

Crime and Justice Institute: Request for General Support

INTRODUCTION

We're the Crime and Justice Institute. Like you, we dream of safer communities.

We dream of a justice system that responds meaningfully to crime. We dream of public agencies that do more than warehouse offenders, by giving them the skills to stay crime-free. We dream of a justice system that is held accountable for helping people change and driving crime rates down.

In most places in this country, it's still just a dream. But in a few places – thanks in part to our efforts -- that dream is coming true. But it can't happen overnight.

Yes, research has shown the way. Now, we know how to help offenders become law-abiding, productive citizens. We also know how to help public safety agencies do a better job, so the community can be safer. And we know that we can incarcerate fewer offenders for shorter periods of time and still have communities that are safer than ever ... for less money than we spend now.

Yet change is difficult. Institutions, public officials, and legislators are all invested in the way things are done. They have no incentive to change ... unless a large number of influential community members and policymakers demand it.

And that's where we come in. We create that demand. Using research, conferences, public dialogue, advocacy, demonstration projects, and one-on-one meetings, we reach the skeptics and those who share our dream ... The people who know there's a better way, if only someone would help them find it ... The people who will fight for it, like judges ... probation officers ...bureaucrats ... business leaders ... and crime victims.

These are the folks who can put pressure on public officials and legislators in their local community ... at the state ... and across the country. And once we find them, it's our job to educate them about the evidence that our dream can become a reality. To show them that a few jurisdictions in states across the country have begun to use this research to revolutionize their criminal justice systems ... and are reaping the reward of safer communities.

But this aspect of our work often goes unfunded, even though it will have the biggest, longest-lasting impact of anything we do. That's why the Institute is requesting \$_____ from The _____ Foundation for one year of operations support. To make sure the dream we share – making our communities safer – is realized in our lifetime.

ORGANIZATIONAL PROFILE

We've been fighting for the dream – lower crime rates, more offenders rehabilitated, and less money wasted – for a long time. Originally founded in 1878 as the New England Society for the Suppression of Vice, we were known for many years as the Crime and Justice Foundation. In 1999, in order to expand our reach and strengthen our demonstration projects, we merged with

Massachusetts Halfway Houses, Inc. and became the Crime and Justice Institute. Throughout, our focus has remained constant: organizing communities to tackle problems in the justice system.

Today, the Crime and Justice Institute is a division of Community Resources for Justice (CRJ) and operates on a budget of just over \$1 million. Our parent organization, CRJ, uses the majority of its \$18-million budget to operate 25 residential and day service programs serving over 2,000 adults and youth each year in Massachusetts and New Hampshire. CRJ provides us with organizational stability and vital administrative support. It is guided by a Board of Directors who bring a personal and a professional dedication to social justice. (See Appendix A for a list of Board members.)

We work to promote a justice system that is effective, fair, humane and cost-effective. Our guiding principles are:

Reform the whole system, so it can reform offenders. It's easy to implement a small program, or get a bit of bad policy changed. It's harder – but much more effective – to tackle the whole system. While a new program might impact a few, a new system increases safety for everyone, improving the lives of thousands of offenders, their families, and their neighbors.

Pay attention to the research. We promote practices that researchers have proven are effective. We do our own research as well, to develop and test practices that reduce the number of offenders who commit new crimes.

Work together. We know our dream is ambitious. And we can't make it come alive on our own. Any serious reform of the criminal justice system is impossible without the help of many people within the system and in the community. We bring them together and give them the tools they need to get the job done.

To do our work, we spread the word about best practices and the need for change; get the right people together to share information and work together; and we create and test new models that make our justice system more effective and more accountable. Sometimes, we even do all three.

