing medical and mental health resources and, at the same time, produces more mental health and medical crises. Crowding places additional stress on the physical plant (heating, plumbing, air circulation) and makes it more difficult to maintain cleaning, laundry, and meal preparation. When staffing ratios fail to keep pace with population, the incidence of violence and suicidal behavior rises. In crowded facilities, staff invariably resort to increased control measures such as lock-downs and mechanical restraints.<sup>2</sup>*

Crowding also puts additional financial pressure on an already expensive public service. Operating costs for public detention centers more than doubled between 1985 and 1995, from \$362 million to almost \$820 million (see Figure F).

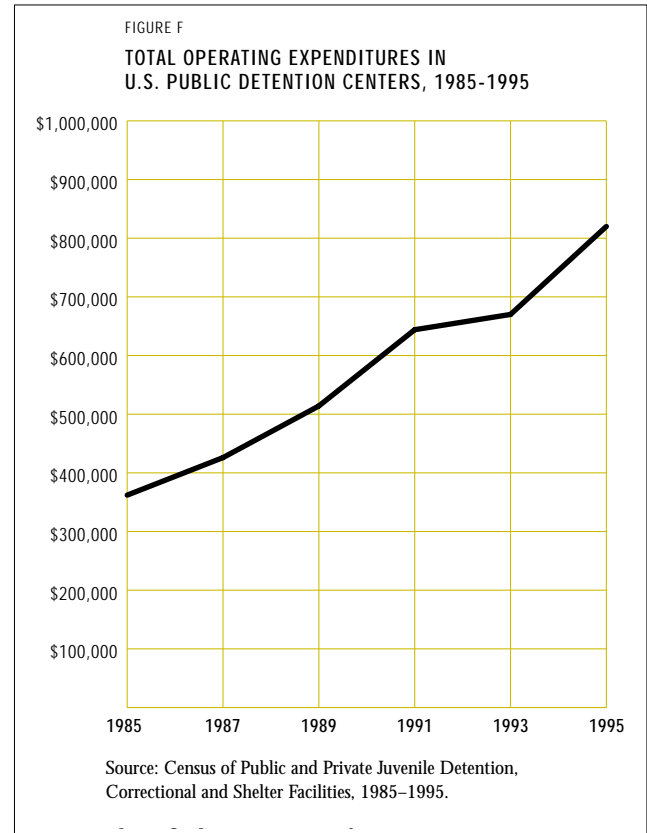
Some of these increased operating expenses are no doubt due to emergencies, overtime, and other unbudgeted costs that result from crowding.

JDAI was developed as an alternative to these trends, as a demonstration that jurisdictions could control their detention destinies. The initiative had four objectives:

- to eliminate the inappropriate or unnecessary use of secure detention;
- to minimize failures to appear and the incidence of delinquent behavior;
- to redirect public finances from building new facility capacity to responsible alternative strategies; and
- to improve conditions in secure detention facilities.

To accomplish these objectives, participating sites pursued a set of strategies to change detention policies and practices. The first strategy was

*collaboration*, the coming together of disparate juvenile justice system stakeholders and other potential partners (like schools, community groups, the mental health system) to confer, share information, develop system-wide policies, and to promote accountability. Collaboration was also essential for sites to build a consensus about the limited purposes of secure detention. Consistent with professional standards and most statutes, they agreed that secure detention should be used only *to ensure that alleged delinquents appear in court at the proper times and to protect the community by minimizing serious delinquent acts while their cases are being processed.*



Armed with a clearer sense of purpose, the sites then examined their systems' operations, using objective data to clarify problems and dilemmas, and to suggest solutions. They changed how admissions decisions were made (to ensure that only high-risk youth were held), how cases were processed (particularly to reduce lengths of stay in secure detention), and created new alternatives to detention programs (so that the system had more options). Each site's detention facility was carefully inspected and deficiencies were corrected so that confined youth were held in constitutionally required conditions. Efforts to reduce disproportionate minority confinement, and to handle "special" detention cases (e.g., probation violations or warrants), were also undertaken.

In practice, these reforms proved far more difficult to implement than they are now to write about. We began JDAI with five sites: Cook County, IL; Milwaukee County, WI; Multnomah County, OR; New York City; and Sacramento County, CA. Just about when implementation activities were to begin, a dramatic shift occurred in the nation's juvenile justice policy environment. High-profile cases, such as the killing of several tourists in Florida, coupled with reports of significantly increased juvenile violence, spurred both media coverage and new legislation antithetical to JDAI's notion that some youth might be "inappropriately or unnecessarily" detained. This shift in public opinion complicated matters in virtually all of the sites. Political will for the reform strategies diminished as candidates tried to prove they were tougher on juvenile crime than their opponents. Administrators became reluctant to introduce changes that might be perceived as "soft" on delinquents. Legislation was enacted that drove detention use up in several places. Still, most of the sites persevered.

At the end of 1998, three of the original sites—Cook, Multnomah, and Sacramento Counties—remained JDAI participants. Each had implemented a complex array of detention system strategies. Each could claim that they had fundamentally transformed their system. Their experiences, in general, and the particular strategies that they implemented to make their detention systems smarter, fairer, more efficient, and more effective, offer a unique learning laboratory for policymakers and practitioners who want to improve this critical component of

the juvenile justice system. To capture their innovations and the lessons they learned, we have produced this series of publications—*Pathways to Juvenile Detention Reform*. The series includes 13 monographs, all but two of which cover a key component of detention reform. (As for the other two monographs, one is a journalist’s account of the initiative, while the other describes Florida’s efforts to replicate Broward County’s reforms statewide.) A complete list of the titles in the *Pathways* series is provided at the end of this publication.

By the end of 1999, JDAI’s evaluators, the National Council on Crime and Delinquency, will have completed their analyses of the project, including quantitative evidence that will clarify whether the sites reduced reliance on secure detention without increasing rearrest or failure-to-appear rates. Data already available, some of which was used by the authors of these monographs, indicate that they did, in spite of the harsh policy environment that drove detention utilization up nationally.

For taking on these difficult challenges, and for sharing both their successes and their failures, the participants in the JDAI sites deserve sincere thanks. At a time when kids are often disproportionately blamed for many of society’s problems, these individuals were willing to demonstrate that adults should and could make important changes in their own behavior to respond more effectively to juvenile crime.

*Bart Lubow*

*Senior Associate and Initiative Manager*

*The Annie E. Casey Foundation*

#### Notes

<sup>1</sup>In 1985, white youth were detained at the rate of 45 per 100,000, while African-American and Hispanic rates were 114 and 73, respectively. By 1995, rates for whites had decreased by 13 percent, while the rates for African-Americans (180 percent increase) and Hispanics (140 percent increase) had skyrocketed. Wordes, Madeline and Sharon M. Jones. 1998. “Trends in Juvenile Detention and Steps Toward Reform,” *Crime and Delinquency*, 44(4):544-560.

<sup>2</sup>Burrell, Sue, et. al., *Crowding in Juvenile Detention Centers: A Problem-Solving Manual*, National Juvenile Detention Association and Youth Law Center, Richmond, KY, prepared for the U.S. Department of Justice, Department of Justice Programs, Office of Juvenile Justice and Delinquency Prevention (December 1998), at 5-6.

## WHY ARE COLLABORATION AND LEADERSHIP ESSENTIAL TO DETENTION REFORM?

*In my humble opinion, I believe collaboration was one of our biggest (if not the biggest) accomplishments to come from JDAI. When we began, collaboration was still very new to us. There is no doubt that the initiative had an impact on our juvenile justice system; it has changed the way juvenile practitioners now do business. The initiative provided a forum for justice agencies to regularly meet and build consensus on issues. This has been most beneficial in flagging the system-wide implications when one agency institutes new policies or when a law changes.— Yvette Woolfolk, Sacramento County*

The terms “juvenile justice system” or “juvenile detention system” are misnomers. In most cities, counties, and states, there is rarely a “group of interacting, interrelated, interdependent elements that form a complex whole”—a “system,” as defined by the *American Heritage Dictionary*. Instead, we often find a set of individual, complex institutions and governmental agencies (i.e., police, courts, prosecutors, public defenders, probation officers, the detention agency, etc.), each with its own statutory mandates, budget authority, and regulations. Some, like the prosecutor and public defender, are by definition adversarial. Some just act that way. Usually, few of these agencies and institutions recognize the effects their particular policies or practices have on the others. Each one may act with the best of intentions and totally within its guidelines, but the effect of so many agencies making individual (or at best bilateral) decisions is that a “non-system” is formed. In other words, there is no “complex whole formed by interactive, interrelated, interdependent parts.” Complex, yes, but system, no.

