



Getting IT Right



Collaborative Problem Solving
for Criminal Justice

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Foreword

Public safety and justice are basic requirements of a healthy, productive society. Even in times of fiscal uncertainty, citizens are willing to invest in a system that administers justice fairly and effectively and partners with communities to promote public safety and crime prevention. Because its tasks are formidable and its challenges many, such a criminal justice system is necessarily complex. Too often, complexity brings fragmentation and a system that is anything but systematic in pursuing shared strategies for achieving justice and safety.

From years of working with jurisdictions across the country, the National Institute of Corrections (NIC) has concluded that collaboration and rational planning are the keys to creating an effective criminal justice system. These principles were at the heart of NIC's Criminal Justice System Project (CJSP), a 3-year initiative that helped policymakers in selected communities develop a meaningful range of effective and coordinated criminal justice sanctions.

This guide is a product of the CJSP initiative. Building on the experiences and lessons of CJSP and other NIC projects, the guide spells out a practical, team-based approach to envisioning the kind of criminal justice system a community wants, assessing the current system, and planning and implementing strategies for “getting it right.” The guide was developed primarily for local (city or county) criminal justice policy teams—representing corrections, police, the courts, prosecution, and other agencies—who want to work together toward a system that promotes safety, prevents and solves crime, and holds offenders accountable. Intended as a working tool for these teams, the guide breaks down the planning process into logical steps and presents much of its information in the form of vignettes, examples, and exercises.

The detailed, collaborative approach described in this guide is hard work and takes time. Experience has shown that the result—a criminal justice system that truly meets a community's needs and uses its resources wisely—can be well worth the effort.

Morris L. Thigpen

Director

National Institute of Corrections

June 2006

Acknowledgments

This guide is a product of the Criminal Justice System Project (CJSP) conducted by the National Institute of Corrections (NIC) from 1997 to 2000. CJSP was specifically designed to incorporate the lessons learned and most effective strategies developed as a result of several previous and ongoing NIC projects, training events, and technical assistance activities. In this sense, CJSP was a culmination of NIC's best practices in its Jails Division, Training Academy, Community Corrections Division, and Prisons Division. CJSP also included the participation of 10 jurisdictions and represented a unique collaboration among funding agencies, private organizations, consultants, and practitioners.

For me, the work represented by this guide is rooted in a firmly held belief that jurisdictions who invest the time and energy to build a successful collaborative problem-solving process are the jurisdictions who experience greater satisfaction with the criminal justice system, increased public safety, and more successful outcomes with offenders.

I first conceptualized this guide more than two decades ago when I began working with NIC to assist jurisdictions interested in working collaboratively (rather than in isolation) and proactively (not reactively) to solve their criminal justice problems. Since then, NIC has carried this collaborative problem-solving process into many criminal justice arenas and gained valuable experience in applying this process to help jurisdictions achieve desired outcomes, including effective interventions for treating offenders, criminal justice systems that make sense and are cost effective, active community involvement, and improved citizen safety. In this respect, NIC has been an unwavering leader in its approach to criminal justice system planning.

From the beginning of this undertaking, the NIC Interdivisional Team—formed under the leadership of NIC Project Manager Phyllis Modley to plan this multiyear endeavor—provided a clear vision and purpose for the project: To assist jurisdictions in building a more affordable system of sanctions. This was a much more complex task than it appeared to be on the surface. The team never faltered when asked to deviate from a given course or to push their thinking farther to uncover new lessons about criminal justice system planning. Throughout the project, the team provided invaluable advice and guidance that shaped all of our efforts.

As the CJSP director, I felt privileged to work with and learn from all of the people involved in this effort. I wish to express my appreciation for their unfailing support, unique perspectives, and contributions that together have allowed this project to incorporate the best thinking on criminal justice system planning available at this time. Without the diversity of opinions, clear insights, and continual optimism of project team members and the staff and policymakers in the 10 jurisdictions, the project could not have resulted in this guide and all that it signifies. Far too many people participated to be mentioned here, but I wish to express special appreciation to the following:

- To NIC Project Manager Phyllis Modley, my friend and colleague of more than 20 years. You are an inspiring leader. Your sense of purpose and vision about criminal justice resonate throughout these pages. Your thoughtful observations and involvement in CJSP were essential.

- To the leadership of NIC (Director Morris Thigpen, Deputy Director Larry Solomon, and Community Corrections Division Chief George Keiser) and the NIC Interdivisional Team members (Phyllis Modley, Steve Swisher, Judith Blair, Al Hall, Dee Halley, and Richard Geaither), who supported this effort and helped shape its direction. I have been honored to serve with you on CJSP and many other criminal justice endeavors.
- To my colleagues at the Center for Effective Public Policy (Peggy Burke, Madeline Carter, Peggy McGarry, Paul Herman, and William Woodward), who did the day-to-day work on the project, from site coordination and onsite assessment tasks to workshop and meeting planning and coordination. You met each new challenge with enthusiasm and humor and faithfully supported me throughout. You are truly awesome!
- To colleagues who acted as CJSP site coordinators (Donna Reback, Gail Hughes, and Chase Riveland), whose experiences and important insights guided the project direction and who provided technical assistance to many of the jurisdictions involved.
- To Justice Research Associates Tim Bynum and William Davidson, who tirelessly tackled one of the most persistent problems in the criminal justice system today—the lack of available data and information to inform criminal justice policies. You helped equip participating sites with the necessary tools to answer questions about their offender populations and their systems, and you helped bolster participating sites’ capacity to generate information on an ongoing basis. Some of the jurisdictions were able to answer criminal justice questions for the first time because of your efforts.
- To colleagues from the Justice Management Institute (Barry Mahoney and Richard Hoffman) and many others from around the country who provided training and technical assistance to project sites and who participated in the onsite system assessments conducted in eight of the participating sites.
- To the staff and policymakers from the 10 jurisdictions that participated in CJSP and the many other jurisdictions who have participated in NIC initiatives whose names are far too many to include here. I express my thanks and gratitude for your tireless efforts to improve the criminal justice systems in your communities, for investing in the future, and for getting it right!
- Last, but certainly not least, to my dear friend Peggy McGarry, without whom this guide would still be a dream and a pile of paper sitting on the corner of my desk. I thank you.

Becki Ney

Project Director

Center for Effective Public Policy

Preface

Background

In 1974, Congress created the National Institute of Corrections (NIC) to serve as a center for correctional knowledge and to offer leadership and assistance to the field of corrections. For more than 26 years, NIC has been conducting national projects, coordinating training events, and providing technical assistance in countless jurisdictions across the country. Earlier NIC efforts focused on single parts of the criminal justice system, such as jails or prisons, or decisionmaking in limited areas, such as parole release or responses to probation violations. All of these efforts have added critical learning experiences that have informed NIC's knowledge about collaborative problem solving for criminal justice. These efforts also inspired the 3-year Criminal Justice System Project (CJSP) and this document. This guide incorporates the lessons learned and the strategies developed as a result of the CJSP initiative and the many other NIC projects that preceded it. It is a place to start for those interested in criminal justice system planning and problem solving.

The Criminal Justice System Project

The Criminal Justice System Project, conducted from 1997 through 2000, created a criminal justice planning framework that adapted methods, tools, lessons, and activities from many of NIC's initiatives over the years. The project encompassed NIC values in terms of—

- The importance of a collaborative policy team approach as the vehicle for establishing and achieving criminal justice goals and outcomes.
- The necessity of establishing a rational planning process that includes the use of data and information to help manage the criminal justice system more effectively and to inform criminal justice decisions.

The CJSP initiative resulted from an NIC-wide strategic planning effort that began in 1993, when NIC articulated three agencywide goals to guide its assistance to the field. One of those goals—developing an effective system of sanctions—emerged as a high priority. A team drawn from all of NIC's divisions at the time (Academy, Community Corrections, Jails, and Prisons) designed the project. The project team sought the guidance of a broad range of stakeholders from across the country, including criminal justice professionals, community constituents, and elected officials.

CJSP was implemented in 1997. Its primary goal was to assist criminal justice policymakers in selected jurisdictions in their effort to develop a more coordinated, rational, and cost-effective system of criminal justice sanctions (see “*Sanctions Defined*”).¹

¹The 10 sites selected to participate in the Criminal Justice System Project included the state of Alaska; Maricopa County, AZ; Napa County, CA; Hennepin County, MN; Dutchess County, NY; St. Lawrence County, NY; Tulsa County, OK; Jackson County, OR; Portage County, WI; and Wood County, WI. Two sites (Napa and Hennepin Counties), for reasons unrelated to the project, withdrew in the early months of the effort. The remaining sites participated.

Sanctions Defined

In the context of this guide, the term **sanctions** is used only to refer to official orders. Although the word has several different uses within corrections and may be used to denote punishment responses within a context of behavioral change interventions (i.e., **rewards** versus **sanctions**), in this document the term means only the official, legally binding orders of a court, its agencies, or a paroling authority imposed in response to violations of the law or court or parole orders. A sentence to jail is a sanction, as is a period of probation. A sanction might also encompass an order to a diversion program, such as a drug court.

Sanctions and **programs** are not synonymous. A term of probation may specify conditions that the offender has to meet, including participation in programs. For example, an offender may be legally obligated to participate in a program, a parenting class, or a cognitive restructuring group, but that in itself is not the sanction.

The Guide to a Criminal Justice System Assessment: A Work in Progress (1996), a forerunner to this document, was available to jurisdictions that might have been interested in participating at the time the CJSP initiative was announced. It provided detailed information about conducting a criminal justice system assessment, which was the CJSP’s information-gathering process and one of the

central and earliest activities of the teams that participated in the project. This guide elaborates a broader, more comprehensive framework and provides a context for conducting and using the criminal justice system assessment (see “*System, Systematic, and Systemic Defined*”). It is enriched by the experiences of the participating sites and the lessons learned over the course of this and other projects.

NIC initiated deliberate efforts to capture lessons from the project. In 1997, NIC, in cooperation with the National Institute of Justice, contracted with Policy Studies, Inc. (PSI) to conduct an assessment of the utility and effectiveness of the CJSP process at the participating sites.² PSI worked closely with NIC, project staff, and the sites throughout the 3-year effort. Their findings are reflected throughout this guide.

The Guide

This guide has been developed for policymakers and practitioners interested in working together to create an effective criminal justice system that delivers greater public safety and justice. One of the chief lessons of the CJSP initiative and related projects is that it is difficult to separate the business of creating purposeful and effective sanctions from the need for a larger change in the attitudes that criminal justice policymakers bring to their responsibilities. A collaborative approach is one such change: All of the parts of the system sitting down together to address their common responsibilities is a vital part of doing the people’s business more responsibly and effectively. Another is that corrections agencies and the sanctions they manage have a large part to play in advancing justice and public safety—but only if they are viewed and operated as a part of broader strategies to address these goals. Public safety has little chance of being furthered if we wait for crime to happen and then assign each part of the system one piece of “handling” its aftermath. Corrections, police, the courts, prosecution, and all other agencies of the system can be vital players in promoting safety and preventing crime, as

²PSI’s observations, findings, and recommendations about criminal justice system planning can be found in their final report, *Criminal Justice System Project Final Report of Evaluation Findings: Critical Components for Successful Criminal Justice System Planning*, Washington, DC, U.S. Department of Justice, National Institute of Justice, Office of Research and Evaluation, May 23, 2001.

well as in solving crime and holding offenders accountable, if they participate in a collaborative problem-solving process that makes the best and smartest use of their individual and collective authority, intelligence, and resources.

An effective, policy-driven array of sanctions is one component of an effective criminal justice system. For sanctions to serve the interests of public safety and justice, they must be purposeful and designed within the context of a particular criminal justice system and community. Therefore, this guide addresses in detail criminal justice system assessment and planning and the process and strategies of change.

The guide contains an overview of the activities, methods, and tools necessary for all of these activities. This information is provided in the form of vignettes, examples, case descriptions, and tools and exercises that will assist the efforts of criminal justice policy teams. These are drawn from the experiences of policy teams that participated in CJSP and many other related projects of the National Institute of Corrections.

This guide is designed to provide readers with a framework for—

- Envisioning a desired future for their criminal justice system.
- Assessing their current criminal justice system.
- Planning and implementing strategies to achieve their vision that are based on their assessment of the current criminal justice system.

The guide is also designed to provide practitioners with tools and methods to—

- Understand and use a policy team process to establish and achieve criminal justice system goals.
- Make better criminal justice decisions—decisions made with valid data and information and articulated in explicit policy.
- Manage their criminal justice system in a more rational manner.

System, Systematic, and Systemic Defined

The words **system**, **systematic**, and **systemic** are used throughout this guide. In the term **criminal justice system**, **system** refers to the entire group of agencies and policymakers charged with developing the policies, practices, and procedures for the enforcement of our criminal laws, statutes, and ordinances; protecting the safety of our communities; carrying out the daily activities involved in enforcing criminal laws and protecting public safety; and ensuring that all of these activities, policies, procedures, and practices are carried out fairly and justly. Although the dictionary defines **system** as “a set . . . of things so connected or related as to form a **unity**,” we make no such observation or assumption about the criminal justice system. Our state and federal laws and constitutions have established the authority of system members in such a way that they are guaranteed to operate with a large measure of autonomy that usually precludes their operating in a fully unified fashion.

Elsewhere we refer to a **system of sanctions**, meaning the collection of sanctions available in a particular jurisdiction. Here, too, we are taking liberties with the dictionary definition, which calls a system “a set . . . classified or arranged in an orderly form so as to show a logical plan.” Most jurisdictions certainly aim for a broad array of sanctions characterized by an orderly progression of features. For a variety of reasons, funding and political realities among them, few get as close as they might like to a true “system” of sanctions.

In this guide, we use the word **systematic** in two ways. One usage means that a particular examination or assessment has been careful and thorough in taking account of all facets, entities, or approaches in gathering the facts about a situation or problem. The second usage is closely related; that is, in examining an issue, policy, practice, or proposed solution, we have taken account of every part of the criminal justice system that it might or does affect.

Systemic refers to an overview of the whole criminal justice system—the opposite of an agency-specific view or analysis.

Although the approach to planning described here is useful in a variety of settings, the guide assumes that the primary users will be local (that is, city or county) criminal justice policy teams.

Gaining a true picture of this process and the features of this approach is not simple, primarily because the tasks involved are so different from one another. Some tasks relate to improving interpersonal communication and trust as the basis for building interagency communication and cooperation. Others are straightforward parts of traditional strategic planning, for example, system mapping and data gathering. Therefore, it is accurate to speak about both the principles and the tasks of this approach, which is reflected in the organization of this guide. Each area of work is presented as a “principle,” followed by tasks, tools, and examples.

The work described in this guide is not simple. The individual tasks may be readily definable and clear, but management of all of the different parts of the tasks is formidable. Because of the complexity of the overall enterprise, any jurisdiction interested in pursuing this approach would do well to consider a variety of strategies to ensure that the needed but quite different skills and attributes are available to carry it out. Some jurisdictions have found it helpful to have both a leadership group and a staff team who can jointly manage the overall progress of the effort.

This guide is intended to be used by those who will be responsible for managing this process, whether in the role of staff or leadership. Because the process is so complex, it is easy to lose sight of its purpose and long-term goals. Having both the leadership and the staff use the guide regularly will help keep the entire group from getting lost in the details of the individual steps or phases of the process. All members of the team or work groups may benefit from this guide, and the exhibits, exercises, and other components may be duplicated for distribution to others.

Introduction

The title of this document may be offputting: *Getting It Right: Collaborative Problem Solving for Criminal Justice* might imply that we are not getting it right and that our criminal justice systems are not as effective as they could be. To gain a helpful perspective on these questions, consider how those who live or work in your community would respond. Do they think that their homes, workplaces, schools, or neighborhoods are safer because of the sanctions that are in place? Do they think that the justice system that dispenses those sanctions treats people justly and that the sanctions themselves are administered fairly?

The cost of sanctions is growing. Between 1985 and 1995, American taxpayers almost doubled their per capita annual expenditures on the operation of corrections nationally to \$151.29 per person.¹ It seems unlikely that most taxpayers believe they are receiving sufficient value from those expenditures—never mind the considerable funds spent on investigation, apprehension, prosecution, and adjudication to identify the perpetrators of crimes so that they can be sanctioned.

Many challenges exist for collaborative problem solving and for the creation of an effective criminal justice system that implements purposeful, effective sanctions, including the following.

Challenge: Assumptions About Criminal Justice Are Not Clear

Few issues in American public life inspire quite as much passion as crime and punishment, which go to the heart of our view of ourselves as a civilized society. From a simplistic view of the world to the most complex, crime and punishment play a role. We see these issues play out in our earliest introduction to literature in children’s books, where “the robbers are taken off to jail where they belong.”² Popular culture counts on our satisfaction when the police succeed in “getting the bad guys” in movies and television programs. Underlying this common discourse about crime and punishment seems to be the assumption that we all agree on what the criminal justice system does with and to offenders, that there is some underlying cohesion to the system, and that it works to make us feel safe and reduce crime. Otherwise, why would we continue to operate our systems at such enormous cost and with such enormous investment of human capital?

The investment is indeed enormous: “Between 1985 and 1995 expenditures for operating the Nation’s justice system increased from almost \$65 billion to over \$112 billion, an increase of about 73 percent in constant 1995 dollars.”³ During the same period, the number of adults under some form of correctional supervision grew from 3,011,500 to 5,335,100, an increase of more than 77 percent.⁴ Certainly, we would not undertake such a massive endeavor without a

¹Bureau of Justice Statistics, *Justice Expenditure and Employment in the United States, 1995*, BJS Bulletin, Washington, DC, U.S. Department of Justice, November 1999, NCJ 178235, p. 2.

²From Richard Scarry, *The Great Steamboat Mystery*, Walden, WI, Golden Books, 1973. Other examples include Nancy Drew mystery novels, Aesop’s fables, nursery rhymes, and Disney tales.

³Bureau of Justice Statistics, *Justice Expenditure and Employment in the United States, 1995*, p. 1.

⁴Bureau of Justice Statistics, *Sourcebook of Criminal Justice Statistics, 1998*, Washington, DC, U.S. Department of Justice, October 1999, NCJ 176356, p. 462, Table 6.1: Adults on probation, in jail or prison, and on parole in the U.S. from 1980 to 1997.

clear sense of purpose and an equally clear sense of the effectiveness of what we are doing. Surely, these resources are invested in a systematic fashion—we take care to understand the threats to public safety and to match our responses carefully; we seek to put the collective authority and resources of our criminal justice agencies to strategic use in creating responses; and the sanctions we develop are well targeted to the offenders in our system to achieve agreed-on objectives.

Unfortunately, these assumptions are largely false. In most places, the criminal justice system does not approach public safety in a collaborative, problem-solving way. Agencies go about their business in fairly isolated, case-specific, and after-the-fact ways. Furthermore, neither the array of sanctions nor the way in which they are used is well defined, systematic, or guided by a clear sense of purpose. The reasons are many and compelling.

Challenge: The Criminal Justice System Is Complex and Fragmented

The criminal justice system in the United States is complex and fragmented, partially by design and partially as a result of the nature and timing of its growth and development. One cause of the complexity and the cumbersome nature of the system is the scheme of “checks and balances” deliberately built into it. For example, the adjudication of criminal cases uses an adversarial process to establish guilt or innocence. The process is designed in this manner to balance community safety and just punishment with the protection of individual rights.

Other aspects of the system’s complexity and fragmentation result from the very nature of our system of government. This system reserves various functions to different levels (federal, state, county, municipal) and branches (legislative, executive, judicial) of government. In fact, parts of the criminal justice system reside in all three branches and at every level of government.

Overarching these issues of structure and process is the fact that delivering public safety and administering justice are unlike other government services. This is not about making sure the streets are clean but about our most treasured notions of right and wrong and our obligations to one another, combined with equally strong ideas about personal liberty and individual rights. The criminal justice system tries to fulfill our ideals about justice in the untidy world of real life. This involves dealing with politics, human frailty, scarce resources, and myriad conflicting and competing forces, including individual interpretations of “justice.” The system’s sheer size, resource needs, and rate of growth have added to the difficulty of these issues. These factors, in turn, have been exacerbated by an explosive growth in our efforts to use the criminal justice system as the main vehicle to resolve or respond to certain social problems and a consequent escalation in the importance of the private sector as a provider of correctional services.

Responding to the Challenges: Collaborative Problem Solving in the Criminal Justice System

The challenges are formidable. It has been the experience of the National Institute of Corrections, with more than 20 years of working on this issue, that the creation of a policy team committed and prepared to engage in a collaborative process of problem solving and criminal justice system planning is the only way that these challenges can be met and overcome.

In a policy team, the system's leaders, drawn from different agencies, different branches of government, and perhaps different political parties or beliefs, can function as a true management body, working together on jointly identified goals, addressing problems that affect the entire system, and using the collective wisdom of their varied experiences and perspectives to deliver safety and justice. This is, after all, their mutual responsibility.

Together these leaders are smarter, know more, and have more resources at their disposal than any one individual. Together they are in a better position both to anticipate the risks of any decisions and actions and to stand firm with one another when one or more of those decisions or actions fail or produce unanticipated results. Together they have access to more information, and more kinds of information, than any of their agencies have alone. Together their access to and contact with a broad cross section of constituent groups and private organizations are greatly expanded. Together they are far better at delivering safety and justice.

Section ONE

A Comprehensive Planning Process: Overview



Whys and Wherefores

As the title implies, this publication is a guide to systemic, collaborative, criminal justice system planning and problem solving. This kind of planning is critical to a system that can deliver its promises of safety, justice, and accountability. It is necessary if we are to have sanctions that are sensible and effective in meeting the goals desired for them and in contributing to greater public safety.

Why Do We Need Criminal Justice System Planning?

The criminal justice system has a massive responsibility to ensure that government delivers *public safety*. Public safety is the purpose, the single largest reason why most people agree to be “governed” in the first place: The freedom to live one’s life, go one’s way, and raise one’s children without fear of harm.

For much of the 20th century, many people felt that they could leave their doors unlocked and the keys in their cars. Many parents did not worry if their children went to the neighborhood playground in the morning and were gone most of the

day. Bicycles were left unchained on front stoops, and lawnmowers sat on back porches. Women walked home at night from work, church activities, or the movies without fear.

Sadly, things began to change, and the criminal justice system had a significant problem. People no longer felt safe about their children, their homes and property, or themselves—and they wanted to know what the system was doing about it. In time, public safety, whether in the form of police operations, court salaries, or the prison system, became the biggest consumer of tax dollars on the state and county levels.

But all of those system resources—all of those investments in crime-fighting—have not gone very far in generating the sense of safety we all crave. And they have left the criminal justice system with a new problem: *credibility*. What is the system *doing*? And what is it doing with all of that *money*?

The old way of doing business—I take care of my business and you

Before we initiated a collaborative criminal justice planning process, I had to communicate separately with every single criminal justice official. Now, we have a process that works and a forum for creating criminal justice change that everyone buys into.

—Ross Davis, former Chief
Circuit Court Judge and
Chair of the Jackson County
Criminal Justice Policy Council

take care of yours, whether investigating a crime, holding someone in jail, putting together a convincing case against a defendant, or supervising a convicted offender—just does not make a lot of sense to a public weary of fear. The public wants to believe that the agencies of the criminal justice system are thinking and acting strategically, that their leaders are—

- Sharing information about crime: where, who, when, and why.
- Constantly improving their ability to get that information and put it to effective use.
- Developing common goals and strategies to prevent crime, respond to it, and reduce its impact on communities.
- Making strategic joint decisions about the deployment of resources in support of those goals.
- Evaluating their progress regularly and making changes as needed.

The public does not care whose fault it is that police officers spend too much time going to court for hearings that eventually are continued—they care only that the officers are not on the street. Communities do not care who is responsible for holding drug-abusing defendants in jail—they just want to know that eventually treatment will be provided to those defendants. The public does not care how much electronic monitoring units cost or which department pays for them—as long as they are being used on the right people. Communities want to know that agencies of the criminal justice system are paying attention to the

things that matter to them—and that the attention the agencies are paying is smart and will make their neighborhoods safer in the long run.

Because agencies of the criminal justice system must be smart, strategic, and credible . . . because the public demands and deserves no less . . . because the public's money and well-being are at stake—for all of these reasons, we need criminal justice system planning.

When Do We Need This Systemic Planning?

Let's face it: Change is hard. Sharing information . . . making joint and mutual decisions about deploying resources . . . opening an agency's operations to the scrutiny of others—all are big changes, and most of us must be facing a crisis before we make changes of that magnitude. The crisis could appear in many forms, including the failure of a jail bond issue with voters, a series of well-publicized crimes committed by probationers or defendants out on bail, the presence of recent arrivals to a community who are being viewed with suspicion by long-time residents, or accusations of misconduct directed at police officers or sheriff's deputies.

But sometimes change is possible and doable because the moment is right. Perhaps all of your system's major players have been around for a while and are secure and comfortable with their own positions and with one another, and they want to create a legacy before they leave. Perhaps a newcomer

has assumed a key leadership position in your system and has lots of energy and vision.

Is there a wrong time to take on such an effort? Certain conditions or factors can help make an effort work. Some of these are described above. Others include having sufficient staff and budget resources to sustain the level of sheer work involved and the commitment of policymakers to participate. However, any number of negative factors can be overcome by the dedication of a gifted, energetic leader or a talented group of trusted deputies; a crisis of sufficient depth; or the emergence of powerfully persuasive information.

Sometimes it is just not the right time to initiate criminal justice system planning because a crisis may be so consuming, a political dispute so divisive, or an external change so large that policymakers simply cannot give sufficient focus to the effort. There is, however, no reason why some key leaders or key staff cannot begin to put some of the pieces in place or lay the groundwork for such an effort in the future.

Okay, But What Is Criminal Justice System Planning?

Criminal justice system planning is first and foremost a *process* that is focused on outcomes, directed by a collaborative team of policymakers, and informed by information and data. The process is time consuming; it is not linear but, rather, circles back to revisit and reevaluate issues, problems, and

proposed solutions. It has three distinct planning elements:

- Creating a vision of success for the criminal justice system. (Where do we want to be in the future?)
- Assessing current policies, practices, and programs and how have they changed over time. (Where are we now?)
- Planning and implementing strategies for change. (How do we get from here to there?)

Such a process requires a *policy team* whose members, once engaged, have to be willing to—

- View the system from all perspectives, not just their own.
- Examine and challenge their beliefs and attitudes about crime and their responses to it.
- Be accountable to each other and to the public in new ways.
- Interact with criminal justice colleagues and the community in ways that are mutually beneficial and not adversarial.

A policy team engaged in an ongoing criminal justice system planning process will be better equipped to accomplish the following:

- Address criminal justice system problems as they arise.
- Identify system gaps and implement criminal justice system policies and strategies that address them.
- Develop strategies to achieve desired outcomes for offenders and the system.

- Monitor and evaluate system effectiveness and measurable outcomes.

Who Does the Criminal Justice System Planning?

Planning for or within the criminal justice system is hard because it has never operated as a system. Nobody is in charge and its basis in the law is fundamentally adversarial. For generations, we have defined its primary stance as reactive: We wait until crimes are reported, the police search for the persons responsible, the jail holds the suspects so that they do not flee, the prosecutor and the defense attorney muster evidence and arguments about why the suspects are or are not the right persons, and the judge sits—literally—above it all as the neutral trier of whatever “facts” the prosecution and defense bring before the court. Each agency is funded separately, each defines “success” differently, and some of its leaders have to stand for public election.

These factors combined do not lead to either a “system”—many parts working in concert toward a common goal—or to planning.

But the public, as indicated earlier, has become impatient, and most jurisdictions are feeling the demand that they do their business differently. It is no longer sufficient that a court has the most efficient case management system in the country: good but not sufficient. The county jail may be a model of cleanliness, order, safety, and programming—but the wrong

people may be in it. And, by the way, who decides who the *right* people are? The prosecutor’s office has an excellent conviction rate, but what about the cases they are declining, and do the police feel that they are getting support for their work in the community?

Criminal justice system planning must be conducted by the leaders of the system convened as a *policy team*. The chief judge, the elected prosecutor, the court administrator, the chief of police, the sheriff, the head of probation, the captain of the jail, and others meet to forge a common vision, decide on what they need to know and who has the information, make strategic decisions about what problems to tackle based on that information, and create common policies and practices across their agencies. This means letting go of a case-by-case approach and taking a broader view of both responsibilities and problems.

Do You Expect the Chief Judge To Read This Guide?

The work, of course, will be done by staff, including and starting with this guide. Staff, however, cannot make the kinds of decisions that policymakers have to make. This guide is designed to provide staff charged with supporting a policy team with the tools they need to assist policymakers in taking on the planning process. It can also offer the policy group leadership an overview of the expected activities and results of the process.

How Do I Proceed?

Getting a true picture of this process and the features of this approach is not simple, primarily because the tasks involved are so different from one another. Some tasks relate to *process*, to improving interpersonal communication and trust as the basis for building interagency communication, cooperation, and collaboration. Others are the very straightforward components of traditional *strategic planning*: system mapping and data gathering, for example. Still others relate to *outreach and networking*. Therefore, it is accurate to speak about both the principles and the tasks of this approach.

We have organized the guide to reflect this. We present each area of work as a “principle,” and the tasks, tools, and examples follow. These are drawn from the experiences of the policy teams who participated in the Criminal Justice System Project and many similar NIC projects.

Because these tasks are so different and require such different skills, it would probably be useful to read through this guide before proceeding. Look at each area and think through the following questions:

- *As you look at this work in total, is there sufficient pressure or a compelling vision in your jurisdiction to take this on?* You should be able to point to a current or recent crisis or problem that affects enough parts of the system so that you can assume the system leaders will want to engage in this work (see exhibit 1.1). If not, there should be an energetic and powerful leader who can persuade his or her peers to begin this process. It would be ideal to have both: the motivation for participation and the leadership to help the process succeed.
- *Does your jurisdiction have available resources to assist with this?* Reading through the guide will provide a sense of the kinds of skills and resources that this process requires. Before proceeding, it will be useful to think carefully where some of those might be found.
- *Where would the leadership and support for such an effort come from?* If your jurisdiction has experienced recent problems or crises, which agencies or officials were affected? Who would have an interest in solving the problem over the long term? Can a potential leader be identified among any of those agencies or officials?
- *Who would be interested in working on this with me?* Once you have answered the first three questions, it would be useful to convene an informal planning group of peers in your own and other agencies or departments to work with you. In considering who might be part of the planning group, be sure to consider possible candidates from the agencies from which you hope to draw your eventual leadership and/or resources.

Exhibit 1–1. Are You Ready To Establish a Criminal Justice System Planning Process in Your Jurisdiction?

How many of the following statements can you answer “yes” to? The more statements you can check off, the better equipped you will be to establish an effective planning process.

- _____ Compelling criminal justice problem(s) that need to be worked on have been identified.
- _____ There is dissatisfaction with the way the criminal justice system currently operates.
- _____ Others share my belief that compelling criminal justice problem(s) need to be worked on.
- _____ Criminal justice leaders want to address the problem(s).
- _____ Elected officials, citizens, media, or others have generated external pressure to do something now.
- _____ Critical agencies and criminal justice leadership have expressed interest in and commitment to participating in a planning effort.
- _____ Key agencies are prepared to engage in a planning process to define a vision of success, mission, common goals, and desirable outcomes.
- _____ A strategy for establishing a diverse policy team exists.
- _____ A plan and process are in place for structuring the policy team and for meeting regularly and communicating effectively.
- _____ Staff resources are available to support an ongoing planning effort.
- _____ Information and data that can support a planning effort are accessible.

An effective system of sanctions can best be described as a scheme of options or responses to criminal behavior that meet the goals you have for the offender population, are informed by research, and are consistent with the vision and goals of the criminal justice system.

—Honorable Jefferson D. Sellers,
District Court,
Tulsa County, Oklahoma

Payoffs: What Outcomes Can We Expect From This Process?

A criminal justice system planning process is time-consuming, hard work. It is understandable that policymakers want to know what they can expect to get from it. Although no two jurisdictions are the same, and what you get will depend on what you bring and put into it, some common payoffs include the following.

More Effective Sanctions That Deliver Greater Value for Public Dollars

During the past decade, jurisdictions have implemented a vastly increased number and variety of sanctioning options (see “An Example From Dutchess County, New York”); new technologies permit ever more sophisticated assessment and monitoring of offenders. Creativity and technology, however, will not make sanctions more effective or better able to meet their purpose for the funds available. Jurisdictions can still have the “wrong” offenders in them, and sanctions can be poorly planned and explained, overlap with one another, and waste resources.

Rather than the discrete programs or options of corrections agencies, sanctions have to be seen as tools

An Example From Dutchess County, New York: Sanctions for Offenders Are More Cost Effective Since the Policy Team Took a More Deliberate Systemic View of Criminal Justice

The Criminal Justice Council in Dutchess County, New York, has implemented a variety of community programs for adults and juveniles to relieve jail crowding and reduce the need to build new jail beds. Their criminal justice system planning process helped them identify gaps in the current continuum of sanctions, develop strategies for managing the jail population, and answer tough questions about how they were using criminal justice resources. Ultimately, the council agreed to implement a range of community sanctions they felt would be more responsive to offender needs and public safety. They feel they are better positioned in the long run to target affordable criminal justice resources to achieve positive outcomes with offenders. The Dutchess County Criminal Justice Council continues to promote cost-effective, evidence-based alternatives to incarceration.

The following table shows sanctions for the Dutchess County offender population in 2004.

Sanction	Offenders
Jail	75 (5%)
“Traditional” Probation	1,161 (63%)
Specialized Alternatives to Incarceration	
Specialized DWI Caseload	209 (11%)
Day Reporting Center	102 (6%)
Sex Offender Program	92 (5%)
Transitional Housing Program	60 (3%)
Electronic Monitoring Program	38 (2%)
Batterers’ Intervention Program	37 (2%)
Domestic Abuse Response Team	26 (1%)
Intensive Treatment Alternative to Prison (ITAP)	21 (1%)

We created and institutionalized a forum for the key players to listen, learn, discuss, and resolve the most difficult and sensitive issues. At the same time, we also created a mechanism that breaks down and cuts through the various layers of bureaucracy so that valid concerns can be addressed quickly and more efficiently.

—Honorable John Andrew West,
Court of Common Pleas,
Cincinnati, Ohio

An Example From Jackson County, Oregon: Implementing a Range of Pretrial Initiatives Enhances Public Safety and Reduces Costs

Severe jail overcrowding, a court-mandated jail cap that required the release of up to 40 or more people from jail each week, and a high failure-to-appear rate had become a way of life in Jackson County, Oregon. To gain control of their system and positively affect their current situation, the Jackson County Criminal Justice Policy Council undertook an assessment of their entire criminal justice system in 1999. With NIC assistance, the council reviewed all of their agency policies and practices; examined their decisionmaking process at each point in the criminal justice system; conducted studies of their pretrial release and jail populations; and surveyed community attitudes. They used the data and information they collected to understand existing practices, identify gaps in their current system, propose potential solutions, and design program options that were more responsive to their needs. These options included a validated pretrial release assessment instrument, a callback telephone monitoring program for pretrial defendants, enhanced supervision for probation and parole violators, and specialized pretrial supervision caseloads.

Over time, the council's initiatives have proven to be successful in addressing criminal justice system gaps more effectively and increasing public safety. As a side benefit, Jackson County has realized a significant cost savings in jail operations and community supervision since agency procedures and protocols to support the new initiatives were implemented.

The following table summarizes improvements in Jackson County's criminal justice operations.

Failure-to-Appear Rate

Before Implementation of Pretrial Release Tool: 28%

After Implementation of Pretrial Release Tool: 22%

After Implementation of Callback Program: 10%

Pretrial Release Interviews Conducted

Before Implementation of Pretrial Release Tool (1999): 3,500

After Implementation of Pretrial Release Tool (2000): 4,000 (12% increase)

Court-Ordered Mandatory Early Releases From Jail Because of Overcrowding

1999: 690

2000: 300 (57% decrease)

Cost Savings

Sheriff and Community Justice Departments estimate that they have saved hundreds of thousands of dollars in operating costs.

of the *entire system*, purposefully put to use to achieve specific aims. That requires agreement among system policymakers about their purpose, optimum capacity, target population, and most appropriate uses relative to one another; and policymakers' willingness to abide by these agreements in imposing or recommending sanctions. Those variables require policymaker communication, a common vision and goals, and good information.

Institutionalized Problem-Solving Capacity

When policymakers meet regularly—agreeing on common interests and shared goals, collecting and considering a range of data and information, making strategic decisions about what problems to tackle based on that information, and creating policies and practices across their agencies—they create a venue where the identification, debate, and resolution of new or previously unaddressed issues and problems of all kinds can go forward routinely. In time, as the participants' trust and experience grow, the group's problem-solving capacity will become essential to the system's operation.

Enhanced Public Safety

The reactive stance of earlier times is no longer acceptable for those who would claim to be protecting the public. To make public safety their real priority, to seek public safety as the first outcome for all

decisions, criminal justice policy-makers have to admit that not one of them has all of the answers or all of the information. Only then can they go about the business of piecing together vital intelligence about crime and criminals, about crime's patterns and places, and about the situations that seem to give rise to greater risks. Doing this is the first step in the process of achieving public safety. In a policy team, information from all agencies can be shared, potential solutions can be explored, and all of the authority and resources can be deployed in common strategies (see "An Example From Jackson County, Oregon," page 10).

Better Use of Public Resources

In addition to the advantages of more carefully targeted, nonoverlapping, effective sanctions and a more rational and systematic approach to crime prevention and control, jurisdictions who take on this process will complete a criminal justice system assessment. The jurisdiction produces a detailed system map and gathers together in one place an information-based description of how the system is currently operating and how it has changed over time, including problem areas, strengths and weaknesses, and opportunities for change.