Below are some current projects that highlight our work:

- [A Toolbox for Champions.](#) Even at the local level, the justice system is complex. Judges, prosecutors, defense attorneys, probation officers, offenders, and treatment professionals all play a part in making it work. Most share our dream ... and our frustration. We know that most of these individuals would ask for change if they knew what to ask for. So we're working with the National Institute of Corrections to publish issue papers and develop training on evidence-based practices and system change for judges, prosecutors, defense attorneys and human services professionals. The "toolbox" will help them build better justice systems on their own.
- [Charting a Course.](#) When prisoners in Massachusetts return home – and most do so eventually – they're not likely to be successful. They can't get jobs. They can't find stable housing. They need food, and easy access to treatment. They need help and structure to learn new behaviors so they can remain crime-free. But they're not getting

them. (All of this is also true of offenders on probation.) To help them, legislators and public officials need a clear set of cost-effective recommendations they can use to set policy ... a roadmap for change. With support from the Gardiner Howland Shaw Foundation, we're working with diverse stakeholders to draw that map. We've also obtained support from the state to improve statewide collaboration on this issue and help implement the federal Serious and Violent Offender Reentry Initiative.

- Asking the Experts. Almost everyone agrees that when it comes to the adult criminal justice system in Massachusetts, the problem isn't finding something that needs changing – it's finding something that doesn't. We're convening a series of roundtable discussions with local and national experts to decide what to fix, how, and in what order. The topic for our first meeting is "Victims' Roles and Perspectives in Prisoner Reentry." Our work is being funded by the Massachusetts Executive Office of Public Safety.
- Shoulder to Shoulder. It's been proven over and over that youth of color are arrested and detained much more often by the juvenile justice system than white youth with the same charges. And some communities – Portland, Santa Cruz, Seattle, and Chicago, to name a few – have shown that using clear, consistent criteria to detain youth can reduce the number of youth who need to be held without raising crime rates. (That's good news for taxpayers.) Portland has even shown that it's possible to stop unfairly detaining youth of color. But making it happen is complex work that requires dedication and buy-in from many stakeholders. So we're working with several jurisdictions in Illinois, using funds from the Annie E. Casey Foundation, to duplicate these success stories. We've also begun to secure commitments for a similar initiative in Massachusetts.
- Learning What the People Think. The opinions of average citizens have the power to reshape the criminal justice system for good or ill ... and often do. With funding from the Boston Foundation, we conducted a nonpartisan study of the opinions of Massachusetts residents. We wanted to learn whether average people shared our dream of a better justice system. Unsurprisingly, they did. We'll use our findings (posted online at http://crjustice.org/cji/rethinking_justice.pdf) to educate policymakers and legislators.

To learn more about our work and review some of our policy briefs, feel free to visit our website at <http://crjustice.org/cji/index.html>.

NEED

We have a very simple explanation for why our work should be funded. We help communities become safer; we help government stop wasting money on practices that don't work (and actually make things worse) and begin allocating money for practices that *do* work; and we help the justice system change so that offenders can become productive citizens. If that's not a dream worth pursuing, we don't know what is.

And this is a good time to be a dreamer. Tight budgets and overcrowded prisons have forced policymakers to stop doing what they've always done – lock up “bad guys” and throw away the key – and start asking if it's doing any good.

In the 1980s and 1990s, most states invested heavily in prisons and jails. “Tough on crime” were the words everyone wanted to hear. By 2001, though, states were spending 145% more on corrections than they had in 1986, going from a national total of \$15.6 billion to \$38.2 billion. Their spending increased by 6.4% a year on average, outpacing increases in “health care (5.8%), education (4.2%), and natural resources (3.3%).”¹ But it wasn’t enough to keep up with the demand. Harsher drug laws and mandatory minimum sentences meant that prisons and jails grew overcrowded fast. Between 1990 and 2002, state prison populations almost doubled, going from 685,000 to more than 1.2 million.² Then, in the early 2000s, money grew tight. So policymakers have been forced to look for ways to reduce costs and avoid building more institutions. At the same time, they’ve realized that most offenders return to their home communities eventually – they aren’t locked up for good. All the more reason, then, to hope that offenders can be managed in the community without compromising public safety.

Is this possible? Research has shown that most offenders are not given the skills they need by the criminal justice system to be productive citizens. In fact, many leave probation, jail, or prison *more* likely to re-offend, which does harm to the offenders as well as the communities to which they return.