Youngsters who have been arrested are passed between parts of this often chaotic “non-system.” Each authority acts on the youngster’s case as it sees fit. The police may decline to seek out the youth’s parent or guardian upon arrest because the family doesn’t have a telephone and the police are too busy. The prosecutor’s office may seek detention because of heightened public and political pressure

following a recent violent crime allegedly committed by another youngster. The judge may have seen the particular child in court the week before and want “to teach him or her a lesson” before the fact finding has even occurred. Or the detention center may have to hold the child because no one has identified a responsible adult to whom the child can be released. And so forth.

The cumulative effects of uncoordinated agency actions often have dire consequences: youngsters are detained inappropriately, detention facilities become crowded, resources are wasted, the courts get backlogged, conditions of confinement deteriorate, and the ability of the detention agency to provide both custody and care for accused non-adjudicated youngsters is diminished.

The need for systemic change is often acknowledged but rarely converted to action. Lawsuits over conditions of confinement are filed, advocacy organizations complain about the treatment of children, judges express frustration at unnecessary court delays, and children languish in confinement, yet change remains elusive. Change in today’s complicated public systems, especially one like juvenile justice, must involve many different actors and institutions. With no single individual or organization authorized to ensure interagency coordination and cooperation, comprehensive systemic change is so daunting a challenge that it is rarely tried.

More commonly, limited reforms are attempted unilaterally by one governmental branch or agency. Smaller in scale (and therefore likely to be incomplete) and easier to implement, these reforms often produce unintended, counterproductive consequences. For example, the probation department may create a home detention program to relieve crowding at the secure detention center. Funds are secured and a program is staffed. But if the public defender and the prosecutor don’t agree on who should go into home detention, the program may soon be filled with youngsters who would not have been sent to any kind of detention in the first place. The secure center will still be crowded, and the jurisdiction will be spending precious resources for a program that doesn’t meet its

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intended purposes. This “widening the net” has been repeated in so many places around the country that it doesn’t need a particular citation. Budget offices know this unintended consequence well. It is the primary argument used against funding new alternative-to-confinement programs.

Collaboration by multiple stakeholders may be the only way to address the barriers to change that juvenile justice’s “non-system” character poses. It was the core governance strategy used by Juvenile Detention Alternatives Initiative (JDAI) sites as they struggled to figure out how to build better detention systems. It

**Collaboration by multiple stakeholders may be the only way to address the barriers to change that juvenile justice’s “non-system” character poses.**

enabled them to pursue multiple strategies across many agencies simultaneously and to impose the accountability essential to effective system reform. It enabled various adults whose work is about juveniles to stay focused on what would work best, both for youth and for community safety. Collaboration helped to beat down long-standing barriers and to create a more seamless system for young people. It produced more innovative solutions and more effective programs.

Collaboration also engendered more collaboration; relationships formed among key stakeholders in JDAI sites proved extremely useful in solving day-to-day problems, not just in designing the major reforms that were the original and principal purpose for coming together.

Effective collaboration also protects the leaders essential to successful change. All public system reform requires risk-taking on the part of its leaders. The justice system operates in a politically charged environment. The electorate cares about crime. Politicians care about crime. Any change that might be perceived as having an effect on crime has the potential to become a political issue. Maintaining the status quo is much easier and certainly the path of least resistance. It is safer, but it is sometimes wrong. Reform leaders must have the integrity to see what is wrong and the courage to commandeer change. But no leader can or should be expected to bear all the risks. A collaborative body involving all the system’s actors provides a context for leadership to emerge and offers the protection of collegial support

and policy consensus when controversy—a predictable by-product of real change—eventually arises.

Other publications in this series address specific strategies essential to detention reform. This report addresses the governance and leadership prerequisites for implementing these strategies effectively. It begins with a discussion of some principles of collaboration that emerged from JDAI, and then examines key issues in building and sustaining collaboration and collaborative structures before moving on to possible leadership dilemmas. Finally, some lessons learned by the JDAI sites are presented so that those who might follow the same path can avoid the stumbling blocks that made initial progress sometimes slow and painful.

## GUIDING PRINCIPLES FOR COLLABORATION

Collaboration is a powerful tool for reform. JDAI has shown that detention systems can change when key, policy-level system actors come together and do three things: 1) develop consensus (relying heavily on data) about what is wrong with the system; 2) develop a vision of what the new system should look like; and 3) develop and implement a plan of action. In pursuing these three activities, seven “principles” emerged from the successes and failures of the JDAI sites.

1. Forming a collaborative group for system reform is extremely hard work and will take longer than you think.

Research, anecdote, and broad experience with collaboration in a variety of contexts reveals that it is always very hard. Collaboration in juvenile detention reform involves policy-level representatives from many agencies and institutions coming together, often for the first time. Each represents a different individual agency mission, a different perspective, and a different role. Each agency has separate legal mandates, a separate budget (and level of resources), and a separate chain of command. There is usually an imbalance of power in the group; each has different political “weight” and professional concerns. All these factors make collaboration difficult. In some JDAI sites, members of the collaborative had never before met, let alone worked together toward a common purpose. Indeed, at the first JDAI conference in 1993 there was open skepticism that such collaboratives could be formed. They were and have been for the most part successful, but not without hard, frustrating work. Expect it. Don’t let it frighten you away. JDAI participants now report that it is among the most satisfying work they have ever done.

2. For collaboration to work, all the relevant stakeholders must be at the table.

In order to succeed, policy-level representation is usually required from at least the juvenile court judge(s), the prosecutor, the public defender, the police and probation departments, the detention agency, and the county executive or mayor’s office (or the governor’s office if detention is a state function). This does not mean that

any two collaboratives will look totally alike, as the figure on page 21 showing composition in JDAI sites reveals. Aside from these representatives, each jurisdiction will add members important to its effort. However, the system's key agencies must form the core of the collaborative. If one or two of these agencies opt to resist participation, the odds of successful planning and effective implementation are greatly diminished.

3. In collaborative-driven reforms, the group must develop consensus about what should change and how it should change.

Bureaucracies do not have reputations for flexibility or an ability to change direction quickly or easily. Institutions and agencies also have attitudes, perspectives, and cultures. Anyone versed in the workings of the juvenile justice system can explain the difference between the prosecutor's and the public defender's perspectives. The police usually have a third perspective, and so on. These varied attitudes, perspectives, and cultures commonly translate into policy differences about the treatment of juveniles. In a collaborative reform effort, the group seeks to reach consensus about what must change and how it should change. This consensus may contradict deeply held individual or agency beliefs about crime, justice, punishment, prevention, deterrence, etc. For example, in several JDAI collaboratives, the prosecutor entered the effort with the perspective that everyone in custody should be in secure custody—by law, by policy, or by custom. In other jurisdictions, detention administrators had difficulty agreeing to assessments of public facilities that exposed deficiencies. At times, each member may have difficulty with some part of the emerging reform plan. Those difficulties must be discussed and a path toward agreement found. Otherwise, the plans will not be implemented, and the reform will fail. A saying common in sports training is “No pain, no gain.” The same may be said for collaborative reform efforts.

4. There's no real collaboration without negotiation and willingness to compromise. Coming into the effort, it is important that each member realize that no one is going to get everything he or she wants. It is likely that everyone will have to make some changes, but not to the same degree, and not at the same time. Having an

open mind about policy and operational changes is essential. If one member believes there should be change, but not in the policies or practice in his or her own agency, progress will be jeopardized while the group convinces the recalcitrant member otherwise. Formal training in negotiation may help, especially the kind of training that helps stakeholders get to “yes.” Experience in the JDAI sites showed more room for agreement than people initially assumed and that negotiations can lead to “wins” for multiple stakeholders.