The process of completing the map and the system assessment often reveals areas of unneeded duplication of effort and costly delays in

In Maricopa County, our criminal justice policy team—McJustice—developed a vision, mission, and goals that speak to our values as a system and as elected and appointed officials responsible to the citizens of the county. By working together as a team, we developed trust and credibility among ourselves and, in doing so, are able to accomplish much more than we could as individual policy-makers.

—Honorable Ron Reinstein,
Superior Court of Arizona

An Example From Alaska: Mental Health Court Reduces Costs and Serves as an Effective Intervention

In 1998, the Alaska Criminal Justice Assessment Commission identified the mentally ill and disabled as a special population presenting difficult problems for the jail and local justice system. A previous study revealed that more than one-third of incarcerated offenders in Alaska suffered from some type of mental illness, nearly twice the national average (Criminal Justice Assessment Report, 1997). The Commission's Decriminalizing the Mentally Ill Subcommittee recommended the development of a mental health court, known as the Court Coordinated Resources Project (CRP), to work with misdemeanor defendants and offenders with mental disabilities. In July 1998, the Alaska Mental Health Trust Authority (MHTA) funded the CRP to offer services to mentally disabled persons convicted of misdemeanor offenses in the Anchorage District Court. Alaska Criminal Justice Assessment Commission member and Anchorage District Court Judge Stephanie Rhoades spearheaded the implementation of the mental health court and continues to manage it today. MHTA recently extended CRP funding until 2005. The new funding will allow for additional staff and an expansion of the program. CRP attributes its success to a close collaboration among several agencies, including Jail Alternative Services, municipal and state prosecutors, defense agencies, and treatment providers, to design individualized programs of treatment, housing, medication, and other services.

Since its inception, CRP has accomplished the following:

- Provided services that save the state and Anchorage Municipality substantial funds in arrest costs, incarceration costs, and cost of admissions and stays at Alaska Psychiatric Institute.
- Provided services that may result in fewer arrests, suggesting fewer victims and increased benefits to the public. CRP services clearly result in fewer days of incarceration for those who received the higher levels of service (eight or more hearings).
- Served a wide range of defendants, including those convicted of violent misdemeanor offenses. This group is not served by any other therapeutic project and often is not served by other treatment or social services programs.
- Served a diverse group of defendants with proportionately more women and older defendants than typically found in other court settings. Ethnic representation closely parallels ethnic representation data available from other studies of court populations.

Source: *Emerging Judicial Strategies for the Mentally Ill in the Criminal Caseload: Mental Health Courts in Fort Lauderdale, Seattle, San Bernardino, and Anchorage*, Monograph, Washington, DC: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, April 2000.

When the [policy team] brings a proposal to the County Board, it is well received because the county commissioners know that it has been debated publicly by the whole group and that everyone has had a chance to ask questions or raise objections.

—Stan Potocki, former Sheriff,
Portage County, Wisconsin

case processing and the movement of defendants and offenders. These may be remedied with simple administrative or procedural changes or with the addition of new resources that more than earn back their cost.

It may also reveal that some significant, and perhaps costly, trends have developed over time. Inquiries into these trends may yield policy or practice changes that save further resources (see “An Example From Alaska,” page 11).

Enhanced Accountability of the System to the Public and of Agencies to One Another

A policy team engaged in a planning process makes the system transparent. Goals, information, strengths, weaknesses, and resources are all on the table as legitimate topics for regular discussion. These discussions may result in changes in policies and procedures, the development of new systemwide policies, and the creation of new programs or initiatives—putting the members in a position of accountability to one another.

It has been the experience of policy teams that this forum and this process provide an ideal opportunity for involving members of the community and non-criminal-justice agencies and organizations in criminal justice policymaking. They also offer a natural structure through which both public education can occur and public comment can be made.

Greater Fairness in Operation of the System

A criminal justice system that is transparent, whose operation is subject to routine study and scrutiny by all of its leaders and possibly members of the community, will be fairer (see “An Example From Hamilton County, Ohio,” page 13). Many more points of view are bound to be represented as the group studies system operations, and a new perspective may well reveal an unintended bias or flaw in the way “we’ve always done things.”

Enhanced Credibility and Legitimacy of the System and Its Leaders

Of course, if your policy team can *do* all of the above, they are definitely above average! However, it does not take *achieving* each of these ends to enhance the credibility of the system and the legitimacy of its leaders. As they engage in this process, system leaders will be better positioned to explain how their system and their agencies are taking on the difficult issues of crime and safety; on what basis (or with what information) they are making decisions; the priorities they are using for deploying resources; and their reasons for making any decisions that proved to be wrong or that failed. If their process has included community members or private organizations, they are even better positioned to speak to the community’s concerns.

Over the course of the Criminal Justice System Project, participating jurisdictions noted many benefits as a result of their participation in a long-term planning process, including the following:

- Seven sites have policy teams that function as stewards for the criminal justice system. Some of these sites have also committed funds for staff positions to support the work of the teams.
- For the first time, many of the participating jurisdictions have articulated a shared vision and goals to be sought by the entire criminal justice system.
- All of the participating jurisdictions have, for the first time, completed a criminal justice system assessment that gathered together in one place an information-based description of how the system is currently operating, including problem areas, strengths and weaknesses, and opportunities for change.
- Each site has a forum for the identification, debate, and resolution of a wide range of previously unaddressed or undefined issues that affect the criminal justice system's ability to achieve its vision, including jail crowding, the detention of juveniles, the lack of good information, racial disparity in the system, alcohol abuse within communities and among offender populations, and other topics.

An Example From Hamilton County, Ohio: Greater Fairness Leads to More Successful Outcomes for Women Offenders

The Hamilton County (Cincinnati), Ohio, Intermediate Sanctions for Women Task Force began meeting in July 1997 to improve services to women in the county. Twenty-six criminal justice, social, and human services policymakers and elected officials participate on the task force. Their research efforts identified 430 women, or 9 percent of all the women screened by pretrial services from March 2001 to August 2003, for in-depth assessments. The assessments revealed that 67 percent of the women had co-occurring mental health and substance abuse disorders, 25 percent had a mental health disorder only, 2 percent had a substance abuse disorder only, and 6 percent had no disorder.

To address these needs, the task force implemented the following significant changes in their jail intake and pretrial services process for women:

- A centralized assessment unit for women who are in the jail now allows for the early identification of substance abuse and mental illness.
- New programming for women with co-occurring disorders (chemical dependency and mental illness) is in place.
- Changes in bail and pretrial release policies and practices that affect outcomes for women at arraignment and other decision points in the criminal justice system now allow for earlier intervention and assessment.

We feel they have a fairer system that has led to more successful outcomes for women offenders.

—Wendy Niehaus,
Pretrial Services Director,
Hamilton County, Ohio

As a result, members of the Hamilton County task force have noted substantial differences in the way women are processed through the jail and feel that sanctions are now more responsive to the needs of women offenders than in the past. Specifically, they have noted reduced psychiatric symptoms and decreased substance use among women offenders with co-occurring disorders and have realized increased judicial and probation officer satisfaction with the results.

increased substance use among women offenders with co-occurring disorders and have realized increased judicial and probation officer satisfaction with the results.

- The policy teams in the participating jurisdictions have been able to undertake system change that, in some instances, has streamlined the criminal justice process and made additional sanctions available to criminal justice decisionmakers.
- Finally, some of the policy teams have found that the process provides a vehicle for including the community in criminal justice policymaking and a structure for public education efforts.

Core Principles of This Process and Approach

As described in the preceding chapters, this process and the work needed to support it consist of very different types of tasks requiring a range of skills and approaches. The remainder of this guide addresses each of the following key principles, on which this process rests, and provides specific instructions for achieving them.

Establishing the Policy Team and the Process

View the Policy Team as Steward of the Criminal Justice System

The criminal justice system has evolved as a series of separate and distinct specialty agencies and tasks, including arrest, prosecution, pretrial release, trial, sentencing, corrections, parole, and probation. Many of these agencies have achieved excellence within their own areas of responsibility. They have hired specialized staff, developed first-rate skills, and excelled in their areas. What is missing is an overall mission for the entire criminal justice system that is larger than the goals of any of its component

parts. Moreover, the criminal justice system lacks a quality control manager or steward—a group or individual who can develop that mission and oversee how the entire system is engaged in meeting it.

This guide argues that such a steward is essential to the success of the system, and, because there is no manager of the entire system, it is critical that the key policy-makers come together in a policy team to play this vital role. Without a policy body to look across all parts of the criminal justice system, little chance exists that we can forge a shared vision of the system or that even our most passionately held hopes for the future can become a reality.

Collaborate

One of the hallmarks of a systemic approach to criminal justice is collaboration across the traditional boundaries of agency, branch, and level of government. Indeed, because ownership of various portions of the system resides in so many agencies and different levels and branches of government, a

systems approach *requires* collaboration among key stakeholders. Collaboration can be difficult and time consuming because of the many criminal justice agencies involved, but the distribution of responsibility and discretion among different agencies also makes collaboration essential. In jurisdictions that have made a commitment to a systemic, collaborative approach to criminal justice, we observe a marked change in the ways in which the business of criminal justice is conducted. In some jurisdictions, agencies or policy team members share agency resources to achieve a common benefit; they have altered individual schedules, changed court dockets, and inconvenienced themselves to achieve a higher goal or common vision of the criminal justice system. Agency directors have signed joint memorandums of understanding agreeing to consensual decisionmaking on all criminal justice policy matters. The jurisdictions who have been involved in the Criminal Justice System Project and related efforts have succeeded in using a radically different method to attack the difficult challenges within the criminal justice system—they have begun to collaborate.

Provide Necessary Support to the Team and the Process

A comprehensive, collaborative criminal justice system planning process is not possible without the availability of staff and other resources to support the work of the policy team. Staff members are needed to take care of routine administrative tasks, prepare for meetings, collect and present data

and information, prepare reports, and manage communication among the team members. Other resources are needed to support the costs of extended meetings, facilitators for some meetings, and data collection. These staff members and other resources can be supplied in a variety of ways, but it is not possible to move forward productively without them. In fact, beginning the process without some commitment of staff time and resources will likely lead to failure as policymakers feel that their time is being wasted.

Keeping the Focus on Outcomes

At the heart of all the changes and recommended approaches described in this guide is the need for the policy group to agree on what it wants to accomplish and to keep its efforts focused on those goals. A shared commitment to realize specified goals and outcomes forms the basis for collaboration; those goals and outcomes are the criteria by which to judge a policy team's effectiveness, make decisions on change initiatives and the use of resources, and choose among competing problems and solutions. It is necessary to set goals on four levels that are so important that this guide devotes a separate chapter to each.

Build a Vision for the Criminal Justice System

One result of the evolution of the criminal justice system as a network of distinct areas of specialized responsibilities and skills is that each area has come to define

and judge success according to how each defines its job. Courts have focused on timely and efficient case processing and case management; the police have focused on crime clearance rates; and pretrial agencies have focused on failure-to-appear rates. What has often been missing is a focus on a vision for the entire criminal justice system. The criminal justice system is a very costly and powerful part of government. What do we expect it to produce for us? What are the outcomes we should look for as a result of its work overall?

Create a Mission and Goals for the Policy Team

If we can agree on that vision and articulate specific goals, then we can deconstruct the system and look at how each agency contributes to those specific goals. We can spell out the outcomes we should look for and identify how responsibility for achieving those outcomes should be apportioned. We can measure how we are doing and identify gaps and needs.

Research on private-sector businesses reinforces the importance of having an articulated and shared vision for the future. In studying many companies, Collins and Porras¹ found that some firms' stock appreciated 15 times more than the average company that stayed in business from 1926 to 1990. They found that one of the major characteristics of these *visionary companies* was that they had "Big, Hairy,

¹James Collins and Jerry Porras, "Building Your Company's Vision," *Harvard Business Review* 74(5): 65–77, 1996.

Audacious Goals" (BHAGs) and a clear purpose and vision. BHAGs must be doable and readily applied by each employee, but they also challenge the abilities of the organization. This can be risky because the organization channels all of its efforts to achieve a core vision and purpose. The firms studied exhibited a drive for progress and a core ideology of values beyond simply making money. Finally, these organizations were so imbued with their core values that employees received a consistent set of signals reinforcing behavior that supported the BHAGs and the purpose and values of the company.

Understand and Specify the Goals and Outcomes of Sanctions

We all want sanctions that are effective. But effective at what? We expect a wide range of outcomes from sanctions, but those expectations are rarely articulated and measures are rarely taken to ensure that the sanctions can achieve them. A first step is taking time to understand why we sanction; to explore the differences among us in the priority that we give to those reasons; to understand the trade-offs in purposes that often must be made in any particular sanction or case and the likelihood of any sanction meeting its own (much less others') stated purpose; and to explicate the important differences among crimes and the offenders who commit them. If we take the time to do these tasks, we are far more likely to look at sanctions in a nuanced way and to have more realistic expectations about what they can deliver.

Use Evidence-Based Practice

Unlike our counterparts of an earlier day, we have the benefit of research evidence to point us toward correctional practices that are more likely to achieve the behavioral impact we often seek. Too often, we (whether judges, prosecutors, or probation officers) recommend or impose a sanction or program with the somewhat vague expectation that it will be of assistance in dealing with an offender's underlying life issues. We may do so without a full understanding of what those issues really are or what this particular program or sanction can deliver in response. Right now, we have the availability of both assessment tools and proven program design features that can remove the vagueness and make our desired outcomes far more likely.

Building an Understanding of Your System

Public agencies have resisted the idea that they ought to operate on the same kinds of standards as private businesses. They have been reluctant, in many cases, to articulate goals, set targets, and measure performance.

This has been especially true with criminal justice agencies. Because the criminal law is secular, society's effort to codify standards of behavior, to spell out right from wrong, results in resistance in many quarters to basing criminal justice policy or its implementation on empirical information. Many policymakers have been content to make policy—whether in the form of new laws, budgets, or common practice—on

the basis of beliefs and assumptions. So it is not a surprise that the system has not valued good information or invested in the kind of automated data capacity that might have supplied that information.

However, once the policy team has begun focusing on a larger vision for the system and on defining specific outcomes, good information becomes an essential next step—perhaps even the first step. *Conducting an assessment of the criminal justice system* is the process of gathering and looking at that information. The policy team needs to know the full range of the system's activities, what each agency does and how it does it, the numbers of people the system takes in, the kinds of cases it handles, and how those cases are disposed. The team will want to understand where resources go and to what end. They will want to assess how well things work, in terms of both operations and outcomes, as measured against the vision and goals they have taken as their own. Conducting this system assessment is a large undertaking. This guide devotes six chapters to its various components:

- **Obtain All the Necessary Information.**
- **Plan Your System Assessment.**
- **Map the System.**
- **Document and Assess Current Policies and Practices.**
- **Gather Information on Your Offender Population.**
- **Document and Assess All of the Resources Available to You.**

All of this is information in the service of understanding and analyzing your system. This information is distinguished from information gathered to measure or evaluate the success of a program or initiative.

Once you have good system information, the next step is to gather data that enable you to measure and evaluate your activities. As in many other areas, the police have led the way in the analysis and use of good data. Once police departments decided to stop simply reacting to crime and to try to understand and control it, they realized they needed hard numbers. Increasingly, police departments across the country are developing sophisticated crime-mapping capabilities that allow them to perform real-time analyses of crime patterns. Other parts of the system are beginning to appreciate the value of this kind of capacity. The routine and ongoing collection and analysis of data permit agencies to understand who is in the system, why, and for how long. Then it is possible to identify the areas where even small changes to operations might yield large impacts and where the investment of new resources would be most productive. Furthermore, if such changes are implemented, it is possible afterward to monitor and evaluate whether or not they are achieving the desired ends.

Part of this understanding and assessment is to look back at how the system has changed over time: What are the trends in bond-setting over the years? Has the average length of stay before making bond

or coming up for review changed? Does the proportion of pretrial to sentenced offenders in the jail look the way it did 5 years ago? How has the proportion of felonies and misdemeanors changed? These results may spur you to look more intensively at how policies and practices in member agencies may have changed without much broad awareness that the changes were happening.

Moving From Understanding to Change

Listen to the Data

The gathering of data and information is not an end in itself but, rather, is done to develop a comprehensive, multilayered understanding of how your system works, of the forces that are engaged within agencies and across the system—*in order to identify what it will take to make it more closely realize your vision for what it should be*. It is a more reflective phase: to look at the big picture provided by the system assessment and begin to see it not as a collection of fragmentary bits but as a single picture of a functioning whole (even if the functioning is not great!)—a picture that invites the observer to want to jump in and take action.

Connect With the Community

Establishing strong connections with agencies and leaders from the community through or as part of this process serves several interests. First, these agencies and leaders represent important resources to the criminal justice system: intelligence, information, support,

and assets. As we have seen the criminal justice system go from being the place of last resort to an essential player in our response to all kinds of personal, social, familial, neighborhood, and other problems, it is vital that the system identify and ally with the organizations and individuals who can reconnect people with more appropriate resources. These people and agencies are also important sources of information about neighborhoods, conditions, and problems that need to be addressed in the interests of public safety. Second, community members are the primary constituents and customers of the criminal justice system—it is, after all, their safety that you are charged with securing. It is helpful to have their perspective present or available as the policy team discusses issues and options. Third, by including them in some way, you are educating community members to the issues you struggle with and building a constituency for your decisions and needs.

Adopt a Problem-Solving Approach

An essential part of the change in the way the system does its business is a fundamental shift from a reactive posture to an active, problem-solving approach to issues of crime and safety. The shift to trying to *catch* people who are committing or have committed a crime may take time for leaders who are used to acting *after* something has happened. In approaching the crime problem, our systems tend to rely on after-the-fact strategies rather than on seeking to prevent or ame-

liorate the problems, conditions, or situations that encourage or facilitate crime. This shift will become easier once policymakers have identified and committed themselves to specific outcomes. With clear goals and good information, the policy team will more readily take problems and issues apart to seek true understanding before leaping ahead to solutions.

Exert Leadership

No policymaker in any criminal justice system lacks things to do. Persuading them to take on a process that will be hard and time consuming is not easy. Keeping them involved, committed, and working is even harder. The advantages of this process may seem distant, while the costs are immediate. The process requires leaders who can stand back and see the payoffs, who are willing to take risks, and who are willing to use their personal credibility and stock with their peers to get this effort off the ground and keep it going.

Develop Policies, Procedures, and Programs as Strategies To Achieve Outcomes

If you have identified the outcomes you expect from the system and from each agency . . . if you have taken the time needed to gather valid information about the system and assess how well it is doing . . . if you have been thoughtful about understanding the problems and issues that assessment has revealed—then you are positioned to see your policies, procedures, and programs as the tools and strategies that you can employ to

achieve your goals. You are less likely to look at these as the discrete and immutable possessions of individual agencies and more likely to view them as collective resources to be used for common ends. For example: How might the specialized staff of one agency be deployed to solve the larger problem common to several? Do the procedures of another agency get

in the way of an approach that the policy team has agreed to try? Finally, if you have taken the time to go through the process as described, the implementation of policies, procedures, and programs to bring about outcomes is often much more efficient and you will be prepared to handle unexpected glitches that may occur.

Section TWO

Establishing the Policy Team and the Process



View the Policy Team as Steward of the Criminal Justice System

The Principle

The *policy team* is at the center of a comprehensive criminal justice system planning process. Underlying everything described in this guide is the assumption that a group composed of key elected and appointed criminal justice system officials and others will convene specifically to accept oversight responsibility for directing and operating the entire criminal justice system. The planning process is the vehicle by which the policy team can begin its work and carry out its responsibilities.

Tasks To Accomplish

It is tempting to skip over the preliminaries and jump right into the tasks that make up the planning process or the even more satisfying work of developing solutions to problems. It is important to remember, however, that *how* the policy team comes together and begins its work is the key to long-term success of the whole endeavor.

Decide on Membership

The size of the policy team will partly depend on the size of the jurisdiction, but effective teams rarely are larger than 25 members and most are closer to 20 members. All of the central agencies and sources of power must be represented on the team. In addition, the team will likely benefit from the involvement of citizens and representatives of non-criminal-justice agencies. Subcommittees and working groups offer opportunities to include more people and communities if the numbers are already large.

The issues of team membership and leadership are closely linked. The success of the effort depends largely on the quality of its leadership. Leadership may take the form of an individual or a group and should consist of people who enjoy broad respect from colleagues, who are willing to use that “political capital” in support of the team effort, and who have an open and cooperative communication style.

I play a dual role with the policy team. As the Director of Probation for St. Lawrence County, I am a member of the team, and I am also their key staff person. Members of the policy team put a lot of their trust in me, and I have a lot of confidence in them. We are all committed to the same vision and trust each other to work together to achieve our goals whatever “hats” we are wearing.

—Francine Perretta,
Director of Probation,
St. Lawrence County, New York

Tasks To Accomplish

- Decide on membership.
- Obtain agreement on service.
- Empower the group.

The effectiveness of the team and its leadership are enhanced if both play a part in determining team membership, so it is probably best to decide where the leadership will come from and to involve those persons at the earliest possible time. (Of course, leadership might change over time, new leaders might emerge from the group, or current leaders might step aside for a variety of reasons.)

In most cases, the choice of policy team members will be obvious. If possible, the membership should include key elected and appointed leaders and policymakers from the court, law enforcement, corrections, and county government (e.g., the chief judge, district attorney, sheriff, head of probation services, and chief public defender). Your jurisdiction, however, may have a flat judicial structure with each judge equal to the others and no presiding judge. Or the county may have four large towns, each with its own police department and police chief. Or the county board of commissioners may have six members. Similar considerations should be given to state-level policy teams. What are the main criteria for choosing members? Two factors are key: their power and influence with their peers and the larger community and their openness to ideas and to new ways of looking at old problems.

In considering who else should be part of the team, it is helpful to think of the parts of the process: establishing a vision, gathering information, understanding problems, identifying solutions, and

developing and implementing policies, procedures, and programs. Who can best help the team accomplish each step? Consider the following: Who has vital information about how things work? Who understands the community and can help build support for new initiatives? The team exercise at the end of this chapter will help identify stakeholders and prospective team members.

Obtain Agreement on Service

You are asking the leaders of your criminal justice system to change how they conduct business, to cede a certain amount of their autonomy to their peers, and to take on major new responsibilities. In choosing a strategy for contacting prospective members, recognize the enormity of what you are asking. Contact should be initiated by the identified team leadership. The leadership should make certain that each prospective member receives a written copy of initial ideas developed for the team. Whether contact occurs verbally or in writing, the leadership should describe the policy process and its likely benefits, identify other individuals who are being asked or considered, and ask each prospective member about his or her interest in serving.

Respect both the importance of the work and the value of participation by giving prospective members ample information and time to explore the implications. Consider an informal meeting, such as a hosted lunch, to allow prospective members to question the leadership and gain a better sense of what the process might be like.

Such a gathering also can create initial momentum for the effort.

Empower the Group

One way to gain the commitment of team members is to create an important public context for their work. Once the team composition has been agreed on, *have the members appointed officially*. The more *official* the group, the greater its legitimacy and authority. Go to the highest leadership in the jurisdiction for the appointments (e.g., the county commissioners, governor, city council, mayor, state legislative leadership, or presiding judge). Have certificates of appointment printed, and arrange for press coverage and photographs.

Practical Tips and Tools

Get Off to a Good Start

Getting off to a good start entails the following steps.

- **Conduct a full interview with each member before the first meeting of the policy team.** This process is important for two reasons. First, it will help you learn as much as possible about each person before the team meets. The more information available about who the group really is, the greater the chances of success. Second, the team members' responses to questions will become the focus of the first work session once the team starts to meet (exhibit 4–1). Staff members will present to the policy team the range of responses (without attribution) to the first seven questions listed in exhibit 4–1. This

should generate a good discussion about the direction of the effort, possible outcomes, likely pitfalls, and opportunities.

- **Conduct your first policy team meeting as a retreat.** Develop an agenda (exhibit 4–2) and set aside significant time (1½ or 2 days if possible) to meet at a site that is far enough removed from members' workplaces so that they cannot easily return to work during the day. Include some social time as part of the event (for example, begin with lunch and include or conclude with dinner). This will set the meeting apart as a special event and allow members to devote unhurried time to getting to know one another. If the team has been meeting for a while, schedule a retreat as the kickoff for this new "phase" of the group's efforts.
- **Use an outside facilitator to conduct your first meeting.** Dedicate time for unhurried discussion about members' responses to the interview questions, their goals for this effort, and their hopes for the future.
- **Agree on when designees are acceptable.** If the team is to function effectively, team members (that is, the policymakers themselves) must be present to hear information and make decisions. Designees should be reserved for absolutely unavoidable absences.

Value the Process as Much as the Product

In truth, the planning effort can produce little of value unless the policy team members trust one

Practical Tips and Tools

- Get off to a good start.
- Value the process as much as the product.
- Establish some operating norms and stick to them.
- Conduct business deliberately.
- Use a facilitator regularly.
- Agree on the role of staff.
- Build in some accomplishments early in the process.
- Take time to celebrate successes.

another, work cooperatively, and communicate effectively. This is addressed in more detail in the next chapter. Failure to honor and tend to the process of building trust and communication among the team members may result in failure of the whole enterprise.

Establish Some Operating Norms and Stick to Them

One of the truths about the policy team is that each member is more accustomed to being in charge than to being part of a group. Establishing operating norms or ground rules is a simple and nonjudgmental way to help the members begin functioning as a team (exhibit 4–3). Ask the team members to come up with their own—perhaps by asking them to identify what they have found helpful in other settings. Take time to discuss these operating rules and to establish consensus on appropriate behavior. This will set a valuable precedent for process and give the team its first product.

On collaboration surveys completed by policy teams participating in the Criminal Justice System Project and other federal initiatives, respondents consistently disagreed with the following statement: “Our team has developed ground rules on how we will function and how team members will behave.” Their response suggests that even experienced teams have neglected this important area. The policy teams used the survey information to discuss how they operated and made decisions. This, in turn, led all of the teams to articulate their rules for how they ran their meetings. This process helped team

members clarify their roles and responsibilities and made team meetings more productive. The members became more certain about how they could participate in the process and bring about system change.

Conduct Business Deliberately

Make a conscious effort to maintain the policy team over time (exhibit 4–4). One way to convey respect for the value of members’ time and participation is to treat each meeting as a significant event. To do otherwise is to risk members’ feeling that their time is being wasted.

- Designate a regular meeting time or create a meeting calendar that extends well into the future. This helps avoid the “designee problem.” It is always easier to cancel an unnecessary meeting later than to schedule a meeting in the first place. Send reminder notices.
- Create an agenda for each meeting that includes estimated times for each item. Use discussion and comments from previous meetings to drive the agenda for the next meeting. The chair and staff should discuss the order of the agenda and the work to be done for each item. Start and end every meeting on time, unless the group agrees otherwise. Consider starting each meeting by briefly reiterating the team’s mission and goals. Highlight how each item on the proposed agenda relates to this. Review work completed and accomplishments since the last meeting, and leave the meeting

with clear assignments and work tasks for the next meeting.

- Use newsprint or white boards to post the agenda and to keep track of the main points of discussion, agreements reached, and assignments made. This helps keep everyone focused.
- Create a record of each meeting and circulate it afterward to team members. If the team has subcommittees or work groups, ask those groups to submit written reports on their findings and progress at each meeting.
- Do not allow absences to go unheeded. To establish a norm that members will attend, let them know that their absence has been noticed. If members are absent, check with them afterward. Offer to brief them on meeting details. You may learn things you did not know and gain helpful insights.

Use a Facilitator Regularly

We often expect that, because someone is a leader or has a senior position, he or she knows how to conduct an effective meeting. In fact, the chair or leader of a group might be far more effective in that role if another neutral person facilitated the meeting, ensured that everyone was heard and that the group stayed on task and on time, summarized discussions, recorded points, and moved the discussion along without wasting time or cutting people off too soon. A senior staff member might be given this responsibility, or it might be rotated among several staff members. It is important that the person or

persons given this assignment have facilitator experience or training (see tips for facilitators in exhibit 4–5). Another option might be to explore facilitation resources that exist in other government agencies and in the surrounding community. Often, an association of training professionals exists in the private sector that, as part of its service obligations, will facilitate meetings at little or no cost. Other government agencies that include human resources departments are also potential sources of skilled facilitators.

Agree on the Role of Staff

Staff may serve as full members of the policy team, participating in all discussions, voicing opinions, and agreeing on consensus decisions. Or staff members may serve as valuable resources who offer knowledge when asked to do so but whose primary responsibilities lie in preparing for meetings, not in participating. Of course, numerous variations and combinations of these two basic models exist. Many factors influence the role of staff members within a policy team, including their seniority, their “home” agency, the skills and style of the chair, and the dynamics within the team.

The relationship between staff and individual members of the policy team is another basic issue. For example, are staff members available to conduct research or prepare materials at the request of team members? In some teams, staff members also serve as facilitators of meetings and discussions.

Build in Some Accomplishments Early in the Process

As you begin the tasks of criminal justice system planning, look for places where the team can identify problems and work on some immediate solutions. During system-mapping work, for example (see chapter 13), the team may encounter glitches, holdups, or gaps in case processing that affect other parts of the system. Let the team work on those issues if it is so inclined. Much of the early part of the process is education and conversation, and the team needs concrete tasks to keep its energy level high.

Take Time To Celebrate Successes

Consider creating a *Wall of Progress* in an area common to most policy team members or in a portable display that can be brought to meetings. Chart each accomplishment, no matter how small or large. As the team progresses, the Wall of Progress will serve as a reminder of the team's accomplishments. It will be particularly helpful when team members are feeling stymied in their long-term efforts to achieve their goals.

Exhibit 4–1. Interviewing Policymakers: Questions To Ask When Forming a Policy Team

What interests you about this project?

What are your hopes for this project?

What are your fears for this project?

[If members seem unaware of the risks they are taking in joining the team, be sure to point them out.]

What are reasonable goals for the first year of the project?

What do you expect the staff to do?

Does the group appear balanced to you?

If not, how would you change it?

Should we be doing this?

Why?

What meeting dates and times are best for your schedule?

Is there anyone in this group with whom you cannot work?

If applicable, to what extent do you have the support of your superior for your work in this area?

If the group has not been appointed yet, add the following questions:

Do you want to be considered for this group?

Are there others who should be contacted to participate in this group?

Exhibit 4–2. Sample Goals and Agenda for the First Policy Team Retreat

Goals

1. Establish operating norms for how we will operate together as a team.
2. Define a vision of success for the criminal justice system.
3. Articulate a mission and goals for our efforts.
4. Review what we know about the offender population and its flow through the criminal justice system.
5. Discuss a framework for conducting criminal justice system planning.
6. Get to know each other.
7. Develop a plan of action for achieving our goals.

Agenda: Day 1

12:00–12:45 p.m.	Lunch
12:45–1:30	Welcome and Introductions (Icebreaker) Review retreat goals and agenda.
1:30–3:00	Creating a Vision of Success What is a vision of success? What problems do we want to address? What outcomes are we looking for? If we are successful, what will the criminal justice system look like in the future? (See chapter 7, Practical Tips and Tools: Engage Your Team in a Variety of Ways—“machine exercise.”)
3:00–3:15	Break
3:15–4:00	Developing an Effective Policy Team How will we collaborate as a group? What are our ground rules? (Develop a list of ground rules. For examples, see exhibit 4–3 in this chapter.)
4:00–5:15	Articulating a Mission Statement for the Policy Team How will we achieve our vision? What is our purpose/mission? (See chapter 8, Team Exercise: Developing a Mission Statement.)
5:15	Recap
5:30	Adjourn
6:00–7:30	Dinner/Informal Time Together

Agenda: Day 2

7:30–8:30 a.m.	Continental Breakfast
8:30–8:50	Review of the Day Summarize Day 1 progress.
8:50–10:15	Mapping the Flow of Offenders Through the Criminal Justice System What do we know about offenders? What are the key decision points? How do we process offenders currently? (Develop a preliminary map. See chapter 13, Team Exercise: Developing a System Map.)
10:15–10:30	Break
10:30–12:00	Establishing Priorities for Our Work What are the issues/problems we need to address to achieve our vision? Which ones are most important? (Develop a list; dot voting, priorities. See chapter 21, Practical Tips and Tools: Set Initial Priorities Using a Full Nominal Group Technique or Dot Voting.)
12:00–1:00 p.m.	Lunch
1:00–2:00	Guest Speaker: Emerging Trends in Best Practice in Criminal Justice
2:00–3:30	Developing a Plan of Action What are our priorities? What next steps do we envision? How will we structure our work to be most effective? What additional information do we need? Who else do we need to ask to join the team? (Develop action plan. See chapter 21, Team Exercise: Achieving Goals Through Action.)
3:30	Adjourn

Exhibit 4–3. Examples of Ground Rules That Policy Teams Find Helpful

- One person speaks at a time.
- No side conversations are permitted.
- No cheap shots are allowed.
- War stories are limited.
- The group works toward consensus.
- Parochial interests are left at home.
- A problem-solving orientation is adopted.
- Group members hold each other accountable.

Exhibit 4–4. Checklist for Maintaining the Policy Team Over Time

Institutionalize the team. Secure the group’s status by making it a permanent, funded body within an established agency or larger body.

Build engaging meeting agendas. Allow suggestions and comments from meetings and discussions to drive the agenda for the next meeting. Consider starting each meeting by briefly reiterating the team’s mission, goals, and objectives. Note accomplishments since the last meeting, and leave the meeting with clear assignments and work tasks for the next meeting.

Address turnover in the team’s membership. Appoint new members as quickly as possible. Spend as much time as necessary with replacements to bring them up to speed and help them establish rapport with the rest of the team.

Maintain legitimacy and credibility in the criminal justice system and broader community. Invite citizen members to participate on the team. Hold town meetings to solicit community input. Develop written memorandums of understanding (MOUs) among criminal justice agencies.

Repeat earlier activities:

Review the policy team’s mission, goals, and objectives at least once a year. Should we change what we are doing? How well have we done what we wanted to do? Do we have the resources to do what we are doing now? If we want to do more, where will we get the resources?

Repeat individual interviews with policy team members at least annually. Use the list of questions from the first year, adding questions that seem appropriate to issues the group is engaged in at the time.

Repeat team-building exercises. For example, re-administer the collaboration survey (see chapter 5), and then meet to discuss its contents. This will give the team a sense of how well they are doing in terms of articulating and living up to ground rules, being clear about goals, and collaborating as a team. Use interview results in the same way. This can function as a check-up or report card for the team.

Redo the environmental scan at least annually. Note any changes and the potential impact on the system.

Remain alert to group dynamics. Develop strategies for resolving conflicts when this happens. Check in with policy team members who are absent from meetings. Develop regular avenues of communication to head off misinformation. Use team-building techniques (e.g., mediation, negotiation, facilitation, collaboration surveys) as needed or appropriate.

Exhibit 4–5. Tips for Facilitators

Make it clear that you cannot take sides, and invite the team to let you know anytime they believe you are taking sides. This does not mean that you cannot advocate a point of view from time to time, as long as you note that it is your personal opinion or you have the data to support your idea.

After a series of exchanges on an issue among team members, summarize what you have heard to the satisfaction of those who had the discussion. This neutral summary is especially important when issues become emotional.

When members start repeating themselves, actively listen to their statements. Paraphrase team members' statements to their satisfaction.

Use a flipchart to record key points during a discussion. This helps keep the discussion focused and reminds participants of ground that has already been covered. A second flipchart can be useful for noting other issues that arise during a discussion, such as tasks to be done, questions to be examined or researched, and points of agreement.

Record what is said verbatim on flipcharts. Do not interpret what you hear.

Avoid surprises. Learn to anticipate what people will say and do in a meeting by getting to know every member of the team. You do not know your team until you can accurately predict what will happen in a policy team meeting.

Notice emotions. Emotions provide a clue to where the group energy resides. Follow this tension thread; it usually leads to people's anxiety about some risk they are taking. Help them find a way to reduce this risk.

Team Exercise. Conducting a Stakeholder Analysis

To develop effective criminal justice system practices, a multidisciplinary collaborative team must be formed. The best way to develop this team is to identify all those who are involved, or who have a “stake,” in the criminal justice system problems and outcomes that you are considering and invite them to become members of your team. The following steps will guide you through the development of your collaborative team:

1. Brainstorm a list of all agencies, organizations, individuals, institutions, and other entities that have a stake in the criminal justice system in your jurisdiction.
2. Organize the list in a logical fashion (e.g., group those identified with similar interests in the effort, such as prosecution, defense, judiciary, community, and other areas).
3. Review the list, eliminating duplications and filling remaining gaps in representation.
4. For each identified stakeholder, determine a possible representative, considering the following questions:
 - Does the team need policy-level representation, frontline staff, or both to influence policy and practice?
 - Is someone capable of acting as a liaison between the constituency group and the collaborative team (e.g., the chair of the District Court Judges association)?
 - Does your team need representatives from various geographical regions within the same discipline?
5. Discuss strategies for how to incorporate missing representatives in your collaboration. Use the following questions to guide your discussion:
 - Why aren't these stakeholders already involved?
 - Have they been invited?
 - What will be the consequence on your work if they are not involved?
6. Create a workplan outlining who needs to be invited to participate as a member of your policy team, who will contact them, and when.

Collaborate

The Principle

Most of us believe that we collaborate every day—with colleagues in our own agencies and with other agencies, for example. What we refer to as “collaboration” is likely to be something simpler, such as communication, cooperation, or even coordination. Collaboration is much more difficult to achieve and sustain because it requires individuals and agencies to let go of their autonomy and to share resources and information.

Autonomy, resources, and information are key components in establishing personal and agency power, and they are not easily shared. Yet, precisely this level of collaboration is required to meet our responsibilities for safety and justice. Putting together our information and resources in the service of these common goals enables us to succeed (exhibit 5–1).

Collaboration is organizations or individuals coming together, sharing information, altering activities, and sharing resources in mutual commitment to and with

mutual accountability for a shared larger purpose.