Here’s a small example. Recently, Elyse Clawson, our Executive Director, was giving a talk to judges in Illinois about this research. “About half the judges in the room were clearly concerned about the implications,” she reports. “The other half were rolling their eyes. Then one judge stood up and told a story about a program created in his jurisdiction to intervene with kids arrested for driving under the influence. The program targeted only kids who had been arrested more than once for this offense – and it was getting great results. Everyone liked the results so much that they began requiring first-timers to go through the program too. But when they reviewed the data, they learned that first-timers who went through the program reoffended at a higher rate than those first-timers who didn’t. When the other judges heard that story, they stopped rolling their eyes and started listening. Because they realized that what we do to intervene can hurt people – and actually make our communities less safe.”

It doesn’t have to be that way. In the last 20 years, researchers have discovered effective, economical approaches that keep communities safer.³ Here’s the recipe:

- (1) Target offenders who are more likely to commit new crimes. This allows us to detain, jail, and provide services to fewer offenders at a lower cost. All without compromising public safety.
- (2) Solve the right problem. Boot camps – which are supposed to help offenders improve their self-esteem and body conditioning – don’t work. They’re popular, but the evidence is clear. To get results, we need to treat offenders’ drug and alcohol problems. Their lack of problem-solving skills. Even their anti-social attitudes.
- (3) Do what works. Some things don’t work, like talk therapy or “scared straight” tactics. Having offenders read books and listen to lectures doesn’t work either. But having

¹ James J. Stephan, “State Prison Expenditures, 2001,” *Bureau of Justice Statistics Special Report* (June 2004).

² Robin Campbell, “Dollars & Sentences: Legislators’ Views on Prisons, Punishment, and the Budget Crisis,” Vera Institute of Justice (July 2003).

³ Latessa, Edward J 2004. ["From Theory to Practice: What Works in Reducing Recidivism?"](http://www.uc.edu/criminaljustice/Articles/Theory_Practice.pdf) State of Crime and Justice in Ohio 170-171, at http://www.uc.edu/criminaljustice/Articles/Theory_Practice.pdf.

them learn and practice a new skill – like how to manage anger or solve problems – does. Especially if you focus on what they can do *right now*.

This is the stuff that dreams are made of -- if you can get others to try it. And that's what our work is all about. We find dreamers like ourselves ... educate them ... organize them ... give them a soapbox on which to stand ... and pretty soon, we've got a revolution.

SELECTED WORK PLAN FOR 2006

We have an ambitious work plan for 2006, as should be clear from our Organizational Profile above. Rather than reproduce it all here, however, we've selected two projects to describe in detail. These projects are excellent examples of the sort of work we do that is (a) critical to our success at changing the justice system, and (b) either unfunded or only partially funded.

1. **Reform the Reformatories.** Our first project is designed to bring the Massachusetts juvenile justice system into the 21st-century. Through it, we'll help the commonwealth focus its resources on youth who are likely to commit new crimes, and stop unfairly detaining lower-risk youth and youth of color.

How? The research is clear: locking up kids does not deter them from committing new crimes. Furthermore, mixing "low-risk" youth with "high-risk" youth doesn't make the high-risk youth go straight; it makes the low-risk kids into criminals.

Multnomah County, Oregon, was one of the first communities in the nation to apply this research. In the early 1990s, Multnomah County decided to *stop* locking up kids who weren't a risk to the community. And it did so at a time when communities across the country were trying more children as adults and locking up more teens.

The trick was to figure out which kids being brought to detention were likely to commit a new crime. Eventually, under the guidance of the Annie E. Casey Foundation, the project team developed criteria to screen teens for risk to decide which kids to detain. And it worked. Multnomah County's crime rate has dropped almost every year since 1996, even as the teen population has grown. Just as an example, 6,000 crimes were committed by Multnomah County youth in 1997. In 2004, that number had fallen to just under 3,900. Furthermore, the County began detaining minority youth in proportion to their numbers in the population.