5. Without strong and able leaders, reform is unlikely.

Without leaders who will take risks, progress will be slow, motivation will be low, and the troops eventually will fall away. Leadership of a collaborative group is a complex challenge. It involves building a team inspired to achieve a shared vision based on common principles and consistent interpretation of facts. It requires openness, honesty, and political savvy, a capacity to delegate authority and to encourage others to assume initiative. The leader must have and exercise authority, and shoulder for the group the inevitable anxiety that accompanies large-scale change efforts. In many JDAI sites, juvenile court judges have been terrific leaders. In others, an executive branch leader has taken the reins. Each site has a different political and power framework. What is critical in any site, however, is the ability of the leader(s) to articulate to a broad constituency the collaborative’s vision and to back up the vision with a feasible, cost-effective or cost-sensitive plan.

6. Collaborative leadership must include a jurisdiction’s “movers and shakers.”

Although each collaborative will look different, there is one element all successful ones have in common. Each includes the person or persons in the county or city who can get things done. Sites refer to this as “having the juice”—having leaders with access to political and policy power centers. In some sites, remarkable changes occurred when key participants rotated to different positions and their replacements had “juice”—access to and credibility with the powers that be. A highly regarded chief judge, a valued probation director, or a supportive district attorney were invaluable to progress in JDAI sites. The particular constellation in each jurisdiction looks different and always will, but every collaborative must have some “juice.”

7. Self-assessment and data are essential engines for effective collaboration. In the past, anecdote and “fingertip knowledge” have guided change in juvenile justice systems. But if agencies starting from different perspectives rely only on the “facts” as they know them to reach conclusions, a new consensus about what’s wrong and how to fix it is unlikely to emerge. Timely, objective data is powerful medicine that can cure the inevitable misunderstandings and differences of opinion. In 1993, basic system data were unavailable to JDAI collaborative members. As their access and capacity to use data for policy and program decisions grew, so did the strength of the collaboratives. (See *By the Numbers* in this series for a detailed discussion of the role of data in detention reform.) Data is knowledge, and when used correctly it empowers and enables collaboratives.

## ORGANIZING AND SUSTAINING COLLABORATIVES

In concept, collaboration is simple. Convene all the relevant stakeholders, map out areas of common purpose, and note areas where different priorities are apparent. As a group, make decisions about what must change, decide how, and then get on with it. The problem is that each “simple” step involves a multitude of questions and decisions. What gives the collaborative the authority to change the system? Who are the relevant stakeholders? That is, what should the collaborative’s composition be? How should the group be structured so that it can most effectively and efficiently accomplish its mandates? Assuming that the collaborative is accomplishing its mandates, how does it sustain itself over time, especially in the face of personnel change or the simple passage of time?

### A. Authority

The detention reform collaborative must have sufficient authority to implement the changes that cumulatively add up to reform. Without that authority, vision building and coordinated planning will become a mere exercise in futility. A group

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involving all the major actors in the justice system can have tremendous formal and informal authority, and its decisions, not just recommendations, can determine the outcome. Action can be produced instead of advice. But assembling the right collection of representatives does not mean they have automatic authority to substantially transform justice system policies or operations. Typically, the collaborative must have a formal mandate that empowers it to lead these changes.

JDAI site collaboratives varied in the origins of their authority, but all had some kind of official imprimatur. In Sacramento, a Criminal Justice Cabinet, formed previously through a County Board resolution, had been given formal responsibility as Sacramento County’s highest justice policymaking center (see mission statement on page 19). It was natural, therefore, that JDAI work be centered under the Criminal Justice Cabinet. The cabinet, in turn, assigned

specific responsibility for planning and implementation to one of its substructures, the Juvenile Institutions and Programs Committee (JIPC). All decisions made by the JIPC were ultimately approved (or disapproved) by the cabinet, leaving no doubt about whether detention reform activities had official sanction.

In other jurisdictions, JDAI collaboratives were established by the chief elected official, typically with a formal statement of purpose. In New York City, these appointments were made by the Mayor, as detention in New York is a municipal function. In Multnomah County, the County Board Chair made the initial appointments. In Cook County, to ensure that the collaborative's authority was recognized across branches of government, appointments were jointly made by the County Board President and the Chief Judge.

Formal appointment and/or official acknowledgment of this sort are essential to establish the authority of collaboratives. Similarly important is designation of the collaborative's chairperson(s). This designation has both symbolic and practical consequences for the group's authority. For example, when JDAI started in New York City, the Deputy Mayor for Public Safety became the collaborative's chairperson. As the administration's highest-ranking criminal justice official, the Deputy Mayor immediately imbued the collaborative (and thereby the whole project) with authority. In Cook County, the County Board President and the Chief Judge serve as co-chairs. Again, this configuration was consciously chosen so that the collaborative's authority would be recognized across branches of government. In Multnomah County, the original collaborative also had two chairs: the presiding juvenile court judge and the publisher of Portland's daily newspaper. The latter's designation was a clear signal that detention reform would be subject to constant public scrutiny. The collaborative's authority, in effect, would be either sustained or limited by public opinion.

No matter what initial actions are taken to ensure that detention reform collaboratives have the requisite authority to carry out their mandates, it would be unwise to assume that such authority is permanent or won't erode. A clear example

#### Mission of the Sacramento Criminal Justice Cabinet

The principal mission of the Cabinet is to study the Sacramento County juvenile and criminal justice system and identify deficiencies, formulate policy, plans and programs for innovative change. In addition, its mission is to communicate and present planning, financial, operational, managerial and programmatic recommendations to the agencies represented on the Cabinet. The Board of Supervisors has agreed that before funding is made available for new programs and facilities, policy support from the Criminal Justice Cabinet will be required during the decision process.

occurred in one JDAI site after an electoral change in the chief executive of the jurisdiction. At the beginning of the initiative, the chief executive embraced its values and goals and openly supported the work. The collaborative, an unprecedented structure in this site, was highly energized and made great progress, developing a very concrete plan of action to alter detention policies and practices. Then the administration changed. The new CEO did not publicly support the values or goals of the initiative, nor did some of his new appointees in key justice system posts. The collaborative's authority was effectively undermined when the new administration stripped it of decision-making power. In effect, it was reduced to an advisory body that served primarily to make recommendations or rubber stamp decisions made by the administration. Predictably, the work of detention reform floundered, and few real changes were implemented.

Of course, not every juvenile detention system is as reliant as this one was on the area's chief elected official. And electoral changes do not always have negative consequences. Other sites experienced changes for the better. Public system reform always occurs in politically sensitive environments where elections can often provoke major change. These upheavals pose the greatest risks in the early days when reform initiatives are fragile and must have clear authority to flourish. When the effort picks up strength and the collaborative earns credibility, it is less likely (though still possible) that one electoral change can dramatically undermine its authority.

## B. Composition

Each JDAI jurisdiction composed its detention reform collaborative differently, as illustrated in Figure 1. As noted earlier, some jurisdictions had previously formed bodies, such as Sacramento's Criminal Justice Cabinet and its related Juvenile Institutions and Programs Committee (which served as the first collaborative), on which they could build. Some bypassed all existing structures and started anew. As Figure 1 shows, the sites built very broad representative groups. As their initiatives progressed, composition tended to change, either through conscious design or simply through the wear and tear of practice. In Multnomah County, for example, the composition of the collaborative was consciously changed when the project moved from the planning stage, during which broad membership was used to develop vision and values, to the implementation phase, when those with operational responsibilities assumed primary roles.