We collaborate because we have a shared, compelling need or purpose that cannot be achieved by any one of us alone, whether as an individual or as an agency. The truly remarkable change of the last decade is that the agencies of the criminal justice system now recognize that being responsible for only their piece of the system does not by itself discharge their duty to the public for justice or safety. Leaders with a broader vision have become convinced of the power of working together to pursue these goals and have convinced their peers, colleagues, and other leaders in the system to join them.

Tasks To Accomplish

Describe a Clear and Compelling Vision for the Team

Members of the policy team must have a sense of why they are together and why they are taking on the hard work of collaboration and the equally hard tasks described in this guide. Ideally, their vision

The most significant result from the formation of the Justice Coalition is the collaborative approach used to resolve issues and formulate new policy. The participants have developed relationships on a professional and personal level that have fostered an atmosphere of cooperation, which has benefited Portage County.

—Honorable Thomas T. Flugaur,
Circuit Court,
Portage County, Wisconsin

Tasks To Accomplish

Describe a clear and compelling vision for the team.

Build trust and foster communication.

Understand why collaboration is hard.

Acknowledge those issues and others.

Find ways to protect and support one another.

Acknowledge differences in power and status that members have outside the team.

Hold members accountable.

should inspire excitement and even passion! One jurisdiction’s policy team states that its mission is “to create the best criminal justice system in the United States.” Other teams begin their work in anxious search for a solution to a crisis or significant problem. More about how to do this can be found in chapters 7 and 8.

Build Trust and Foster Communication

True collaboration grows from trust and communication. Every other task described in this chapter is aimed at achieving these two essential ingredients. To share information and resources and to submit to mutual accountability for joint strategies and plans require members to trust each other and their shared goals. Trust is derived from experience and finding common ground. Communication that is open and frank lays the groundwork for both. Trust and communication are unlikely to blossom on their own, however, and need deliberate support and assistance from the group’s leadership. The following tasks, tips, and tools will help leadership provide that support and assistance.

Understand Why Collaboration Is Hard

Collaboration is hard. In the context of the criminal justice system, efforts to collaborate face universal challenges that must be understood and acknowledged if collaboration is to succeed, including the following:

- **The foundation of our justice system is adversarial.** A vigorous prosecution of all appropriate

charges, a zealous representation of the defendant, and an objective finding of the facts are the hallmarks of our system. The training received by all lawyer-participants in this enterprise stresses these as both ethically necessary and the basis for success. The lawyers on the policy team who are likely to make up its key leadership may find that it is extremely challenging to their notions of their individual roles and responsibilities to sit down together to discuss policy, plan mutual activities, and share information and resources.

- **Collaboration requires attention to an interpersonal process and to the completion of a specific task or outcome.** It depends on understanding human interaction; interpreting the subtleties of verbal expression, body language, and group interaction; and understanding that words that are said may be very different from what is really meant. This is particularly challenging in a group that may be dominated by lawyers. Because of their training, lawyers and judges tend to be oriented toward a final product or result and to see things in stark, right or wrong, either-or ways. They are often more comfortable with an internally reflective, somewhat solitary way of working and reaching decisions—an approach that is often very cerebral and dependent on the written word. They are less comfortable in environments where the “rules” are not clear, and

they can be very impatient with process. It is not only lawyers who can be impatient with process. Many people who work in the criminal justice arena have an either-or, right or wrong approach to the world and feel pressured to make quick judgments, choices, and actions. It is hard for participants to leave those ingrained responses at the door when attending policy group meetings and to allow themselves time to think, analyze, and live with uncertainty for a while.

- **Competition for resources often exists among those at the table.** Many members of the policy team, both the public and the private agencies, must compete for shares of the same limited funding. It is not unusual for a jail administrator to face losing budget dollars so that the county can create a pretrial program within another agency. Everyone may agree that a cross-system management information system must be a funding priority, but that may mean that the court must do without upgrading its internal information system or refurbishing its courtrooms. Such competition makes it hard for beleaguered administrators with overworked staff and overcrowded facilities to adopt an “all for one, for the greater good” attitude.
- **Political pressure and competition exist among the elected officials on the team.** In a dilemma similar to that posed by resource issues, it is difficult for

policymakers who face competitive election to have the same “all for one” attitude as their non-elected colleagues or their colleagues who may be potential competitors for their positions.

- **Everybody wants some time from the same small group of policymakers.** Between the needs that are experienced locally and the requirements of state and federal funding agencies, many jurisdictions find themselves with more than one, and sometimes many, planning boards, policy teams, or coordinating groups. In small- and medium-size courts and counties, officials such as the prosecutor, the presiding judge, and the sheriff may serve on a variety of such bodies and deal with issues such as domestic violence arrest policies, jail crowding, and community corrections planning. Creation of too many overlapping coordinating bodies presents a challenge to the time and energy of officials and agency representatives and may result in attrition in participation and cynicism about the usefulness of the collaborative approach.

Acknowledge Those Issues and Others

As you reviewed the list above, you probably found yourself saying, “That’s right!” These issues are not a secret, but many are hard to talk about. However, it is important to find ways to discuss them either in meetings or at more informal times. The key to discussing them is a matter-of-fact approach:

These things are simply true, and they are true in almost every jurisdiction. They are not unique to your jurisdiction or to this policy team. The most helpful way to begin the discussion is to have the group brainstorm the obstacles that they see and discuss them.

Find Ways To Protect and Support One Another

Once the group can acknowledge some of these challenges, the members can begin to identify ways around them—or even turn them into advantages. For example, as discussed, the policy team will have members who must stand for election. Members may be of rival political parties or may have plans to challenge one another in the next election. One strategy for dealing with this difficult issue is for the group to adopt an inviolable rule to stand together on any decision the group makes or any policy, program, or procedure adopted by one agency at the direction or urging of the team. If the decision or policy leads to undesirable events, the team stands up as a group to explain why the action was taken and to protect any one member from taking sole responsibility for it. Similarly, if the team has private citizen members, as individuals or as representatives of private organizations, the team might agree that all members must hold the group's deliberations as completely confidential.

The key to finding ways around the obstacles is a shared commitment to common goals, the achievement of which matters to everyone.

Acknowledge Differences in Power and Status That Members Have Outside the Team

If the policy team is to function as a team, the group must come to terms with the power and status differences that exist among its members. A county executive, for example, may control the budgets of several team members, or a member of the bar may worry about her standing with the judges in the group. Although it would be counterproductive to pretend these issues did not exist, it is important to find ways to reinforce with the team that such differences must not be allowed to affect the group's deliberations, discussions, or decisions.

Hold Members Accountable

To maintain collaboration, the team has to build a firm foundation of mutual accountability. This is why the group's vision and mission are so important. If these do not matter, then how can you hold one another to the process needed to achieve them? Defining accountability is, of course, not easy. It implies a contract: The team expects each member to fulfill his responsibilities in terms of attending, following through on tasks, and committing agreed-on resources. However, the contract also expects that members will have what they need to work as a team; that their time and effort will be respected and not wasted; and that they will not ever be left to carry alone the burden of any team decision.

Practical Tips and Tools

Many of the tips and tools listed in chapter 4 are also important to support collaboration.

Begin With an Offsite Policy Team Retreat

Begin this work with an offsite policy team retreat supported by an outside facilitator. This shared experience can go a long way toward establishing initial trust among team members. (See chapter 4, exhibit 4–2, for a sample retreat agenda.)

Build Understanding and Respect Among Team Members

Create situations, discussions, or work that build understanding and respect among team members for what each party brings to the collaboration. Although substantial differences in status and power may exist among team members, this does not mean that members without status and power lack the ability to make vital contributions to the group effort. For example, a community representative—perhaps a member of the clergy or a victim advocate—may not have budgetary authority or staff to perform analytic tasks, but he or she may possess vast legitimacy with a key political constituency that he or she can confer on the policy group by participating. In such situations, you might want to have the team member host a meeting with that constituency or in their community. It is the job of the group's leadership to understand

the assets each member brings and to create the right opportunities to highlight them.

Systematically Analyze What Each Team Member May Gain or Lose

To build trust and good communication, it is necessary to understand the motivations and fears that exist among the team members. This analysis, and the understanding that results, will help you craft strategies and workplans that will enable participants, when possible, to realize desirable outcomes for themselves and their agencies. Just as important, this analysis will help the team members appreciate and respect how the group's actions and decisions may result in implications and possible risks for their colleagues so that they can make fully informed choices.

Learn About and Use Some of the Readily Available Aids to Collaboration

Organizational development consultants can assist the group with team-building activities or step in to help clarify roles and responsibilities, negotiate conflicts, or move the group through a difficult transition or period of stagnation (see team-building techniques in exhibit 5–2). An easy-to-use sample collaboration survey that can help the group perform a neutral assessment of its own progress and areas that need attention is provided in the team exercise at the end of this chapter.

Practical Tips and Tools

Begin with an offsite policy team retreat.

Build understanding and respect among team members.

Systematically analyze what each team member may gain or lose.

Learn about and use some of the readily available aids to collaboration.

Use food and fellowship to cement personal connections.

Return to the vision.

Use a facilitator.

Make the best use of people's time.

The booklet *True Colors: Keys to Personal Success*TM, developed by the True Colors Communications Group, can help team members understand themselves and their colleagues through personality typing.¹ A list of other collaboration resources appears at the end of the chapter.

Use Food and Fellowship To Cement Personal Connections

Much wisdom may be found in the expression “Let us break bread together.” This completely human, utterly common activity creates time to talk about family, hobbies, or “the game” and provides opportunities to learn about the person behind the job or title. When possible, schedule meetings around meals or brown-bag breakfasts, coffees, or luncheons. Agree to take turns providing refreshments. Make it a bit competitive: Whose goodies are homemade? Whose brownies are best?

Create other occasions that invite more informal time and more casual conversation. For example, tour the intake facility at the jail or the new day reporting center; observe the drug court in session; hold a meeting at the offices of a social service provider. If you travel together and arrange time to

¹To order *True Colors: Keys to Personal Success*, contact Connie Jennings, Assistant Director of Training, True Colors Communications Group, 30812 South Pacific Coast Highway, Laguna Beach, CA 92651 (phone 800-422-4686, 888-698-2577; fax 909-734-5635; Web site www.truecolors.org).

discuss what you have observed, you will create new ways for the members to relate to one another and learn more about each other.

Return to the Vision

The team’s vision or mission is the central motivating force behind the work. Use it to stimulate, motivate, and bring the team back together. Remind members regularly of how the discrete tasks or issues are related to achieving that goal. Create a Wall of Progress to chart the team’s accomplishments and keep them energized and focused on the vision.

Use a Facilitator

As mentioned in chapter 4, a skilled facilitator, preferably from outside the team, can assist the group in establishing the constructs that aid good communication: routine use of an agenda; creation and use of ground rules; and careful listening to and recording of input, concerns, and decisions. As these become part of the normal way of doing business, the members will learn how to make these skills their own and can share facilitation duties. A neutral facilitator is particularly helpful in the beginning, when difficult issues of power, stakes, and political conflicts need to be put on the table for discussion.

Make the Best Use of People’s Time

Nothing will kill collaboration faster than for some members of the team to fail to participate fully or for the members to feel that the

group's efforts have no urgency of purpose. Keeping meetings on time, purposeful, and focused is also critical. This effort has many aspects, including the following:

- **When putting an item on the agenda, clearly state what you want from the group.** Are you simply bringing a matter to the group's attention or asking for a decision? Are you introducing an issue that you want to explore in depth?
- **Make sure that you provide the group with the information they need.** This is suggested in all cases, unless you need to obtain information from the group members themselves. If an agenda item concerns a problem, have you prepared information that will help the team understand the problem and its dimensions and causes? If not, how can you frame the discussion to help achieve that? If possible, provide the information to members before the meeting.
- **Consider whether a subcommittee or work group might be more appropriate for consideration of a topic or problem.** This would be especially appropriate if a topic is complex, if a topic requires lots of specialized knowledge, or when recommendations are needed quickly.
- **Ensure that you have the right people at the table to help the group understand the problem and to contribute to creating solutions.** If you cannot get the right people to a meeting, postpone consideration of the topic.
- **Plan the meeting agenda to be sure that the time allotted truly reflects the time that will be needed for a particular topic.** If you do not know how much time will be needed to address an agenda item, try to find out before you plan the agenda.
- **Inform members ahead of time regarding the topics that will be discussed.** It is important to let the group know what will be discussed so that participants will not be caught without the information they need or miss a meeting at which "their" issues were addressed.
- **Plan the agenda to ensure forward movement.** Return to unfinished business, respond to questions or provide information on issues raised at earlier meetings, and include items that need decisions or actions.

Exhibit 5–1. Everyone Has a Role To Play

Policy team members participate at regular team meetings, express their views, make decisions on behalf of themselves and/or the agencies they represent, and agree to work with other policy team members to reach consensus on goals and strategies to achieve mutual outcomes.

The **policy team chair** provides formal leadership for the team. The chair runs policy team meetings and works closely with the facilitator, staff, and team members to make sure the team stays on task and makes progress toward outcomes.

The policy team staff helps develop and implement the day-to-day activities of the team. The staff members often provide administrative support for the policy team and assist the chair in preparing and running policy team meetings.

Facilitators assist the policy team in developing their work by engaging team members, facilitating communication among team members, mediating conflicts, clarifying the purpose(s) of the team's activities, facilitating group interactions and decisionmaking, summarizing the group's ideas and positions, and helping the team to assess and reflect on their progress.

Exhibit 5–2. Team-Building Techniques That Support Collaborative Decisionmaking

- Take time to conduct **team-building activities** when differences among group members are great.
- If your group is unproductive on a day-to-day basis, consider using a **skilled facilitator**, preferably from outside the team, to assist your group in getting back on track, or have staff or a group member use facilitation skills to push the group forward (see tips for facilitators in chapter 4, exhibit 4–5).
- Use **collaboration surveys** to determine the group’s strengths and weaknesses. Discuss how to capitalize on strengths and reduce weaknesses (see team exercise at the end of this chapter).
- Use **mediation techniques** or seek out a skilled mediator when there is a “war” between two or more parties in the group.
- Use **negotiation techniques** when the work to be accomplished must be divided fairly among the group.
- Identify and assign specific meeting **preparation and followup tasks** to group members and/or staff at each meeting to keep meetings productive and crisp.
- Develop a **strategic plan** and/or conduct a criminal justice **system assessment** when the group needs focus and help in setting priorities.
- Seek out professional **group process consultation** when the group needs a “tuneup.”

**Team Exercise. Sample Collaboration Survey—Working Together:
A Profile of Collaboration**

THE INSTRUMENT

The research underlying this instrument has been published in:

Collaborative Leadership: How Citizens and Civic Leaders Can Make a Difference, 1st ed., by David D. Chrislip and Carl E. Larson, San Francisco: Jossey-Bass, 1994.

OMNI Institute has been using the instrument since 1992 in the evaluation and support of collaborative groups. For more information, please contact us at:

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Sample Collaboration Survey (continued)

WORKING TOGETHER: A PROFILE OF COLLABORATION

The purpose of this survey is to record your opinions about items that measure collaboration effectiveness. Your honest responses to these items will be extremely helpful. Your responses will be statistically summarized and displayed, along with the responses of others, without identifying you individually.

Collaboration Identification:

You are a member of a group. The group may be called a partnership, consortium, coalition, or team. The group exists to deal with one or more concerns, issues, or goals. The name of the group is below. You will be asked to report the extent to which certain items are true or not true of your group. As you respond to each of the items in this booklet, please keep in mind the group you are describing.

NAME OF THE GROUP: _____

Instructions:

Items are grouped into five categories. To the left of each item is a scale for recording your responses. Read the item, think about the extent to which it describes your group, and fill in or check the appropriate circle.

	More True Than False	More False Than True	
True (1)	False (2)	True (3)	False (4)

The Context of the Collaboration

- | | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1. Now is a good time to address the issue about which we are collaborating. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 2. Our collaborative effort was started because certain individuals wanted to do something about this issue. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 3. The situation is so critical, we must act now. |

(continued on next page)

Sample Collaboration Survey (continued)

	More True Than False	More False Than True	
True (1)	(2)	(3)	False (4)

The Structure of the Collaboration

- | | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 4. Our collaboration has access to credible information that supports problem solving and decisionmaking. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 5. Our group has access to the expertise necessary for effective meetings. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 6. We have adequate physical facilities to support the collaborative efforts of the group and its subcommittees. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 7. We have adequate staff assistance to plan and administer the collaborative effort. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 8. The membership of our group includes those stakeholders affected by the issue. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 9. Our membership is not dominated by any one group or sector. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 10. Stakeholders have agreed to work together on this issue. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 11. Stakeholders have agreed on what decisions will be made by the group. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 12. Our group has set ground rules and norms about how we will work together. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 13. We have a method for communicating the activities and decisions of the group to all members. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 14. Our collaboration is organized in working subgroups when necessary to attend to key performance areas. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 15. There are clearly defined roles for group members. |

(continued on next page)

Sample Collaboration Survey (continued)

True (1)	More True Than False (2)	More False Than True (3)	False (4)	
Collaboration Members				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16. Members are more interested in getting a good group decision than improving the position of their home organization.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17. Members are willing to let go of an idea for one that appears to have more merit.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18. Members have the communication skills necessary to help the group progress.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	19. Members of the collaboration balance task and social needs so that the group can work comfortably and productively.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20. Members are effective liaisons between their home organizations and the group.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	21. Members are willing to devote whatever effort is necessary to achieve the goals.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	22. Members monitor the effectiveness of the process.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	23. Members trust one another sufficiently to honestly and accurately share information, perceptions, and feedback.
The Collaboration Process				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	24. We frequently discuss how we are working together.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	25. Divergent opinions are expressed and listened to.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	26. The process we are engaged in is likely to have a real impact on the problem.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	27. We have an effective decisionmaking process.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	28. The openness and credibility of the process help members set aside doubts or skepticism.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	29. There are strong, recognized leaders who support this collaborative effort.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	30. Those who are in positions of power or authority are willing to go along with our decisions or recommendations.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	31. We set aside vested interests to achieve our common goal.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	32. We have a strong concern for preserving a credible, open process.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	33. We are inspired to be action oriented.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	34. We celebrate our group's successes as we move toward achieving the final goal.

(continued on next page)

Sample Collaboration Survey (continued)

	More True Than False	More False Than True	
True (1)	(2)	(3)	False (4)

The Results of the Collaboration

- | | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 35. We have concrete measurable goals to judge the success of our collaboration. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 36. We have identified interim goals to maintain the group's momentum. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 37. There is an established method for monitoring performance and providing feedback on goal attainment. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 38. Our group is effective in obtaining the resources it needs to accomplish its objectives. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 39. Our group is willing to confront and resolve performance issues. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 40. The time and effort of the collaboration is directed at obtaining the goals rather than keeping itself in business. |

What one change would most improve the effectiveness of this collaborative effort?

(continued on next page)

Sample Collaboration Survey (continued)

**WORKING TOGETHER: A PROFILE OF COLLABORATION
ADDENDUM**

Please answer the following questions in the spaces provided.

1. Based on this and/or prior collaborations, what recommendations do you have for improving this group?

2. What do you think is working well in this collaboration?

3. What is your incentive now for participating in this collaboration?

4. What could we do to increase participation of others?

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Resource List. Collaboration

Publications

Carter, Madeline. **The Emergence of Collaboration as the Preferred Approach in Criminal Justice.** Silver Spring, MD: Center for Effective Public Policy, 2000. Available from the Center for Effective Public Policy, 8403 Colesville Road, Silver Spring, MD 20910, phone 301-589-9383.

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Rottman, David, Hillery S. Efke, and Pamela Casey. **A Guide to Court and Community Collaboration.** Williamsburg, VA: The National Center for State Courts, 1998.

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Collaboration (continued)

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Woodward, Bill. "Collaboration: What It Takes." In **Topics in Community Corrections, Annual Issue 2001: Collaboration—An Essential Strategy**. Washington, DC: U.S. Department of Justice, National Institute of Corrections, 2001.

Web Sites

Center for Court Innovation. www.courtinnovation.org. Includes collaboration resources for courts.

Collaborative Justice. www.collaborativejustice.org. Resources on criminal justice system collaboration, sponsored by the State Justice Institute and NIC. New site, scheduled for completion in 2005.

Criminal Justice/Mental Health Consensus Project. www.consensusproject.org. Resources on criminal justice and mental health system collaboration, coordinated by the Council of State Governments.

National Center for State Courts. www.ncsconline.org. Includes collaboration resources for courts.

National Criminal Justice Reference Service. www.ncjrs.gov. Includes resources on collaboration.

National Institute of Corrections (within the U.S. Department of Justice). www.nicic.org. Includes resources on criminal justice system collaboration.

Provide Necessary Support to the Team and the Process

The Principle

Another way to think about the policy team engaging in a collaborative, comprehensive criminal justice system planning process is to imagine the affiliation of several independent but related businesses into a single corporate entity. Consider, for example, an automobile manufacturer (such as General Motors), where one unit makes the vehicle bodies and another makes the engines. Each unit continues to do what it does best, but all answer to a single board of directors. That board sets the performance and earnings goals for the entire enterprise and assigns the appropriate share of expected earnings and targeted objectives to each affiliated unit.

The policy team is being asked to adopt a similar approach. Although the team will likely lack the authority to enforce any goals or expectations that it might set, the challenge of setting them will be real. Therefore, it is appropriate to

ask whether we would ever imagine a group of business executives in the corporate world acting as the directors of a conglomerate and conducting their business at a once-a-month lunch meeting in the absence of extensive staff, information, and other support.

If the policy team is to function as described in this guide, as the leadership team for the entire criminal justice system with responsibility to residents for public safety, justice, and the rule of law, it must have the support that such responsibilities warrant.

Tasks To Accomplish

The tasks described in this chapter and throughout this guide require all kinds of resources. These resources are not simply lying around waiting to be claimed. The work of the policy team is critical to your jurisdiction, and obtaining the resources necessary to support their work should be a priority.

In Tulsa County, early identification of staff was critical to galvanizing the Criminal Justice Planning Council and to accomplishing our goals. Council members were very committed to the planning process but had little time outside meetings to prepare agendas or to follow up on issues arising from the meetings. Since this initial planning effort, the county has employed permanent staff to keep the work of the planning council on track. Because they have permanent, full-time staff, the council continues to meet regularly.

—Ann Domin,
Court Administrator,
Tulsa County, Oklahoma

Tasks To Accomplish

- Support the collaborative process.
- Provide concrete assistance with the substantive work.
- Provide support that encourages leadership and commitment to change.
- Provide resources to implement changes in policies, programs, and practices.

Support the Collaborative Process

The following activities are suggested to support the collaborative process:

- **Create an environment that encourages collaboration.** As described in chapters 4 and 5, policy team business and meetings might be conducted in a variety of ways to support the process, encourage collaboration, and ensure maximum productivity. These approaches require funds for consultants, meals, and occasional offsite retreats. Some policy team members may be uncomfortable with this, fearing that such expenditures will look inappropriate to the press or the public. The team's leadership should be prepared to address such fears and, perhaps, to look for ways to supplement public funds to provide the team with such support.
- **Provide staff to assist the team's leadership in furthering the process.** The policy team's leadership needs the help of competent and committed staff to ensure that the group's meetings are effective and useful. Staff support to the leadership can include a variety of tasks:
 - *Providing clerical and administrative support* to maintain meeting records, notify members of meetings, and perform related tasks.
 - *Developing long- and short-term work plans* and determining how each meeting will assist in fulfilling them. Work plans should specify the detailed steps necessary to achieve the goal. Clear work plans can help the team members remain focused and enhance their sense of purpose and productivity. They can help determine the points at which the team should meet, identify the specific tasks needed to move the process forward, and avoid unnecessary meetings.
 - *Making sure that meetings take place when they are needed.* Whether meetings are held on a schedule, arranged at the end of each gathering, or called as needed, someone must reconfirm individual calendars, reserve the meeting place, arrange for equipment and supplies, and invite guests and presenters.
 - *Developing the agenda for meetings.* Doing this well means fixing a keen eye on the long-term work plan, reviewing the record of the last meeting with care, and understanding the dynamics of a good meeting—a mixture of information sharing, discussion, and action.
 - *Following up with members after meetings.* Staff can offer information and answers to questions and concerns raised by policy team members during meetings and can contact absent members to keep them informed.

Provide Concrete Assistance With the Substantive Work

The surest way to kill this effort and return to business as usual is to deny the policy team the skilled assistance and support it needs to carry out the substantive work required. A systemic criminal justice system planning effort is based on the availability of solid information and the analysis of aggregate data. Policymakers and others on the policy team must ask the questions, frame the discussion, and shape the answers, but their conclusions, solutions, and strategies will grow from hard information supplied by others. Examples of necessary support for the policy team include the following:

- **Staff support.** Staff are needed to perform many of the tasks and activities associated with the criminal justice planning process. The reality in most jurisdictions is that if the policy team includes the right people, the members of that team will have neither the time nor the inclination to take care of the routine work that must be done. Some of the substantive tasks that might be required of staff include:
 - *Supplying the policy team with necessary information.* Staff may retrieve and analyze data and present results in a way that is useful to members and responsive to their questions and concerns. In addition, members may require assistance in framing questions, understanding information provided to them, appreciating the limitations
- on readily available data and information, and using the data effectively to inform their policy and program choices.
- *Developing proposals for policy team action.* Although the policy team will select its own priorities for action, it will look to staff to develop specific details of proposed policies, changes in practice, sanctioning and program development, research questions, resource reallocations, and other areas of interest.
- *Producing implementation plans.* Implementation planning requires careful attention to both the internal effects of proposed changes and the external support required to realize them. Staff can anticipate what the potential questions and barriers may be and make sure that critical questions have been answered before proceeding.
- **Expert assistance.** In many jurisdictions, available staff lack the skills needed to collect and analyze all of the information and data required for this effort. The policy team may need to hire consultants who can assist with review or design of information systems, design of data-gathering instruments, analysis of data, and preparation of reports on the findings. Areas that may require expert assistance include:
 - *Collecting data.* If your data are still primarily kept in hard files, the team may

need assistance to collect data manually from hard files or to enter data into an automated system. Even for the production of automated data, hours of effort will be needed to compile and summarize the data into a readable format.

- *Acquiring software.* You may need to purchase or design new software to support a more comprehensive and usable data-gathering system. Two Criminal Justice System Project (CJSP) sites purchased statistical software during the project to support their research efforts. Both teams also invested staff resources to work with a data mentor who taught them how to use the new software to build a foundation for annual data collection.
- *Identifying additional expertise.* As the policy team members consider strategies and solutions to problems or deal with new initiatives, they may find it useful to invite additional substantive experts to work with the team or to take the team to observe another jurisdiction's efforts.

Provide Support That Encourages Leadership and Commitment to Change

Although a strong, truly collaborative team is probably the best support to individual leadership, members of the policy team might also find other resources helpful, including the following:

- **Professional programs.** Members are likely to gain confidence if they can participate in professional programs, conferences, and meetings on related topics that offer them the opportunity to discuss issues and problems with their peers from other jurisdictions and to learn about the latest research and best practices in these areas.
- **Public opinion.** Identifying the opinions and concerns of the public can offer ideas, challenges, and encouragement to the team. Approaches include community meetings and public opinion surveys.

Provide Resources To Implement Changes in Policies, Programs, and Practices

Once the team begins to implement changes within or across agencies, it is tempting to think that the hard work is over. However, all of the careful preparation, information gathering, and consideration of problems and solutions can be wasted if equally careful attention is not paid to the implementation stage. A number of strategies may be used to increase the likelihood of success in implementing changes, including the following:

- **Retreats.** Hold retreats for managers from all of the affected agencies to explain the goals of the changes and to ask for their input on making implementation work. Involve the managers in introducing the changes in their own agencies.
- **Rewards.** Create rewards for specific outcomes connected to

the changes. Provide training to all line staff affected or involved. Make the outcomes part of the criteria by which line staff are evaluated and rewarded.

Practical Tips and Tools

Let the Staff Support the Policy Team in a Number of Ways

Many CJSP sites and other project sites effectively used work groups composed of managerial staff from the key agencies represented on the policy team. Work group members decided among themselves how best to accomplish tasks. They rotated clerical duties, provided information system or data entry staff, and involved planning staff from all of their organizations.

Other jurisdictions have been able to staff the effort by “loaning” one or more agency staff full or half time, and others have pooled resources to hire dedicated staff. You must decide what will work best for your jurisdiction over both the short and long term.

No matter what approach or combination of approaches you choose, it is important to realize that responsibility for this effort cannot be sandwiched into or on top of a job that already requires 50 to 60 hours a week. Even if several individuals—staff or policy team members—are sharing responsibilities, their normal workloads must be reduced to make time for the effort. The amount of time required will vary by jurisdiction, depending on the size and complexity of the governmental structures involved, the

overall condition of agency budgets, and the history of cooperation among the agencies involved.

Make Certain That the Policy Team Gives the Staff Cooperation, Time, and Access to Its Leadership

Staff members may be brilliant and dedicated, but there are limits to what they can do without the participation of the policymakers, particularly the chair of the policy team. To work most effectively, staff must be able to call on the chair and other team leaders regularly to consult on work plan progress, inform them of emerging difficulties, review the meeting agenda, go over early results of the data analysis, and perform other tasks. This contact can take the form of phone conversations, formal meetings, or lunch or breakfast meetings. It is most important that staff have regular and easy access to the chair and team leadership.

Make the Search for Resources a Challenge for the Entire Policy Team

Brainstorm all of the items and kinds of support you may need and engage the group in trying to locate them. As with the challenges of staffing, pooling different kinds of assets can add up. For example, the county executive may have a well-equipped meeting room, the sheriff’s department may have a ready supply of flipchart easels, the prosecutor’s office might have a stenographer who can take meeting minutes, or the court administrator may have an analyst who can manage the

Practical Tips and Tools

Let the staff support the policy team in a number of ways.

Make certain that the policy team gives the staff cooperation, time, and access to its leadership.

Make the search for resources a challenge for the entire policy team.

Take note of state and federal agencies that have resources to support your work.

The most practical tip of all: Do what is possible with what you have.

data collection or design a program for data analysis.

Do not exclude nongovernmental sources in your search. A hotel or restaurant might be willing to host a meeting of the policy team as a public relations gesture, or a local printing company might be willing to print community fliers, public education materials, or other resources. University students may be looking for data collection or data entry projects, and faculty and graduate students may be looking for research opportunities. The county technical college probably has faculty or administrators with skills in training or facilitation, public relations, or other areas. Local corporations may have skilled facilitators, trainers, and organizational development personnel. The not-for-profit community also can be a source of assistance. For example, the United Way or the League of Women Voters may be willing to sponsor community meetings for public education efforts. Churches and other places of worship, schools, and libraries often have access to computers, audiovisual equipment, meeting space, classrooms, and training facilities.

Take Note of State and Federal Agencies That Have Resources To Support Your Work

As described earlier, you will have many different kinds of needs. A number of Web sites offer helpful information and links (see the list of resources at the end of this chapter). Suggested resources include the following:

- **Information clearinghouses.** Solid research and helpful written products on criminal justice issues have become increasingly available. Information clearinghouses, such as the NIC Information Center and the National Criminal Justice Reference Service (NCJRS), are excellent sources of literature on particular topics, data on recent research findings, and information on promising practices from other jurisdictions. Both clearinghouses have extensive reference libraries and published materials on a wide range of criminal justice topics. Most of their resources are available free of charge over the Internet and by phone and mail.
- **Technical assistance or peer consultation.** You may want access to technical assistance or peer consultation when you are dealing with particularly difficult topics or technical issues or when you need outside advice. Examples of outside technical assistance that may be available to your jurisdiction include facilitation for policy team retreats, advice from nationally recognized researchers, and the input of respected judges or probation chiefs from other states to give new perspectives on old problems. Many of the national justice agencies, like the National Institute of Corrections and the State Justice Institute, provide limited, short-term technical assistance to courts and criminal justice agencies throughout the country on a variety of criminal justice issues. The agencies

and program offices of the Office of Justice Programs (OJP) also offer assistance programs on specific topics. Your own state's justice assistance agency—known by different names in different states—also may offer help.

- **Training opportunities, conferences, and national seminars.** Learn about training opportunities, conferences, and national seminars that are relevant to the team's work. For example, the NIC training academy offers a number of team training programs specifically designed for policy teams on such issues as restorative justice, public education, and best practices in community corrections. The National Judicial College in Reno, Nevada, is a training facility specifically for judges and court personnel. OJP agencies also offer training throughout the year to their grantees on juvenile justice, problem-oriented policing, violence against women, and many other topics. (It is important to identify the kinds of federal grants the agencies in your policy team are receiving as soon as possible.) Private organizations, such as the American Probation and Parole Association and the American Corrections Association, offer institutes and conferences several times a year. Privately provided training programs range in cost. They can be free of charge if the team is accepted into the training, or they can cost hundreds or even thousands of dollars. Both the NIC and NCJRS Web sites offer

a wealth of information on a wide variety of training opportunities.

- **Lists of grant opportunities.** Solicit grant funds from the government and private sectors to support your work. The Department of Justice agencies, especially OJP, administer many federal dollars for criminal justice improvements. The annually produced *Catalogue of Domestic Federal Assistance* lists all the grant activities of all federal agencies. The *Federal Register* is a daily congressional report that lists all the new funds, grants, and contracts that are available by topic area and federal agency. Again, the NIC and NCJRS Web sites are easy-to-use sources of information about federal grant availability. In addition to federal sources, your own state administers funds for local criminal justice agencies; some of these are federal pass-through dollars and some are state funds. Some funds are designated for courts, prosecution, and victim assistance; others are designated for law enforcement and corrections.

The Most Practical Tip of All: Do What Is Possible With What You Have

Unfortunately, experience suggests that the conditions and support needed for an ideal planning process rarely come together. Putting the policy team in place is never easy, and team members are seldom, if ever, relieved of other duties to participate in the process. The effort probably will not have

Without staff support, we never would have gotten as far as we did. At times when we didn't have full staff support, we were forced to ask team members to take on specific tasks so the work would continue to get done. Now, whenever we take on projects, we ask for significant facilitation and research staff support. It's a prerequisite for conducting an effective process and accomplishing our goals successfully.

—Francine Perretta,
Director of Probation,
St. Lawrence County,
New York

access to all of the needed funds, time, skills, experiences, and other resources. Full-time staff likely will be a dream for most, and data and information systems likely will be far from ideal.

You may be part of a core group that is the driving force for a system planning effort. Your team may include agency staff, or a combination of policymakers and staff, who see an issue or problem that needs to be dealt with in a systemic manner. Despite your best efforts, all of the policymakers may not agree to participate in the process. What can you do if critical actors refuse to participate? In these circumstances, it is best to think of what you *can* do rather than what you cannot do: What are the targets of opportunities for this group to work on together that may affect current operations within your own spheres of operation? Where are the openings to create success that will draw the interest of others? Time does march on, and the unfriendly policy environment of today surely will shift tomorrow. The small group that has been working together through the hard times may emerge at that moment ready to provide the immediate leadership necessary to get the group off to a great start.

Anticipate your limitations and develop a plan for dealing with them. Conducting a SWOT (Strengths/

Weaknesses and Opportunities/Threats) analysis is a useful way for your team to assess its limitations against needed or desired resources (see team exercise at the end of this chapter). Consider the following questions:

- Where are we strongest as a group and as individuals?
- What sets of skills and resources do we each bring to the table?
- Where are our weaknesses as a group and as individuals?
- Where can we identify resources that may help shore up our weaknesses?
- What are the potential external opportunities that can be capitalized on, and where will the threats to the group come from?
- What resources are absolutely essential to the team's work?
- How can those resources be accessed?
- How will we mobilize the resources to our benefit?

Understanding what you *can* do within current constraints will help you realize the things that you can accomplish as a team. Building on those achievements will then help you reach the longer term goals you have established for your jurisdiction.

Team Exercise. Assessing Your Strengths, Weaknesses, Opportunities, and Threats

Goals

Assess the following:

- The current state of your collaboration.
- Your internal strengths and weaknesses as a collaborative team.
- The external opportunities and threats that can affect your collaborative efforts.

Instructions

Think about what is needed to engage in a collaborative team process and identify—

- Strengths that you (and the team) bring to the collaborative team process.
- Weaknesses in the team.

In thinking about a collaborative approach to resolving criminal justice problems, identify the external—

- Opportunities that can assist your team's efforts.
- Threats that may negatively affect your ability to engage in a successful team process.

Strengths	Opportunities
Weaknesses	Threats

Resource List. Support for the Team's Work

Web Sites

American Corrections Association. www.aca.org. Membership services, professional development training, accreditation and standards, publications, and conferences and training for the international corrections community.

American Probation and Parole Association. www.appa-net.org. Membership services, training and technical assistance, publications, and research for community management of offenders.

Catalogue of Federal Domestic Assistance. www.cfda.gov. Listings and descriptions of all federal programs. Printed copies are available through the Government Printing Office at bookstore.gpo.gov.

Federal Register. www.gpoaccess.gov/fr. Daily publication for rules, proposed rules, notices of new programs, and available resources for all federal agencies and organizations.

National Criminal Justice Reference Service. www.ncjrs.gov. Federally funded resource offering criminal justice and substance abuse information to support research, policy, and program development worldwide; includes searchable database, government funding and training opportunities, and links to federal agencies.

National Institute of Corrections (within the U.S. Department of Justice). www.nicic.org. Training, on-site technical assistance, information, and policy/program development support for corrections agencies and professionals.

National Judicial College. www.judges.org. Education and training programs for judges on a wide range of criminal justice topics.

Office of Justice Programs (within the U.S. Department of Justice). www.ojp.usdoj.gov. Federal criminal justice funding, technical assistance and training, and information and data that address a wide range of criminal justice topics.

State Justice Institute. www.statejustice.org. Judicial and court resources, information, training, and technical assistance.

Section **THREE**

Keeping the Focus on Outcomes



Build a Vision for the Criminal Justice System

In section II of this guide, we examined the activities and resources needed to establish, maintain, and support the policy team. This chapter is the first to address the substance of the team's work once it is under way and to delve into the actual system planning process. It is placed at the beginning of section III because it is customary when engaging in a planning process to focus first on the goals of the planning effort. As Lewis G. Carroll stated in *Alice in Wonderland*: "If you don't know where you are going, any road will get you there." What we want to be sure of, in any planning process, is that we know where we are going so that we will be certain to arrive at our intended destination.