This remarkable transformation was led by our Executive Director, Elyse Clawson, with the assistance of her Deputy Director, Lore Joplin when they held key positions in Multnomah County. (See below for bios.) Now they plan to apply what they've learned about detention reform in Massachusetts. To do it, they have to help Jane Tewksbury.

Who's Jane Tewksbury? She's Commissioner of the Department of Youth Services (DYS). She's committed to changing the system so that it's more effective, accountable, and runs more cheaply. And she figured that if Oregon could do it, then Massachusetts surely could.

That's when her headaches began. She's in charge of an agency that's done little to keep kids out. Instead, it lets kids in without regard to their criminal risk and then pours money

into services for them. Her agency is not alone, however; it's part of a larger system. The police, probation, the state, the Governor's office, and the legislature all play a part in the mess that's resulted. So changing the system requires the help of many other players, and that's like herding cats ... a lot of well-connected cats with little incentive to change. Over a year ago, Jane's efforts to organize the key players came to nothing.

But Jane hasn't given up. Even though she faces roadblocks in the court system, the legislature, and resistance from politicians and even in state statutes, she does have some allies. Harry Spence, who runs the commonwealth's child welfare system, is a staunch ally ... she has supporters in the Health Department ... and local police chiefs who want to do something to contribute to a safer community.

She also has the Crime and Justice Institute in her corner. She brought us in to restart the change process. After all, we helped create the model for change; we know it's worked in other states. We know we need to do four things:

- Bring the group of key players back together to create a state-level steering committee. That means courting those who left the table empty-handed a year ago. Individually, one by one. Making the case for change.
- Identify local jurisdictions where we could implement reforms and test the model. That will mean meetings with local officials, and getting them to lend their support.
- Once everyone's signed on, then we'll bring the state steering committee back together. We'll present what we've learned – the research, the case studies – and Jane will also make her case.
- We'll help the steering committee choose the local sites and begin building local coalitions to reform juvenile justice.

Thanks to funding from Jane's agency, we can do some of the work required: we can meet with stakeholders and partners. But to make the change really take hold, there are a number of key policymakers we need to educate, which will take significant additional staff time. For example, legislation is pending in Massachusetts that would help the justice system stop locking up mentally ill kids who need treatment instead of detention time. We think the law should also apply to other kids who won't benefit from detention. To change the law will take a concerted effort on the part of our staff – but this part of the project is currently not funded.

Furthermore, we're finding that a key part of system change is helping partners learn how to measure the impact of what they're doing, and of the changes they make. In spite of their experience and sophistication, many professionals need help identifying what outcomes to measure, what data to collect to measure change, and how to interpret the data they do collect. We routinely provide this technical assistance – and it is also not funded.

It's a worthwhile investment. As Jane told us recently, "The best thing I ever did was hire you to do this work ..."

Information, Please. We all want offenders who return to the community to be law-abiding, productive citizens. But we make it much harder for them to accomplish this

when we prevent them from finding a job, a place to live, or ways to connect with the community. And we are doing exactly that by mishandling the criminal history data we collect on these individuals.

Criminal histories have been collected in electronic form by the Commonwealth of Massachusetts for some time. We think they should be. However, there are now 2.8 million records on file at the commonwealth. And they're available to a growing number of agencies and individuals – even members of the general public. Over 5,000 requests for access are processed daily. But these histories can be misleading, wrong, or out of date. They're also hard to read accurately without training – and that's a problem, since these histories can include juvenile histories as well as cases that did not result in conviction. So many individuals (who may not even know they have a “record”) are being denied housing and jobs in the basis of these histories.

We definitely need to keep these records. They can be a crucial way to protect the public – but only when they're used correctly, with the rights of the individual in mind. It's time to revise the government regulations that govern how they're used. This can be done in a way that protects the community and the rights of individuals.

We've already secured the assistance of the Boston Foundation on part of this project. With their help, we put together a white paper (available on our website) that clarifies the issues at stake.