FIGURE 1

## JDAI SITE COLLABORATIVES: INITIAL COMPOSITION

## Cook County

Presiding Juvenile Court Judge  
 Juvenile Court Judges (3)  
 Supervisor, State's Attorney  
 Chief Assistant Public Defender  
 Detective, Streamwood Police  
 Development Director, Judicial Advisory Council  
 Director, Inst. for Juvenile Research  
 Intake Director, Detention Center  
 President, Detention Center School Council  
 Director, Pretrial Services Dept.  
 Administrator, Children & Family Services  
 VP, Treatment Alternatives to Street Crime  
 Director, Children & Family Justice Center  
 Lieut., Chicago Police Youth Division  
 Program Coord., Probation Dept.  
 President, United Charities  
 Exec. Dir., Citizens Comm. on Juv. Court  
 Superintendent, Detention Center  
 Spec. Assistant to County Board Pres.  
 Team Manager, Court Clerk's Office  
 Chief Deputy, Clerk of Court  
 Chief Deputy, Sheriff's Dept.  
 Psychologist, Detention Center  
 Exec. Dir., Dept. of Public Health  
 Senior Associate, Chicago Community Trust  
 Attorney, Children & Family Justice Center  
 Chief Deputy PO, Juvenile Court  
 Spec. Ass't., Chicago Board of Education  
 Assoc. Dir., Citizens Comm. on Juvenile Court  
 Principal, Detention Center School  
 Exec. Dir., John Howard Association  
 Chicago Lawyers for Civil Rights Under the Law  
 Dir. of Operations, Chief Judge's Office  
 Chapin Hall Center for Youth  
 Legal Assistance Foundation of Chicago  
 Ass't. Dir., County MIS  
 Detective, Matteson Police Department  
 Lieut., Chicago Police Dept.  
 Maryville Academy  
 Exec. Dir., Demicco Youth Services  
 Exec. Dir., Chicago Bar Foundation  
 Better Boys Foundation  
 Westside Community Habilitative Systems  
 Exec. Dir., Youth In Crisis  
 Westside Association for Community Action  
 President, Boys and Girls Clubs  
 Counsel, Dept. of Alcohol & Substance Abuse  
 Gateway Foundation  
 Dir., Illinois Juvenile Justice Commission  
 Director, Juvenile Court Services  
 Ass. Dir., Child Care Assoc. of Illinois  
 Division Administrator, Juvenile Court

## Multnomah County

Presiding Juvenile Court Judge  
 Publisher, *The Oregonian*  
 Director, Juvenile Justice Division  
 Exec. Dir., Boys & Girls Aid Society  
 Superintendent, Portland Public Schools  
 Black United Front  
 Asian/American Coalition  
 Manager, Child & Adolescent Mental Health  
 Director, Portland State U. Research Inst.  
 County Commissioner  
 Lieut., Portland Police Dom. Violence Unit  
 Lieut., Portland Police Child Abuse Team  
 County Commissioner  
 Chief, Gresham Police Dept.  
 Comm. & Family Services Division  
 Proj. Manager, Multi-Cultural Initiative  
 Exec. Ass't. to County Chair  
 Director, Dept. of Social Services  
 Superintendent, Douglas School District  
 Chief, Portland Police Bureau  
 PO, County Community Corrections  
 Hispanic Services Roundtable  
 County Commissioner  
 District Attorney  
 Sheriff  
 Metropolitan Public Defender  
 Director, Children's Services Division  
 Chair, Juvenile Court Advisory Council  
 Emmanuel Community General Services

## Sacramento County

Presiding Juvenile Court Judge  
 Chief Deputy PO, Juvenile Hall  
 Judge, Juvenile Court  
 Chief PO  
 Ass't. Chief PO  
 Captain, Sacramento Police Dept.  
 Chief Dep., Sheriff's Dept.  
 District Attorney, Juvenile  
 Chief Deputy PO, Court Services  
 Chief Deputy PO, Special Serv.  
 Chief Deputy PO, Field Services  
 Public Defender, Juvenile Court  
 Manager, Juvenile Court Branch  
 County Executive's Designee (2)  
 Dept. of Public Works Designee  
 County Office of Education (3)  
 Correctional Health Services  
 County JJ&DP Commission  
 Dept. of Medical Systems  
 Dept. Health & Human Services  
 Sacramento Children's Comm.

Each collaborative's composition included, at a minimum, policymakers from the main agencies of juvenile justice: the judiciary, prosecution, defense, probation, detention, and related service providers. Most JDAI jurisdictions included multiple representatives from some of these key juvenile justice agencies. For example, in Sacramento, Probation Department representation included the chief deputy probation officer who ran the detention facility, his counterpart for intake services, and another colleague responsible for dispositional placements.

In most sites, representatives of state agencies responsible for youth corrections were also appointed as critical partners in the justice system. JDAI sites always included representatives of the county or city administration (e.g., the County Executive or Mayor) and local legislators (e.g., County Board or City Council members, especially those responsible for public safety or juvenile justice matters). Representatives from other youth-serving public systems—education, health and mental health, and child welfare—were often included as well, in large part because detention is frequently the place where kids end up who have failed or who have no access to services from these agencies.

In sites that opted for the broadest participation, child advocates, community representatives, victim advocates, and non-profit service providers were also included. Finally, many sites appointed specialists in various government functions to the collaboratives. For example, the head of the county information-processing division might be included to ensure his or her agency's cooperation in improving access to data. Similarly, a budget official might serve on the collaborative to promote fiscal accountability and to be of assistance with complicated grant transfers and contracts.

Obviously, JDAI sites varied in terms of the breadth or narrowness of their detention reform collaboratives. Moreover, these compositions did not remain constant over time. As planning was concluded and implementation began, collaboratives shrank in size, sometimes by conscious design, but often because members found they did not have immediate tasks or responsibilities. The JDAI sites found that if members did not see the relationship of their agency to the task, they lost interest and either questioned the purpose of the group or faded quietly

away. In determining the composition of an effective collaborative body, therefore, each member should be assigned authentic work and a valuable role to play.

No hard-and-fast rules exist on whether narrow or broad configurations work best. The JDAI site experiences, however, suggest some cautious advice. A “narrow” formation may enable a jurisdiction to come together to formulate both a vision and a plan more quickly and efficiently. Sacramento made the fastest progress during planning in part because it had a pre-existing collaborative structure whose composition was narrow. JDAI work was built upon long-standing relationships, eliminating much of the “getting to know you” period. Sacramento’s structure also seemed to speed and simplify decision-making. With fewer actors, it was easier for them to hold one another accountable for promised actions. But although this formulation worked well in Sacramento, at least two very real risks and trade-offs should be noted by other jurisdictions contemplating narrow collaborative composition.

First, traditional actors may produce traditional solutions.

Often the tension that arises from divergent viewpoints stimulates the most change. Advocacy groups probably have a very different opinion of what should happen in a county detention system than do the “insiders.” Child welfare officials are likely to have strong views about who is responsible for sheltering which youths. Parents, of course, will have important viewpoints. These differing opinions, while perhaps uncomfortable to hear, may prove useful in bringing out latent differences within the “insider” group, or in bringing to light issues that will be important later on. It may seem simpler, easier, or less painful to stick with a small, familiar group, but limited composition may overlook something that blows up later.

The second trade-off for narrowly composed collaboratives is that people usually are more willing to change when they feel a part of the decision to change. For example, if the child welfare agency is going to be asked to provide shelter for homeless delinquents as part of an alternative-to-detention scheme, it’s a good idea for them to be part of the brainstorming over problem analysis and solutions. If the school district is going to be asked to provide special education services in the

**In determining the composition of an effective collaborative body, each member should be assigned authentic work and a valuable role to play.**

detention center, district officials who were in on the initial talks will be more motivated.

Broadly composed collaboratives may avoid the problems outlined above, but they hold their own risks. The collaborative may be so large as to be unwieldy, or may have trouble keeping a clear focus. The full collaboratives in Cook County, Multnomah County, and New York City all started out very large and broadly representative. Their size alone required skillful management and powerful leadership. It also taxed the sites' logistic capacities. When 30 or 40 people are expected to attend regular meetings, scheduling them and disseminating materials in a timely manner can be an administrative nightmare. Conducting discussions that reach conclusions is even harder. Sites need to strike a balance between the desirability of broad representation on the one hand and the need to make decisions and take action on the other. Balance can be achieved through an effective collaborative structure.

### C. Structure

*The structure of the original JDAI Executive Committee lacked sufficient representation by the actual practitioners (i.e., police, probation, community youth serving agencies) whose understanding of the client population, workload and technical aspects of the job was critical to any reform effort.—Bill Siffermann, Deputy Director, Juvenile Probation & Court Services, Cook County*

As we've seen, most JDAI collaboratives began very large, a bow to inclusiveness and a measure of initial enthusiasm for expanded partnerships and inter-system coordination. Pretty quickly, however, the sites realized that size alone could make decisions and action difficult. Consequently, in virtually all places, two key structural decisions were made.