A cautionary word, however: The work outlined in this chapter may not always be done most effectively if done first. Especially in the criminal justice system, which includes a preponderance of grounded, practical, down-to-earth folks, members of the policy team may need time and experience in working together and going after and

discussing information before they are ready to do the kind of dreaming, vision building, and goal setting called for in this chapter. That doesn't mean waiting a year! But it might mean waiting until after the team has met a few times to have more than preliminary conversations about these topics.

The Principle

We have already described the complex and fragmented nature of our criminal justice system, with its responsibilities divided among every level and branch of government. We have pointed to its historic tendency to be reactive—to engage most fully *after* a crime has been committed. The criminal justice system planning process described in this guide aims to help the system's policymakers change both of these characteristics: to work together in a collaborative and cooperative way and to direct their efforts toward common goals. Such change is necessary if the system is to meet its responsibilities to the public and deliver safety and justice to all.

A vision statement is a brief expression of a desired future that captures a team's imagination and communicates the team's idea of a "better tomorrow." It may contain information about the team's beliefs and values and about what their community could be like if their efforts are wildly successful. It may express an ultimate destination and a dream for a desired outcome. It is the future your team is willing to take responsibility to achieve—not just during the time spent working on the topic at hand, but throughout their careers. It should be bold and idealistic and generate enthusiasm for the work ahead by its very reading. It should let others know concisely where our community could be if we all work together for common goals.

—Dennis S. Schrantz,
Deputy Director,
Policy and Strategic
Planning Administration,
Michigan Department of
Corrections

Tasks To Accomplish

Make the creation of your vision statement an integral part of your early work together.

Resist the urge to “just get it done.”

Keep your vision statement simple and short.

Let the development of a vision statement be a vehicle for bringing community members into your process.

Work on your vision statement until it truly represents the hopes of everyone on the team.

Use the vision statement as a touchstone for your ongoing efforts.

Revisit your vision statement from time to time, and change it as needed.

One key to policymakers’ ability to realize this change is their having an overriding, energizing vision toward which they want to move both the entire system and their individual agencies. That vision should be inspiring, compelling, and doable within the confines of their combined agencies and duties. It should be explainable to those outside the system and make those on the outside want to support it through their own efforts.

You may be asking, “But what is a vision anyway?” We have described its characteristics: *energizing, inspiring, compelling, doable*—but those adjectives do not really tell us what it is. In this context, a vision is a statement. It paints a picture of the future that we want, a desired condition or state of being for our community that captures our hopes of what life could be like. Furthermore, and most important, it is a future that we are willing to take responsibility for trying to achieve (exhibit 7-1).

Tasks To Accomplish

You may be saying to yourself: “Well, this doesn’t sound too complicated. We’ll just have a meeting and someone can prepare a nice statement and we’ll all agree on it. Something like those paintings that they sell in the mall: an idealized version of a country lane or cottage with rosy light streaming over what seems like a piece of heaven. Who wouldn’t agree on that?”

It is very tempting to reduce a vision statement to something like that—and producing a description

of a very idealized future is not hard to do. But a vision statement has to be compelling, energizing, and doable. Therefore, it has to be sufficiently rooted in your current world so that everyone can recognize it—not as a piece of heaven but as a desirable incarnation of your community, one full of real possibilities for yourself and everyone else who lives there.

Make the Creation of Your Vision Statement an Integral Part of Your Early Work Together

A key to the success of any group is grounding the members in what they have in common (exhibit 7-2). In this instance, where policymakers who serve the same public and subscribe (seemingly) to the same notions of justice and safety are often put in positions as adversaries of one sort or another with an “I win if you lose” mentality, this becomes especially important. Unhurried discussions about their frustrations with the system as it *is*, coupled with permission to talk about what they wish it could be, are helpful ways to begin building your team.

Although it would be foolish to force such discussions on a group not ready for them, do not give in too readily when someone remarks that creating a vision is a “waste of time” or comments that this isn’t the work he or she joined the group to do. That will genuinely reflect the feelings of some people. But for many others, once begun, discussions about a desirable future will be an appreciated and meaningful exercise.

Resist the Urge To “Just Get It Done”

Schedule some time at your first few meetings to discuss the questions of your system as it is and your system as you would want it to be. Or, more accurately, the *outcomes* that you would like your system to produce for your community. If your criminal justice system were functioning ideally, what would be different about your community? What would it look like? How would you know that you had achieved what you’d hoped for?

Use these discussions to talk about values. The team exercise at the end of this chapter will help your policy team develop its own vision and values. One team in an earlier project reported that its members were surprised to learn that everyone shared so many values. They were surprised to learn that everyone wanted perpetrators caught and held accountable, even if they disagreed about the best way to do so. They were also surprised that everyone wanted offenders returned to the community in better condition than when they committed the crime, even if they disagreed on what would produce that for individual offenders. Focusing early in the process on what hopes and values people share is a great way to begin working together.

Keep Your Vision Statement Simple and Short

The vision statement is not the place to describe every change you want in every department or area. It should describe a future

that makes people say, “Yes, that’s right! That’s exactly what I want for this community!” The details belong in your mission and goals.

Let the Development of a Vision Statement Be a Vehicle for Bringing Community Members Into Your Process

This certainly is not a required step, but some teams have found it helpful to use the occasion to engage the community, or specific constituencies, in discussions about their expectations of the criminal justice system. Town meetings, focus groups, and other tools can help elicit comments from residents or business owners concerning both the problems they see in their communities and the solutions they might propose. The sad truth is that most communities are fairly uninformed about the limitations of the criminal justice system, and town meetings or focus groups are useful ways to educate people and involve them in meeting some of the very needs they would assign to the system.

Work on Your Vision Statement Until It Truly Represents the Hopes of Everyone on the Team

Because some participants are likely to consider this effort a “waste of time”—virtually every team has at least one such member—a few individuals may not have participated too genuinely in creating the vision statement. Be on the lookout for silent dissenters! Take time to make sure everyone can support your final vision statement.

Practical Tips and Tools

If this activity seems very natural to you, recognize that it probably will not seem that way to most of your team.

Do not approach this as either a solemn or a whimsical task: Engage your team in a variety of ways.

Conduct discussions and then ask individual members to draft their own statements.

Use the Vision Statement as a Touchstone for Your Ongoing Efforts

Once it is completed, display your vision statement when you meet. As you proceed with your work, you will find yourselves facing choices in a wide range of areas, including tasks to take on, new initiatives to develop, and programs to continue or change. Your vision statement should help you make those decisions: Which choice brings us closer to realizing our goals?

Revisit Your Vision Statement From Time to Time, and Change It as Needed

As external circumstances change, it might be appropriate to change your vision statement. Keep an open mind, and periodically assess its relevance to your greatest needs.

Practical Tips and Tools

If This Activity Seems Very Natural to You, Recognize That It Probably Will Not Seem That Way to Most of Your Team

Criminal justice agencies are not heavily populated with wishful thinkers! They are more likely to be populated with wide-eyed realists interested in doing the right thing. Criminal justice work can turn even the biggest dreamers into hard-nosed cynics. Although differences among team members can make this task difficult, they

do not make it impossible. However, you do need to appreciate what you are up against. Think of this as an opportunity for all of you to do something you probably do not do nearly enough of—dream. In short, expect resistance—but don't cave!

Do Not Approach This as Either a Solemn or a Whimsical Task: Engage Your Team in a Variety of Ways

This is important work, but you can make it fun:

- Ask team members to visualize the current system as a machine. What does it produce or accomplish and how well is it doing that? What would the machine look like if your system were working as you want it to?
- Ask team members to describe scenes that would take place in your community if all of your efforts were successful: What would be happening? Who would be involved?
- Describe this effort as the team members' "legacy to the future." What do they want this community to look like for their grandchildren as a result of this?
- Ask the participants to describe what they most value about their community. What is threatening the things they value, and what would it take to preserve them?

- Perhaps you would like to discuss these topics at separate meetings. (These are also very effective techniques to use with community members.) Record and discuss the responses, but don't do anything else. Later, you might hold a meeting just to review all of the responses and to begin crafting a vision statement.

Conduct Discussions and Then Ask Individual Members To Draft Their Own Statements

You may wish to discuss the topics listed above and ask members to draft their own statements. Post all of them at a subsequent meeting. Look for common words or images. Use the members' individual statements to create the core of your vision statement.

Exhibit 7–1. Sample Vision Statement: Dutchess County, New York

Dutchess County's Criminal Justice Council Bold Hearty Goals

- Everyone arrested is being correctly assessed and correctly placed.
- The rate of growth of our jail population is reduced.
- Offenders are restored to and given an opportunity to become responsible members of the community.
- Children and juvenile justice become of primary importance.
- The crime rate is reduced.
- Recidivism is reduced.
- The number of first-time offenders coming into the system is reduced.
- Victims are restored to their sense of dignity and empowerment.
- Communities are restored to feeling safe.
- People feel safe in their schools, homes, and neighborhoods.
- We will engage the media in a positive partnership.
- We will limit or reduce the percentage of the county budget spent on criminal justice.
- There will be a rational, graduated system of sanctions.
- Spending for prevention will be increased.

Vision

The criminal justice system has become a system where—

- Overriding concern is for the fair, equitable, cost-effective, and efficient administration of justice for the immediate and long term.
- Preventive programming is being developed to minimize entry and reentry into the criminal justice system.
- Planning is system based with goals and outcomes.
- Decisions are grounded in information, research, and facts, not politics.
- All Criminal Justice Council (CJC) members are committed to actively work together to achieve this vision.

Mission

- Ensure public safety.
- Ensure cost effectiveness.
- Increase productivity (reduce recidivism).
- Increase community involvement.

Exhibit 7–2. Sample Vision Statement: Portage County, Wisconsin

Our Vision

- Justice that ensures community values.
- The community provides everyone an opportunity for success.
- The wise use of financial resources: frugal.
- There is a strong work ethic.
- Community members are willing to work together on issues.
- A sense that our community is safe and secure.
- We are environmentally conscious.
- Community members value the educational system.
- There is a spirit of fair mindedness.
- The community is family oriented.
- The religious community is valued.

Our Mission

Achieving justice for the community, victims, and offenders through effective and appropriate responses to crime and its prevention. Decisionmaking will be based on collaboration, cooperation, objective data, and power stewardship of resources.

Our Goals

- To ensure that community/system issues are identified and discussed within the group.
- To ensure that decisions are made recognizing the impact on others.
- To develop a mechanism to measure outcomes.
- To use existing structures to support initiatives.
- To share information with the community regarding the Community Justice Committee and its progress.

Team Exercise. Developing Your Team's Vision and Values

Examining Our Vision and Values

Purpose

Developing a vision that describes what the preferred future should look like is essential in the planning process. For those involved in the process it provides direction, inspires and motivates, and gives team members a reason to commit their energies to accomplish the many tasks ahead.

Values are the fundamental principles and beliefs that people hold concerning their involvement in a collaborative process. Values shape our decisions and actions and, consequently, have an effect on the results of our efforts. Values determine what we believe in and what we commit to, and they provide the foundation or anchor for the team.

Goals

The goals of this session are to:

- Identify the individual and collective values of your team.
- Create a shared vision for the future.

Instructions

Assign one member of the team to take notes of this session for future use.

1. The first discussion centers on values, both personal and collective, that will direct and shape the work of your team in the coming year.
 - Make two lists. The first list should state two or three core values or principles that are central to you and your work. The second list should explain two or three core values or principles under which your collaborative team operates.
 - Go around the group and have each person state one of his or her individual core values. Note each on a flipchart. Continue going around the group until all the values are listed.
 - From these values, develop two or three core value statements to guide your team.
2. Based on the team's core values, create a team vision statement related to your project that presents your team's "preferred future."
 - Ask yourself the following question: "If our project were working ideally, what would it look like?" When you answer this question, try to avoid focusing on your current situation and its limitations. Envisioning the future is not about articulating every task needed to get there; it is simply a discussion about where you want to go and why.
 - Write down several phrases that describe the preferred future.
 - Go around the group and have each person read one of his or her phrases. Note each on the flipchart. Continue going around the group until all the phrases are listed.
 - From these statements, create a vision statement for your collaborative team.

Create a Mission and Goals for the Policy Team

The Principle

If it is not already clear, one of the underlying assumptions of this guide is that the policy team, as the steward of the criminal justice system, is engaged in an ongoing planning process that has no identifiable end point. Unfortunately, the prospect of participating in a “never-ending” process may make overworked policymakers and agency heads want to run screaming from the room. So this chapter presents yet another challenge: periodically creating with the team members a new mission and the goals to get them there.

If the vision statement is a picture of the desired future, the team’s mission will be a series of interim achievements that they have identified as essential to creating that future. The mission should be very concrete, representing a tangible target-of-change activity—*but one firmly connected to creating or achieving some part of the larger vision*. The targets will vary, as will the work needed to get there. The targets might be concentrated work on improving some part of

the system or process, the creation of a new program or initiative, or the development of new partnerships with the community or with agencies outside the system.

Steps will be necessary to reach each target of change the team identifies. These are the short-term goals and objectives that will point the way to achieving the identified mission (exhibit 8–1).

Tasks To Accomplish

Later in this guide (see chapter 21), we address in greater detail the issues of choosing and moving forward on targets of change. Because the team’s mission at any time is so connected to those activities, we address them only briefly here.

Get the Information You Need First

Section four of this guide focuses in depth on how to gather information about your system and offenders. It describes the activities and tasks of a system assessment, including system mapping and

The mission is a statement of the team’s purpose. It must be consistent with the team’s vision of success and provide the focus for and parameters of the team’s work. Once you are settled on your mission, you must establish a critical path to follow toward your ultimate purpose. The things that must be successfully addressed along this critical path become specific goals for your effort.

—Richard Stroker,
former Chief of Staff and
General Counsel, South Carolina
Department of Corrections

Tasks To Accomplish

Get the information you need first.

Explore the problems revealed through the information-gathering process.

Consider team activities that will address these problems.

Do not pass up easy wins along the way.

Record your progress in meeting the goals of your mission.

data gathering. These tools are essential to painting the picture that will stand in contrast to your vision statement: the picture of what your system and community look like now. Examining both of these pictures, contrasting the desired future with the current condition, will enable you to choose the targets of change that will form the mission of the team.

Explore the Problems Revealed Through the Information-Gathering Process

It is always tempting to leap to solutions before fully understanding the problems that need to be addressed. Your vision statement, however, should serve as a guide; the team will discover that taking the time needed to look at problems carefully and to consider their implications deliberately will unleash their imaginations and creativity.

Consider Team Activities That Will Address These Problems

Develop a list of goals or tasks that will most directly bring you closer to your team's vision of the future. As a team, consider all of the activities that will address the problems you have identified. Develop these activities into statements or a set of statements that will begin to describe the work—your mission—that you will engage in immediately.

Do Not Pass Up Easy Wins Along the Way

As you gather information and look at different parts of your system, you are likely to identify areas that

you will want to address without waiting. Do not overlook such opportunities just because they do not fall within your current mission.

Record Your Progress in Meeting the Goals of Your Mission

In chapter 4, a Wall of Progress was described as one tool to keep a group energized. It is also a useful way to track your efforts in meeting the specific objectives of your mission.

Practical Tips and Tools

Make Sure You Are Talking to the Right People

As you delve into a particular mission or set of objectives, make sure you are talking to the right people. In the example described in exhibit 8–1, it probably would not be enough to hear just from the police chiefs on your team. You also would want to discuss the issues and questions raised with cops on the beat, dispatchers, and the assistant district attorneys who work directly with the police. Your discussions would include others as well, such as representatives of neighborhood organizations, political and religious leaders, and social service providers.

As you can see, the policy team will have to develop working groups or subcommittees as the targets of work become more specific. This is also a way to open up your planning process and your deliberations to many more voices and points of view without creating a 100-person policy team.

Practical Tips and Tools

Make sure you are talking to the right people.

Understand that one seemingly clear and distinct mission can lead you down many different and equally valuable paths.

Understand That One Seemingly Clear and Distinct Mission Can Lead You Down Many Different and Equally Valuable Paths

In this case, you need to clearly understand the differences and tradeoffs between following one path versus another or following one path before or after another. For example, part of your vision may speak to having a criminal justice process that does not re-traumatize victims but, rather, tries to leave them as close to whole as possible. Your team is working on that as its current mission: making certain that a victim-sensitive, victim-centered, victim-serving

process is in place. What you may discover is that the current way in which your court is working, with many delays and continuances, is leaving victims frustrated, alienated, and unwilling to participate in the process. A choice for your team at this point may be to work on the issue of court delay and a system for expedited case management. Few, however, initially would have seen that choice as a part of working on victim issues. Sample mission statements are presented in exhibits 8–2 and 8–3. The team exercise at the end of this chapter is designed to help your policy team develop its own mission statement.

Exhibit 8–1. Sample Mission Statement Development Process: Kalamazoo, Michigan

At a policy team meeting in a Michigan county, a police chief described his vision: A future in which police have the information and support they need to make routine police encounters with community residents so effective and intelligent that other criminal justice system interventions are unnecessary in most cases. A mission in support of that vision might include the following goals:

- To organize the agencies of the criminal justice system to support effective primary interventions by the police.
- To enlist the health and social service agencies of the area to make their services available conveniently to the police and to make police referrals a priority.
- To provide every officer with the information he or she needs to make an intelligent decision on the spot.

To achieve this, the team's objectives and tasks might include the following:

- To develop a full picture of the preadjudication process in the jurisdiction, including currently available decision options, information availability, and other factors.
- To develop profiles of the most common kinds of cases or situations in which police are expected to intervene, to understand what discretion police officers have and might need, and to identify possible non-criminal-justice resources that might be of assistance.
- To survey existing sources of non-criminal-justice assistance in each neighborhood or area of the jurisdiction.
- To understand fully what policy and practice changes will be needed to support police interventions.
- To implement necessary policy and practice changes.

Exhibit 8–2. Sample Mission Statement: Dutchess County, New York

Dutchess County's Criminal Justice Council Bold Hearty Goals

- Everyone arrested is being correctly assessed and correctly placed.
- The rate of growth of our jail population is reduced.
- Offenders are restored to and given an opportunity to become responsible members of the community.
- Children and juvenile justice become of primary importance.
- The crime rate is reduced.
- Recidivism is reduced.
- The number of first-time offenders coming into the system is reduced.
- Victims are restored to their sense of dignity and empowerment.
- Communities are restored to feeling safe.
- People feel safe in their schools, homes, and neighborhoods.
- We will engage the media in a positive partnership.
- We will limit or reduce the percentage of the county budget spent on criminal justice.
- There will be a rational, graduated system of sanctions.
- Spending for prevention will be increased.

Vision

The Criminal Justice Council (CJC) has become a system where—

- Overriding concern is for the fair, equitable, cost-effective, and efficient administration of justice for the immediate and long term.
- Preventive programming is being developed to minimize entry and reentry into the criminal justice system.
- Planning is system based with goals and outcomes.
- Decisions are grounded in information, research, and facts, not politics.
- All CJC members are committed to actively work together to achieve this vision.

Mission

- Ensure public safety.
- Ensure cost effectiveness.
- Increase productivity (reduce recidivism).
- Increase community involvement.

Exhibit 8–3. Sample Mission Statement: Portage County, Wisconsin

Our Vision

- Justice that ensures community values.
- The community provides everyone an opportunity for success.
- The wise use of financial resources: frugal.
- There is a strong work ethic.
- Community members are willing to work together on issues.
- A sense that our community is safe and secure.
- We are environmentally conscious.
- Community members value the educational system.
- There is a spirit of fair mindedness.
- The community is family oriented.
- The religious community is valued.

Our Mission

Achieving justice for the community, victims, and offenders through effective and appropriate responses to crime and its prevention. Decisionmaking will be based on collaboration, cooperation, objective data, and power stewardship of resources.

Our Goals

- To ensure that community/system issues are identified and discussed within the group.
- To ensure that decisions are made recognizing the impact on others.
- To develop a mechanism to measure outcomes.
- To use existing structures to support initiatives.
- To share information with the community regarding the Community Justice Committee and its progress.

Team Exercise. Developing a Mission Statement

A mission defines who the team is and the basic purpose and reason for its existence. The mission and mission statement provide the basis for determining the business of the team and its general direction and focus. Clarifying the purpose can eliminate unnecessary conflict in the team and provide direction to the leadership and staff.

Questions to address in the mission statement include the following:

- What function does the team perform?
- For whom does the team perform these functions?
- How does the team go about performing these functions?
- Why do you exist as a team?

The mission statement addresses who you are, what you do, for whom, and how you do it.

Exercise

1. Each person takes a few minutes to note on paper his or her understanding of the group's mission, making sure to incorporate answers to the above questions in the statement.
2. Underline or circle the keywords in your own statement.
3. When everyone is finished, each person in the group reads his or her statement while a facilitator writes each one on a flipchart.
4. After all of the statements have been read and captured on the flipchart, each person goes back and notes his or her keywords.
5. Make a separate list of all the key words.
6. Develop a mission statement from those words that everyone can agree with.

Clarity and Inclusiveness

The mission statement should be clear enough to explain your work and purpose to others in the community, yet broad enough to describe your activities and goals.

Notes

The attempt to create a single mission statement that captures the meaning of the key words will (and should) require a fair amount of discussion.

Do not attempt to do this in less than an hour. The process may take even longer.

You may end up abandoning some or many of the original list of keywords.

If possible, persist with this discussion until you have a statement that everyone can live with.

Your final mission statement should serve as a vital touchstone. Refer to it when explaining the group to others, making decisions, choosing directions, or taking actions. When it no longer works, change it using the same process.

Understand and Specify the Goals and Outcomes of Sanctions

Sanctions are legally binding orders of the court (or paroling authority) imposed in response to violations of the law or court or parole orders. A sentence to jail is a sanction; so is a term of probation. The term of probation may specify conditions that the offender is to meet, including participation in one or more *programs*. The offender may be legally obligated to participate in a program, but the program itself—a cognitive restructuring group, for example—is not the sanction. Some newer sanctions may seem to blur this line. A term of attendance at a day reporting center, for example, is typically ordered as a sanction, but the center itself may have specialized programming elements, such as drug treatment or job training, within it.

A jurisdiction's array of sanctions is one of the most concrete, visible, and expensive parts of its criminal justice system. Most policy teams come to this entire planning process because of their desire to improve

the effectiveness, diversity, and capacity of their sanctioning options.

Sanctions, whatever they may be, are the end product of the system. In one way, they represent the results of the rest of the system's operations: The successful investigation of a crime, identification of a perpetrator, prosecution of a defendant, and adjudication of guilt "earns" a sanction for the now-offender. Whether or not this is wise, we certainly rely on the threat of sanctions to keep people on the "right" path.

The Principle

Central to building a system of effective sanctions is the task of understanding and articulating the outcomes we desire for the different offenders in our system.

Perhaps it is because of the symbolic importance that we assign to sanctions that we infuse them with so many different, and often conflicting, desired outcomes: We want to secure our retribution by

The Alaska Criminal Justice Council's discussions about their values and perspectives on criminal justice theories and the goals and outcomes of sanctions were very important. Those early conversations strongly influenced the direction and shape of the council's recommendations. In fact, one of the five priority recommendations was to place a greater emphasis on restorative justice as a sanctioning goal.

—Teri Cams,
Staff Director,
Alaska Criminal Justice Council

limiting the offenders' freedom and causing them to experience some discomfort; we want to assure the community that we are controlling offenders to the extent that "they will not harm again" while under our supervision or in our custody; we intend to fix offenders' problems so they are "better" when we are done with them; we want to make sure offenders pay restitution, court costs, and supervision fees, and perhaps perform some community service; and we certainly want to make sure offenders never want to have to go through this again.

As varied as these interests or desired ends are, so too are the offenders and their offenses, the circumstances under which crimes are committed, and the resources available to respond to them. Too often it is the latter, the availability of resources, that drives our sanctioning practices. An overcrowded jail or a big new one, too few probation officers or no secure drug treatment beds, too few mental health beds or the availability of electronic monitoring hardware—all of these can drive the sentencing practices of judges or the recommendations of the presentence reports. This is not desired but is seen as inevitable.

It is the policy team's responsibility to begin to tease out the specific outcomes that they want from specific sanctions and to identify the groups of offenders for whom they think those outcomes are appropriate. As with other parts of the system, for too long policymakers have left it up to corrections agencies—whether state or

local, or private or public—to devise sanctioning options for their use. As part of this entire effort, policymakers need to take a hard look at the kinds of offenders who are coming through their system, in terms of the types of offenses they commit, their ages, the levels of threat that they represent, their numbers, and other relevant information about their "profiles" (succeeding chapters describe this information gathering in detail). With this information in hand, policymakers are better able to describe the results they want to see from sanctioning these groups of offenders and the kinds of outcomes they deem desirable.

The outcomes of sanctions are typically called the goals of sentencing, sentencing philosophies, or the goals of sanctions. They have a long history in western philosophical thought. But despite that, these goals, and the human desires and impulses that they give name to, are anything but academic. They are the very foundation of our adjudication and sentencing practices. Just as important, they help us to think more strategically about the array of sanctions we have or want to have: By clarifying the outcomes that we want, we can define effectiveness, assess gaps in our sanctioning array, and make reasoned choices about changing that array.

Clarifying sentencing philosophies helps us to be more strategic in several ways:

- First, clarifying outcomes (goals or philosophies) causes us to think more carefully about the kinds of offenders and offenses

that we typically see in our system. It helps us to recognize that both the people and their crimes are very different from one another and that they tend to fall into quite recognizable subgroups.

- Second, as we specify the outcomes that we want for each different subgroup, we are actually defining our own criteria of success and effectiveness: We will be doing a good job with female drug-involved property offenders when we have achieved what?
- Third, we can then begin to answer the question: How adequate are the sanctioning options that we have in place both in terms of their likelihood of achieving those outcomes and in terms of their capacities for the groups we have identified for them?

What Are the Goals of Sanctions or Philosophies of Sentencing?

Six philosophies of sentencing are generally accepted: retribution, rehabilitation, specific deterrence, general deterrence, incapacitation, and restoration. These are not simple concepts, and many have attendant issues, such as the normative values, resources, and assumptions about human behavior that underlie them, that also must be tended to and understood.

Retribution justifies sanctions as the earned punishment for transgressing the law. It is based on the ancient belief that members of a community have an obligation to

obey the laws or rules of that community and that the individual deserves punishment if the law is broken. (Thus, retribution is also called “punishment” or “just deserts.”) Retribution does not aim to use the occasion of sentencing to achieve some *future* good result for the offender or the society. Punishment is meted out because of the past action; it is deserved and helps restore the social balance disrupted by the offense. If viewed as a “settling of accounts,” it is easy to see why it is commonplace now to use the term “offender accountability” in connection with sentencing when punishment or retribution is what is meant. Central to the notion of retribution is that some offenses are more serious than others and deserve more serious punishment. This concept or principle, called proportionality, guides the devising of specific sanctions for specific grades of offenses.

Rehabilitation, like the other four goals that follow, is based on a utilitarian philosophy: Society is justified in sanctioning one of its members only if some future good will result. In the case of rehabilitation, the future good desired is the prevention of future crime by diagnosing, intervening, and treating the underlying cause of criminal behavior in the individual. It assumes that crime is caused by the weakness, deficits, or illness of the individual. Rehabilitation relies on the availability of both the means to assess or diagnose the individual accurately and the availability of adequate and effective responses to the assessment.

Resources are a typical impediment to the fullest implementation of a rehabilitative approach to sanctioning.

Specific deterrence (and general deterrence, as described below) operates on the assumption that people will not commit crime because they fear being caught and punished. In the case of specific deterrence, that fear is the result of sanctions that are so unpleasant when imposed that individuals will refrain from future criminal behavior. Boot camps, shock incarceration, and short jail terms for minor crimes are all examples of sentences that try to convince offenders to “change their ways” or else. Specific deterrence is based on a rather singular view of human behavior, but, because we know lots about how to create unpleasant consequences for people, it is easy to implement.

General deterrence is based on the same principle of human behavior, but it is directed toward the population at large, not the individual being sentenced. The sanction is, in common parlance, intended to make an example of the offender. Therefore, it is typically used in high-profile cases when authorities believe that many other would-be offenders of this type exist. Tax evasion or consumer fraud are two types of cases where it is commonly employed.

Incapacitation relies on preventing crime by restricting or disabling the offender. Although a term of incarceration is what most people associate with incapacitation, other

sanctions can achieve incapacitation of a more limited kind. Home confinement with curfews (with or without electronic monitoring) is one; intensive supervision, day reporting, or long periods of community service are others. These might restrict offender access to certain kinds of criminal activity through a combination of direct supervision, forcing offenders to be in a certain place at a certain time, or, simply, exhaustion!

Restoration, also called reparation or restorative justice, is a fairly complex concept in both definition and implementation. Like retribution, restoration views crime as a tear or rent in the moral fabric of the community, but it seeks to repair the tear by restoring the community to its previous state rather than by punishing the offender. Therefore, restoration focuses on more than just this crime and this offender. To the extent possible, restoration seeks to make reparation to the victim for the damage done, but it may include services to more than just the individual victim. It focuses attention and effort on conditions in the community that may have contributed to the crime’s occurrence in the first place—an unsafe park, for example, or the lack of low-cost, voluntary treatment resources for addiction. It seeks to prevent offenders from committing crimes again through rehabilitative services, perhaps, or some kind of incapacitation, but it also seeks to provide the offenders themselves with the opportunity to be restored to the community’s good graces.

Do We Just Choose One? How Do We Choose?

At certain times in our recent history, criminal justice systems—through laws and correctional policies and practices—have tried to organize their sentencing systems around a single purpose. Some of those efforts remain in place. However, as our understanding of the nature of crime and how to prevent it has grown, so too has our willingness to be more expansive in our thinking and practice in this area. We are growing more confident in our ability to respond effectively both to crime in general and to specific offenders. We are more willing to look at sanctions as one tool among many that we have to prevent crime, and we are more willing to place sanctions in the larger context of crime prevention.

At the same time, most jurisdictions are not willing to abandon notions of punishment or accountability. So, by necessity, most sentences and sentencing structures are aimed at achieving several goals at once. The key is to be clear about what those are, their priority in relationship to one another, and the ways in which they are to be realized.

The Difference Between the Goals of a Sentence and the Goals of a Sanction

The sanctioning goals described earlier are close to universal in our system of justice. However, they are implemented in different ways and at different levels. One of the chief distinctions is between the

goals that a judge has at the time of sentencing for a particular offender and the goals sought by the creators of a particular sanction. An individual judge may want several different purposes to be served by his or her sentence and so may fashion a sentence that includes several elements. A criminal justice system, or agency of it, may fashion a particular sanction—home confinement with electronic monitoring, for example—to serve one purpose.

Let us assume for a moment that a drug court judge wants to limit an offender's ability to frequent certain places or to associate with certain friends until he or she has completed a specified level of drug treatment. The judge may use the jail's home confinement and electronic monitoring program for that purpose. The jail may have created home confinement to provide a higher degree of monitoring for the offenders being released from the jail who have been assessed to present a higher degree of risk for reoffending than can be safely handled by regular probation supervision. Although both the sentence and the sanction are intended to achieve incapacitation, their overall purposes are slightly different and intended, ultimately, to accomplish somewhat different aims. The judge's goal is incapacitation in the service of rehabilitation; the sanction's goal is simply incapacitation.

In another example, a juvenile probation department, using a restorative justice model, has created a community service program that features daily work teams for

juvenile offenders. The young people spend 8 hours a day performing a variety of chores for the elderly and disabled (cutting firewood, making simple home repairs, and so forth) as a means to repair the harm that has resulted from their behavior and to contribute to the community. A juvenile court judge is sentencing a youth who has been convicted of stealing and selling CDs, jewelry, and other items. The judge thinks that this individual needs to learn about the discipline and satisfaction of having a regular job and sentences her to 2 months on the probation work team. Again, the judge's intention is rehabilitation, but the sanction's goal is restoration.

In both cases, the goals are different but not contradictory. The sanctions can meet the purposes of the sentencing judge. However, this is not always the case. In a different community, an adult probation department has created a community service program intended to punish offenders by having them perform menial or unpleasant jobs, like sorting recyclables at the county dump or cleaning up the county's animal pound. A judge who uses this sanction to teach an offender the "satisfaction" of regular work probably will not gain his intended outcome. Another judge, however, faced with a drunk driver who is a day laborer, might sentence that offender to serve on the work team every day that he is not working at his regular job to maintain some control over his movements: an incapacitative purpose.

For most individuals in the criminal justice system, or in the human services field, it is probably easy to apply a life story and an offense report to the cases described here. These examples represent the routine business of the court: the drug user, the youthful thief, the drunk driver. Add some details, and you have the beginnings of readily discernible subgroups of offenders in every jurisdiction. Add a few more offense categories—domestic violence, simple assault, burglary, prostitution, and car theft—and you probably are describing 80 percent of the criminal cases in most jurisdictions. As readily as we can picture them, however, these criminal categories, and the subgroups of offenders within them, are usually lumped together in terms of the sanctioning responses most places have available. We tend to use jail, prison, probation, and perhaps intensive probation for virtually all of these cases—despite both their differences and the differences in outcomes we desire for them.

If we think about sanctions as tools, then some helpful analogies emerge. For example, we may buy a screwdriver to insert screws and thus to hold things together or to keep items in place. However, along the way we have probably discovered other useful purposes for the screwdriver, like prying open a paint can or removing a utility staple. Similarly, we want a hammer primarily to hammer nails into place but regularly use it to break heavy or solid objects or to drive another tool. So, one tool has multiple uses. However, we

would not try to use a hammer to affix a nut to a bolt or pliers to attach a screw.

Equally vital to the notion of creating a system of effective sanctions is the concept of targeting, of matching offenders and sanctions, beginning with the careful elucidation of our purposes and goals for different kinds of offenders. In later chapters, we will address how to build a picture of those subgroups of offenders, distinguished or placed in subgroups by characteristics that matter to you and your policy team. We will suggest how to think about sanctions as tools to help create our vision and as responses to those subgroups. But first, you must understand and be able to articulate the goals of sanctions.

Tasks To Accomplish

As discussed earlier in this guide, many policymakers exhibit little patience with discussing goals of sanctions, choosing values, and defining outcomes. The costs of not reaching these agreements, however, are very real. Every policy team has a different character and a different level of tolerance for conceptual (as opposed to problem-solving) discussion. As you consider how to engage the policy team in a discussion about sentencing philosophy and the goals of sanctions, think about how to address the interests of the policymakers as they make individual decisions.

Discuss Representative Kinds of Cases

As a policy team, discuss the kinds of cases that typically represent the majority of cases (offenses and offenders) that fill the dockets of the court.

Choose Typical Cases

Choose two or three typical cases. Try to choose cases that represent a mix of candidates for community and incarceration sanctions.

Discuss Typical Cases

Engage the policy team in a discussion of the typical cases selected. What sanction or sentence would each policy team member give to each case? Ask policy team members to describe why they chose a particular sanction and what goal(s) they are trying to achieve.

Identify Common Goals

Note the similarities and differences among team members' responses. Is there a mixture of goals? Did members use the same sanctions for different purposes? How often did the same case result in the same sanction for different reasons? As a result of the discussion, begin to identify common goals as they pertain to the kinds of cases identified.

Determine What Team Members Know

Note as well how much team members know about the content of various sanctions, how they are designed, and what kinds of programming and/or restrictions

Tasks To Accomplish

- Discuss representative kinds of cases.
- Choose typical cases.
- Discuss typical cases.
- Identify common goals.
- Determine what team members know.

(curfews, level of supervision, monitoring, and so forth) are associated with them.

Practical Tips and Tools

Discuss the goals of sanctioning.

Compare new information to earlier discussions.

Practical Tips and Tools

Discuss the Goals of Sanctioning

Devote some meeting time to discussing the goals of sanctioning early in your efforts to make certain the team becomes accustomed to engaging in this kind of discussion. Gauge your team's tolerance for these conceptual conversations, and note where team members have strong agreements and contradictions about the goals of sanctions.

Compare New Information to Earlier Discussions

Once you begin to collect data and information to build a picture of current practice, compare this new information to your earlier discussions. Later in this guide (see chapter 17), a process for reviewing and understanding data and information is described. As you complete your picture of current practice, refer back to your discussions about goals and values. Based on a review of the information, do team members still feel that various sanctions are accomplishing the sanctioning goals they envision? The team exercise at the end of this chapter is designed to help members of your policy team link their goals to their vision.

Team Exercise. Linking Goals to Vision

Goals

The most fundamental step in the development of criminal justice sanctions policy is to understand all of the formal and informal decisionmaking processes—the steps, actors, information, and options—that make up the sanctioning system in your jurisdiction. This exercise is designed to illustrate that a clear understanding of goals and objectives is an essential starting point for good program design.

Specifically, the goals of this session will assist your team in—

- Helping participants understand how criminal justice sanctions can achieve their goals for offender populations.
- Providing an introduction to the kinds of analysis that are required to understand how sentencing “happens” in a jurisdiction.
- Identifying the roles that individual decisionmakers play in the sentencing process.
- Highlighting the complexity of the sentencing process and the information available to decisionmakers.

Instructions: Work as a group when discussing each topic listed below. Use a flipchart to record the group’s responses to each discussion.