The next step – not fully funded – is to assemble a high-level task force to help us force responsible change in the regulations. In fact, we've already begun to recruit a diverse group of experts from many walks of life. We've recruited businesspeople ... community members ... nonprofit agencies ... government officials ... and academics. Of course, all these folks need to be educated about the need for change. And then organized to create the set of recommendations we'll take to the Governor's office, to Health and Human Services, and to legislators. With their recommendations in hand, we'll be in a great position to look for our next champions ... and to expect responsible regulatory change.

Knock-out Leaders and Staff. You can't take on work like this without seasoned leaders and staff. At the Crime and Justice Institute, we have a stellar team.

- John J. Larivee, Chief Executive Officer of Community Resources for Justice (CRJ), the umbrella organization of which the Crime and Justice Institute is a division. Mr. Larivee has been with CRJ for 31 years, overseeing its research, public education and advocacy on critical issues in criminal and juvenile justice, as well as its residential and day services to adult offenders, troubled youth, and mentally retarded/developmentally disabled individuals at 25 sites throughout New England. Mr. Larivee is Past President and a founding member of Citizens for Juvenile Justice, a member of the Board of the Massachusetts Council of Human Service Providers, and Past President of the International Community Corrections Association. For the Commonwealth of Massachusetts, Mr. Larivee has served on the Governor's Commission on Criminal Justice Innovation, the Advisory Council on Corrections, and the Advisory Council on Youth Services.

- Elyse Clawson, Executive Director. Ms. Clawson has over 30 years of experience in criminal and juvenile justice, substance abuse, mental health treatment, and education. She's worked extensively with elected officials and other policymakers as a non-profit executive and public agency director. Prior to coming to the Institute, she led major system reform efforts of the adult and juvenile community corrections systems as the Director of the Department of Community Justice in Multnomah County, Oregon and as the Assistant Director of the Oregon State Department of Corrections for Community Corrections. She was a member of the Massachusetts Governor's Commission on Corrections Reform and is a current member of the Massachusetts Department of Corrections Advisory Council.
- Lore Joplin, MPA, Deputy Director. Ms. Joplin coordinates the Institute's planning, budget, and operations, and serves as the project manager for the Institute's cooperative agreement with the National Institute of Corrections. Previously, Ms. Joplin worked as a senior policy and budget analyst for the Department of Community Justice in Multnomah County, Oregon. During her tenure at the County, she helped to coordinate major system reform efforts in juvenile justice and adult community corrections.
- Cheryl Roberts, MPA, Director of Research and Policy. Ms. Roberts brings over 15 years of project management experience, including 5 years of experience managing national policy research and technical assistance projects at Abt Associates, Inc. She also brings extensive expertise in program evaluation and implementation research. She recently co-authored a report for the Institute, *From Incarceration to Community: A Roadmap to Improving Prisoner Reentry and System Accountability in Massachusetts*.
- Len Engel, JD, Criminal Justice Policy and Project Manager. Mr. Engel spent 18 months as legislative director for Massachusetts Senator David P. Magnani. Before that, Mr. Engel worked for a Connecticut nonprofit on offender access to the courts, prison overcrowding, and *habeas corpus* reform. He was an editor of the *Connecticut Prisoner Rights Manual*, a member of the Board of Advisors to the Yale Law School Prison Clinic, and of the prison issues committee of the Permanent Commission on the Status of Women.
- Kate Florio, Assistant Project Manager. Ms. Florio has been with the Institute since 2000. As part of an Institute initiative to increase public safety, Ms. Florio provided technical assistance to facilitate communication between law enforcement, medical providers, community members, and political leaders. Ms. Florio also coordinated a series of community forums focused on public safety issues that brought together a variety of stakeholders.
- Meghan Howe, MPH, Assistant Project Manager. Ms. Howe joined the Institute in mid-2005. Previously, she served as the Training and Psychological Education Coordinator for the Institute's parent organization, Community Resources for Justice, where she provided staff training and coordinated life skills education in five youth programs.
- Top-notch Consultants. In addition to our regular staff and leadership, we also draw upon a pool of about 20 experts from around the country as needed. The pool is made up of researchers, specialists in organizational change, and leaders in the criminal justice field

(e.g., judges, directors of probation departments, managers of state corrections systems, jail managers, etc.).