The first was to create a steering or executive committee to serve as the leadership group. This body provided overall direction and typically made the key decisions (or ratified decisions made by substructures). As a general rule, the steering committees were composed primarily of juvenile justice policymakers who would have operational responsibilities for most of the proposed changes. The importance of the steering committee cannot be overstated. As Bill Siffermann's

remark above implies, Cook County's initial reform planning stalled because key agencies were not included. It is critical, therefore, to figure out who will make the key decisions and do the bulk of the work and to include those people in this leadership group.

It is also important to clarify at the outset the scope of the steering committee's authority. If other collaborative members come to see the steering committee as the only relevant decision-making body, they are likely to lose interest or become alienated.

The role of JDAI steering committees also changed over time. In the early phases when the collaboratives were large, the steering committees were the glue that kept unwieldy groups moving ahead. When implementation began and as it progressed, the steering committees became in effect the collaboratives. They made the key decisions, addressed problems as they arose, and decided how to use subcommittees to keep implementation efforts moving. Typically, these steering committees consisted of 12 to 15 members. They met frequently, perhaps on a monthly basis, whereas the larger body, if it were formally sustained, might only meet once or twice a year.

This move from large, inclusive collaboratives to smaller implementing groups composed largely of leaders from juvenile justice and county government agencies was not anticipated in the initiative's design. In fact, it caused some worry among planners that the collaboratives were losing important breadth and diversity. But in practice, the shift worked. Critical attention to implementation details was possible in these smaller bodies, and each of them had sufficient representation to ensure that the system's agencies and key outside partners were all represented. Moreover, each steering committee developed its own unique ways of keeping a broader group interested and active in the reform process. For example, in Cook County, the subcommittees continued to function, and the larger collaborative (made up of all these subcommittee members), now known as the advisory board, met at least annually for updates and recognition awards. In Multnomah County, subcommittees continued to work, including new ones that were formed as need dictated, and the steering committee (now known as the Policy and Decision

Making Team) created ad hoc opportunities to broaden support for the detention reforms, like all-day meetings or training sessions on particular topics, as implementation challenges arose.

The second structural decision each JDAI site made was to develop work groups to address specific components of detention reform. Cook County, like most JDAI sites, formed functional subcommittees, each chaired by the person who had the most direct line authority for implementing the change. For example, the conditions of confinement subcommittee was chaired by the detention facility superintendent, the risk assessment and admissions subcommittee was chaired by

the probation director, and case processing was led by a juvenile court judge. These arrangements worked well, ensuring knowledge of and relevance to the assigned tasks. Subcommittees like these may eventually be combined or

FIGURE 2  
JDAI COLLABORATIVES' SUBCOMMITTEES

Cook County	Multnomah County	Sacramento County
Executive Committee	Steering Committee	JJI Steering Committee
Practices/Risk Assessment	System Decisionmaking	Risk Assessment/Admissions
Conditions of Detention	Alternative Programs	Case Processing (management issues)
Management Information Systems	Detention Programs	Case Processing (administrative issues)
Alternatives to Detention	Information Systems	Disproportionate Minority Confinement
		Management Information Systems

disbanded if they have served their purposes. Figure 2 shows the different committee structures that emerged in some of the JDAI sites.

Subcommittee structures, because they are part of a larger whole, require planning, guidance, and nurturing if they are to fulfill their tasks. In some JDAI sites, subcommittees found their work hard to complete because they lacked an overarching framework. If, for example, the whole collaborative had not reached consensus on the authorized purposes for using secure detention, the subcommittee working on admissions issues would be unable to develop clear policies or practices. In other instances, because of lack of inter-committee communication and planning, the products of the various subcommittees did not fit well together.

Many JDAI leaders came to believe that goals, values, and visions were best framed by a committee of the whole (i.e., the large collaborative structure). Once this conceptual roadmap was drawn up, the work of the subcommittees was clearer. Even then, a critical task for the steering committee was to ensure that the

subcommittees or work groups complemented each other. For example, the subcommittee charged with developing alternative program options may need critical information from the research subcommittee in order to figure out appropriate target populations.

#### D. Leadership and Coordination

*Leadership is key to collaboration, especially in the beginning when things can be threatening and even scary for stakeholders. Multnomah County was fortunate to begin this initiative with strong leadership by the County Board Chairperson, the Juvenile Probation Director and the Presiding Juvenile Court Judge. They made JDAI a priority and they owned it personally. Their belief in its success was infectious to other stakeholders and the momentum for change was born.*

—Rick Jensen, Detention Reform Coordinator, Multnomah County

Leadership is critical—some would argue, the single most important element—in determining the success or failure of a collaborative reform effort. JDAI sites floundering on the brink of failure experienced complete about-faces when new leadership was appointed. On the other hand, sites that were progressing rapidly suffered setbacks when they lost their leaders.

Leaders in collaborative reforms play a variety of roles and need multiple skills. In addition to knowing how to exercise authority and to see the big picture, they must personify commitment to the mission, understand strategic planning, and be adept at teambuilding and in carving out different roles for members. They must be able to negotiate and know how to delegate. It is a very challenging role.

Both leadership and good management are required for detention system reform. The distinction has been debated in management literature over the years, though everyone agrees both are needed. In his book, *Making a Leadership Change*, Thomas N. Gilmore outlines some of the important differences between these two roles, which are outlined in Figure 3.<sup>1</sup> Whether or not one agrees with Gilmore's summary, collaborative reform must include people who embody both sets of qualities.

Given the challenges of the leadership role, it was both predictable and quite practical that essential leadership in all but one of the JDAI sites came first and

foremost from the presiding juvenile court judge. This person generally sets the tone for the juvenile justice system, establishes critical policy, and certainly influences the operation of related agencies. If probation and/or detention are part of the judicial

branch of government, as is true in Sacramento, this judge's influence is especially great because he or she has direct authority over these critical agencies. When probation or detention are executive branch functions, these relations can be much more complex. In fact, some judges may be reluctant to develop policies that they believe inappropriately influence the operations of executive branch agencies because they fear breaching the separation of powers. In any event, no JDAI site succeeded without the leadership of the presiding juvenile court judge.

In New York City, by contrast, formal leadership rested with the

Mayor's Criminal Justice Coordinator. Judges served, and served authoritatively, on the JDAI collaborative, but they were neither invited to lead nor did they presume to do so. Their roles were (indirectly) further diminished because in this jurisdiction both juvenile probation and detention are executive branch functions. Consequently, the presiding family court judge's role, in general, was to be spokesperson for the bench and communicator of the collaborative's work to her judicial colleagues. Perhaps it is not surprising that in this jurisdiction, at least, the potential weight of court support for systemic reform was rarely brought to bear.

Management in system reform takes place on multiple levels. Obviously, collaborative success depends upon individual agency managers implementing reform in their own organizations. Such traditional management roles are beyond

FIGURE 3  
DIFFERENCES BETWEEN LEADERS AND MANAGERS

	Leaders	Managers
<b>Necessary characteristics</b>	Intuitive, empathetic, intense; concerned with what events and decisions mean to people.	Persistence; tough mindedness; intelligence; analytical ability; tolerance; good will.
<b>Attitudes toward goals</b>	Imagination; ability to communicate; creativity; readiness to take risks; willingness to use power to influence the thoughts and actions of others.	Have impersonal goals that arise from organizational necessities; respond to ideas.
<b>Conceptions of work</b>	Have personal, active goals; shape ideas; seek to change the way people think about what is desirable, possible, or necessary.	Formulate strategies; make decisions; manage conflict; negotiate, bargain, compromise, balance; limit choices.
<b>Relations with others</b>	Create excitement; develop fresh approaches to long-standing problems; open up issues; project ideas into images that excite people and only then develop choices that give the projected images substance.	Prefer working with others, with a low level of emotional involvement in these relationships; role oriented; concerned with how to get things done.

the scope of this report. However, general collaborative management tasks deserve discussion. For these purposes, most JDAI sites hired coordinators, though they defined their roles very differently. Some coordinator positions called for managerial skills, while others required more in the way of facilitation skills. Either of these schemes can work, as the specifics below will reveal. But it must be remembered that a coordinator usually does not have power and must be authorized to act by the leader. Coordinators can be very skilled, ensure that valuable meeting time is not wasted, and track commitments and tasks. However, it is not fair or realistic to put a coordinator in the role of making sure senior collaborative members (usually senior executives or judges) fulfill their commitments. That is the role of the leader(s). Sites where coordinators were expected to lead the effort often had considerable trouble. Sites where leadership and staff roles were more clearly distinguished fared better.