1. Take a few minutes to discuss three commonly used sanctions in your jurisdiction (for example, jail, intensive supervision, day reporting center, or others). Describe in detail what each sanction involves.
2. Discuss and determine the goals you think each sanction achieves:
 - Retribution (an eye for an eye).
 - Individual or specific deterrence (teach the offender a lesson).
 - Incapacitation (reduce the opportunity for reoffending in the future).
 - General deterrence (make an example of the offender).
 - Rehabilitation/treatment (reduce the inclination to commit crimes in the future).
 - Restoration (reparation to the victim and/or the community).
3. Working individually and using the attached worksheet, record the group’s individual responses to the questions on the worksheet.
4. Use the flipchart to create a sheet for each sanction that captures the range of responses to the questions on the worksheet.
5. Discuss the following:
 - How similar are your responses to the first three questions on the worksheet? Are they more similar for one sanction than another?
 - What are your rankings for the third question on the worksheet? Are there any surprises?
 - Did you learn anything new about the team’s roles in sentencing decisionmaking?
 - Are you satisfied with the information you have about each sanction?

(continued on next page)

Linking Goals to Vision (continued)

6. Knowing what you know about the offender population and your current use of sanctions—
 - What additional information about the offender population and/or criminal justice system process do you need to understand whether current sanctions are achieving their goals and producing the kinds of outcomes that the policy team expects?
 - What information will you need to determine whether you need to expand existing capacity in a sanction(s)?
 - What information will you need to determine whether you need to create new types of sanctions and programs? If so, what is needed and for whom?
 - Where will you need to focus your efforts?
7. Finally, consider the following questions:
 - Do you have sufficient information about the types of offenders that are sentenced to various sanctions?
 - Do you have sufficient information about the sanctions that you have in place now?

As a team, consider how you can capitalize on your discussions.

Worksheet

Sanction: Sanction: Sanction:

Questions

What percentage of sentenced offenders coming through the court receive this sanction?			
What is the profile of a typical offender sentenced to this sanction?			
How would you rank each sanction (from high to low) in terms of the seriousness of the offenders sentenced to it?			
What input do you have in the decision that a particular offender will be sentenced to this option?			
What information about the offender do you have at the time that you are providing input/making your decision?			

Use Evidence-Based Practices

In the previous chapter, we considered the kinds of purposes that the criminal justice system typically ascribes to various sanctions and the kinds of outcomes for offenders that policymakers desire. Many of those purposes and outcomes seek positive behavioral change from the offender: Drug treatment, boot camp, and a short period of incarceration are all aimed at getting the offender to change.

Unfortunately, we frequently impose or recommend a sanction with very little idea of whether it will actually accomplish what we seek. Boot camps, for example, grew out of some legislators' memories of the benefits of their own military training and experience. They did not sufficiently recognize the differences between what worked to prepare them for military service and the strategies that research suggests foster law-abiding behavior on the part of young offenders who likely view the boot camp experience as punishment rather than preparation. After 15 years of evaluative research, the correctional field is now clear that a boot camp

regimen of rigorous physical training and discipline alone has no impact on reducing reoffending. To achieve the desired outcome, this kind of regimen must be combined with appropriate interventions for issues such as alcohol and substance abuse, antisocial attitudes, and limited employment skills.

Too many of our sanctioning options are based loosely on something that sounds like a good idea but that lacks evidence of its ability to deliver what it promises. Fortunately, it is no longer necessary to operate on the basis of “good ideas” alone or of assumptions about what changes behavior. Research on human behavior, and specifically criminal or antisocial behavior, indicates that criminal justice agencies can significantly reduce offender recidivism by implementing a series of *evidence-based practices*. Interventions are considered effective when they reduce offender risk and subsequent recidivism and, therefore, make a positive long-term contribution to public safety.

We discovered that we could achieve better results if we could figure out a way to actually implement what the theories and research were telling us we should do to reduce offender recidivism. Now we have all the mechanisms in place to make informed decisions and measure outcomes. Our system gives us real-time data that continually allows us to improve what we are doing to achieve evidence-based practice in all aspects of supervision.

—Jim Bralley,
Director of Field Services,
Georgia Board of
Pardons and Paroles

Tasks To Accomplish

Educate the policy team about implementing effective interventions.

Invite correctional agencies to meet with and inform the policy team.

The Principle

If one of your desired goals is to have a system of effective sanctions, and one of your interests is sanctions that can foster positive behavioral change, then the policy team should require correctional agencies and their contractors and referral organizations to demonstrate how they are using the latest information on offender assessments and effective interventions and how they are incorporating that information into their programming and practices.

The National Institute of Corrections has summarized the research on evidence-based practices in corrections and developed an integrated model for implementing effective interventions. This model requires correctional agencies to rethink the way they operate, which is no easy task. A committed leadership must be able and willing to focus equally on three components of the model:

- Evidence-based principles provide the content for effective intervention.
- Organizational development is necessary to successfully implement change. Organizations must rethink their missions and values, gain new knowledge and skills, adjust their infrastructure to support this new way of doing business, and transform their organizational culture.
- Collaboration is necessary to build internal agency and external stakeholder buy-in for successful implementation.

Evidence-based principles—the first component of the integrated model—address eight aspects of effective offender intervention. They focus on conducting a detailed assessment of the individual offender’s risk of reoffending and criminogenic needs (i.e., specific areas of the offender’s life that contribute to continued involvement in crime), matching the assessment to effective interventions, measuring progress and outcomes, and providing feedback to the offender, the supervision agency, and the sentencing official. The eight principles are described in exhibit 10–1.

Successful efforts to implement evidence-based principles and research into practice in Georgia are described in exhibit 10–2.

Tasks To Accomplish

Educate the Policy Team About Implementing Effective Interventions

The materials on this issue are complex (see list of resources at the end of this chapter). They require the ability to read about and understand various kinds of research and the implications of findings for assessment and programming. They can also be counterintuitive and controversial. The research indicates, for example, that “official punishment” alone (such as a term of incarceration, home monitoring, or probation reporting) does not reduce reoffending and may actually worsen the behavior of some offenders. The research also indicates that

intervention resources are more usefully directed at the highest risk offenders rather than the lower risk or, necessarily, first-time offenders, who are often presumed to be the “better” candidates for help. Therefore, you may want to ask a small group to read the material and then lead a discussion among the team members. A better approach would be to invite an expert on this topic to work with the policy team—or you may want to do both. Policymakers need time to absorb and process this information.

Invite Correctional Agencies To Meet With and Inform the Policy Team

Invite correctional agencies to meet with the policy team to discuss how they are using evidence-based practices and incorporating them into their operations, contracts, and programming. This information, the research that forms the basis for their conclusions, and assessment tools and programming methods have been available to corrections professionals for some time. They are the subject of articles in widely circulated practitioner publications, books and journals, and workshops at professional gatherings. The assessment tools have been available (usually at some cost) for nearly a decade. The managers of the agencies in your jurisdiction ought to be familiar with this material, and they ought to be accountable for how they have integrated this work into their own practices, their contract specifications, and their referrals

to other programs and treatment providers.

The policy team may not feel sufficiently knowledgeable to judge how well your correctional agencies are doing, but asking the questions and asking the policy team for evidence are important first steps. One part of the questioning should ask about the use of assessment tools, the stage of offender processing when they are used, and what is done with the results. Another should relate to the training that the agencies have sought for their staffs and their screening of contractors and treatment providers. The policy team’s knowledge will likely grow over time, but even at the beginning they should be able to make a judgment about these basic issues.

Practical Tips and Tools

Access Relevant Web Sites and Information Resources

The National Institute of Corrections offers training, technical assistance, and information materials on this topic that are suitable for corrections professionals and available free of charge. For more information, access the NIC Information Center Web site at www.nicic.org.

The International Community Corrections Association (ICCA) has published several journal issues on these topics and has other helpful information resources on related issues. For more information, access the ICCA Web site at www.iccaweb.org.

Practical Tips and Tools

Access relevant Web sites and information resources.

Remember the limitations of current assessment tools in addressing women’s issues.

Remember the Limitations of Current Assessment Tools in Addressing Women's Issues

Most currently marketed assessment tools were not developed specifically for women offenders. These assessment tools simply do not address some of the unique

issues that are critical to understanding women's pathways to criminality and their program needs, including past trauma and victimization, relationships, and other areas. New assessment instruments that do address these issues are in development.

Exhibit 10–1. Eight Evidence-Based Principles for Effective Interventions

1. Assess actuarial risk/needs.
2. Enhance intrinsic motivation.
3. Target interventions.
 - a. **Risk principle:** Prioritize supervision and treatment resources for higher risk offenders.
 - b. **Need principle:** Target interventions to criminogenic needs.
 - c. **Responsivity principle:** Be responsive to temperament, learning style, motivation, culture, and gender when assigning programs.
 - d. **Dosage:** Structure 40–70 percent of high-risk offenders' time for 3–9 months.
 - e. **Treatment:** Integrate treatment into the full sentence/sanction requirements.
4. Skill train with directed practice (use cognitive behavioral treatment methods).
5. Increase positive reinforcement.
6. Engage ongoing support in natural communities.
7. Measure relevant processes/practices.
8. Provide measurement feedback.

Exhibit 10–2. Integrating Evidence-Based Principles and Research Into Practice: Results-Driven Supervision Achieves Desired Outcomes in Georgia

In Georgia, the State Board of Pardons and Paroles has been engaged for some years in integrating evidence-based principles and research into their supervision practices. Results-driven supervision (RDS) is a wholesale redesign of traditional supervision integrating theory, research, public policy, practice, and feedback. After Georgia adopted proven theories, field managers and line officers selected proven supervision practices and aligned them with those theories. Training curricula were developed, and the entire agency received training on how to use the new model. Measurable outcomes were established that document supervision efficiency and effectiveness. One consistent result has been a reduction in parole revocations since RDS was implemented: in 2001, parole was revoked for 3,383 parolees (10.4 percent) who failed to comply with their release conditions compared with 3,465 parolees (10.4 percent) in 2000, 3,820 parolees (12 percent) in 1999, and 4,412 parolees (14 percent) in 1998.

A statewide, networked computer application called the Field Log of Interaction Data (FLOID) has been implemented for parole officers to document supervision activities, swiftly address noncompliance, and provide managers with timely and accurate information on all supervision processes. Data are available to parole officers and managers almost immediately and continuously. The data collected also provide parole officers with the tools to focus on crime-reducing behaviors and to identify, monitor, and sanction parolees who fail to comply with requirements to participate in activities that reduce risk.

A more recent innovation in Georgia's parole supervision practices is the Behavior Response and Adjustment Guide (BRAG). BRAG is a guideline for parole officers that suggests both sanctions that are appropriate given various technical violations and positive responses for desired behavior. This is an example of how the lessons that result from research are being integrated into supervision practice to support successful offender outcomes.

Sources: Georgia Board of Pardons and Paroles, 2001, *Overview of the Parole Board and Recent Initiatives*, Atlanta, GA: Georgia Board of Pardons and Paroles; Burke, Peggy, 2004, *Parole Violations Revisited: A Handbook on Strengthening Parole Practices for Public Safety and Successful Transition to the Community*, Washington, DC: U.S. Department of Justice, National Institute of Corrections.

Resource List. Evidence-Based Practices

Publications

Bloom, Barbara, Barbara Owen, and Stephanie Covington. **Gender-Responsive Strategies: Research, Practice, and Guiding Principles for Women Offenders.** Washington, DC: U.S. Department of Justice, National Institute of Corrections, 2003.

Bogue, Brad, Nancy Campbell, Elyse Clawson, Dot Faust, Kate Florio, Andrew Goldberg, Lore Joplin, and Billy Wasson. **Implementing Effective Correctional Management of Offenders in the Community: Outcome and Process Measures.** Washington, DC: U.S. Department of Justice, National Institute of Corrections, 2005.

Bogue, Brad, Nancy Campbell, Elyse Clawson, Dot Faust, Kate Florio, Lore Joplin, George Keiser, Billy Wasson, and William Woodward. **Implementing Evidence-Based Principles in Community Corrections: Collaboration for System Change in the Criminal Justice System.** Washington, DC: U.S. Department of Justice, Crime and Justice Institute for the National Institute of Corrections, 2004.

Bogue, Brad, Nancy Campbell, Elyse Clawson, Dot Faust, Kate Florio, Lore Joplin, George Keiser, Billy Wasson, and William Woodward. **Implementing Evidence-Based Principles in Community Corrections: Leading Organizational Change and Development.** Washington, DC: U.S. Department of Justice, Crime and Justice Institute for the National Institute of Corrections, 2004.

Bogue, Brad, Nancy Campbell, Elyse Clawson, Dot Faust, Kate Florio, Lore Joplin, George Keiser, Billy Wasson, and William Woodward. **Implementing Evidence-Based Principles in Community Corrections: The Principles of Effective Intervention.** Washington, DC: U.S. Department of Justice, Crime and Justice Institute for the National Institute of Corrections, 2004.

Crime and Justice Institute. **Implementing Effective Correctional Management of Offenders in the Community: An Integrated Model.** Washington, DC: U.S. Department of Justice, Crime and Justice Institute for the National Institute of Corrections, 2004.

Hardyman, Patricia, and Patricia Van Voorhis. **Developing Gender-Specific Classification Systems for Women Offenders.** Washington, DC: U.S. Department of Justice, National Institute of Corrections, 2004.

Howe, Meghan, and Lore Joplin. **Implementing Evidence-Based Practice in Community Corrections: Quality Assurance Manual.** Washington, DC: U.S. Department of Justice, National Institute of Corrections, 2005.

Taxman, Faye, Eric Shepardson, and James Byrne. **Tools of the Trade: A Guide to Incorporating Science Into Practice.** Washington, DC: U.S. Department of Justice, National Institute of Corrections, 2004.

White, Thomas, William Carbone, and Cynthia Theran. **A Framework for Implementing “What Works” in Probation and Community Corrections.** Rocky Hill, CT: State of Connecticut, Judicial Branch, Court Support Services Division, 2003.

Web Sites

International Community Corrections Association (ICCA). www.iccaweb.org. Information, training, and other resources to enhance the quality of services and supervision for adult and juvenile offenders and promote effective management practices.

Washington State Institute for Public Policy. www.wsipp.wa.gov. Research-based information on adult and juvenile offenders.

Section FOUR

Building an Understanding of Your System



Obtain All the Necessary Information

With this section, we move into the second phase of this comprehensive planning and policy development process: creating a picture of the current state of your criminal justice system. Again, we do not mean to imply by “second” that this phase will necessarily follow the first chronologically; however, it is usual in a linear analytic process to develop and contrast a picture of “what is” to the picture of the desired state captured during the “visioning” phase of the process. As indicated earlier, your team probably will continue to engage in the visioning process even as you move to and through information gathering.

The chapters in this section (or phase of work) are interrelated as parts of a single endeavor: criminal justice system assessment. A criminal justice system assessment is the task of assembling a full picture of your system as it is. This requires hard data but also descriptive and qualitative information to help you answer critical questions:

- How is the criminal justice system organized and equipped to carry out its mission?
- How do offenders flow through the system from time of arrest through sentencing?
- Who are the offenders in your system and what do they look like?
- What criminal justice resources exist to respond to criminal behavior?

You will want to explore these and other questions during the assessment process.

We need to utilize effective strategies for reducing the costs of the criminal justice system, while at the same time ensuring public safety. All the information that we got through the system assessment process helped us gain a much more detailed understanding of our system, which in turn resulted in strategies that have achieved better results and better cooperation between criminal justice agencies.

—Donald R. Brining,
County Administrator,
St. Lawrence County, New York

System Assessment Questions and Answers

What is a criminal justice system assessment?

A criminal justice system assessment is an information-gathering, analytical process used to synthesize and yield consensus about current practice.

How does it work?

The assessment works collaboratively, across traditional boundaries, from a systemwide perspective.

Why should we conduct an assessment?

- To make informed decisions.
- To answer the public credibly and with integrity.
- To understand current criminal justice practice.
- To shape a common vision.

The final section of this guide addresses steps that both make use of and complete this information-gathering, including presentation of the information for discussion and analysis by policymakers at the highest levels and approaches to learning about (and putting to use) the concerns and resources of the community.

The Principle

Realizing your vision, developing and strategically managing a system of sanctions, conducting comprehensive system planning, implementing desired system changes—all of these have been offered as outcomes that can result from the process described in this guide. Regardless of which is most important to your policy team, *before you can plan for, manage, or change this complex system, you have to assess and understand it.*

The complexity of the system is something that most of us accept intuitively, but few understand just how complex it is and how little

most of us truly know. As previously stated, the criminal justice system encompasses all three branches of government and all four levels of government (federal, state, county, and town/city). It encompasses widely ranging tasks and responsibilities—from primary crime prevention to the sanctioning of adjudicated offenders—and all involve human behavior. Many autonomous agencies conduct the activities of the system. These, in turn, are guided in their responsibilities by a complex set of laws, formal and informal policies, and everyday practice.

Earlier, an example was used to illustrate the point of this “picture” or assessment: We described a policy team’s interest in having a system that serves victims and their interests well. That team discovered that repeated continuances and delays in cases deterred victims from participating. Another way to have “discovered” that court delay was a problem would have been by looking at the average length of time between the filing of charges and the final adjudication in typical criminal cases. In this example, you might learn that the duration is much longer than you had thought. You would dig deeper to discover the reasons (by looking at case records or by interviewing court clerks and attorneys), and if the reasons seemed invalid or the obstacles removable, you would select measures to overcome them. In doing so, you are likely not only to make the court more “victim friendly” but also to save the system resources and serve the cause of justice more adequately.

Assessment Do's and Don'ts

Do . . .

- Involve policy team members in all aspects of the assessment.
- Create strategies for keeping team momentum, especially when the work lags.
- Be clear about the short- and long-term goals to be accomplished.
- Stay on task within a clear timeframe.
- Get broad input.
- Use the system map to guide your work.

Don't . . .

- Make assumptions about what the data will reveal.
- Underestimate how long data collection can take.
- Develop improvements to information systems separate from your planning efforts.
- Present policymakers with volumes of technical reports.

What Do We Mean By “All the Information?”

For a moment, suppose that your policy team is the brand-new board of directors of a major corporation, a company that has been performing adequately but has slipping profit margins, bigger expenses, and sluggish growth. Probably, this board’s first action would be to ask for a full inventory of the company: its holdings, locations, equipment, employees. The board would want to see how the different company units were doing: what kind of sales they were generating and what the trends were. *They would want a complete picture of the current state of the company before they decided what changes, if any, they wanted to make.*

Of course, the job of your policy team is far more complicated—and far more important—than that of a corporate board. But the analogy is real: A critical step to achieving any of the outcomes you desire is to develop a detailed, multidimensional picture of your system in all of its complexity. You will want to understand what drives each decision point in the system (arrest, charging, pretrial release, etc.); how long each step will take for a typical case; what resources, both within the system and in the community, are or might be brought to bear at each point; what policies and practices guide the relevant agencies as they make their decisions; how many cases come into the system and how many leave at each decision point; and so forth. In short, the criminal

justice system assessment seeks to guide you in the following:

- Understanding how things happen in your system—mapping the process.
- Understanding why things happen—cataloging policies and practices, attitudes and assumptions.
- Adding to that understanding with data on the numbers and kinds of defendants and offenders who enter and leave the system at various decision points.
- Taking account of the full breadth of resources that are or might be available to you.
- Integrating all of that information into a picture of your system as it currently exists.

Why Do We Need All This Information?

We need this information to support problem solving, to provide a full picture of the system and those affected by it, to provide a sound basis for system operations, and to provide a means by which to assess progress.

Information Is Critical to Effective Problem Solving

In criminal justice, we are beginning to understand that human behavior and criminality are not “black boxes” of mystery or the simple victory of the bad over the good or vice versa. We are learning more about what makes one person more likely to offend than another and what makes one neighborhood, one tavern, or one park more likely to be a target or crime

scene than another. Our knowledge is still growing, but we are developing the tools and the confidence to analyze and understand the variables that contribute to crime and the steps we can take to counter them. Within our agencies and across our systems, we have learned how to focus on outcomes and how to move what seems to be immovable—to change “the way it’s always been done.” But to conduct any of this analysis—to achieve understanding—we must have good information about crime, about criminals, and about the way things work.

It would be naive, however, not to acknowledge that few of us have the patience to understand a problem fully before we leap to solve it. But patience is indeed what is called for: How many times in your own life and work have you made a judgment too quickly or offered an answer too soon—and then spent even more time later dealing with the unintended consequences of your first response? To return to our example of the “victim-friendly” court: Without a careful examination of the problem, wouldn’t most of us have assumed that what victims needed was more “advocacy” and more attention to participate in the process? The victims may indeed need more attention and advocacy, but in this case the problem existed in the court’s own way of working.

Policymakers Often Have a Limited View of the System and Those Affected by It

Because of their day-to-day familiarity with the system, policymakers often assume that they know everything they need to know to reach good decisions. But in terms of understanding current criminal justice policies and practices, usually no single person sees or understands the process in its entirety. Criminal justice decision-makers come into contact with and experience different parts of the criminal justice system and see those separate parts from their own unique perspectives. Time and time again, policymakers have been surprised by what they have learned from participating in this process—usually something quite different from their initial perceptions or beliefs about what is happening.

A system assessment is not simply an information-gathering and analytic endeavor, however. It is a collaborative effort to synthesize individuals’ experiences and quantitative information into a shared understanding of how things work now. It is not enough simply to collect information—it must be synthesized and understood by everyone involved to begin to understand the picture as a whole. This provides a common base upon which to evaluate the present, to shape a common vision for the future, and to make that vision a reality.

The Process Provides a Sound Basis for System Operations

This process provides policymakers with a basis for operating their system with greater credibility, transparency, and accountability. As one sheriff in Wisconsin stated, “When the [policy team] brings a proposal to the County Board, it is well received because the county commissioners know that it has been debated publicly by the whole group and that everyone has had a chance to ask questions or raise objections.” The current public demand for greater government accountability and reduced spending has resulted in greater scrutiny of how public dollars are being spent, of how well services are working, and of whether the system is living up to its expectations to produce public safety and justice. To

respond to the public’s concerns, it has become essential for policymakers to understand precisely how their criminal justice system is working. This process of developing a shared knowledge base about current practice can assist policymakers and elected officials in developing the kinds of information they need to justify the tough decisions they inevitably have to make.

The Process Provides a Means by Which To Assess Progress

To identify gaps in the current system, to understand the impact of new policies and practices, *and to monitor progress toward achieving specific goals and mission*, policymakers must have both before (baseline) and after pictures.

Plan Your System Assessment

To gain a complete understanding of your current criminal justice system, it will be important to collect data and information on each of the following five dimensions:

- **The processing of cases through the criminal justice system.** Multidimensional mapping of the processing of cases through the criminal justice system.
- **The policies that guide the system's agencies.** An analysis of the formal policies in place in each agency that provide the framework for how those agencies operate.
- **The practices that guide daily activity.** A catalog of the practices employed within and across agencies that guide how the daily business of the agencies and the system overall is conducted.
- **The offender population.** An analysis of the kinds of offenders who come into your system and at what points they leave it.

- **The resources available to manage the offender population.** An inventory of the community-based and governmental resources available to manage offenders or to respond to safety issues in your community.

Each dimension will require a different data collection approach and a different set of skills among those who are collecting the information and will result in a different product representing the data collected (exhibit 12–1). The policy team should be prepared to take on a variety of tasks that may involve the following:

- The policy team itself working as a whole.
- Members of the policy team working in teams or committees.
- Work groups made up of both policy group members and other staff.
- Advisers who are academics or outside consultants.

It doesn't matter what criminal justice problem you are trying to solve, such as greater use of community corrections programs, more effective violations policies, or less jail crowding. If you don't consider the entire system, the problem rarely gets solved. Key to success is strong collaboration, identification of strategic objectives, priority setting, measurement of outcomes, and, finally, performance-fed forward analysis. When we take the time to be absolutely clear about our questions and the scope of our data efforts, we are much more successful in getting accurate information that informs and directly impacts the entire system.

—Ken Aud,
Area Manager for
Probation, Parole and
Community Residential Programs,
Field Operations,
Michigan Department
of Corrections

Tasks To Accomplish

Decide what you want to learn.

Take account of your resources.

Answer the questions **Why? What? How? Where?** and **Who?**

Develop a timetable for your system assessment.

Despite these varying approaches, and the very different kinds of information they are intended to obtain, it is important to stay focused on the desired result: a single picture of the system that every member of the team has helped create and has helped piece together.

Tasks To Accomplish

A number of tasks related to what is to be learned and to the timetable for doing so must be accomplished.

Decide What You Want To Learn

Before beginning to collect data, consider the kinds of questions and issues that the policy team has identified about the criminal justice system. Look at the mission you have taken on. The more specific you can be about what you want to learn from your system assessment, the more likely it is that your data will be useful. For example, if your primary focus is on the jail, or perhaps on repeat low-level drug offenders, what questions do you need to answer to adopt and implement changes? Your questions will likely be about both the process of cases and the offenders those cases represent.

Take Account of Your Resources

Your system assessment plan should include consideration of your priorities, the limits of your staff resources, the time needed to retrieve and collect certain types of information, and where data are stored and how easily the data can be obtained. Before leaping in, the policy group should familiarize itself with the system's capacity

and capabilities. Asking a few agencies to answer a few questions posed by the group can help you learn more about where your data weaknesses are. For example, can the jail tell you how many offenders were released last month on each type of release (bail, release on own recognizance, pretrial supervision, etc.) and the average length of stay for each group? Can the police department give you a breakdown of arrests versus citations in a given neighborhood for last year? What was needed for those agencies to generate that information? What does that mean for more extensive data- and information-gathering efforts?

Answer the Questions **Why? What? How? Where? and Who?**

The information-gathering process is iterative and cumulative. Each step or part of the process will add questions or lines of inquiry for the remaining parts. Therefore, while you want to take time at the outset to review broadly what you want to know, before beginning *each phase* of information gathering, take time to focus on six important questions:

- **Why are the data being collected?** Discuss exactly what it is you want to learn—what questions you want answered about the criminal justice system, a particular population, or your sanctions.
- **What data will be collected?** After you have spelled out your questions and what you want to learn, discuss the specific data elements that you believe will answer your questions. As a

team, discuss which pieces of information, when collected, will provide the answers you seek. For example, in one jurisdiction the policy team was interested in knowing whether a significant number of pretrial defendants failed to appear in court. The courts, the pretrial services agency, and the sheriff's office all had different definitions of failure to appear, and their respective data systems reflected these differences. To gain an accurate understanding of failure-to-appear rates that would also be responsive to the policy team's questions, the team agreed on a new definition of failure to appear for data-collection purposes and on the specific data variables that would be collected at each agency to provide a more accurate picture of this aspect of their pretrial process.

- **How will data be collected?** Consider various methods for collecting the data. For example, offender data likely will be collected through a review of records, and information about service providers and community resources may be collected through focus group discussions or interviews. Often, data collection forms must be created to obtain the specific pieces of information the team needs. Each collection method has implications for time and resources.
- **Where and in what form are the data stored?** Consider the various sources of data. Are they located in law enforcement agencies, in the courts, or in

corrections agencies? Are the data automated? Are they easily retrievable? Will we have to collect information manually?

- **Who will collect and analyze the data?** Some policy teams will have research staff that they can draw on to be responsible for data collection and analysis. Other teams will have to utilize staff in existing agencies, student interns, and themselves to gather a wide range of data and information. One jurisdiction established a research subcommittee to oversee the system assessment process from start to finish. The subcommittee refined data questions, facilitated access to data, and met regularly with staff throughout the process. In another jurisdiction, an inter-agency committee of information system and research staff was formed from all of the agencies represented on the policy team to address the information needs of the policy team as a whole.

Develop a Timetable for Your System Assessment

Your timetable will be driven by the urgency of your business, but it will also depend on your staffing capacity, on your access to the data, and on how easily the data can be retrieved.

Practical Tips and Tools

Involve Policy Team Members in All Aspects of the Assessment

In addition to guiding the assessment process, policy team members can often play an active and valuable role in the assessment

Practical Tips and Tools

Involve policy team members in all aspects of the assessment.

Determine who will be responsible for overseeing the system assessment.

Be clear about the goals to be accomplished.

process itself. Members can help access data and information from their own agencies to make the assessment process as easy as possible. At some sites, policy team members participated as interviewers and focus group leaders to learn more about service providers and the perspectives of criminal justice practitioners.

Determine Who Will Be Responsible for Overseeing the System Assessment

Consider assigning a person and/or committee to shepherd the assessment process. When someone takes

responsibility for the system assessment effort, that person will be able to troubleshoot if an unforeseen glitch in data collection occurs or if a different course of action is warranted. Some policy teams have assigned a subcommittee to work with staff to oversee the assessment process.

Be Clear About the Goals To Be Accomplished

Be sure that the policy team members have a clear understanding of the system assessment process, the questions they want to answer, the plan of action, and their respective roles in the process.

Exhibit 12–1. Getting Started: What Information Do I Need To Collect?

Category	What Is It?	Where Is It?	How Do We Get It?
Map the System	A visual depiction and description of how offenders flow through the criminal justice system and of each decision point in the process.	<ul style="list-style-type: none"> • Agency operating manuals. • State statutes. • Qualitative information to be collected through interviews and focus groups. 	<ul style="list-style-type: none"> • As a team, discuss each decision point in the criminal justice system. Who are the decisionmakers? Who has influence on that decision? • Consult with other practitioners and policymakers to gain a greater understanding of the informal decisionmaking process.
Document and Assess Current Policy and Practice	A summary report that describes the policies, procedures, and protocols of each of the agencies that impact the criminal justice system.	<ul style="list-style-type: none"> • Legislation. • Court decisions. • Agency descriptions. • Agency operating manuals. • Staff training curricula. • State statutes. • State sentencing policies. • Agency annual reports. • Audits. • Program evaluations. 	<ul style="list-style-type: none"> • Make a list of all the agencies and statutes that guide sentencing policy and the use of sanctions. • Compile written documents from each. • Note all policies (both minor and major) that impact the system. • Note all agency descriptions and summarize. • Observe similarities and differences between agency goals and priorities, policies and procedures, guidance about use of sanctions.
Gather Information on Your Offender Population	Statistical analyses, quantitative information, and profiles of the offender population. Population analyses could include trend analyses, recidivism studies, population studies.	<ul style="list-style-type: none"> • Automated information systems: courts, probation, parole, corrections. • Manual records such as offender files, court records, police reports. • Manual data collection. 	<ul style="list-style-type: none"> • Make a list of the questions and/or kinds of information desired about the offender population. • Develop a data collection instrument and/or list of variables to be collected. • Determine a strategy for collecting and analyzing the data, including assessing resources required.

(continued on next page)

Exhibit 12–1. Getting Started: What Information Do I Need To Collect? (continued)

Category	What Is It?	Where Is It?	How Do We Get It?
Identify Sanctions, Services, and Programs	A description or summary of all of the corrections sanctions, services, and programs that are available.	<ul style="list-style-type: none"> • Agency policy. • Statutes/sentencing laws. • Court policy. • Human services directories. • Bench books. 	<ul style="list-style-type: none"> • Brainstorm a list of all of the sanctions available to respond to criminal offenses. • Determine what is known about each sanction and develop a strategy for compiling this information. • Consider the development of a bench book and/or guide for supervising agents about each response that is available and for what kinds of offenses, or update an existing one. • Observe the range of sanctions. Are there gaps? What are the per diem costs of each program? Is there a set of principles underlying the use of sanctions?
Identify Community Resources	A summary of the resources available in the community that can support the team's goals.	<ul style="list-style-type: none"> • Organizations' annual reports. • United Way reports. • "Health of the community" reports. • Chamber of Commerce reports. 	<ul style="list-style-type: none"> • Make a list of all the human service agencies, businesses, charities, civic organizations, faith organizations, community leaders, and others that might have an interest in criminal justice. • Conduct a community survey or hold focus groups to learn more about the ways the community is interested in participating in criminal justice and the resources that exist in the community.

Map the System

The Principle

The most effective strategy for gaining a shared understanding of the *entire* criminal justice system is to complete a map, or flowchart, of the criminal justice process. In creating a map, a policy team documents all of the decision points in the criminal justice process, the decisionmakers at each point, and the flow of offenders through the process. Before you can begin to assess your system, you need a framework or outline from which to work. Creating a system map and charting how cases move through your criminal justice system are the equivalent of creating an outline of a picture or story.

Mapping the criminal justice process as a policy team can accomplish many goals:

- It can bring criminal justice system policymakers and agency staff together to articulate the decisions they make, how they arrive at those decisions, and when (at what point in the process) they make the decisions.

- It can quickly point out what is known and not known about the criminal justice system and can help establish research priorities for the team.
- It can sometimes lead to quick solutions to bottlenecks in processing offenders.

As a result, the mapping process educates policy team members about the criminal justice process as a whole and about how each individual team member affects the others.

Tasks To Accomplish

A number of tasks related to the mapping process must be completed.

Choose the Mapping Approach That Works for Your Team

Several different approaches may be considered. All of them take time, and unfortunately you may not immediately know the best approach for your team. To put it simply—with more details in the following sections—the mapping

Mapping the pretrial decision points for women offenders in Hamilton County was eye opening to our policy team. We learned that we needed to do more that was gender responsive at each decision point, and we learned that there were challenges for women [and men] at each decision point in the system. Mapping was an invaluable tool to us. It helped us identify where we had serious gaps in our system and where we wanted to make changes.

—Joe Schmitz,
Director of Corrections,
Sheriff's Office,
Hamilton County, Ohio

Tasks To Accomplish

Choose the mapping approach that works for your team.

Prepare adequately.

Create a diagram.

Add details and numbers to the map.

process can be conducted in three ways:

- **Basic flowchart or outline.** The policy group completes a basic flowchart or outline that follows a case through the system, beginning with police contact and ending with the point at which the case terminates. This can take several hours or more, depending on how large and complex your system is and how much “on the ground” knowledge the team members have. The flowchart should include all decision points and the decisionmakers and decision options at each point. Over time, the team will “fill in” the map with numbers and more complete information. This approach will allow you to create the flowchart or outline quickly and to zero in on certain steps later (exhibit 13–1).
- **Discovery process.** A second approach, sometimes called the discovery process, examines each step in detail (exhibit 13–2). The policy group completes a very thorough and detailed map by focusing on one or two sections of the process at each meeting. The mapping may be accompanied by tours or observations of facilities or process points as they are relevant (visiting the booking area of the jail, for example, or sitting in on bond hearings). Line staff from various agencies are asked to attend as their section is addressed to answer questions and explain common practices or informal policies. Approaching mapping in this way has

several advantages. You can quickly identify the areas on which you want to work and frame research questions. In addition, your team or team committees can work on these areas as the mapping proceeds.

- **Smaller maps.** For some, the process of completing the entire map at one time may seem overwhelming, or the team may need to target its efforts on one part of the map to be responsive to a crisis or to address the team’s immediate goals. Some sites that participated in the Criminal Justice System Project (CJSP) actually completed several smaller maps of parts of the system: one showing the probation violations process, another showing the flow of offenders into a specialty court, and a third showing the flow of pretrial defendants. These “mini-maps” helped the teams divide their work into manageable pieces and focus on the parts of the system where they felt they could have the greatest impact within a reasonable timeframe. In this instance, one team developed and implemented new policies to guide probation violations and revocations; one team improved the flow of offenders into their domestic violence court; and two teams developed additional pretrial release capacity.

Prepare Adequately

Any approach you select can be a time-consuming process. Be sure to schedule time with your team accordingly and prepare adequately:

- Have plenty of flip chart paper and masking tape available.
- Select a facilitator to guide the team through the process. This person can act as the “tourist” and ask “dumb” questions that an outsider would want to know.
- If you are adopting the second, more comprehensive approach described above (the discovery process), work with policy team members ahead of time to identify who should attend the meeting from the various agencies.

Create a Diagram

A system map diagrams all of the steps in the criminal justice process and includes the following information:

- The major steps and key decision points in the system.
- The decision options and key decisionmakers at each point.
- The sources of influence on each decision.
- The amount of time needed for a case to move from one point to the next.
- The unspoken or implicit norms or assumptions at various steps and decision points.

Place several sheets of paper lengthwise on a long, blank wall. Identify the beginning of the criminal justice process. What initiates an arrest decision? (For example, “a crime is observed” or “an arrest occurs.”) The group should discuss and agree on the appropriate decision point. Put this initial decision point in a box on the far left of the newsprint. The team should

then talk about what happens next in the process. Is the person taken to jail or issued a citation? Does the next step depend on the type of crime committed? How often are charges dropped? Document all the possible outcomes and decision points. Place this at the beginning of the map inside the appropriate shape (see team exercise at the end of this chapter). Label the shape to represent the step.

Draw arrows from one step to the next. Use solid lines between the steps that are guided by formal policy or procedure. Use dashed lines between the steps that are guided by informal practices. Label each step in the process with a consecutive number after it is diagrammed. This will enable those who review the map to refer more readily to individual steps. Continue discussing and drawing each subsequent step (and placing them in the appropriate shape) until the entire process is diagrammed.

In completing the map, be sure to include sections that describe the results of failure (that is, the process when someone violates probation or fails to observe the terms of pretrial supervision).

Add Details and Numbers to the Map

Whichever approach you are using, the map will be most useful if you are able to layer numbers and other details onto it.

- **Numbers.** The criminal justice system functions as a kind of multipronged funnel. A large number of cases are swept into the system through arrest or

Practical Tips and Tools

If completing the basic flowchart or outline, identify sources who can help fill gaps.

If adopting the discovery approach, try to obtain all the information needed.

If completing only section maps, complete the entire map soon.

Consider future uses of your system map.

citation, but along the way, a percentage of those cases leaves the system through various means. You will want to document this. How many cases come in? How many leave or pass through each decision point and decision option? How many move onto the next stage? How many exit? What is the average length of each step? Can you distinguish average lengths of time for certain types of cases from arrest through final disposition?

Adding the numbers will help generate important questions about why and how you are conducting your business. Once you have basic numbers in place (for example, how many cases are detained pretrial, released on bond, or released on personal recognizance or under some kind of supervision) you may want to determine failure-to-appear rates for the different groups, average lengths of detention before release, or, in more depth, what those rates look like based on offense, age, or gender. Collecting each piece of information may require a separate data collection effort, but the effort will be well rewarded in terms of the value of the information it will produce.