EXPECTED IMPACTS

We'll know we've had an impact when our dreams come true. Everyone will know what's wrong with the justice system and set about fixing it. In the mean time ... we'll settle for the hard work of everyday life. We'll go on identifying supporters, educating them, convincing those on the fence, and then pulling everyone together to reform their justice system. It's laborious work that calls for amazing amounts of energy and staggering reserves of dogged determination. But the results are worth it, because they hold glimmers of the dream:

- Right now, our dream of transforming the juvenile justice system in Massachusetts exists nowhere except in Jane Tewkesbury's head. (Well, her head, and in that of a few others.) By the end of 2006, we will have committees in three to five local jurisdictions actively working out their plan to make their juvenile justice system effective. The statewide steering committee will be meeting regularly to guide and review the local reform efforts.
- If we don't act, criminal histories of millions of Massachusetts residents will continue to be misused and misinterpreted. The lives of many offenders will be damaged and so will the families who are depending on offenders to get jobs or obtain housing. These histories will be used to deny – wrongfully – jobs and housing to individuals whose cases were dismissed. And without training for those using the records to screen out dangerous individuals, those who *should* be screened out may not be.

By the end of 2006, the high-level task force we've created to propose a rational, balanced way to handle electronic criminal histories will have finished its work. We'll have a set of policy recommendations we can take to the policymakers and government officials who can fix the way the state handles this information.

These are the concrete outcomes we expect from our work in 2006. Both projects lay the groundwork for lasting change in the justice system.

FUNDING

As we explained above, under our "Selected Work Plan for 2006" above, we are requesting support here for a specific aspect of our work, as typified in two projects pulled from our complete 2006 work plan. The two projects we described above enjoy the partial support of two other funders. The commonwealth's Department of Youth Services provided us with \$125,000 to help it carry out a reform of the juvenile justice system (\$30,000 for this fiscal year). Thanks to the Boston Foundation's gift of \$65,000, we are taking the first steps toward changing the way Massachusetts handles criminal histories. Both projects require additional funding so that we can take the critical next steps.

Our other projects also enjoy the support of a wide array of other fundors:

- Annie E. Casey Foundation (\$19,925)
- Cornerstone for Kids (\$168,165)
- Gardiner Howland Shaw Foundation (\$45,000)
- Massachusetts Executive Office of Public Safety (\$186,101)
- Massachusetts Parole Board (\$77,625)
- National Institute of Corrections (\$285,750)

Future Funding. Along with our parent organization, Community Resources for Justice (CRJ), we have a robust development program in place. It focuses on annual events, corporate donors, matching gifts, and an annual giving campaign. CRJ has also received a number of planned gifts, as has the Crime and Justice Institute itself. We expect that our joint development program will gradually fund an increasing percentage of our work. Nonetheless, to fully realize our dream – a fundamental shift in values and practices in the nation’s criminal justice system – we’ll need the broadest possible set of funding partners. The participation of private philanthropies will continue to be crucial.

CONCLUSION

Some dreams, postponed too long, bankrupt the soul. Not ours. We carry it from place to place like the Olympic flame, with inexhaustible hope – everyone does.

We all want to believe that those who turn to crime can be helped. That they can change. Even people who *don't* believe that offenders can change still want to believe it. Show those folks that the crime rate can be reduced, and you’ve got their attention. Show them that you can do it more cheaply, and you’ll have their respect.

We know. We talk to people like this all the time. We show them the research evidence. We tell the success stories.

When we told a judge in Minnesota that the justice system could and should be held accountable for results --! The look on his face was worth something. As if we’d told him that yes, there was a Santa Claus. And when we asked for his help, he said yes. Because he was a hardheaded realist, and he’d been on the bench long enough to know that our justice system isn’t very effective. But he also said yes because, like you and me, he’s a dreamer too.

That judge knows we can have safer communities. We can help offenders stay crime-free. We can save our towns, cities, states and country a colossal amount of money.

And we will continue to carry the dream to new places until everyone else in the country knows it too. Please help us do it.