JDAI sites varied widely in their decisions about project coordination. In Multnomah County, a project coordinator was hired by the Juvenile Probation Department (formally known as the Department of Juvenile and Adult Community Justice). This coordinator was a relatively high-ranking administrator who served as part of the department's management team. He was expected to facilitate, coordinate, and oversee substantive changes in policy and practice, not only within his agency but in others as well.

In contrast, Cook County, after an unsuccessful planning period led by a consultant-coordinator hired by the county's chief elected officer, opted not to hire anyone to play this role. Instead, the head of the juvenile probation department assumed these duties, using his staff for support purposes. One noteworthy consequence was that JDAI became central to the activities and operations of the probation agency in ways that might not have occurred if coordination were left to a subordinate. It also meant that when the initiative needed to coordinate complicated inter-agency actions or policies, Cook County had an experienced administrator with his own operational base of authority to push the work ahead.

**It must be remembered that a coordinator usually does not have power and must be authorized to act by the leader.**

In New York City, project coordination was the responsibility of the Criminal Justice Coordinator (formerly the Deputy Mayor for Criminal Justice), whose office handles all federal and state grants and facilitates major inter-agency initiatives. The coordinator's staff on the project were justice system professionals, often with direct agency experience relevant to JDAI. They were fluent in the system's language and had considerable leverage with individual agencies by virtue of their position in the mayor's office. While centralized coordination of this type can mean consistent, concentrated attention across multiple agencies, its distance from actual operations may result in a disconnection between plans and their implementation.

Finally, in Sacramento, the coordinator, an employee of the court, was a planner whose main duties were logistical and administrative in nature. She organized all meetings, prepared budgets and reports, maintained liaison with the foundation, coordinated site visits, monitored progress and deadlines, and generally served as a jack-of-all-trades to keep the project moving. This coordinator, however, was not expected to draft major policy changes, to design new procedures, or to develop new programs. These duties were assigned to the managers from the agencies where operations or programs were being altered.

All the JDAI sites can and will argue for their model of collaborative coordination and staffing. Given the diversity of approaches, the logical conclusion is that this component depends heavily on site-specific idiosyncracies, history, culture, and politics. Whatever choices are made, however, JDAI experience is clear that collaboratives require a lot of coordination to function smoothly.

**E. The Collaborative's Tasks: Vision, Coordinated Planning, and Accountability**  
Successful collaboration for reform involves vision, coordination, and accountability. One of the key things a collaborative must do is develop a shared vision of what a reformed system would look like. What characteristics should it have? Upon what principles is it to be built? How should the system work? It is critical, in clarifying this vision, that each member speak his or her mind. If people don't agree, it is very important that the differences surface and that common ground is found to keep everyone engaged and at the table. Unstated differences of opinion

can be the Achilles heel of the effort and have caused the demise of more than one collaborative.

In JDAI, the fullest vision of the reformed detention system was summarized in a formal plan. Even though experience proved that the plans would constantly evolve as the sites developed new capacities, confronted unexpected changes, or found certain strategies not viable, the key elements of these plans highlight the collaborative's vision, how its elements will be coordinated, and how accountability will be ensured. In JDAI, there were three key components to the plan:

- an accurate description of the current system, based in significant part on data about detention use and system operations, costs, and outcomes;
- a description of the reformed system, including key principles and values, strategies for change, and anticipated impact; and
- an action plan that carefully delineated the time frames, budgets, and responsible parties needed to realize the new system.

In JDAI, the centerpiece of reform implementation has been a data-driven, outcome-oriented, strategic planning process and a cross-agency coordinated plan. (See *By the Numbers* and *Planning for Juvenile Detention Reforms*, in this series, for more detail.) Anecdote, best guesses about what works, and some measure of political consideration have long driven juvenile justice policy. Data-driven planning and implementation represent a major departure. The new approach has the added benefit of helping people of disparate disciplines come to similar conclusions about what happened in the past and what should happen in the future. Understanding past trends and setting measurable outcomes for a new system were key to the success of JDAI collaboratives and had the added benefit of building management and leadership capacity in the group.

Visions require plans in order to mean anything, and plans require implementation to have practical value. All over our country, filing cabinets are filled with plans that have never been implemented. In the case of juvenile detention reform, implementation is complicated because many agencies and

**Unstated differences of opinion can be the Achilles heel of the effort and have caused the demise of more than one collaborative.**

institutions have to make changes that, taken together, amount to reform. In JDAI, oversight of these complex plans was provided by the collaboratives, made up of persons who did not usually report to one another. Rather, each member was either the leader of an agency or reported to a leader. With such disparate authority, accountability became paramount in importance.

**Identifying clear, measurable outcomes and charting progress toward their attainment is the most concrete and visible basis for accountability in complex change strategies.**

Identifying clear, measurable outcomes and charting progress toward their attainment is the most concrete and visible basis for accountability in complex change strategies. The means to these ends are important, but the outcomes are the bottom line and give clear focus to the work and the progress. Outcomes offer a way for a collaborative group to hold itself collectively responsible for implementation decisions and the timetable. Systemic reform requires interdependent changes, so that when one agency fails to do what has been agreed upon, the entire effort is jeopardized. Group accountability, framed by agreed-upon outcomes and reinforced by the leadership, is the best protection against failure.

#### F. Sustaining Collaboration

No long-term, multi-faceted reform effort would be complete without seemingly insurmountable obstacles such as separate agency budgets, outdated management structures, front-line resistance to change, and plain old risk-averse behavior. Acknowledging the inevitability of obstacles, admitting them when they appear, developing collective strategies to overcome them, and having a sense of humor are all important in surviving the process. In the early days, when energy is high but skepticism is rampant, it helps to establish a beachhead from which to work by doing something that feels like a group success. Later, when members feel that they belong to a group, more intractable obstacles can be addressed. It is important to begin with a few simple challenges, prove they can be overcome, and then move on to the bigger ones.

Steps to sustain collaboration, therefore, should begin immediately, not after the group has functioned for several years and weariness has set in. A few suggestions for sustaining complicated group processes are summarized below.

### 1. Build upon “Small Wins”

“Small Wins,” as defined by Karl Weick in his article by the same name, are just what they sound like.<sup>2</sup> Simple steps qualify as small wins when they do not involve complex formulae, timelines or organizational chart changes, but have perceptible, distinct results. For example, in Sacramento, one of the first things the initiative did was implement judicial detention criteria that led to a discernible decrease in admissions to Juvenile Hall. This single accomplishment reinforced the collaborative’s sense of its efficacy and its long-term potential.

Over the life of a successful collaboration, the data may, with luck, speak for themselves, motivating the collaborative to greater action. People will see the benefit of holding each other accountable for implementing planned change. Members can see the effect the changed actions of their agency have had on the collective whole, and everything gets a little easier. In the early days, however, motivation is especially important to consider because it is unlikely that all the participants trust one another or even that they all want to be in the room. The group is still firming up its sense of purpose, its communication mechanisms, and its methods of working as a unit. In successful collaboratives, these stepping stones will be built, but they will take time. In the meantime, consider what can be done relatively quickly and frequently to illustrate the promise held by working together.

### 2. Create Incentives for Collaborative Change

While small wins are very important in the beginning of a change effort, incentives are important to keep people working at reform over the long haul. Incentives like new funds for community-based programs are powerful, especially in bringing new partners to the table, but the incentives needn’t always be major. The opportunity to be an acknowledged contributor to a priority project is a surprisingly powerful incentive, as is being part of a team. More concretely, the chance to improve aspects of agency operations—for example, to improve conditions of confinement in the secure facility or to redeploy probation staff from investigations to field supervision—can motivate managers to embrace and implement the reform agenda. Consistent, timely recognition of individual effort and achievement will

ensure that each member's participation is valued and that a sense of shared mission and group responsibility develops.