- **Details.** As you start asking questions about each decision point, like what criteria are used or who has the needed information on which the decision is based, you may be surprised to find many more decision options and decisionmakers at each point than you previously had suspected. You may discover

that judges, for example, have some fairly individualized ways of disposing of cases or that clerks who provide vital information work only during certain hours and thus keep certain processes from happening at night or on weekends.

Practical Tips and Tools

If Completing the Basic Flowchart or Outline, Identify Sources Who Can Help Fill Gaps

If using the first approach described above (completing the basic flowchart or outline), this process may highlight key parts of the system that are not adequately represented on your policy team and you may need to consult with sources outside your group to complete certain aspects of the map. If this occurs, first complete as much of the system map as possible, given the expertise of the group, and then identify others who can help fill in the gaps.

When finished, the team should discuss their impressions of the completed map and the mapping process. What did they learn by going through this process? Is information missing from the map? Does their knowledge have gaps that need addressing? Is the team satisfied with the current process? Are there ways to streamline the process?

If Adopting the Discovery Approach, Try To Obtain All the Information Needed

If adopting the discovery approach, try to fill in as much information as possible (exhibit 13–3). It might

be helpful to invite line staff and others who can help you understand and capture the full complexity of each step. As you consider each part of the process, develop a list of the questions that cannot be answered without more information or hard data. For example, you might spend an entire meeting on the pretrial screening and decision process but still have questions about failure-to-appear rates (for example, whether the rates are different for different kinds of crimes; whether they have changed over time; and, if so, why they have changed). Answering such questions as you proceed will deepen everyone's understanding of the system and generate a sense of accomplishment.

As a result of the discovery approach, opportunities for change may appear very early in the process. Do not shy away from them. Add them to your wall of progress, and build a sense of success.

If Completing Only Section Maps, Complete the Entire Map Soon

If circumstances cause you to work on only sections of your system, come back before too much time has passed and complete the entire map. Your work—even if it is restricted to one area or to one population—will be better for understanding how the system works in its totality and interdependence, and how each part affects and influences the others.

Consider Future Uses of Your System Map

Computer software packages and architecture and blueprint companies can help you translate your handwritten map to a computerized version that can then be produced in a variety of useful ways and sizes. For example, they can create a very large version that can be placed on a wall and changed at a meeting or a small version that can be used at a desk.

Once your map is complete, display it prominently. Over time, if you use your map as an ongoing tool, it will establish baseline information and help your collaborative team to accomplish the following:

- Educate others about the criminal justice process.
- Assess the impact of new or proposed changes. (Once your system is diagramed, members of your team no longer will discuss changes in the abstract; rather, the changes will become concrete activities that must be integrated with current practice.)
- Assess points in the system that are duplicated, needlessly long, or not working at peak potential.
- Identify gaps in your information—whether quantitative or qualitative.

Exhibit 13–2. Discovery Process: Key Decision Points in the Criminal Justice System

During the discovery process of mapping, the team may focus its attention on one of seven key criminal justice system decision points.

The Seven Key Criminal Justice System Decision Points

1. Decision to arrest
2. Decision to detain pretrial
3. Decision to release from pretrial detention
4. Decision to prosecute
5. Decision to adjudicate an outcome
6. Decision to sentence
7. Decision to modify a sentence

Source: Peggy Burke, Robert C. Cushman, and Becki Ney, *Guide to a Criminal Justice System Assessment*, Washington, DC, U.S. Department of Justice, National Institute of Corrections, 1996, p. 123.

Exhibit 13–3. Questions Considered During the Discovery Process

One team considered the following questions during mapping of the pretrial release decision point:

- What are our criteria for pretrial release?
- Do we use the criteria consistently?
- What information is used to make decisions? Where do we get the information? Who has access to it?
- Do we have a validated pretrial assessment tool?
- Who is involved in the release decision?
- Are failure-to-appear rates different for different kinds of crimes? What pretrial release options do we have?
- How long are pretrial detainees held in jail before release?
- Do we have adequate pretrial services staff?
- Is our pretrial release rate going up? Is it going down? What do we attribute this to?
- How efficient is our pretrial screening process? Can we interview defendants and make decisions in a timely manner?

Team Exercise. Developing a System Map

Preparing To Develop Your System Map

- Schedule time with your full team to develop your system map. This can be a time-consuming process, so be sure to plan accordingly; the precise amount of time involved will depend on how much information must be gathered from individuals outside the collaborative team and on the complexity of the system in your particular jurisdiction.
- Be sure that plenty of flipchart paper and masking tape are available. Place several sheets of paper lengthwise on a long, blank wall.
- Select a facilitator to guide the team through the system map development process.

Creating Your Diagram

1. Start by identifying the first step in the case flow process (e.g., “an arrest occurs”). Place this at the beginning of the map inside the appropriate shape (see shape key and definitions below). Label the shape to represent the step.
2. Continue discussing and drawing each subsequent step (and placing them in the appropriate shape) until the entire process is diagrammed.
3. Draw arrows from one step to the next. Use solid lines between the steps guided by formal policy or procedure. Use dashed lines between the steps guided by informal practices.
4. Review each decision point on the system map. Note the decisionmakers involved at each point.
5. Consult with others outside your team, if necessary, to complete the map. (This process may highlight key parts of the system that are not adequately represented on your collaborative team.) If you need to consult with outside sources, first complete as much of the system map as possible, given the expertise of the team, then identify others who can help fill in the gaps later.
6. After the diagram is complete, label each step in the process with a consecutive number to make referring to individual steps easier when discussing the map.
7. Add quantitative information to your map after your case flow process is fully diagrammed. This quantitative information should consist of the volume of cases that pass through the system during a given time period and the average amount of time needed for a case to move from one point to the next. (A recent calendar year may be sufficient, but if a low volume of cases is processed, you may need to extend the time frame to collect enough data for the information to be useful.) Collecting each piece of information may require a separate data collection effort, but the effort will be worthwhile in terms of the value of the information produced.
8. Type up your map when it is complete and finalized so it can be a useful working tool.

(continued on next page)

Team Exercise. Developing a System Map (continued)

Shape Key and Definitions



Input: The initial step in the process.



Process step: Each step in the process that is not a decision point.



Decision point: Steps in the process in which more than one outcome is possible.



Terminus: The final step in a stream of activity that terminates all other actions (e.g., “case closed”).

Document and Assess Current Policies and Practices

The Principle

Develop an understanding of each agency's policies and formal and informal practices.

Policy

As you complete your map, you will develop a picture of how things work in your system: the steps in the process, how long the steps take, the kinds of options available to decisionmakers, and how long the process typically takes. Next, you will need to develop an understanding of why things happen as they do. This will be accomplished in two parts: first, complete a factual *profile* of each agency in your system; and, second, gather and understand those agencies' *policies* as they affect your system and its process.

Although it is repetitious to state again how complex the criminal justice system is, remember for a moment just how many different agencies are involved, how autonomously they operate, and how many different sources of funding

support them. As you will recall, a number of different agencies are usually involved at each *point* in the process. Part of understanding why the process works as it does is to understand what each organization within the system brings to its work in terms of its mandate, its resources, and its policies.

Practice

Formal policy only *begins* to define the manner in which decisions are made and processes are carried out; in most communities, written policy guides only a small portion of activity. When formal policy leaves activities undefined, *informal practices* emerge to fill the gaps. Informal practices sometimes are developed with clear purpose and great care; sometimes, they simply evolve over time. Understanding informal practice is therefore as critical as understanding current policy; informal practice both accounts for most of what occurs and is ultimately more readily changed than formal policy.

During the planning process, the Cook County policy team reviewed all of the county's criminal justice agencies' written policies and practices to determine whether we were meeting the needs of women offenders. We learned that we had few gender-responsive services in place and immediately began to assess how we could address these gaps. The policy team was able to make some significant changes to service provider contracts to reflect greater gender responsiveness. Now we feel that service providers are more adequately addressing the needs of women offenders in Cook County.

—Edwin Burnette,
Public Defender,
Cook County, Illinois

Tasks To Accomplish

List major agencies and offices that are integral parts of your criminal justice process or significantly affect it.

Complete a profile of each one.

Produce a written summary of your observations and concerns.

Gather written policies that guide the specific decision or process points in which you are interested.

Review and assess the policies.

Based on these activities, identify agencies whose practices are of interest in this process.

List questions that reflect what you want to learn about how each agency operates and makes decisions.

Identify individuals who can answer your questions in each agency and interview them.

Review and discuss the results of the interviews.

Complete a report on your observations and discussions.

Note areas that the team may want to work on later.

Tasks To Accomplish

In documenting and assessing policy and practice, the following steps will be helpful.

List Major Agencies and Offices That Are Integral Parts of Your Criminal Justice Process or Significantly Affect It

With your map in front of you, walk through the steps in the process and note the agencies, departments, offices, and policymakers (whether local, state, or federal) whose actions and decisions affect each one. All may not be noted on the map. Make your list as complete as possible.

Complete a Profile of Each One

You will want to understand the dynamic interactions among these agencies and their ability to affect your system. Using their own reports, document the purpose, mission, and priorities of each one, including their size and scope of responsibilities (see team exercise at the end of this chapter). Note who has ultimate control over the agency, how each is funded, and on what basis funding is provided. At one Criminal Justice System Project (CJSP) site, several county criminal justice agencies were state funded, and their funding level was set according to a formula based on the number of criminal cases filed each year. In reviewing this information with agency leadership, the team realized this created a disincentive for agencies to be creative in the resolution of cases or to support diversion programs—even when they felt strongly that these alternative resolutions or diversions better served the interests of

public safety. They stood to lose staff and other resources.

Examine the nature of each agency's authority and discretion and its impact on other parts of the system. Refer back to your map. At what decision points does each agency have discretion—for decisionmaking, for moving the case along, for gathering information? For example, at one CJSP site, the probation department, a state agency, had the authority to issue probation violation holds that could keep violators detained in the jail for up to 30 days without review by the court. This had obvious impacts on the county, but the county had virtually no recourse when its jail was overcrowded.

Are there obvious imbalances in resources among agencies that might have an impact on how they perform, interact with each other, or affect your system? For example, if the prosecutor's office has received funding to increase the number of attorneys, but the court clerk's office has received no comparable staff increase to handle the larger volume of filings, this is bound to create a bottleneck in the system at various points.

Produce a Written Summary of Your Observations and Concerns

As you note these issues, whether funding imbalances or key issues of authority, discuss the impact that they are likely having on your system's operations. Generate a written record of your findings, observations, and discussions. Identify any items that, in your opinion, warrant efforts to change them.

Gather Written Policies That Guide the Specific Decision or Process Points in Which You Are Interested

Use the map to determine the policies you are interested in. For example, if the team's primary goal is to reduce the jail population, you will want to focus on such issues as arrest policies versus citation policies of the police, the criteria by which cases are screened for release, the charging policies of the prosecutor's office, bond-setting guidelines used by the court, jail procedures for defense attorney access to clients, and so forth.

Review and Assess the Policies

The results of your review will vary. Perhaps you will be surprised to learn that little formal policy exists regarding some issues. You may discover that policies on a particular topic across agencies seem to lack a common goal or that policies within a single agency appear not to serve a discernible larger goal.

To the extent that your team has identified a vision, mission, and goals, you may ascertain how much the policies support them. For example, if your team has a goal to make the system more victim centered and supportive, you may note that individual agencies either lack any policies or have inadequate policies for including victims in the process and determining the weight or priority that victims' desires should have in decisions.

Based on These Activities, Identify Agencies Whose Practices Are of Interest in This Process

You may wish to delve more deeply into several of the agencies you examined earlier. For example, the court and the court administrator may have well-developed policies, but you might want to know more about how the court clerk's office operates.

Your choices will likely be driven by how much you think the organization affects the various decision and process points in the system or the extent to which key parts of its operations depend on unwritten practices rather than explicit policies.

List Questions That Reflect What You Want To Learn About How Each Agency Operates and Makes Decisions

Based on your mapping process, the agency inventory you developed, and your analysis of policies, you will probably have a basic list of questions regarding each agency and its decisions.

Identify Individuals Who Can Answer Your Questions in Each Agency and Interview Them

These are most probably seasoned line staff or middle managers who really understand how things work because they have been around for a long time and have worked in several parts of the organization. In interviewing them, you will want to understand *how* things are done and *why*, ranging from how

Practical Tips and Tools

- Form small groups for tasks.
- Obtain profile information from a variety of sources.
- Remember that formal policies can take many forms.
- Develop a full picture of the policies that guide practice and decisionmaking.
- Identify missing resources and shared goals.
- Conduct effective interviews.

cases are assigned at the public defender's office to probation officers' responses to low-level technical violations.

Review and Discuss the Results of the Interviews

Compare what you have learned through this process to the agency's formal policies. Do their practices seem to be designed to serve the goals or mission they have adopted? You may find outright contradictions between formal policies and actual practice.

Review the practices of the various agencies for their impact on key decision points and on the ability of other agencies to meet their responsibilities. Note areas that you want to investigate further or address.

Complete a Report on Your Observations and Discussions

As you review and discuss the policies, keep a record of your discussion. Complete a report, even an informal one, that documents your findings, issues, and concerns. Add your observations to the profiles of the individual agencies that you began earlier. The results of your interviews should be added to the profile of each agency. In addition, you should prepare a summary report that captures your overall discussion and observations across all agencies.

Note Areas That the Team May Want To Work on Later

The process for identifying and choosing opportunities for change is explored in chapter 21 of this manual. As with each earlier step,

keep track of areas that you want to address, whether immediately or later.

Practical Tips and Tools

Form Small Groups for Tasks

This work is best done by smaller working groups or subcommittees, who will then present written reports to the policy team for further discussion.

Obtain Profile Information From a Variety of Sources

The profile information can be obtained from a variety of sources, including state and county budgets, agency annual reports, authorizing legislation and subsequent regulations, official testimony provided to legislative bodies, organizational Web sites, and so forth.

Remember That Formal Policies Can Take Many Forms

Formal policies can take many forms. They may be found in federal or state law, county and municipal codes, case law, individual agency policies and procedures, or memorandums of understanding among multiple organizations. Look for training materials that are provided to new staff to determine the guidance they receive about policy.

Develop a Full Picture of the Policies That Guide Practice and Decisionmaking

A review of policies and laws may not be enough to develop a full picture of the policies that guide practice and decisionmaking. You may decide to interview key individuals in each agency to determine

the factors that influence their decisions (exhibit 14–1). How are decisions made? What influences their decisionmaking?

Identify Missing Resources and Shared Goals

As you are conducting interviews and trying to sort out how the agency operates—the everyday direction that is provided to staff—look for two other pieces of information:

- Any resources this organization lacks that might interfere with its ability to be effective.
- Whether staff members seem to share a sense of the agency’s goals and are clear about how they are contributing toward achieving those goals.

Conduct Effective Interviews

The decision about how to conduct interviews and who should conduct them is strategic. Some interviews will likely be most productive if conducted in a group (for example, probation officers who handle different kinds of cases or work in different neighborhoods). The group, however,

should be composed of individuals of similar rank in the organization. Consider having policy team members conduct interviews with criminal justice professionals, program staff, or community members (exhibit 14–2). Other members might be willing to divide interview assignments—perhaps the judge would speak with other judges and the prosecutor would speak with his or her peers. It is always important to emphasize that the purpose of these interviews is to develop an understanding of current practice, not to evaluate individual practices.

Also, consider conducting interviews in pairs. Two people can easily share the interview; one can take notes and one can conduct the interview. It is sometimes difficult to do both at the same time. Two people also have the advantage of hearing different things during an interview and together can form a more complete summary. If paired, interviewers also can use each other as sounding boards to summarize what is being learned in each interview.

Exhibit 14–1. Interview Guide for Criminal Justice Decisionmakers

It is critical to understand the roles that judges, prosecutors, defense attorneys, and others play in the criminal justice system. Around what criminal justice policies does there appear to be consensus? Where is there disagreement? Any jurisdiction would further its understanding of the current criminal justice system by taking time to find out, through interviews, the following:

- How do you exercise discretion? What major decisions are you primarily responsible for?
- To what extent is there clarity about sentencing philosophy and the use of sanctions?
- Is sanctioning policy in a written form that everyone has seen, or is it implicitly understood through a pattern of practices that has evolved over time?
- Is there common understanding of the policies that guide sanctioning decisions?
- What is the quality of working relationships between the day-to-day criminal justice system actors: supervision, the courts, the prosecutor, and the defense?
- What sanctioning outcomes do judges, prosecutors, and defense attorneys seek?
- What changes in policies, practices, and procedures would be desirable?
- What barriers do they see in achieving those changes?

Exhibit 14–2. Interview Guide for Programs and Staff

Ultimately staff—including probation supervisors and line staff, program managers, and caseworkers—have substantial influence on how sanctioning policies are implemented in their jurisdictions. Just as it is desirable to understand how well judges, prosecutors, and defense attorneys understand, agree with, and adhere to policies, it is imperative to determine the same of staff. Because probation and parole staff are responsible for supervising offenders in the community (typically the largest group of offenders in a jurisdiction), and other service providers are often responsible for providing treatment services to offenders, the familiarity of each with the individual circumstances of each case can greatly affect their response to that case. For staff members working in an environment where policy has been implicit, the opportunity to exercise discretion is considerable. But, even with explicit policy guided by assessment tools and decision matrices, discretion must be available. The question is, how widely does its exercise lead to or divert from the achievement of the policy's goals? Therefore, it is important to explore the attitudes and beliefs of sanctions and program staff.

A thorough exploration of sanctions and programs must include an understanding of the following:

- How people learn to do their jobs and what kind of training is available.
- What policy exists, both in substance and form, to guide decisions about eligibility, capacity, violations, revocations, and terminations from programs.
- How people actually carry out agency policies.
- Whether agencies use a contractual process to employ service providers and what accountability measures are built into the contracts and statements about how supervising agents and service providers will work together to manage cases.
- The extent to which discretion is exercised in managing cases and under what conditions.
- The extent to which existing sanctions are sufficient for enhancing overall practice.
- The aspect of the sanctioning process that is perceived as most frustrating.
- The changes that are needed to enhance the staff's ability to do their jobs, as they pertain to both sanctions and programs.

Team Exercise. Developing a Profile of the Criminal Justice Agencies in Your Jurisdiction

Part of the foundation of a criminal justice assessment is a clear understanding of the formal organizational structure that embodies the criminal justice system. The following inventory outlines the types of information that should be assembled for each organization that bears some responsibility for sanctions in your jurisdiction. The agencies will include some or all of the following:

General jurisdiction court	Sheriff's office
Limited jurisdiction court	Law enforcement/local police department(s)
Probation department	Jail administration
Prosecutor's office	Community corrections
Public defender	County commission/board
Pretrial services agency	Criminal justice coordinating body(ies)
Local/regional correctional facilities	State correctional agency

Background information in the form of annual reports, annual budgets, public information packets, and other data can be assembled to begin building a knowledge base about the structure of each of these entities. Suggested steps for gathering information from these documents, and possibly from subsequent in-person or telephone interviews, include the following:

1. Make a list of the major agencies and offices that are integral parts of or significantly affect the criminal justice system.
2. For each agency that you identified, document the purpose, mission, priorities, goals, and size and scope of the agency's responsibilities. What is the nature of their authority and discretion? How does the agency affect the criminal justice system? How does the agency interact with other criminal justice agencies?
3. Summarize and review the information you have collected. Which agencies have the greatest impact on the criminal justice system? What additional questions do you have?
4. Use the following template to summarize what you learned about each agency.

Team Exercise. Developing a Profile of the Criminal Justice Agencies in Your Jurisdiction (continued)

Name of Agency:
Name of Agency Director: Contact Information:
Agency Mission:
Agency Priorities and Goals:
Agency Organization: List major departments, divisions, and units with a brief description of their functions. Attach an organizational chart if available.
Size of Agency: Indicate the number and type of staff, number of locations, and geographic catchment area.
Funding Sources: Include the agency's total budget and its primary funding sources.
Agency Interaction: How does the agency interact with other criminal justice agencies? Are there existing memorandums of understanding, interagency collaborations, and so forth?
Next Steps: List the key staff members to be interviewed. List any additional questions you have. Summarize the information. Develop a plan for completing the agency profile.

Gather Information on Your Offender Population

The Principle

Defendants and offenders are the most visible “products” of the criminal justice system. They are the bad guys that the rest of the system spends its time catching and processing in the name of justice, accountability, and public safety. They are also an extremely costly product. Putting aside the costs of apprehension and case processing, the costs of supervising, housing, and providing services to detainees, offenders, and those on pretrial release are a major burden on public dollars.

It is not surprising that many of the goals and outcomes articulated by policymakers are centered around achieving successful outcomes for offenders. Yet, all too often, those same policymakers lack the information they need about the defendant and offender populations to make purposeful decisions about the sanctions and services that will be most effective in achieving the desired results. So, whether your policy group is already focused on reexamining

your system of sanctions or intent on streamlining your pretrial processes, learning everything you can about the people in your system is a key next step.

Often, when policymakers are asked to describe the offenders who are involved in the criminal justice system, their answers are diverse and express varied perspectives. For example, a lower court judge with jurisdiction over misdemeanor offenses may have a different picture of who offenders are than a parole officer supervising serious felons who have served long prison sentences. So it is important for the entire policy team to work together to understand the characteristics of the offender population. Critical to making sound policy decisions is having a picture of the range of defendants and offenders who are involved with the criminal justice system, their demographic characteristics, and their criminal histories. Too often, criminal justice policymakers stop at gathering system information at this point and make decisions

When we conducted a survey of all the women exiting the jail, we discovered a core group of women “frequent flyers” who had entered and exited the jail more than 10 times in a year. When we did a recidivism study one year later of the same group of women in the original jail exit survey, we discovered that 52 percent of the women had been arrested again at least once. It became clear to the Women Offender Task Force that if we were going to address the needs of the women offenders in Davidson County, it would involve more than a simple band-aid approach.

—Ross Alderman,
Public Defender,
Davidson County, Tennessee

Tasks To Accomplish

- Generate simple analyses first.
- Decide where you want to begin.
- Choose an approach.
- Decide which offenders you **most** want to learn about.
- Keep a written record or prepare periodic reports.

about how the whole process can be done faster and more efficiently, or they implement more programs and services without a detailed understanding of the offender population for whom the services are provided. Far too many programs are underutilized because a significant portion of the offender population does not fit their eligibility criteria, or conversely, because long lists of offenders are waiting to gain access to overcrowded programs.

It is unlikely that you will have the resources to collect at one time all of the information about offenders that you might want. Therefore, your offender population analysis should be driven by the policy team's questions and pressing concerns. It should take place in the context of all of the other criminal justice information you have collected to this point. Because it is likely that offender population data will take considerably longer to collect than other types of data, you may want to start this process while working on the earlier steps outlined in chapters 11–14.

Tasks To Accomplish

Offender data and information may be collected in numerous ways, all of which have implications for time and resources. Therefore, before you commit to a large-scale data-collection effort, take time to make certain that it will accomplish what you want. On the other hand, you may decide later to take on second and third efforts, so do not try to answer every last question when you conduct the first effort.

Generate Simple Analyses First

Generate simple analyses first to give the policy team experience with examining and discussing this kind of information and analysis. Few policy team members will understand what they want to know or appreciate how readily (or not) your information system can generate data on offenders and defendants for their consideration. Therefore, it is important both to whet their appetite for hard information and to build their knowledge of what they must do to get it.

If your team has been focused on bond setting, for example, you might want to look at some information about defendants, charges, and bond amounts. Choose a week or a month and look at the releases on bond during that period: What was the average length of stay for individuals released during that time with various bond amounts (\$150, \$250, \$500, \$1000, etc.)? How did charges correlate to bond amounts?

Or perhaps your group is concerned about the number of women or young males between ages 18 and 21 in the jail. Depending on your data system's capacity, you might look at an analysis of bookings for a specified period for these groups: During the month of May, how many were booked and on what charges? What were the 10 most common charges for each group? Or, conversely, how many were released and what was their status on release (on bond, on pretrial supervision, sentenced to time served, on probation, transferred to state prison, etc.)?

At this stage, it almost does not matter how you choose to look at a particular group or decision point. You primarily want the team to gain the experience of looking at this type of information and learning the *other kinds of questions* it raises for them. Consider some of those other questions and develop additional data for them. Has a specific group of offenders been arrested over and over, many more times than most? Who are they and how many times have they been arrested? Are they male or female? What are their ages? What kinds of crimes have they committed? Are individuals sitting in your jail for long periods on relatively low bond amounts? Who are they and why don't they make bond? Does a mechanism exist for reviewing those cases after a set period of time?

Consider these to be practice sessions. The policy group is learning what it wants to know, how to pose questions, and the answers your system can deliver. Be sure to include in these sessions the staff who can help policymakers and others understand what hard data your system can and cannot produce.

Decide Where You Want To Begin

The decision may be easy: Your county jail is in the midst of a population crisis and you must understand how the jail is used, who is in it, for how long, and other details. Or perhaps the mapping has revealed a decision point in the system that urgently needs more careful examination. Or a constituency in your community

may be concerned about a particular offender group, either because they want to offer the offenders additional services or because they fear the impact of the offenders' criminality on the overall health of the community (exhibit 15–1). Or as a group you may have decided that you want to focus on the crime and offenders in a particularly vulnerable area of your community.

If your decision is not obvious, the policy team should review the results of their earlier information-gathering efforts, review what has been learned about your system's data-generating capacity, and decide on the population groups or system decision points that seem to require attention.

Choose an Approach

Selecting an approach will depend on your system capacity and your interests. Common approaches include the following:

- **Pipeline analysis.** A pipeline analysis follows a cohort of arrestees through their passage into and out of the criminal justice system (exhibit 15–2). It looks at how many people were arrested during a given period, and then what happened to them: How many were released after booking? How many were detained before release and for how long? How many cases were dismissed? How many offenders were convicted? Of those convicted, how many were misdemeanors versus felons? In each category, how many were sentenced to prison, jail, probation, or other community sanction? If this kind of analysis

can be done, it would be helpful to add the average time from one stage to the next.

- **Analysis of the jail population.**

An analysis of the jail population is usually done with an exit survey (exhibit 15–3). This strategy focuses on collecting broad information about everyone *leaving* the jail within a certain sampling period. Working backward from the date of release, this strategy focuses on an in-depth analysis of who enters the jail, how long inmates stay, for what reasons inmates are incarcerated, and how they leave. It permits a detailed picture of how the jail is used in a given timeframe.

- **Comparison of defendants released on bond, on pretrial supervision, or on their own recognizance, and those not released.**

If your team is concerned about use of the jail for pretrial detention, then this kind of analysis permits you to look at whether defendants released in different ways, and those detained pretrial, represent truly different groups with regard to risk of flight and threat to public safety.

- **Profile of offenders sentenced to different sanctions within a period of time.**

Following decades of change in sentencing laws and robust innovations in the development of new sanctioning options, many jurisdictions find they have an array of sanctions but little coherent policy or direction for their use. The sanctions may be overlapping in both the outcome desired and

the target population or conflicting in terms of their appropriate or desired use. This sanction profile will enable you to compare offenders receiving different kinds of sentences.

The areas you will include in the profile—apart from offense and criminal history, which are essential—will be driven by your interests. These may include: race, gender, age, substance abuse history, and history with other sanctions, programs, or interventions. This kind of profiling may be approached in a number of ways. You might choose to profile everyone sentenced during a selected period of time, or you might profile offenders in specific sanctioning options during that time.

- **The outcomes of sentenced cases.** How many offenders successfully complete their sentences? How many cases result in revocation?

- **How long cases remain in the system.** How much time is needed for a case to proceed through the system from time of arrest to conviction to sentencing? How long is a typical sentence to prison, jail, or probation? What is the most common form of release, and what is the average length of stay for each type?

Decide Which Offenders You Most Want To Learn About

To progress on goals and tasks, gather information about offenders whom you *most* want to learn about (see team exercise at the

end of this chapter). If your system's data-generating capacity is limited or if you want to focus in-depth on a particular group of offenders, you may want to limit your initial offender information-gathering efforts to one or two groups. As indicated above, your choice may be driven by a number of factors, including system problems you have identified in your mapping effort or concerns about appropriate sanctions for some groups. Some jurisdictions have focused on women offenders, youthful drug offenders, pretrial detainees, probation violators, or those arrested frequently.

Focusing on one or two subgroups of the population will allow you to pursue information in far greater depth. You may want to conduct in-depth interviews with a sample of your population of interest or delve into their case files for more details about their histories.

Keep a Written Record or Prepare Periodic Reports

As you learn more, keep a written record or prepare periodic reports of your discussions, findings, concerns, and possible targets for action. It is easy to become lost in the details of all this information and to lose sight of the fact that you are building a comprehensive, detailed, and textured picture of your criminal justice system and how it operates. These individual lines of inquiry are all connected: If an analysis of the jail population reveals a lot of beds and bed-days devoted to what the team considers to be low-level offenders

or low-risk detainees, those facts are related to the policies and practices of agencies in your system. You may decide to create a *program* to divert them out of the jail. However, you also will need to address the policies and practices that put them there in the first place, and that will need to be changed if the new programming is to succeed.

Practical Tips and Tools

Early in the Process, Identify Who Will Generate Reports and Data

Identify early in the process the agency staff who will generate the reports and data you need. Involve them in your policy team discussions. Their availability to listen and to respond to team members' questions and concerns will help team members create strategies to answer questions. Moreover, their presence will give the team a valuable, realistic picture of what is needed to answer some (or all) of their questions.

Use Any Available Academic Assistance

Draw on any academic assistance that is available. A nearby university may have a graduate-level criminal justice, sociology, social work, or psychology department with professors who can assist in developing strategies and performing analyses and/or with graduate students who can assist with interviews, data entry, case file reviews, and other tasks.

Practical Tips and Tools

Early in the process, identify who will generate reports and data.

Use any available academic assistance.

Determine how easy or difficult it will be to collect the data you need.

Anticipate additional questions.

Determine How Easy or Difficult It Will Be To Collect the Data You Need

Get a sense of how easy or difficult it will be to collect the offender population data you want before you actually begin. This will help you anticipate potential problems in retrieving and collecting data and put strategies in place to address them. Start by collecting easily available offender population data rather than with what may be a labor-intensive effort.

Anticipate Additional Questions

Be aware that data usually raise more questions than they answer. If the process is working as it should, you will continue to raise questions, gather data, raise more questions, and gather more data.

**Exhibit 15–1. Gathering Offender Population Data:
Dutchess County, New York**

The Dutchess County Criminal Justice Policy Council wanted to learn more about the risks and needs of the local offender population. Council members formulated a list of questions and developed priorities and goals for their efforts. Then they developed a plan that included gathering automated data from their information systems for the sample population.

Types of Variables Collected*

NYSID Number	Time Served
Age at Arrest	Most Serious Conviction Charge
Date of Arrest	Number of Prior Arrests
Race	Number of Prior Misdemeanor Arrests
Gender	Number of Prior Felony Arrests
Arresting Agency	Number of Prior Convictions
Most Serious Arrest Charge	Number of Misdemeanor Convictions
Disposition Court Level	Number of Felony Convictions
Sentence	

*All data are from the DCHS Criminal History File.

Exhibit 15–2. Sample Offender Population Analysis Results: Dutchess County, New York

1. What were the demographic characteristics of individuals arrested in Dutchess County?

- Among those arrested during the study period, the average age was 29; three-fifths (61 percent) of those arrested were younger than age 30.
- Slightly more than three-quarters (77 percent) were males.
- Nearly 7 out of 10 arrestees (69 percent) were white.
- More than one-quarter (27 percent) were African American.
- About 1 in 30 (3 percent) were Hispanic.

2. Who was the arresting agency?

The most common arresting agency was the town police (27 percent), followed closely by the city police (25 percent) and state police (23 percent). The remainder were arrested by the county sheriff (17 percent) and village police (8 percent).

3. What types of crimes were individuals arrested for, where were they adjudicated, and what types of crimes were they convicted for?

- In terms of seriousness and arrest charge, 74 percent were misdemeanors and 26 percent were felonies.
- In terms of type of charge, more than four out of five (81 percent) were Penal Law Offenses, and one in five (19 percent) were Vehicle and Traffic Law Offenses.
- The largest arrest category was Class A Misdemeanors (49 percent). This was followed by Unclassified Misdemeanors (8 percent), Class B Felonies (5 percent), Class C Felonies (2 percent), and Class A Felonies (less than 1 percent).
- Town courts disposed of the majority of cases (54 percent), followed by city courts (24 percent), village courts (9 percent), and County Court (8 percent). The remaining 5 percent were adjudicated outside Dutchess County.
- In terms of convictions, nearly half (49.6 percent) were convicted of Class A Misdemeanors. Additionally, about 1 in 8 (13 percent) were convicted of Violations; 1 in 10 (10 percent), Infractions; nearly 1 in 10 (9 percent), Unclassified Misdemeanors; 1 in 12 (8.7 percent), Class B Misdemeanors; nearly 1 in 12 (7.9 percent), Class D and E Felonies combined; and the remainder (less than 2 percent), Class B and C Felonies combined.
- There were no convictions for Class A Felonies.

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Exhibit 15–2. Sample Offender Population Analysis Results: Dutchess County, New York (continued)

4. What were the sentences received?

- One in eight cases (13 percent) were dismissed, and nearly one in five (19 percent) were adjourned in contemplation of dismissal.
- One in eight (13 percent) were sentenced to probation only, with 1 in 25 (4 percent) receiving a split sentence of jail plus probation.
- One in eight (12 percent) were sentenced to jail, and 1 in 50 (2 percent) were sentenced to prison.
- Less than 1 percent of arrestees received an unconditional discharge.
- The remainder (37 percent) were sentenced to a conditional discharge (9 percent), a fine (20 percent), both a conditional discharge and a fine (3 percent), and other sentences (5 percent).

5. What were the criminal histories of those arrested?

- The average offender had four prior arrests and between one and two prior convictions.
- More than half of offenders (55 percent) had a prior misdemeanor arrest, and about one-third (35 percent) had a prior misdemeanor conviction.
- Two in five (40 percent) had a prior felony arrest, and nearly one in five (18 percent) had a prior felony conviction.
- One in seven (14 percent) had a prior sentence of probation, and 1 in 20 (5 percent) had a prior violation of probation.

6. What were the characteristics of offenders sentenced to jail or prison (incarcerated)?

- Of 701 arrests, 125 received incarceration sentences and 576 did not. (These data were examined using multivariate analysis to determine the statistically dependable differences between the two groups.)
- While males made up 77 percent of the total group, they were more likely to receive incarceration as a sentence (85 percent of those incarcerated vs. 75 percent of those not incarcerated).
- In terms of race, white offenders represented 69 percent of the total group, compared with 44 percent of those incarcerated and 75 percent of those not incarcerated. On the other hand, African-American offenders represented 27 percent of the total group but 50 percent of those incarcerated and only 22 percent of those not incarcerated.
- In terms of criminal history, the two groups differed in average number of prior misdemeanor arrests (6.6 for those incarcerated, 1.9 for those not incarcerated), felony arrests (3.0 incarcerated, 0.9 not incarcerated), misdemeanor convictions (3.6 incarcerated, 0.8 not incarcerated), and felony convictions (0.7 incarcerated, 0.2 not incarcerated).
- In terms of location of arrest, incarceration was more common for offenders arrested by city police than for those arrested by state, town, or village police or the county sheriff's justice. Those arrested by city police represented 58 percent of all offenders incarcerated but only 18 percent of those not incarcerated.
- Court of jurisdiction was also related to likelihood of incarceration. Cases adjudicated in city courts or county court were more likely to result in incarceration than were cases adjudicated in town or village courts.

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Exhibit 15–2. Sample Offender Population Analysis Results:
Dutchess County, New York (continued)

Dutchess County Systems Assessment Project: Offender Population Characteristics

Variable	Total Group (N=701)	Not Incarcerated (N=576)	Incarcerated (N=125)
Average Age	28.97	28.95	29.10
Percent Male*	77%	75%	85%
Percent White*	69%	75%	44%
Percent Black*	27%	22%	50%
Number of Prior Misdemeanor Arrests*	2.73	1.90	6.56
Number of Prior Felony Arrests*	1.27	0.89	3.02
Number of Prior Misdemeanor Convictions*	1.27	0.76	3.59
Number of Prior Felony Convictions*	0.28	0.19	0.70
Arrested by N.Y. State Police*	23%	24%	16%
Arrested by Sheriff*	17%	19%	9%
Arrested by City Police*	25%	18%	58%
Arrested by Village Police*	8%	9%	2%
Arrested by Town Police*	27%	29%	14%
Misdemeanor Current Charges*	38%	32%	62%
Felony Current Charge*	8%	3%	30%
Convicted in City Court*	24%	19%	46%
Convicted in Town Court*	54%	61%	23%
Convicted in Village Court*	9%	11%	8%
Convicted in County Court*	8%	3%	30%

* Indicates the differences are statistically dependable.

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**Exhibit 15–2. Sample Offender Population Analysis Results:
Dutchess County, New York (continued)**

7. What is the degree of overlap in the characteristics of offenders who were incarcerated and those who were not? Are some incarcerated and nonincarcerated offenders indistinguishable from each other?

This final question is an example of using justice system data to begin answering alternative future policy questions. The council was interested in the extent to which incarceration was being used for individuals similar to those not incarcerated. Using the analysis described above, a statistical model was developed to examine this question. In other words, the statistical analyses were used to develop a prediction of whether a case would result in incarceration, and then the results of the model were compared with what actually happened. The table below presents the results of this work. Approximately three of eight cases (37 percent) resulting in incarceration (i.e., 46 of the 125 offenders incarcerated) are statistically indistinguishable from those not incarcerated. Given that these statistics are based on a 10-percent random sample, this means that potentially 460 offenders per year are being incarcerated who might be considered for other sanctions. Of the 576 individuals not incarcerated, 30 (or approximately 5 percent) are statistically indistinguishable from those incarcerated. Thus, potentially 300 offenders per year are not incarcerated who might be considered for incarceration.

Dutchess County Systems Assessment Project: Overlap Analysis

	Predicted Not Incarcerated	Predicted Incarcerated	Total
Actually Not Incarcerated	546	30	576
Actually Incarcerated	46	79	125
Total	592	109	701

Source: William Davidson, Ph.D. Prepared for the Criminal Justice System Project, National Institute of Corrections, U.S. Department of Justice, May 1999.

Exhibit 15–3. Example of Trend Analysis: Women Offender Project, Tulsa County, Oklahoma

Pretrial and Bond Releases From the Tulsa County Jail

	Pretrial Release		Bond Release		Pretrial/ Bond Combined	
	Total	Female	Total	Female	Total	Female
1998	17,830	4,227	9,169	1,903	6,999	6,130
1999	16,299	3,836	9,615	2,158	25,914	5,994
2000	6,030	1,570	16,036	3,673	22,066	5,243
2001	5,641	1,580	15,158	3,558	20,799	5,138
2002	2,380	696	16,808	4,112	19,188	4,808
Change	–87%	–84%	+83%	+116%	–29%	–22%

Note: During the 30-day period ended February 1, 2003, 517 women were released from the jail. Of these, 68 percent (353) were bond releases and 4 percent (20) were pretrial releases.

Source: Teri Martin. Prepared for the Improving Community Responses for Women Offenders Project, National Institute of Corrections, U.S. Department of Justice, 2003.

Team Exercise. Designing an Offender Population Analysis

One key ingredient in the process of strategic planning and policy analysis is a population analysis. Frequently, jurisdictions have a need to understand the populations they deal with to make effective policy decisions. To conduct a population analysis, four sets of issues need to be addressed: identification of the important policy questions, specifications of the desired and available information, design of the data collection and analysis, and a description of the desired form of the answers. Engage your policy team in a discussion of each of these four issues as you consider what information and data you will want to collect about your offender population.

1. What are the important policy questions?

Central to strategic planning is posing key policy questions. These questions will need to be related to the desired goals and objectives of the jurisdiction and an analysis of the system's current performance in obtaining the goals and objectives. Common examples surround the use of justice system resources, the handling of offenders, the differential use of sanctions, the treatment of victims, the relationship of system components to one another, and other factors. Specific questions you may want to pose include the following:

- Who are the offenders flowing through the system?
- What are their characteristics?
- How do the characteristics of offenders relate to the sanctions received?
- How are criminal justice resources used?
- How consistently are resources used relative to offender sanctioning?
- How effective are your decisions in reducing recidivism and risk?
- How effective are your sanctions in reintegrating offenders/restoring victims and communities?

2. What information do you need to answer the important policy questions?

Three steps are used to determine what information to include in answering important policy questions:

- (1) What do policymakers know? The experiential knowledge of the policy team is the best place to start. For example:
- What characteristics do the judges and court officers currently consider in deciding a case?
 - Are there types of cases for which nonresidential sanctions might be appropriate? If so, does the jurisdiction currently lack such programs or have inadequate capacity?
 - Do important community issues arise in the decision processes?

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Team Exercise. Designing an Offender Population Analysis (continued)

Given the involvement of the policy team, it is likely that the variables being considered will include some of the following:

- **Offense characteristics.** Examples are most serious conviction offense, type of victim, statutory requirements for sanction, age of victim, relationship to victim, use of weapon, physical injury, property loss, and involvement of drugs/alcohol.
 - **Offender characteristics.** Examples are gender, race, age, chemical/alcohol dependency, frequency and nature of prior arrests and convictions, system status at time of offense, employment, education, residential situation, mental health status, and prior treatment.
 - **Decision point information.** Examples are initial charges and plea negotiations, presentence investigation recommendation, prior sanctions/services, pretrial detention, disposition, terms of probation, length of time between decision points, sentence duration.
- (2) Where does the information needed currently reside? Typically, three types of data sources may be accessed: paper assessments (e.g., case records, court documents) used to make decisions ranging from arrest to sentencing; similar information in automated format (e.g., computer-based management information systems); and other desired information that does not currently exist in any archival format. Bail assessment forms, presentence investigation reports, case records, prosecutors' files, and criminal histories are all examples of data sources that may be either paper or automated and can be the source of information for the population analysis. To collect desired information that does not exist in paper or automated format, it will be necessary to change the systems recordkeeping procedures. The information needed will be directly determined by the questions that are important to key policy decisionmakers.
- (3) How dependable is the information? Another issue that needs to be addressed is the quality of the information that exists (i.e., how dependable it is for making policy decisions). When choosing information to be used for policy decisions, it is important to consider the following:
- The information needs to be gathered accurately with few instances of missing data.
 - Objective data elements (e.g., age, number of priors) are relatively inexpensive to collect.
 - Subjective data elements (e.g., remorse of offender) are relatively expensive to collect.
 - Information needs to be gathered consistently across staff and time.
 - There needs to be ownership of the policy-relevant information by those individuals responsible for its collection.

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Team Exercise. Designing an Offender Population Analysis (continued)

3. How should information for population analysis be collected and analyzed?

After the team has decided which information to collect, three methods of data collection may be used: retrieval of automated (computer-based) data files, coding of paper information, and creation of new data-collection instruments (either paper or automated). It will also be important to decide who will be collecting the data. The person who records a piece of information must have immediate access to it or must, in effect, already know it. Then it will become a matter of quickly and easily transferring that knowledge to a well-designed form, on paper, or on a computer screen. A related issue is where the data will be collected from. Depending on the case-processing flow in the jurisdiction, the information required would originate at arrest, bail assessment, presentence investigation, or sentencing. This approach requires careful design and some way of determining that the information is recorded at each designated point in the process. Another approach is to ensure that key documents are routinely part of case files so that all necessary information is readily available to someone who will record it at the end of the process. Finally, the required information may exist in automated format. The management information systems of law enforcement agencies, jails, prosecutors, courts, county executives' offices, and human services agencies are all potential sources of information. If using existing automated systems is the approach taken, it will be necessary to involve individuals with the technical skills needed to access computer files.

In general, examination of the data will involve using statistical analyses. Initial analyses would probably include frequency analyses of such variables as gender, race, age, employment, education, chemical dependency, statute requirement, criminal record, and sentencing outcome (e.g., how many men and women are arrested). Other analyses could include relational analyses that examine the degree of association between two or more variables of interest. These might include cross-tabulations and related correlation techniques (e.g., determining the relationship between type of crime and sentence, controlling for prior criminal record). Given the technical nature of some of the desired analyses, it may be necessary for the local jurisdiction to request technical assistance in this area.

4. How should the policy team use the resulting analyses?

Use of the analysis for policymaking and change will be successful only if the team is able to implement indicated changes and use the information system created for monitoring the effect of the change. This will require the team's commitment to follow through with the analysis to the point of a decision about future policy and practice. It is not enough for the team to determine offender characteristics or systems timing. A method will need to be found to translate those findings into policy and practice. For example, an analysis may reveal that a substantial proportion of incarcerated offenders are similar to offenders sentenced to community sanctions, in terms of demographic characteristics, criminal history, and current crime. Faced with this result, the team should examine the outcomes it is seeking for this particular group of offenders. Are the most efficient and cost-effective sanctions being consistently applied? Assuming a decision was made to change sanctioning policy based on this result, a similar analysis should follow a year later to determine whether, in fact, the desired change had the desired effect.

Source: William Davidson, Ph.D., *Design of a Population Analysis*, prepared for the Criminal Justice System Project, National Institute of Corrections, U.S. Department of Justice, 1999.

Document and Assess All of the Resources Available to You

The Principle

However your policy team defined its vision and mission, a priority goal is likely to be the achievement of more successful outcomes for individuals caught up in the criminal justice system. This will make the system's contact with these individuals more likely to reduce their future threat to public safety. In the previous section, we described how to gather more complete and more useful information about these individuals as they come into and leave the system. Now we will build an understanding of the resources you may have at hand to respond to the defendants and offenders in your system and to make those successful outcomes more likely.

Every community has an abundance of resources and assets. Some are "official" (that is, part of the criminal justice or other service delivery system, such as health, mental health, or education). Others exist outside the system, in the community. Some of

these are formal, such as nonprofit and faith-based organizations, businesses, and associations. Others are informal, perhaps consisting of little more than a particularly determined group of neighborhood residents. The presence or absence of these resources will likely bear on policymakers' decisions regarding how criminal defendants and offenders might be more effectively handled in your jurisdiction.

As you gain a better understanding of your system and identify where you want to focus your efforts, you will develop a clearer sense of the resources you need. Meanwhile, however, it is useful to begin to take account of the many assets that currently exist in your jurisdiction (see team exercise "Conducting a Resource Assessment" at the end of this chapter). You will look for a range of resources, from those offering opportunities and incentives to young people to those providing essential services and supports for a positive, law-abiding life.

Attempts to program women in manners identical to those used for men prove to be insensitive and ineffective. When we began to look at available programs for women offenders from a gender-responsive perspective, it became clear to us that we needed to change some things that we were doing. At the Day Reporting Center, we have incorporated gender-responsive protocols and added some additional programs that respond specifically and more effectively to the needs of women.

—Ruby Joyner,
Director,
Day Reporting Center,
Sheriff's Office,
Davidson County, Tennessee

Tasks To Accomplish

Identify the specific interventions essential to offenders in your jurisdiction.

Identify the official sanctions currently operating within your system.

Identify other official sources of services, supports, or interventions.

Do the same for community-based services.

Identify the gaps.

Complete a report on your findings.

*At this stage of your process, you are not assessing the **effectiveness** of these resources but, rather, simply identifying what exists in your jurisdiction and what is missing.*

Tasks To Accomplish

You may conduct this inventory of resources by simply identifying and assessing the resources most likely to be of immediate use in working with defendants and offenders or by mapping community assets. The first, more straightforward approach would include inventorying all existing sanctions and programs used as correctional options and locating specific kinds of treatment providers, structured housing, employment assistance agencies, sources of emergency food and clothing, educational and training resources, mental health agencies, and childcare (exhibit 16–1). It will be important to learn all you can about each of these: capacity, eligibility, location and ease of access, appropriateness of services, languages spoken, and other variables (see team exercise “Gauging Forces and Resources Outside the Criminal Justice System” at the end of this chapter).

The second approach, community asset mapping, probably will be part of a larger effort to understand and mobilize the various communities that exist in your jurisdiction. This is now a well-documented approach to understanding and bringing to bear all of a community’s resources that can assist in generating health, safety, and well-being for its members. Ultimately, true public safety springs from

these qualities in a community or neighborhood, and any policy group that takes public safety as a serious responsibility will want to learn more about this approach.

Only the first approach is discussed in this chapter. Community asset mapping is addressed in more detail in chapter 18.

Identify the Specific Interventions Essential to Offenders in Your Jurisdiction

Identify the specific kinds of services, sanctions, supports, or other interventions that seem essential to the offender population in your jurisdiction. If you have been able to complete even some of the information gathering on defendants and offenders, you likely have a clear idea of what is needed. Specialized treatment, supervised or structured housing, specialized supervision, mentoring, job skills training, and childcare are probably just a few of the items you will readily identify. Use this list to create a matrix that you will fill in as you investigate resources. Add to the matrix basic operating information: capacity, length of stay, admission criteria, gender- or age-specific restrictions, languages spoken, fees or costs, and so forth.

You may find it helpful to create separate matrices for some populations: women, teenagers, drug offenders, mentally ill offenders, and sex offenders, for example. These groups have special needs, and you will want to be able to identify and assess how well they are being met.

The matrix should account separately for needs that must be provided by the criminal justice system (e.g., specialized supervision) and those that could be provided in the community or by community-based agencies (e.g., job skills training).

Identify the Official Sanctions Currently Operating Within Your System

As part of the development of agency profiles for your jurisdiction, you already should have basic operating information about official sanctions: jail, probation, pretrial supervision. Add information from the list developed above. Include questions about the availability of and access to services and interventions, the availability of services and treatment in appropriate languages, and the availability of needed supports. Does the jail have mental health or substance abuse treatment? If so, does it exist for women? Does the halfway house offer general equivalency diploma (GED) classes? Does the day reporting center test for sexually transmitted diseases and tuberculosis? Does it offer child-care? Complete your matrix for each one.

Identify Other Official Sources of Services, Supports, or Interventions

Many individuals involved with the criminal justice system are eligible for or already receive services from other public agencies, including health and mental health services, housing, education, substance abuse treatment, and job training. Identify those agencies and add

them to your matrix with their operating information and the services that they offer. These agencies may restrict access to their services. Public housing and public assistance, for example, are often unavailable to felons with a drug conviction.

Do the Same for Community-Based Services

Identify the services offered by community nonprofit agencies (including religious and ethnic organizations), such as shelters, victim counseling and advocacy groups, soup kitchens, English as a second language (ESL) and GED classes, and others. Since these are voluntary and privately run, it is important to address questions of eligibility and costs for services.

Identify the Gaps

As you complete your matrices, examine them for any services and supports that are missing, either altogether or in their capacity and accessibility to all affected population groups. As you look at your offender population and its needs, are any obvious needs not being met? Can you identify some groups that are more affected than others?

Complete a Report on Your Findings

As the policy team moves toward the next stage of its work, choosing its major areas of work, a report on resources, coupled with the report on the defendants and offenders in the system, will be a critical piece of information for decisionmaking.

Practical Tips and Tools

- Use the full policy team to brainstorm.
- Enlist policy team members to gather information.
- Ask existing organizations to help.
- Consider using existing tools.

Practical Tips and Tools

Use the Full Policy Team To Brainstorm

Use the full policy team to brainstorm the list of services, supports, and interventions that your population needs to succeed and the sanctions and programs currently in use as correctional options. Ask members for information on any service providers or organizations with which they are familiar or to which their agencies make referrals. You might distribute a questionnaire to each agency or office represented on the team to get this information.

Form small work teams to complete the information described above. Bring your work back to the full group in stages to make sure that your efforts are inclusive and comprehensive.

Enlist Policy Team Members To Gather Information

Some of this work can be done by reviewing program brochures or other printed materials, but some of the information will have to come from telephone interviews and site visits. As with the earlier work on agency profiles, enlist policy group members to conduct these telephone interviews and site visits if possible.

Ask Existing Organizations To Help

Use existing organizations to help: the Chamber of Commerce, the United Way, and even the Yellow Pages are all sources of readily available information that include lists of social service agencies, faith-based organizations, educational entities, libraries, businesses, and civic organizations. The United Way probably has a resource directory of human service agencies and volunteer centers. Talk to United Way leadership; they can also provide observations about emerging and informal service providers, likely obstacles for offenders, and sources of volunteer services. Public opinion polls also may be helpful (exhibit 16–2).

Consider Using Existing Tools

The policy team also may consider using existing tools. One such tool is the Correctional Program Assessment Inventory[®] (CPAI). The CPAI may be used to assist in determining the combination of program components associated with successful offender outcomes. The tool, based on the “what works” literature, has been used by a number of jurisdictions to assess the effectiveness of existing resources in responding successfully to offending behavior.

Exhibit 16.1. Sample Inventory of Available Sanctions, Services, and Programs: Wood and Portage Counties, Wisconsin

Program	Operator	Purpose(s)	Eligibility Criteria/ Evaluator(s)	Exclusionary Criteria/ Evaluator(s)	Average Cost	Annual Capacity	Daily or Functional Capacity	Referrals	Demographics
The Community Alcohol and Drug Abuse Center (CADAC) Alcohol and Other Drugs and Abuse (AODA) Treatment at Oakside (Stevens Point)	St. Michael's Hospital/ United Way, Portage County, and self-pay	To assist chemically dependent people and their significant others in addressing their drug- and alcohol-related problems	Anyone with AODA problem/ AODA counselors and CADAC/Oakside staff	Problem not chemically related, unwillingness to discuss problem, history of violence, and program non-compliance/ AODA Counselors and CADAC/Oakside staff	Sliding scale based upon clients' ability to pay for services	700-900 new patients per year	Program operates 80-100 hours per month and serves 40-70 patients per day	Corrections, Hospitals, Schools, Self/Family, Condition of DWI Sentences, and Employee Assistance Programs	75% male, 25% female
Teen Challenge	Wood County Government/Federal, state, and local funds (fees are assessed for certain services)	To provide AODA rehabilitation services (each program has its own specific goals and objectives)	Depends upon specific program (most have specific income guidelines)/ State and federal guidelines and program managers	Varies with program	Varies with program	Varies with program	Varies with program	Physicians and other health care providers, community agencies and organizations, friends, neighbors, and families	N/A
Job Service	State of Wisconsin/ tax dollars	To provide assistance in securing employment	N/A	N/A	N/A	4,000-6,000	3,024 active participants	Self-referrals, Social Services, and Probation and Parole	55%+ male, majority white, majority age 22-39
Wood County Jail	Wood County Sheriffs Dept.	To protect society, provide housing for those serving sanctions, and instill basic living skills in offenders	By arrest, court commitment, and other legal processes/ Department of Corrections	Extreme medical conditions that the jail is unable to address/ Department of Corrections	1996-\$39.05 per client per day	2,064	111	Police (after the commission of a criminal act), the courts, or another legal process	83% male, 17% female
Family Center Inc. - Domestic Abuse Treatment Services	Family Center Inc./ State and local funds, self-pay, Probation and Parole, and University of Wisconsin	To change abusive behaviors while increasing the level of safety for the victim	Those who are arrested and ordered into treatment as well as those who volunteer for treatment. All clients must have domestic abuse issues/ Group facilitators and probation agent	Disruptive behavior and mental health issues/ Group facilitators with probation officers	\$15 per session (sliding fee scale)	100-120 per year	4 groups per week with 10-12 members per group	Probation and Parole, District Attorneys, self-referral, and Family Center	98% white, 88% male, 50% at or below poverty level, 74.5% age 25-35

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Exhibit 16.1. Sample Inventory of Available Sanctions, Services, and Programs: Wood and Portage Counties, Wisconsin (continued)

Program	Operator	Purpose(s)	Eligibility Criteria/ Evaluator(s)	Exclusionary Criteria/ Evaluator(s)	Average Stay	Average Cost	Annual Capacity	Daily or Functional Capacity	Referrals	Demographics
Family Crisis Center- Domestic Abuse Alternatives Program	CAP Services Inc./ Group participant fees	To protect victims of domestic violence and to teach perpetrators alternatives to abuse	Perpetrators of domestic violence/County District Attorney's Office, Probation and Parole, and Group facilitators	Disruptive behavior and those unable to participate due to physical or mental impairment/ County District Attorney's Office, Probation and Parole, and Group facilitators	94 weeks @ 1.5 hours per week	\$15 per session/week (the program does operate on a sliding scale)	100-150	10-12 per group	Court, Probation officers, and therapists. Some clients are also self-referred. Half of the clients are enrolled as a condition of probation	Both male and female offenders were served last year
The Salvation Army Hope Center	The Salvation Army/Grants and private donors	To develop a plan to eliminate homelessness and to assist clients in establishing a permanent place of residence	Individuals and families in need of immediate housing/Directors and caseworkers	Convicted sex offenders, minors without parental involvement, and individuals who possess severe mental disorders/Directors and caseworkers	30 days	\$10 per day	Unknown	36 beds	Corrections, Health and Human Services, St. Michael's Churches, and other sources outside of Portage County	95% white, 2% Hispanic, 1% Native American, 1% black, 1% other
Assessment/ Counseling/ Support Services	Portage County Health and Human Services/ County and state funds	To assist and support individuals or families during crisis and to reunite families when possible	Clients are either court ordered or police referred/ Program staff	Clients who are disruptive to treatment process or who need more assistance than the program can provide/ Program staff	Depends upon the court order— clients may be enrolled for the duration of their probation	N/A	N/A	N/A	Courts, police, and community	N/A
Wisconsin Division of Vocational Rehabilitation (DVR)	State of Wisconsin	To place qualified clients in employment consistent with their abilities and interests	A disability resulting in a problem obtaining or retaining employment/ DVR counselor	Lack of a vocational problem resulting from a disability/DVR counselor	Varies between 3 months and 6 years. The average stay is 2 years	No cost to the client until/ unless income results from participation	Est. 500	N/A	Doctors, Social Security, Schools, Probation and Parole (self-referrals are also accepted)	49% male, 51% female, 95% age 18-65

Exhibit 16–2. Sample Public Opinion Poll: Jackson County, Oregon

1999 Public Awareness Study, Selected Results

Purpose of Study

As a prelude to launching a comprehensive communications program for Jackson County, a public opinion survey was conducted to determine initial public awareness and understanding of local sex offender management programs and other selected criminal justice programs in Jackson County.

Methodology

The Dennett Consulting Group developed a quantitative research plan using a survey mailed to a probability sample of 2,400 registered voters in Jackson County. The survey size reflected a cross-section of the county's population age groups. The survey was mailed via bulk mail during the last week of May 1999. Overall, 500 surveys were returned (21 percent). It was decided that only the surveys received by the end of June would be processed; therefore, 456 surveys were processed. The margin of sampling error is approximately plus or minus 5 percentage points, with a confidence interval of 95 percent.

To project survey results to all residents of Jackson County, study data were weighted for gender and age before analysis to match county statistics. All findings outlined in this report reflect this weighting.

Executive Summary

Residents think crime is increasing. Nearly half of all residents (46 percent) believe that crime is increasing in Jackson County. Even more residents (69 percent) believe that juvenile crime is increasing. However, these numbers are significantly below statewide levels reported in 1995.

Media and friends influence perception of crime the most. Residents' perceptions of community crime and safety are primarily influenced by the media (80 percent) and by conversations with family and friends (75 percent). Therefore, a proactive communications program is critical to changing these perceptions.

Visibility increases perception of law enforcement effectiveness. It appears that residents tend to have more confidence in law enforcement (a rating of excellent or good) when the agency is more locally visible. For example, 20 percent of residents state that they believe their local police department does an excellent job (10 percent for the Sheriff's Department). However, only 6 percent think the District Attorney's Office, Jackson County Courts, Probation and Parole Department, and Sex Offender Management Department are doing an excellent job.

Residents know very little about community corrections. Four out of ten residents do not know enough about Probation and Parole or the Sex Offender Management Program to judge the quality of their work. Three out of four residents have little awareness of the programs and functions of Community Corrections. "Top of mind" awareness (very aware, and aware) is significantly below awareness of other criminal justice programs such as juvenile facility issues.

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Exhibit 16–2. Sample Public Opinion Poll: Jackson County, Oregon (continued)

Residents have clear perceptions of community problems. Residents are well aware that the lack of jail space (83 percent), the lack of juvenile facilities (78 percent), domestic violence (79 percent), and sexual abuse (79 percent) are issues of concern to Jackson County. Residents do not know enough about the court system to determine whether lack of courtrooms is a significant problem for Jackson County. Only 11 percent of residents believe that the lack of courtrooms is a significant problem, and 42 percent just do not know.

Residents' understanding of sexual offender issues is limited. Few residents have knowledge or understanding of key sex offender issues. Only 21 percent of residents are aware that most sexual offenders sent to prison return to Jackson County; the vast majority (44 percent) simply do not know how many return. Although most residents believed the majority of sexual offenders are known by their victims, only 50 percent thought that 75 percent or more were known by their victims. Although 27 percent of residents think sexual offenders receive treatment in prison, most residents (56 percent) are not sure or do not know.

Residents are divided on notification. The appropriate level of public notification for a sexual offender living in a community is an open question. Nearly the same percentages of residents think public notification is about right (40 percent) and not enough (42 percent).

Residents are also divided on returning offenders to the community. Residents are also divided on their opinions about sexual offenders returning to a community after serving their time; 38 percent of residents are in favor and 43 percent are against.

Residents have low awareness of the local sex offender management program. Residents do not understand or appreciate the success of Jackson County's Sex Offender Management Program. Residents' confidence factor is lower for local sex offender treatment programs (38 percent) than for programs that treat juvenile offenders (48 percent) and drug offenders (43 percent). Many residents (84 percent) are unaware that convicted sexual offenders are required to pay for victim counseling, and 81 percent are unaware that offenders are required to write a letter of responsibility.

Residents appear to be willing to invest money for treatment and prevention. The majority of residents appear to be slightly more willing to invest money in programs for education (62 percent) and local treatment programs (56 percent) than for jails, prisons, and police (55 percent). However, one in four residents simply are not sure if they would invest money in any program.

Residents appear to support alternative sentencing. Most residents support alternative treatment and punishment for nonviolent sexual offenses.

Source: Dennett Consulting Group.

Team Exercise. Conducting a Resource Assessment

Steps involved in conducting a resource assessment include the following:

1. Conduct a brainstorming session to develop a list of all the resources in your jurisdiction currently available for offenders. Some of these resources will be within the criminal justice system (e.g., probation or parole supervision, substance abuse program), some will be in other public-sector agencies (e.g., a job training program in the county's Office of Economic Development that works with offenders), and some will be in the private sector (e.g., treatment providers who work with special populations like women offenders, mentoring programs).
2. Create a matrix to collect specific information about each resource, and research each to gather pertinent information. At a minimum, identify the specific services available through each resource, including their cost, duration, eligibility requirements, capacity (for both the present and future), and the extent of current use, strengths, and weaknesses.
3. Compile your findings into a report or chart after the resource inventory is complete. Review the findings with your team to assess the resource inventory for completeness and to identify the overlap and gaps in your current array of resources.
4. Consider developing a directory of these resources so you can share the information you have gathered with probation officers, judges, and others.

Team Exercise. Gauging Forces and Resources Outside the Criminal Justice System

The criminal justice system does not operate in a vacuum. Its activities take place within a landscape composed of forces at work and resources at hand that can affect the system's ability to achieve its own objectives. To understand these elements and to see how well they and the criminal justice system interact are important parts of criminal justice system planning.

As you gather baseline information and data, think about the things you most want to know about your community. How would you like to engage the community about criminal justice issues? Does the community have untapped resources that the system can utilize?

Areas for Review

Review the following:

- **Demographics**
 - What is the current population? Age? Gender? Education? Employment?
 - What significant ethnic groups are in the county?
 - Do population trends suggest growing youthful or aging populations?
- **History and attitudes**
 - Are surveys available that show community attitudes about various public policies?
 - Have significant events affected certain attitudes (e.g., backlash around rising crime rates or opening a halfway house for offenders)?
- **Community leadership**
 - Which individuals and organizations are able to affect change, locally and statewide?
 - What are their current interests in general and in the criminal justice system in particular?
 - How accessible are they?
- **Networks for public education**
 - Where are the channels of communication that could be used to disseminate information to a broad audience and to specific groups, including public forums, newsletters, civic groups, religious groups, media, and professional organizations?
- **Potential community assets**
 - Can agencies or organizations provide such services as job training, treatment, basic education, and counseling?
 - Can retirees and faith-based or civic organizations provide mentors, job counseling, extra supervision, and other volunteer activities?
 - Are there private local or statewide foundations that may be interested in our issues?

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Team Exercise. Gauging Forces and Resources Outside the Criminal Justice System (continued)

Key Sources of Information

Key information sources include the following:

- **Chamber of Commerce staff.** Request a package including information on population statistics, employment, faith-based organizations, educational entities, libraries, businesses, and civic organizations. Also request the results of any recent economic surveys or opinion polls.
- **Chamber of Commerce leadership.** Through discussions with the leadership, you may obtain an economic forecast for the area, the names of civic-minded business leaders who can bring about change, an understanding of public policy issues that may be of interest, and the names of organizations that may have overlapping interests.
- **United Way staff.** Request a resource directory of human service agencies and volunteer centers. Also request a list of the United Way board of directors.
- **United Way leadership.** Request observations about possible services and obstacles for clients, where to find volunteer services, and which agencies can serve offenders. Request the names of business and civic leaders.
- **League of Women Voters.** The league is a good source of information about the political climate, party positions, leadership, issues of interest, and community concerns.
- **League of Women Voters leadership.** Have they conducted any studies of public policy issues? Have they conducted any studies of criminal justice issues? What are the views of elected officials with respect to criminal justice?

The Chamber of Commerce, United Way, and League of Women Voters have information that can point you in the right direction—to organizations and individuals who may have knowledge or interest in criminal justice, to potential untapped resources, and to public forums or groups interested in public education efforts.

Source: Margot Lindsay, Chairman, National Center for Citizen Participation in the Administration of Justice, Cambridge, Massachusetts, 1998.

Section FIVE

Moving From Understanding to Change



Listen to the Data

Listening to the data involves three major stages:

- Creating a picture of your criminal justice system.
- Assessing what you know and identifying inconsistencies and gaps in current policies, practices, and resources.
- Assessing the policy environment.

Creating a Picture of Your Criminal Justice System

The Principle

Your team is now poised at the transition from understanding your system to making the changes you desire. With any luck, the groundwork for that transition already has been laid: You have worked hard together, learned to trust each other and to be comfortable with one another, and developed a shared stake in the outcome of this process. Nonetheless, your success in moving forward toward change will depend on how well you are able to take this concrete information and turn it into understanding.

The point of all of this information gathering is to develop a comprehensive, multilayered understanding of how your system works, of the forces that are engaged within agencies and across the system—*to identify what will be needed to make your system more closely realize your vision for what it should be.* The focus of this stage, then, is to help your policy group look at the big picture they have assembled and begin to see it not as a collection of fragmentary bits but as a functioning whole, no matter what its level of functioning may be (exhibit 17–1).

The art now is to transform seemingly unrelated (not to mention rather dry) pieces of information into a compelling picture of your criminal justice system—a picture that invites the observer to want to jump in and take action. While this guide can provide some advice on concrete steps to take, it cannot guide you through the best way to make this picture “speak” to members of your policy team or the best way to engage them in the change process that will follow.

We learned a lot about the offenders who were ending up in our jail as a result of data and research efforts we undertook during the assessment. As a result, we felt more confident in our ability to manage many of these offenders in other, less costly sanctions and were able to avoid building expensive jail cells.

—Major Gary Christensen,
Sheriff's Department,
Dutchess County, New York

Tasks To Accomplish

Hold a policy team retreat to present findings.

Summarize your findings.

You know the members of your policy team and the kinds of concerns and values that drive them. Use that knowledge to guide you through this next stage.

Tasks To Accomplish

This is a crucial moment in the life of this policy group and in the eventual success of its efforts. This is a time to muster resources, participation, and energy.

Hold a Policy Team Retreat To Present Findings

Conduct a policy team retreat to present the findings of all these efforts. Members of the policy team will benefit from having sufficient time, a comfortable space away from their offices, and a skilled facilitator to consider the results of all these information-gathering efforts. Conceptually, you are at the stage of looking at *what is* in its entirety and comparing it to what you said you wanted for your jurisdiction. However, the difficulty is that you will have so much information that it will be hard for you to see it as a single picture. This is why a skilled facilitator is essential. A skilled facilitator can work with you to design a retreat that will enable your team to consider detailed information and use it to create that bigger picture. A facilitator can help the group move from understanding what is being presented to comparing it to your vision and the goals you identified earlier. She or he can use team exercises to help ground members in their dreams and find the needed enthusiasm and commitment to begin defining their “targets of change” and next steps.

Time will be needed to process all of this information, ask questions, discuss its implications, and move forward. A 2-day retreat will give your policy team the time it needs. Holding it overnight at a conference center or hotel would be ideal.

Summarize Your Findings

You will want to review all the assessment information in a structured and logical manner. Your team’s system assessment efforts will produce at least four products that correspond to the dimensions you have been investigating. Your products should include the following:

- A map that reflects how cases are processed in your system.
- A report that summarizes the policies and practices of each of the criminal justice agencies in your jurisdiction.
- A report that describes what is known about the offender population in your jurisdiction.
- A report that identifies and describes the current resources available to sanction offenders and provide them with needed supports and services.

Practical Tips and Tools

Conduct a Dry Run Before Presenting the Data to the Policy Team

As you prepare, consider how you might organize the information so that policy team members can more easily understand what the data say. Are the data consistent with your own perceptions of the problem? Do the numbers seem far out of line or about what you

might expect? If they are not what you expect, that is likely to be the case for policymakers as well. Try to anticipate their questions, and seek answers as you can. However, policy team members do not always respond to data in the ways we anticipate, so it is important to be as prepared as possible.

Seek the advice of others in creating visual representations of the data and information. Public relations professionals, academics, or legislative staff are all likely sources of experience on making presentations most effective. The more colorful the better, so you may need to seek some in-kind contributions from a printing company.

Conduct the Policy Team Retreat at a Comfortable Venue That Encourages Participation

It will be worth your time and effort to locate your retreat at a distance far enough away so that team members will want to stay and will not be tempted to travel back and forth to their offices. A nice hotel in a desirable location is preferred, but if resources do not permit that, look for a university conference center, a state park, or a corporate conference center—anyplace that might be willing to offer you good rates and decent meeting facilities.

Be Clear About Your Data Collection Process

Be clear about your data collection process so that policy team members can feel assured that this was a credible research effort, agreed to by all. Describe the data collection process: who was involved,

how data were collected, and data sources. Remind the policy team how these decisions were made and that they participated in shaping the process.

Know the Controversial Issues

Know what the controversial issues are and what the data say about them. For example, in one jurisdiction a pretrial defendant who met all the pretrial release criteria was released and then went on a crime spree. The press called upon several policy team members to defend the release decision. In this case, knowing that the policy team was sensitive to pretrial release issues, staff took extra care to ensure that the information in that area held no surprises.

Assessing What You Know and Identifying Inconsistencies and Gaps in the System

The Principle

At this point, your team has spent many months developing an understanding of your criminal justice system. Despite all that mapping and information gathering, you may feel quite lost! It is easy to be overwhelmed by information and lose sight of the prize: the vision you developed earlier in this process.

Therefore, this is the time to lift your eyes from all the data and information, return to that vision, and say, “Hmmm . . . now that we have a picture of what our system looks like, how it operates, and who is in it, how well do we think that system is likely to do in getting us

Practical Tips and Tools

Conduct a dry run before presenting the data to the policy team.

Conduct the policy team retreat at a comfortable venue that encourages participation.

Be clear about your data collection process.

Know the controversial issues.

Questions To Consider

What do we want our system to achieve?

What do we think **this** system can achieve?

Where are the most glaring disconnects between what is and what we want to be?

Tasks To Accomplish

Reflect on what you have learned about your system and assess its ability to accomplish what you would like.

Identify the areas most in need of attention.

Work the completed information into your system map.

where we want to be?” *Compare your vision for the criminal justice system with what you now know about the current system.*

The gaps between what *is* and what *ought to be* can begin to help the policy team identify where they want to focus their implementation efforts. In chapters 18–21 of this guide, we will address in detail the process of creating and implementing change. But the groundwork for those efforts begins here as you take stock of your current system and compare it to your vision and your hopes. At this point, you will identify the areas that stand out in terms of their need for attention and work and begin to identify specific goals and objectives for those areas.

Tasks To Accomplish

The following tasks will be helpful in assessing what you know and identifying inconsistencies and gaps in current policies, practices, and resources.

Reflect on What You Have Learned About Your System and Assess Its Ability To Accomplish What You Would Like

You may want to walk through each part of the system and ask questions such as the following:

- Do the agencies that make up the system seem to share our notion of what the criminal justice system should be about? Do they have a vision or mission that resonates with ours?
- If not, how different are they? Is it a case of just a tired and

unconsidered vision, or do some of these agencies truly view themselves in ways that do not comport with our notion of what the criminal justice system should be? Is this acceptable to us—the group responsible for the overall delivery of public safety and justice?

- Are the agencies positioned to achieve the outcomes that we think would be appropriate? Do they have the resources they need, whether personnel, training, equipment, or information? If not, what support do they need? From whom do they need this support?
- Are the agencies at this part of the system working well with the agencies at adjoining points? And, conversely, are they receiving the respect, support, and assistance they need from others?
- Does any agency have resources that are out of proportion to the task assigned? How does this affect others?

Identify the Areas Most in Need of Attention

As you review all the data and information, identify the areas that seem to be most inconsistent with your vision and sense of mission. These can be in any number of areas: your information system capacity, the kinds of sanctions you have, the lack of adequate supports and interventions for certain high-risk offenders, the amount of time required for minor cases to reach disposition, the average length of stay in jail for defendants on relatively low bail, or police practices

regarding the use of cite and release. Identify and prioritize these, at least preliminarily.

Reflecting on the strengths, weaknesses, opportunities, and threats (SWOTs) in your system is one way to begin this process. You might take your vision, mission, and goals, and for each specific item perform a SWOT analysis (see chapter 6) with your new information.

Work the Completed Information Into Your System Map

The data and information you have collected should be used to fill in or complete your system map. For example, if you do not already have them, can you now add timeframes from time of arrest to arraignment or to sentencing? Can you add the numbers to critical decisionmaking boxes on the map? How many of those arrested make bail, have their cases dismissed, are convicted, are sentenced? Do you have updated information that should replace existing information on the map? How does all the information you collected fit in the context of your map?

Use the map as a reference point for establishing priorities and goals, particularly from the perspective of filling gaps. Use the map in determining your next steps with respect to data collection and analysis. Use the map in deciding how you will monitor implementation and progress toward goals. One site involved in the Criminal Justice System Project was able to use its map to

show how a shift in the case review process significantly altered the speed with which cases flowed through the court system.

Practical Tips and Tools

Keep a Careful Record of the Policy Team's Discussions

As you move toward action, you will likely proceed with priorities first, but you may want to refer back to your original list for later action.

Structure These Discussions in Several Ways

You may want to structure these discussions in several ways. One way might be to do a group exercise that asks for everyone's first impressions, disappointments, surprises, and/or areas that they really wish to tackle. Another way might be to address more structured, section-by-section (or agency-by-agency) questions. A third way might be to conduct a SWOT analysis using your vision, mission, and goals. If you have the time, all three approaches would be useful and interesting because each one challenges people's perspectives in different ways and calls on the different strengths (in imagination and analysis) that people bring to these tasks.

Do Not Overlook the Benefit of "Easy Wins"

Do not overlook the benefit of some easy wins. Some of the gaps you identify will be easier to solve than others.

Practical Tips and Tools

Keep a careful record of the policy team's discussions.

Structure these discussions in several ways.

Do not overlook the benefit of "easy wins."