New funding, public recognition, and authentic work for collaborative members are important incentives, but the one that's unbeatable is the moment when things actually begin to change. When secure detention population goes down as a result of the new screening instrument, when new community programs begin and court appearance rates are high, and when case processing is shortened and lengths of stay reduced, something akin to group adrenaline begins to flow. Suddenly there is energy to take on more challenges. It is quite a heady experience and has provided excitement, encouragement, and stimulation for the JDAI sites.

### 3. Deal with Leadership Changes

**System reform is an extremely time-consuming process. Rarely are the same people present at the end who were instrumental in the beginning.**

System reform is an extremely time-consuming process. Rarely are the same people present at the end who were instrumental in the beginning. If this factor is recognized early, it may be easier to build capacity for the future within the collaborative. Developing multiple leaders, attending to the needs of newer members, being self-conscious about transitions, and providing skill-building professional workshops for members have all proved helpful. However, this part of the work is still art, not science. We know it is important, but no particular manual guides development. Some JDAI collaboratives hired organizational development consultants in the early days to help them create decision-making mechanisms, authority structures, and leadership development opportunities. Often, these consultants enriched the site plans in regard to human resource development. With or without professional guidance, it is useful to think about leadership development and leadership transitions as inevitable over the course of the reforms.

Sacramento is a good example of a site that effectively managed critical leadership transitions. As a result of court rules, presiding juvenile court judges serve for only two years. That meant that the collaborative leader would change routinely. Indeed, over the course of JDAI, there have been four different presiding judges. In each instance, the change pushed the reform process ahead rather than

slowing it down or derailing it. In part, the new judges simply brought new momentum to the role and sought to make their own mark. But that would have been unlikely without certain conscious steps on the part of the initiative. For example, each time a rotation was scheduled, an overlap period was arranged so that the new judge had the opportunity to meet with his or her predecessor and new colleagues and to learn about important work they were doing or problems they were trying to solve. JDAI collaborative members used these overlap periods to fully brief the new judges on the project and to communicate how central the initiative was to the basic operation of the juvenile court and detention system. Foundation representatives and technical assistance providers also made special efforts to welcome and brief the new leaders as early as possible to ensure a smooth and informed transition. The experience in Sacramento demonstrated that leadership changes do not have to interrupt progress. Indeed, they can propel reforms in new and exciting directions.

#### 4. Institutionalize Changes Quickly

Since system reform requires coordinated action by multiple agencies, it is always possible that resistance or poor performance in a single agency, or by a person in a key position, can undermine carefully planned and implemented change, even when those changes have been in effect for some time. It is crucial, therefore, that reforms be institutionalized once they are implemented and their kinks worked out. New policies and procedures must be written. New job descriptions may have to be developed, and staff training curricula should be redesigned. These actions not only memorialize the changes, they also reinforce the collaborative's importance to, and impact on, the system. (For more about sustaining reforms, see *Promoting and Sustaining Detention Reforms* in this series.)

#### Notes

<sup>1</sup>Gilmore, Thomas N., *Making a Leadership Change*, Jossey-Bass, San Francisco, 1989.

<sup>2</sup>Weick, Karl E., "Small Wins: Redefining the Scale of Social Problems," *American Psychologist*, Vol. 39, January 1984.

## SOME LEADERSHIP CHALLENGES

Earlier we noted that leadership is essential to the success of collaboratives. The experiences of the JDAI sites certainly support that axiom and also point out a few challenges and dilemmas likely to emerge over the long haul.

### 1. Limits of Judicial Administration

Judges have been key leaders in the JDAI sites. As a general rule, they have set the stage for broad reform by claiming it as their own. They have also contributed some of the most innovative reform ideas, like case-processing innovations that have reduced unnecessary delays. But judicial leaders have confronted at least two dilemmas in the JDAI sites. Awareness of them may enable others to avoid their negative consequences.

The support and leadership of the presiding judges for detention reforms did not necessarily translate into agreement by their colleagues on the bench.

The first dilemma stems from one of the core principles of our system of government—the separation of powers. Judges, perhaps more than anyone, are sensitive to these boundaries. As a result, they may feel it inappropriate to exercise leadership that feels or seems as though it is dictating to executive branch

agencies (as in a judge telling a probation department how to organize itself) or legislative bodies (as in trying to influence budget decisions). Each judge, of course, will define these boundaries personally, but the burden should not be allowed to fall solely on the judge. If each collaborating agency fulfills its responsibilities, a judge, as collaborative leader, should not have to dictate across these boundaries.

The second dilemma, however, rests solely within the judicial branch. Judicial independence is a cherished value of our system, one that typically refers not only to the judiciary's autonomy as an equal branch of government, but also to the way individual judges rule on law or run their courtrooms. In several JDAI sites, the support and leadership of the presiding judges for detention reforms did not necessarily translate into agreement by their colleagues on the bench. An obvious example of such potential disagreement would be the question of using risk assessment instruments to determine who is or is not admitted to detention. Many

judges view such instruments as threats to their discretion. Similarly, judges may disagree with the designated target population for a particular alternative program and keep ordering inappropriate cases to be placed under its supervision. There are no simple ways for presiding judges to address these predictable disagreements. Few presiding judges want to run their courts by dicta. They know that their colleagues cherish their independence. Consequently, all judges for whom the collaborative's work has implications should be brought into the planning discussions and deliberations and should be given genuine opportunities for input and affirmation.

## 2. Managing Risk

One of the benefits of collaborative change structures is that the once the group builds its strength and gets a sense of its power, it realizes that risks can be taken more readily. When the whole group has developed consensus about what should be done, it represents a united front of experts speaking with one voice. This is a formidable voice, one that is difficult to ignore. Collaborative leaders are wise if they are able to gauge when and how to use this voice, this power, and when not to. Real reform is not possible without taking risks. Collaborative work mitigates that risk. Leadership, however, must manage this newly found power carefully.

## 3. Lost Voices for Children

In many jurisdictions, the system's designated advocates for the youth who are the subject of the system—defense lawyers—may be poorly positioned to serve effectively as champions for systemic change. In some places this is true because the defense system is loosely organized, with indigent clients represented by rotating private attorneys. In other places, the public defender's office may be very sensitive to political currents that can affect its budget or personnel. But even in places where institutional providers of defense services are relatively well organized and insulated from political controversy, defenders may play surprisingly limited roles in planning and implementing reforms.

**Real reform is not possible without taking risks. Collaborative work mitigates that risk. Leadership, however, must manage this newly found power carefully.**

In the JDAI sites, many defense attorneys felt uncomfortable and unfamiliar with collaboration. They were simply not used to negotiating with the police and prosecutors, for example, regarding system-wide issues. Some defense lawyers voiced concern that such participation might be inconsistent with their sworn duties to provide the most vigorous defense possible in every case. For example, one lawyer worried that if as part of the collaborative he agreed to the target population for a particular alternative program or endorsed a particular risk assessment instrument, that might imply restraints upon him from advocating release or placement for a particular client. Whether he actually refrained from such advocacy was not even the issue. The act of participating in collaborative decision-making seemed to him contrary to his sworn ethics.

These are real dilemmas, not to be trivialized. Defense lawyers should be critical players in the development of detention reforms. Alone among all the parties in the system, they have a clear mandate to watch out for youths' best interests. Their dilemmas, if not openly addressed and resolved, can reduce these key players' contributions to the cause of detention reform. As a matter of practice, defense lawyers who do not participate in these reforms or who are not trained in their practical application will be unable to provide the kind of systemic quality control that the adversarial system depends upon. Reform leaders need to recognize this potential dilemma and work to resolve it. In JDAI sites, defense attorneys did not always play leading roles in the reform process, but when they did, change was more timely, more effective, and more durable.

#### 4. Forging Community Ties

Genuine reform of the juvenile detention system is no easy task, in part because it involves building relationships with new partners, not just among the justice-related agencies and institutions discussed throughout this report. Traditionally, however, juvenile justice agencies have operated in relative isolation from other child-serving organizations, especially those that are community based and controlled. While some juvenile justice systems have histories of contracting with non-profit groups for certain services, certainly a worthwhile and important step toward a more community-oriented approach to delinquency, that level of rela-

tionship is far different than having such organizations join collaborative structures that actually make policy, program, and funding decisions for the system.

Making this move toward community is often threatening, but potentially very rewarding. Leaders must be able to convince sometimes skittish collaborative members that opening internal discussions to outsiders can bring rewards. These leaders must also convince the group that it is worthwhile to invest time and energy in these new partnerships until community representatives have become familiar with the jargon and the operations of a largely mysterious system. The payoffs can be substantial.

In Cook County before JDAI, no alternatives to detention programs existed. When data analyses revealed that “evening report centers” (facilities where youth could go from 3 p.m. to 9 p.m. daily for supervision, tutoring, recreation, and counseling) could keep many kids out of the detention center, the system turned to community organizations, already experienced in providing similar services, to operate the programs. A representative of one of these community groups was also asked to join the steering committee. For the first time, the fates of justice system agencies and non-profit community service providers were fundamentally linked. The new partners quickly proved their abilities to operate effective programs. That would have been enough of a “win” for the system partners, but far more was gained. For example, when the probation department had to appear before the County Board to justify sustained funding for its continuum of alternatives to detention, community groups became its most ardent supporters. Had the Cook County collaborative leaders been too timid to attempt to build these new relationships with the community, many of JDAI’s most important reforms would not have happened. These important relationships, moreover, have expanded well beyond detention reform work, carrying over into most aspects of the Cook County juvenile justice system.

## LESSONS LEARNED

The successful detention reforms undertaken by JDAI sites confirm that it is possible to build more effective and efficient systems to accomplish detention's purposes. These experiences also point to the value of a collaborative approach to forging a system out of what is often an uncoordinated, at times even chaotic, potpourri of agencies, activities, and policies. Collaboration, however, is familiar neither to the system nor to most of its participants. It will take a lot of work. Summarized below are some key lessons that JDAI sites would urge others to keep in mind as they travel down this same road.

1. Capacity for change must be built; it is not a naturally occurring phenomenon.

Collaboration is a means for the system to better organize and govern itself. It does not, however, imbue its participants with new knowledge or skill, at least not simply as a result of joining. Collaboration, therefore, should not be mistaken for the

**Collaboration may be an absolute prerequisite for change, but it doesn't produce data, good ideas about programs, model policies, etc., all by itself. Those capacities must be built.**

capacity to change. It may be an absolute prerequisite for change, but it doesn't produce data, good ideas about programs, model policies, etc., all by itself. Those capacities must be built.

Juvenile justice data systems illustrate this point. In most JDAI sites, the information systems were archaic and rarely built to help justice officials figure out who was or was not appropriate for detention. Yet as the sites progressed, the most powerful insights and arguments for change flowed from the sites' analyses of their data. In Cook County, for example, the collaborative's initial risk assessment instrument, created largely from impressions and instincts, produced dramatic increases in admissions, to the surprise and dismay of collaborative members. A subsequent instrument designed with accurate quantitative data worked much better, reducing admissions without negatively affecting rearrest or failure-to-appear rates.

Numerous other aspects of detention reform require similar new capacities. Sites need to learn about, and be able to use, effective alternative-to-detention program models, methods to reduce unnecessary delays, management and program ideas to improve conditions of confinement, etc. These capacities are easier to grow in a collaborative context, where the support and accountability needed for genuine change should flourish. But it is wrong to expect that the sheer act of coming together for a common purpose will automatically or naturally produce new capacities. Those must be taught and learned.

### 2. If a pivotal leader isn't on board, the ship won't sail.

It has been said many times in this report and in others that effective leadership of collaborative groups is essential for successful systemic change. It is also true that without the imprimatur of local political leadership, reform efforts can flounder and fail to accomplish their goals, even if the collaborative leaders are competent. In two different JDAI sites, this point was poignantly illustrated. One was described on page 20, where a shift in the chief elected official derailed progress. The other was in a different jurisdiction, where a change of elected officials gave the initiative new collaborative leadership, new ideas, and the energy to accomplish them. Perhaps as a result of that change, that particular site, which struggled in the early days, finished the initiative as a genuine success.

### 3. Line staff should be involved early and constantly.

The type of system reform discussed in this report was initiated at the policy level in each jurisdiction and, in different ways and at different points, was communicated to line staff. All the sites agreed later, however, that they waited too long to involve line staff in the reform process. In some cases this delay had harmful effects that took a long time to remedy. In other cases, it was merely unfortunate and caused minor delays while communication channels got straightened out. It is difficult to prescribe the appropriate timing or technique without knowing a site's history, culture, labor situation, political trends, and numerous other factors. It is clear, however, that it is essential for the collaborative to seek line staff input and participation early and throughout the reform process.

Many corrections administrators believe in the “give the order and train the troops” para-military management style. The successful JDAI sites would disagree with that approach. They each involved line staff at different points and in different ways. Agencies with histories or cultures of strong line staff involvement in policy and program development found that failure to involve the line staff could produce outright sabotage at the implementation stage. Agencies with more formal, hierarchical structures found that timely consultation and involvement promoted more enthusiastic participation in the changes. Whatever your site’s particular approach to public administration, collaboration should never become an excuse for isolated decision-making on the part of high officials. Indeed, involving line staff early in the planning and implementation of change was one lesson stressed by the sites again and again.

#### 4. Collaboration in juvenile detention reform can create unanticipated alliances and benefits.

To the amazement of many in the site, one JDAI jurisdiction’s juvenile prosecutor felt that the collaborative’s work gave the DA’s office a new chance for influence in a system where they previously felt like outsiders. No one would have assumed that they felt that way; it was only after the system changed that the parties could grasp the nature of the prosecutor’s alienation. Other jurisdictions also reported that consulting together helped overcome institutional stereotypes and enabled better day-to-day communication and working relationships.

Collaboration holds the potential to reshape relationships in these positive, unplanned ways. In Multnomah County, a nonprofit organization from the county’s runaway and homeless youth service delivery system created a partnership with the Portland Police Department that was previously unimaginable in that city. Similar providers had long thought that cops and services to runaway youth did not mix well. This nonprofit, however, was prepared to experiment and agreed to serve youth who had been arrested by the police but who were not appropriate for detention. Both parties found “wins.” The cops had an accessible, effective service provider to help youth whom they could not help, and the provider was able to intervene in the lives of these youth without sacrificing its street reputation.

Not only did both of these agencies benefit from breaking down traditional barriers to working together, but the kids and the detention system also benefited. These new alliances sometimes take a lot of work, but collaboration made them possible.

#### 5. Collaboration looks different in different places.

Even though some member groups may be absolutely essential in every collaborative, each operation will be different because of local circumstances and requirements. In JDAI, the early collaborative groups ranged considerably in size and membership. In some places, advocacy groups were essential to a successful effort. In others, it was not possible to include the advocacy community for a variety of reasons. Some sites required that two prosecutors take part, one from the juvenile division and one from the adult. Some sites have a separate agency to operate detention; in others detention is a part of the probation department's responsibility. Each collaborative contained a similar core, but each was also unique.

Each collaborative also evolved over time. The structures one finds today in Sacramento, Multnomah, and Cook Counties are not the ones that developed the initial detention reform plans for these jurisdictions. Most changes in collaborative structure, composition, and process were stimulated by the harsh realities of system change in each site. While lessons across jurisdictions may help collaborative members anticipate the need for adaptability, the idiosyncracies of each site will be the determining factor in such change.

#### 6. Collaboration is power.

If you want juvenile detention system reform, there is no better way to achieve systemic, long-lasting change than through collaboration. A detention agency may improve conditions of confinement, a court may speed case processing, and the police may bring fewer juveniles to detention prior to a court hearing. These changes are possible, but are not likely to last beyond the next change in command or election. Systemic and enduring change, because it is so complex, is not likely without involvement of all the actors in the juvenile justice system. JDAI and other collaborative efforts have shown that with collaboration, systemic reform can happen and the lives of thousands of youngsters are affected for the better. That is power.

## The Pathways to Juvenile Detention Reform series includes the following publications:

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