Tasks To Accomplish

Create a list by eliciting information from your policy team.

Discuss each item on the list.

Practical Tips and Tools

Conduct a force field analysis.

Assessing the Policy Environment**The Principle**

No criminal justice system exists in a vacuum. Each one is subject to a wide variety of forces that affect operations: a recent close or nasty election, a bad case heavily covered in the press, severe crowding in the state's prisons, swings in the economic climate and consequent tax revenue gains or losses, changes in the state's sentencing laws, a new parole board chair, the state's addition of another court in your district, a steady change in the county's population size or characteristics.

It is very helpful to systematically take account of all of these changes or developments in your area. As you begin to contemplate targets of change and specific areas that your team wants to work on, you may want to make sure that you address these factors in the environment or that your efforts take them into account.

Tasks To Accomplish

If your policy group includes all of the right policymakers, they will have all the information that you need to complete this task.

Create a List by Eliciting Information From Your Policy Team

Elicit information from your policy team by asking each member to

list the 10 most important events, changes, or developments influencing the political environment in your jurisdiction as they relate to criminal justice or public safety. Create a single list, putting a check by each item as it is mentioned again. Using the number of checks by each item, develop a list of the 10 or 15 most important items.

Discuss Each Item on the List

Discuss each item on your list for its potential impact on your vision, mission, and goals. Consider the likely effect of each item on public opinion, state spending, demands on certain parts of the system, the willingness of some elected officials to take risks, and other issues.

Practical Tips and Tools**Conduct a Force Field Analysis**

A force field analysis can be a helpful way to address the current policy environment systematically. If you have not yet chosen "targets of change," such an exercise may be premature. If, however, you know of some issues that you wish to address right away, a force field analysis would be helpful (see the team exercise at the end of this chapter).

Exhibit 17–1. Sample Outline: Developing a Blueprint for Action

- I. Mission Statement
 - A. Declaration of purpose
 - B. Goals and objectives of the team
- II. Vision of Success (statement of what the criminal justice system should be like in the future)
- III. Overview of Activities
 - A. Description of the policy team and who was involved
 - B. Description of the planning process
 - C. Description of what questions the team had and what was done
- IV. Description of Current Practice
 - A. Description of policies and practices
 - B. Description of map
 - C. Description of sanctions, services, and programs
 - D. Description of community resources
 - E. Description of the population
- V. Analysis and Assessment of the Criminal Justice System
 - A. Description of key trends and implications
 - B. Identification of gaps between the way the current system functions and the team's vision
 - C. Internal and external Scan (force field or SWOT analysis)
- VI. Moving to Implementation
 - A. Identification of issues and priorities for further inquiry and/or implementation
 - B. Development of goals to achieve vision
 - C. Next steps

Connect With the Community

The Principle

More and more frequently, the term “community” is linked to some part of the criminal justice system: community corrections, community policing, community courts, community prosecution, community justice. Exactly what do we mean when we link these concepts? Is community a place—the site of our work? Are we recognizing the community as the customer for our efforts? Are we engaging the community as a partner in our work? Or do we mean all of these? And, one might ask, who exactly defines the particular community to which we are referring? And who speaks for them?

In the past, criminal justice policymakers have been ambivalent about significantly involving citizens in criminal justice policymaking for several reasons. First, for a very long time we tended to see offenders and would-be offenders as the primary “constituents” of our work. Second, we saw ourselves as experts and community members as naive or lacking sufficient knowledge. Worse

yet, as victims, citizens got in the way. Finally, let’s be honest: The process of building a picture of current practice and developing strategies for change requires criminal justice policymakers to look closely at their own weaknesses. The experience of including the community in such efforts has, at times, been very uncomfortable for criminal justice leaders. In addition, criminal justice professionals experience enough difficulty in simply gaining a full understanding of our complex system without also trying to explain it to citizens who expect a successful return on their tax dollars.

The faulty logic in that way of thinking is the separation it implies between us—those with professional responsibility for the criminal justice system—and *them*—everybody else. Crime and justice affect all of us and the quality of life in all of our communities. It is the community, its citizens and victims, to which we as criminal justice professionals are accountable. When we begin to include the community in our efforts, we begin to shift

Just making more arrests isn’t going to work. We simply can’t find and arrest all the addicts and dealers, so we have to engage other members of the community if we want to create a safer and healthier county. What is important is getting a sense of local ownership, so that people who come to court feel they have a say in sentences and start to do things like protect the pond from drug dealers. [The “pond” is a local recreational spot that was rescued from decay and crime by using community service sentencing and donated material and by involving various state and local agencies, like the Idaho Department of Fish and Game.]

—Judge Patricia Young,
Boise County, Idaho
(quoted in the *New York Times*
on March 4, 2002, p. A12)

Nothing grows from the top down. It's true whether you're talking about a tree or a community.

—Chandler Center for
Community Leadership,
Oregon State University,
Cascades Campus, Bend, Oregon

the discussion from creating sanctions for offenders to making communities safe. And we begin to shift our thinking from the notion that we can make communities safe to the principle that it takes everyone in a community to make it truly safe.

A price must be paid if the community is kept away from policy-making and if we view ourselves as the “experts” and community members as passive consumers of the services we choose and deliver. The absence of the community deprives us of much-needed intelligence, resources, and support. The folks who live, work, and study in our towns and cities—whether they own businesses or homes or rent apartments or are homeless, whether they are senior citizens or college students or churchgoers—know what is going on in their neighborhoods; have a stake in how healthy those neighborhoods are; and bring assets, energy, and wisdom to efforts to improve the health of their communities. If you leave them out, you give them nothing to do but criticize. If you bring them in, you will be able to draw from all of their assets.

Issues To Consider

Know What You Hope To Gain From the Community's Involvement

Before you set out to connect with the community, it is important to have at least a preliminary idea or initial goals for its involvement. What you want will drive how you approach the community and whom you seek to involve. Community

members may play a number of roles in your efforts:

- **Helping to identify and define threats to public safety.** Community members know which apartment buildings, unlit alleys, taverns, and businesses in their area pose threats to them and their well-being. They know the places where drugs are sold, the places where youths find an easy path to drug use and gang activity, and the places that serve as havens for criminal activities and dangerous activities of all kinds.
- **Helping to identify and implement solutions to perceived threats.** Area residents, workers, and business owners also know the community's assets: the grocery store owner who helps neighbors with food in emergencies and knows all the good landlords in the neighborhood, the church pastor who always has an open door for those in need, the retired teacher who watches for outsiders hanging out on the corner, and the park that with some cleaning could become a resource for neighborhood families rather than a magnet for crime. Those same community members can support other activities as volunteers; as members of neighborhood, civic, and business associations, they can speak to legislative bodies on behalf of their community's needs.
- **Providing resources to support solutions.** Communities also have institutional members: churches, schools, libraries,

YMCAs and YWCAs, chambers of commerce, daycare centers, nursing homes, and businesses. These groups and organizations have members, staff, facilities, and networks that can be useful in a variety of ways, such as providing a place to hold community meetings or to house regular Alcoholics Anonymous/Narcotics Anonymous meetings, equipment for copying notices or mailing out fliers, or members or staff who can serve as volunteer mentors or fund raisers or assist in other capacities.

- **Offering direct services to at-risk young people or offenders.** These same organizations and agencies can provide direct services to offenders and their families and to young people at risk for offending. Faith-based communities across the country run halfway houses for people just released from prisons or jails, YWCAs offer counseling and childcare to women in need, and libraries offer GED and job-readiness classes. Some daycare centers offer reduced-fee placements for offenders looking for work, and some businesses offer entry-level jobs to well-screened offenders. In addition, churches can organize mentoring and tutoring programs for young people at risk, and schools can help offer meaningful recreational opportunities after school hours and on weekends.
- **Conducting a community asset mapping program.** As mentioned in chapter 16, community asset mapping is now a

well-documented approach to community development. Numerous guides to conducting and using asset mapping are available on the Web and by mail. They provide a way to engage community members in assessing the real strengths that exist in every community—as described above—and to use the process itself and the results to empower communities and enhance their sense of efficacy.

- **Serving as knowledgeable external constituents and supporters for the criminal justice system and its agencies.** Because the community has not been a part of criminal justice decisionmaking, it is not surprising that its members vote against new tax levies or bond issues for criminal justice improvements. They perceive them as expensive and do not understand why they are needed. As community members become better educated, they develop a better understanding of the challenges you face as a system and become more effective as your supporters with other elected officials.

Know How You Want To Involve the Community

Your response to involving the community will depend in part on what you want from community members and also on how much power and access to information you are willing to share with them. Ways in which you can involve the community include the following:

- **Adding community representatives to your policy team.** A crucial first step would be to invite community representatives to join the policy team. Your choice of individuals will depend on your goals, but a few representatives from umbrella groups representing the business and faith-based communities, nonprofit agencies, and neighborhood associations are a starting point. Depending on the size of your policy team, you probably will not want more than two or three community representatives at first. If you involve the community in this manner, you will have to be prepared to share information, answer questions, and give “lay people” some input in your decisions.
- **Developing linkages to neighborhood organizations in particular neighborhoods.** If you want to focus on the level of crime in a particular area, then you will want to create a formal linkage to the block associations, civic and business organizations, and other agencies in that area that can work with you in a variety of ways. For example, many jurisdictions that employ so-called community prosecution appoint a deputy prosecutor and a police commander to serve as representatives to a neighborhood. These individuals then meet with community representatives, attend neighborhood meetings, and otherwise act as liaisons with that area (exhibit 18–1).
- **Creating community advisory boards for specific initiatives.** An approach that may feel less risky is to use members of particular groups to advise you on specific initiatives. Such initiatives might include canvassing *all* neighborhood organizations or creating more affordable, structured housing opportunities for women offenders with children. The purpose of the initiative will guide you in choosing members. For example, a housing initiative or exploration should include people with expertise in real estate, zoning, financing, public transportation, and related areas of interest.
- **Developing linkages to umbrella organizations.** Umbrella organizations like the Council of Churches, the Chamber of Commerce, or the United Way are a vital part of any effort to involve the community. It is key to be clear about what you are seeking before you approach these groups because your clarity about your objectives will greatly enhance your credibility. For example, if you want to learn more about and access the resources that their members represent, that is quite different from wanting to partner with their members in joint efforts to make communities or business districts safer or to create new opportunities for at-risk youths.

Tasks To Accomplish

Connecting with the community involves the following tasks.

Determine What You Want From Your Community

The community can play many roles. It is important to determine what you want from members of your community and how you want to involve them. Before you decide, explore what the member agencies and organizations of your policy team are already doing. For example, does your police department engage with the community through problem solving or community policing? Does your prosecutor's office have a community prosecution unit? Is there a community court or community justice center? Explore in depth with those officials and agencies what their experience has been like, including the rewards, obstacles, and challenges; the groups and individuals they work with and how they chose them; and what their partnerships have produced.

Ask other members about their working relationships with agencies outside the criminal justice system. Many rely extensively on help from both public and private organizations to provide needed services to their clients. What are the agencies, and what is the nature of the relationship? In particular, are those external groups used primarily as resources to which clients/offenders are referred, or do the agencies work together more collaboratively, perhaps by operating programs jointly, working

together on target populations and program criteria, or pursuing joint funding for programs? Again, what have been the rewards and outcomes, challenges, and opportunities that have resulted from these efforts?

Return to your system assessment and reflect on the gaps and weaknesses you have identified. Can the community and its agencies play a role in addressing key services or supports? Make a list of all the possibilities and then discuss the pros and cons of each one. A consensus should emerge about what the group wants, and that may be more than one approach. You may decide that you want to try adding one or two community members to your policy team while also establishing a committee of community agencies and persons to assist you with creating housing options for a particular population.

Use Current Policy Team Members To Identify Key Participants in Your Effort

Use current policy team members to identify the organizations, neighborhoods, agencies, or individuals whom they view as critical to your effort. Once you know the kind of relationship that you want, and therefore the kinds of organizations that you want to reach out to, ask members (for example, the police department, probation department, and community corrections department) for information on key organizations and neighborhoods.

Tasks To Accomplish

Determine what you want from your community.

Use current policy team members to identify key participants in your effort.

Ask umbrella organizations to recommend groups, businesses, or individuals.

Evaluate all information before making final decisions.

Practical Tips and Tools

Seek information from technical assistance centers.

Seek community asset mapping guidance.

Identify communities that are not in the mainstream.

Consider how you want community members' opinions to affect your system assessment.

Ask Umbrella Organizations To Recommend Groups, Businesses, or Individuals

Consult with umbrella organizations for recommendations on groups, businesses, or individuals. Chambers of Commerce, religious bodies (interfaith councils or councils of churches), the United Way, councils of neighborhood associations, and associations of women's organizations are all sources of information, recommendations, and assistance.

Evaluate All Information Before Making Final Decisions

Sift through all the information you have gathered before making any final decisions. You would not want to include an organization only to find out later that it has a bad reputation with the very population or neighborhood that you have been seeking to involve.

Practical Tips and Tools

Seek Information From Technical Assistance Centers

As indicated at the beginning of this chapter, numerous current criminal justice initiatives around the country rely on stronger, more robust partnerships with the community. Many of these were taken on with federal support, and most have federally supported technical assistance centers. The Office of

Justice Programs, U.S. Department of Justice, and technical assistance providers have Web sites where you can learn more about what other jurisdictions have done to involve or call upon their communities and organizations (see the list of resources at the end of this chapter).

Seek Community Asset Mapping Guidance

Community asset mapping guidance is available from many sources. One especially detailed guide is published by the University of Nebraska-Lincoln, Center for Applied Rural Innovation: *Building on Assets and Mobilizing for Collective Action: Community Guide*. The original material on this approach is in *Building Communities From the Inside Out: A Path Toward Finding and Mobilizing a Community's Assets*, by John Kretzman and John McKnight. The Amherst H. Wilder Foundation in Minnesota also features a number of publications that will be of use.

Identify Communities That Are Not in the Mainstream

Mainstream umbrella groups may not be aware of all groups, organizations, and individuals relevant to your efforts. Some communities within your jurisdiction are so marginalized or different from the

mainstream that you will need to make a special effort to identify and reach out to them. Chances are, however, that these are the most important communities for you to reach. They may be the poorest poor, the most recent immigrants, the isolated rural clusters of mobile homes, the most squalid housing project, or illegal immigrants. They are the ones most likely to be preyed upon and victimized by others and to have the least ability or trust to call on the formal system for assistance. These groups may be identified through storefront religious congregations, soup kitchens, and the police. These sources also will help you determine whether the groups have any organized representatives or leaders.

Consider How You Want Community Members' Opinions To Affect Your System Assessment

As you begin the process of connecting to the community, in whatever form that is, be aware that you will learn that community members, businesses, faith-based communities, and other private organizations will have their own notions of what is desirable in a criminal justice system and what they see as working or not. You will then need to consider how you want their hopes, values, goals, and vision to affect yours. In addition to their impact on your mission, goals, and values, your dialog with the community may also produce new information, and that will likewise need to be added to your overall system assessment.

Exhibit 18–1. Sample Public Meeting Notice and Workshop Notes

Notice Of Public Meeting

Come One, Come All To a Community Justice Workshop For Building a Safer And Healthier Community

- When:** Monday, April 23, from 5:30 to 8:30 p.m.
- Where:** Washington Elementary School
- Who:** Everyone in the community around Washington Elementary School is invited.
- What:** No-charge spaghetti dinner will be served from 5:30 to 6:30 p.m. Games and prizes for the children. Child care provided for babies and toddlers.

Sponsored by the Washington School P.T.O. and Jackson County Community Justice Department (formerly known as Adult and Juvenile Parole/Probation).

Here is your opportunity to talk about your community: how to protect it, what your safety concerns are, what you can do to get involved.

R.S.V.P. on the attached slip and return it to the school by Friday, April 20th (so we know how much spaghetti to cook!).

Notes from the Washington Elementary School Community Justice Workshop Monday, April 23

Define the Community:

- Where is it?** North Border: 8th St.
East Border: Oakdale Ave.
South Border: Steward Ave.
West Border: Columbus Ave.

Key Community Assets:

- | | |
|-------------------------|-----------------------------|
| YMCA | Sacred Heart Church |
| So. Medford High School | Union Park |
| Library | Stewart Meadows Golf Course |

Areas that Give Rise to Major Concern:

- | | |
|---------------------------------|-------------------------------|
| Corner of 13th and Peach | Corner of 11/12th and Oakdale |
| Corner of Main St. and Columbus | |

(continued on next page)

Exhibit 18–1. Sample Public Meeting Notice and Workshop Notes (continued)

Sense of Community:

What Do You Cherish Most About Your Community?

- Washington School and ability to walk to school
- Community involvement
- Cultural diversity
- Sidewalks in most neighborhoods
- Location /access to entire area
- Neighbors
- Fire and police respond quickly
- Small town values

If You’ve Lived Somewhere Else, What Is It About This Community That Is Different?

- Less traffic
- People are friendlier
- Less crime/violence

What Are Some Time-Honored Traditions in the Community?

- Pear Blossom Festival
- High school sports and games

Protecting Assets: Strategies for Protecting What You Cherish:

- Getting to know your neighbor
- Volunteering
- School involvement

List Current Problem/Concerns That Are Most Serious:

- Traffic around children
- Speeding in neighborhoods
- Drug trafficking and sales
- Robbery
- Trash
- Poverty
- Inadequate police concern
- No work ethic in youth
- Lack of parental supervision

What Program Has Highest Priority?

- Drug trafficking and sales

What Are the Root Causes of This Problem?

- Poverty/lack of jobs
- Lack of parental supervision
- High turnover of properties/lots of rentals
- Peer pressure
- High tolerance/apathy
- Lack of recreational events
- Lack of work ethic in youth
- Lack of hope
- Lack of police presence
- High demand for drugs

What Has the Most Influence Over the Root Causes of This Problem?

- Poverty and lack of jobs
- Lack of parental supervision, involvement, and support

What Would It Take To Get This Group Mobilized To Take Action About This Problem?

- Parenting education
- Parenting co-op (for child care)
- First Steps to Success (kindergarten program)
- Block clubs
- Neighbors helping neighbors with children

(continued on next page)

**Exhibit 18–1. Sample Public Meeting Notice and Workshop Notes
(continued)**

**Imagine That It Is December of the Year 2005. Please Complete the Following Sentence:
The Washington School neighborhood is a place where:**

Families gather	Lots of community involvement
Children are safe and loved	Police and citizens are a team
Children return to the school and	We are having fun
Stephanie Johnson is still the principal	We are drug free
We have community pride	

First Steps To Ensure Our Plan Becomes a Reality:

Hold more meetings like this one	Be more observant of what's
Take personal accountability —	happening in the neighborhood
“each one reach one”	Knock down graffiti as soon as it
	appears

Resource List. Community Involvement

Publications

Allen, John C., Sam M. Cordes, Smith Covey, Randy Gunn, Dorlene Hicks, Lacey Madden, and Kathie Starkweather. **Building on Assets and Mobilizing for Collective Action: Community Guide**. Lincoln, NE: University of Nebraska-Lincoln, Center for Applied Rural Innovation, 2002.

Kretzman, John, and John McKnight. **Building Communities From the Inside Out: A Path Toward Finding and Mobilizing a Community's Assets**. Evanston, IL: Northwestern University, Institute for Policy Research, 1993.

Web Sites

American Probation and Parole Association. www.appa-net.org. Membership services, training and technical assistance, publications, and research for community management of offenders.

American Prosecutors Research Institute. www.ndaa-apri.org. Community resources, membership services, research, training, and technical assistance for prosecutors.

Amherst H. Wilder Foundation. www.wilder.org. Community and neighborhood resources in St. Paul, MN; publications, research, and information available.

Center for Applied Rural Innovation, University of Nebraska-Lincoln. cari.unl.edu. Resources on rural community issues, including surveying the public in rural areas.

Center for Community Builders. www.urbanstrategies.org. Community resources and lessons learned in Oakland, CA.

Center for Court Innovation. www.courtinnovation.org. Information on the center's efforts to enhance the performance of courts through problem-solving innovations.

National Committee on Community Corrections. www.communitycorrectionsworks.org/index.htm. Community corrections resources and publications.

National Criminal Justice Reference Service. www.ncjrs.gov. Federally funded resource offering criminal justice and substance abuse information to support research, policy, and program development worldwide; includes searchable database, government funding and training opportunities, and links to federal agencies.

National Institute of Corrections (within the U.S. Department of Justice). www.nicic.org. Training, onsite technical assistance, information, and policy/program development support for corrections agencies and professionals.

Office of Community Oriented Policing Services (COPS, within the Office of Justice Programs, U.S. Department of Justice). www.cops.usdoj.gov. Federal funding, training, and information resources for community policing.

Office of Justice Programs (within the U.S. Department of Justice). www.ojp.usdoj.gov. Federal criminal justice funding, technical assistance and training, and information and data that address a wide range of criminal justice topics.

It is so much easier to prevent problems than it is to repair them.

—Judge Patricia Young,
Boise County, Idaho,
(quoted in the *Idaho Statesman*,
July 28, 2003)

Adopt a Problem-Solving Approach

The Principle

In the context of the criminal justice system, a problem-solving approach challenges some of our most embedded notions about crime and safety. It asks us to focus on the evidence and knowledge base of our practice, to place enhanced emphasis on prevention as a tool of public safety, and to sort out our values and beliefs from our stated goals.

Our criminal justice apparatus has long been built on a reactive, after-the-fact infrastructure. From police operations through most sanctioning options, our orientation is toward finding those who have committed crimes and punishing them. Our modest efforts to change that have met fierce resistance. We have a very hard time letting go of police in squad cars, prosecutors who focus on the cases brought to them, and sentencing based on what someone has done and how much punishment is deserved for it. Many of us earnestly hold on to the belief that the most effective, or perhaps the only, way to prevent crime is

to vigorously pursue, prosecute, and punish those who have already committed it.

We resist the idea that our efforts to promote public safety might effectively be directed at preventing crime as well as at responding to it. Yet the evidence mounts that, in fact, we know a lot about primary, secondary, and tertiary crime prevention. Cities from coast to coast have used rapid analysis of crime data to detect crime patterns, identify crime hot spots, and evaluate their intervention efforts—all on a daily basis. When this information is routinely provided to prosecutors, they can become partners in these efforts, changing how cases are prosecuted and marshaling other kinds of legal authority. Parks, corners, bars, businesses, or apartment buildings can be flagged for extra precautions through legal measures, law enforcement surveillance, or design or structural changes. We now know far more about how to strengthen communities and protect children—both before they ever begin acting out and after they do. We know about

supportive services to new parents that have demonstrated their primary crime prevention capability. We no longer have to wait for a person to commit a violent crime to ascertain their risk. We have learned how to identify high-risk offenders earlier in their careers and the interventions that, through sanctioning, are more likely to change their behavior without confining them for long periods.

There is no doubt that it is hard for many of us to let go of that other approach. “Smashing felons” in the name of deterrence is very satisfying—and we know how to do it very well. Problem solving means taking things a little slower. It means investing in strategies that, because they *prevent* things from happening, are harder to prove and quantify. It means investing in our data-gathering and analysis capabilities at every level and creating ways to meaningfully share the results. It means holding our agencies accountable for the crime that does happen—and asking that they tell us how they will reduce it tomorrow. It means making corrections agencies accountable for more than just locking offenders up and catching them when they fail—but instead asking them how they are adding to our crime prevention capacity through their active intervention and supervision work with offenders and their legal authority over offenders on the street. Prosecutors can no longer rest on their conviction rate or on how tough a sentence they

got in how many cases. We will want to know how they used their legal authority to help bust crime gangs, used the intelligence gained from prior cases to prevent new crimes, or worked with civil prosecutors to close dangerous bars and nuisance businesses. We will want to offer the court the evidence for our assessments and interventions and for our choices about use of resources—and we will want to ask the court to use that evidence in making their decisions.

A problem-solving approach also challenges us to let go of cherished beliefs when evidence points to their being invalid or ineffective. If we value holding offenders accountable—through punishment, restitution, or some other form of paying back—then let us acknowledge it as a value and not argue instead that we are only interested in accountability for its effectiveness as a deterrent to crime or for its rehabilitative qualities. If we value rehabilitation for offenders, then let us commit to demanding and using evidence of the rehabilitative effectiveness of a sanction before we use it or support it.

This entire guide is effectively about problem solving: creating the body to take responsibility for problems, developing the information needed to identify problems, assessing our collective ability to respond, and making mutual decisions about the best way to solve problems, including the use of our collective and individual resources.

Tasks To Accomplish

Steps toward adopting a problem-solving approach include the following.

Challenge Yourself and One Another To Understand and Use This Approach

This challenge has several dimensions. The first and most important dimension is to be as clear and specific as possible about the outcomes you most want. Agreement on outcomes for particular areas, situations, groups, or neighborhoods will help you agree on ways to get there. The criteria for selecting a strategy or choosing between several approaches become the following:

- What is most likely to get us what we want?
- Which will work best, most efficiently, and at the least cost?

This seems logical, but it is amazing how often we do not ask these questions and instead rely on what we have always done or what we know how to do.

The second dimension is to ask for evidence:

- Do we know for certain that this is a problem or that it is the main problem?
- What are its dimensions and impacts?
- Do we know for certain the source or the cause of it—and therefore that any response we are considering will be appropriately and effectively targeted?

The third dimension is to challenge one another that we are not leaning

to see a nail because a hammer is all we have or to respond in a certain way because that response provides us with an easy political or emotional gain. Can we accept a path or solution that will bring us little if any recognition or one that allows others to take credit for our ideas? In other words, can the group agree to tolerate some challenging of accepted ways of doing business—not for its own sake but to ensure that when we do choose a path it is the right one.

The fourth dimension is a willingness to examine closely and frankly both our individual and collective beliefs, assumptions, and values and to hold them up and distinguish them.

Become Familiar With the Literature on Problem Solving and Public Safety, Violence and Crime Prevention, and Effective Interventions

This literature spans several different disciplines and is available from a number of public sources (see resource list at the end of this chapter). The federal government, through both the Department of Justice and the Department of Health and Human Services, has funded many studies and technical assistance efforts in diverse places. For example, through the Centers for Disease Control and Prevention's National Center for Injury Prevention and Control, you can access the work of the Blueprints for Violence Prevention project at the University of Colorado at Boulder, which provides information about proven and emerging programs that work in

Tasks To Accomplish

Challenge yourselves and one another to understand and use this approach.

Become familiar with the literature on problem solving and public safety, violence and crime prevention, and effective interventions.

Practical Tips and Tools

Distribute suggested reading materials to your team and discuss them.

Invite faculty members and others to address your team and bring reading materials for discussion.

Base your activities on a problem-solving approach.

Refer to suggested reading materials and Web sites.

preventing crime. Through the National Institute of Corrections, an agency of the Federal Bureau of Prisons, you can secure information and training on effective interventions for offenders that are based on the hard evidence of many years of analysis. From the Office of Community Oriented Policing Services (COPS, part of the Department of Justice's Office of Justice Programs), you can obtain booklets in the "Problem-Oriented Guides for Police" series that feature the work of police departments around the country on specific, common problems (like street prostitution or thefts from autos).

These are just a few examples of the readily available literature intended for the practitioner audience. Much more is available on these topics through various other practitioner and academic publications, newsletters, and journals. These publications convey both specific information and an overall picture of the state of our knowledge in these areas.

Practical Tips and Tools

Distribute Suggested Reading Materials to Your Team and Discuss Them

Choose one item from the materials mentioned above. Reserve part of one meeting to discuss the following:

- Did you learn anything new?
- Is this material relevant to the situation in your jurisdiction?

- Did it provide ideas for how you might learn more about particular problems or populations in your community?

If the discussion seemed valuable, do it again. An alternative approach might be to have several subgroups of the team read different materials and report back to the whole group.

Invite Faculty Members and Others To Address Your Team and Bring Reading Materials for Discussion

Invite faculty members from a nearby university to address the group on one of these topics. Ask them to bring some suggested reading materials for the group.

Base Your Activities on a Problem-Solving Approach

Make this approach the backdrop to all of your discussions. Whether in setting bonds or examining criteria for pretrial release, creating a new single-focus court, or implementing a new assessment instrument, challenge yourselves to look for evidence that you have articulated your goals, really understand the full dimensions of the problem, matched your solution to the problem's underlying source or cause, and gathered evidence that the solution proposed will really bring you closer to your goals.

Refer to Suggested Reading Materials and Web Sites

Refer to the Web sites listed at the end of this chapter and the suggested reading materials available from those sites.

Resource List. Problem-Solving Approach

Web Sites

Center for the Study and Prevention of Violence, University of Colorado at Boulder. www.colorado.edu/cspv. Information from a national study undertaken to identify successful violence prevention programs—including a series of “Blueprints” publications.

National Center for Injury Prevention and Control (within the Centers for Disease Control and Prevention, U.S. Department of Health and Human Services). www.cdc.gov/ncipc/default.htm. Problem-oriented resources for addressing violence.

National Institute of Corrections (within the U.S. Department of Justice). www.nicic.org. Training, onsite technical assistance, information, and policy/program development support for corrections agencies and professionals, including many resources on criminal justice policy analyses and problem-solving processes.

Office of Community Oriented Policing (COPS, within the Office of Justice Programs, U.S. Department of Justice). www.cops.usdoj.gov. Resources for community policing, including Problem-Oriented Guides for Police—19 problem-oriented guidebooks for law enforcement.

Providing leadership can be hard and uncomfortable at times. Sometimes it means telling the public that we don't have all the answers, and sometimes it means taking big risks.

—Robert Dick,
County Commissioner,
Tulsa, Oklahoma

Exert Leadership

The Principle

Many different activities, challenges, and pursuits are connected with the work described in this guide. All require leadership; however, the types of leadership, how the leadership should be exercised, and who should exercise it differ for different activities and at different phases of those activities. Leadership of the process and leadership to implement changes and recommendations have many aspects and assume many forms.

Leadership of the Process

Much of this guide is about the process of taking stock of your criminal justice system; examining your goals, hopes, and vision; and then assessing how well the system is meeting your goals or its capability to do so. You have been performing time-, labor-, and resource-intensive work that is likely to be uncomfortable, put pressure on officials and staff who are already burdened, and bring to light disagreements and deficiencies that will not be welcome.

From the outset, therefore, leadership will be required to set the process in motion, mobilize the cooperation and resources it requires, and hold the entire effort together when letting it quietly go away might be easier. Leadership in this endeavor will take several forms.

Forms of Leadership

First, it may be necessary to present a compelling case to other policymakers regarding the need for both the policy team and the process. This may require a combination of cajoling and arm-twisting. More important, it may require the expenditure of political capital to secure necessary agreements for the group's formation, for peers to attend initial meetings, and for staff or other resources. As indicated in chapter 4, the relevant officials who need to be involved already have plenty to do and may need significant coaxing before agreeing to undertake an additional major effort.

Second, you will need to plan and deliver a rollout or initial set of

activities carefully designed to make it worthwhile for reluctant participants to continue their involvement. Even if you do not encounter much difficulty in getting policymakers to attend an initial or organizational meeting, getting them to return may be a challenge. You may have to offer a political reward for coming, plan a particularly exciting event, provide extensive media coverage, or publicly endorse a prominent political figure. In contrast, the incentive could be the presentation of evidence or information that is so alarming or interesting (and irrefutable) that others dare not refuse to participate in fear of what may be forthcoming.

Third is the first offer of concrete resources, such as staff time, equipment, office space, a meeting place and meal, or use of analytic capability not enjoyed by others. You may need to “sweeten” the deal by offering a staff person or office space to support the effort, agreeing to be the regular host, or providing some other inducement. Such offers also demonstrate the importance you place on the process and your personal investment in it.

Fourth is the expenditure of time and ongoing effort to keep meeting agendas on target and compelling, information flowing as needed, and momentum going. This requires sound judgment about the status of the group’s progress, interest, and engagement; about whether any changes are needed and, if so, what kind; and about the purposeful and energetic convening and leading of the meetings themselves.

Fifth is the further expenditure of political capital along the way when obstacles appear, attendance wanes, officials change, or disagreements threaten the group’s cohesiveness. Leadership to offer compromises, broker agreements, and reach out to those who have fallen away or are disgruntled will be key to keeping the group together and moving.

This is leadership that sees the future with hope and the present with clarity. It is willing to stake resources and political capital for a process that can take the present into a better future. It is not reluctant to put time and energy into this process while sharing the credit and accepting responsibility for failure or hopes not fully realized.

Sources of Leadership

Your jurisdiction already may be blessed with a seasoned, charismatic, well-placed, and well-funded political leader who can provide all of the different kinds of leadership described. But chances are much better that these different kinds of leadership will have to come from a small group of committed individuals, each possessing different capacities and capabilities and able to contribute part of what is needed. Members of this group may even designate themselves as a “leadership team.” In any case, they will need to agree on how to divide these responsibilities among themselves.

Leadership does not have to come from the person most visibly in the “leadership” position. Although there may appear to be a person within the group who by every

account should chair the policy team, the leadership, as described above (e.g., the provider of political favors, arranger of press coverage, or strategist), may come from a different individual or from others who play less visible roles within the group.

Leadership To Implement Changes and Recommendations

The process described thus far could be pursued in relative obscurity. That is, the policymakers of the criminal justice system could do all of the information gathering and system assessment without ever having to “take it public,” changing the way they do business, or implementing any new initiatives. This guide, however, rests on the assumption that such an approach would be inadequate for two reasons: first, it is unlikely that you would be performing this type of assessment unless you were dissatisfied to some degree with the current state of affairs and seeking to bring about changes; and, second, the kinds of changes that are likely to be needed cannot be achieved by the system players alone.

Meaning and Significance of Leadership in This Context

As alluded to throughout this guide, we have been reluctant to face many uncomfortable “truths” about the criminal justice system, much less share them with the people in our communities. Examples include our limited capacity to produce public safety on our own, without the community’s

involvement; the fact that no one really is in charge of public safety or the criminal justice system; and the very limited ways in which we seek, develop, analyze, or share information that might be useful in enhancing public safety. Our reluctance to face these issues and to share them with the general public comes from our fear that they make us look bad and thereby jeopardize our hold on the very positions of leadership that we occupy.

So, in this context, leadership means, first and foremost, *the willingness to tell the truth* followed by the promise to do better. Telling the truth has another part to it that is the second hallmark of leadership: Admitting that you do not have all the answers and asking for help. No criminal justice system, no matter how tough or effective, no matter what the clearance and conviction rates may be, can raise healthy, prosocial children with the skills and motivation to succeed; can maintain decent housing and employment opportunities for those children as they grow and for the families who are raising them; and can promote the community cohesion and social bonds that are the foundation of law-abiding behavior. Only the institutions of the community can accomplish that: families, schools, faith communities, libraries, civic associations, health care providers and institutions, small and large businesses, and other community entities.

Telling the truth is hard, not because criminal justice system policymakers prefer to lie but, rather,

because it is so hard to admit what we do not know, how little power over crime and safety we actually have, how meager the solutions that we have used in the past actually are, and how limited our imaginations truly are. For too long, we have relied on making loud and belligerent speeches about crime, as though sounding tough or promising consequences were enough to scare everyone into being law-abiding citizens. What we have achieved instead is a public that now shares our lack of imagination and innovation—who believes that the most the system can deliver is more and more of the same: pursuing, prosecuting, and incarcerating criminals. Can we really be surprised that the public seems to demand that we lock up more and more offenders, for ever longer periods and for less serious offenses? We, the leaders in the field, the policymakers of the system, have told them that this is all that we can do, all that they can have in their search for greater safety. If that is truly all they can have, all that we can do, of course they want more of it—even when it is not working.

So our first principles of leadership in this arena are to tell the truth and to ask for help. We have to say to the public: We have sold you a bill of goods, and only all of us working together can enable us to have public safety and a healthy community.

In fairness, the public has not demanded very much of us as leaders. It is true that the public—or at least some of it—has been content to abdicate its role and responsibility

in generating health and safety. For example, in one city a few years ago, a recently hired police chief held his first press conference to share his vision of involving communities in efforts to create public safety; shortly thereafter, one of the city's leading political figures, head of a strong neighborhood association, held her own press conference to announce that her constituents paid taxes so that the police would take care of those problems—so the chief should not be looking to her or to the members of her association for help.

As a result of this, many of us developed the idea that in order to lead we have to tell people what we think they want to hear and convince them that we have all the answers—and that community members do not need to have answers, ideas, or anything else. We all know, however, that the problems of our cities, towns, and neighborhoods are far more serious and complex than anything any one group or set of agencies can respond to on their own. Leadership in this arena means leading in a common effort to identify shared problems, find realistic solutions, and create a better shared future.

The problems may be real and deep, but the solutions are knowable and the assets are out there. So leadership also means helping everyone believe that, together, they can solve problems with resources that are theirs. A strong belief in a future that is doable—and powerfully projecting both the belief and the characteristics of that future—are hallmarks of

leadership. A leader is characterized, then, as visionary (projecting a future that people really want) and as inspiring (making others believe that this projected future is within their grasp).

The future requires change and it requires assets. Leadership means seeing assets where others do not see them and having the creativity to invent solutions that may not be obvious or that are unlike previous solutions.

All of this means taking some big risks—risks that for the most part are not really necessary. Prosecutors and judges are reelected and police chiefs are reappointed on the strength of their clearance and conviction rates, on the strength of big cases where the bad guys received long sentences, and on the impact of front-page pictures of big arrests with followup articles on the high bail set. It is surely much harder to talk about the working group convened to discuss managing all the sex offenders who live among us in the community; about the urgent need for comprehensive drug treatment because most drug offenders will do very little, if any, incarceration time and therefore cannot access treatment programs that may be available in prison or jail; about the need to clean up that park at 15th and Vine because of the level of drug sales that go on there; about the working group that is negotiating with beer distributors and bar owners to halt their sales to underage drinkers; about the need for pastors to provide literacy and job readiness classes that might keep some young adults more connected

to the law-abiding institutions of the community and for schools to reach out and offer their facilities after hours for similar efforts; and about the riskiness of schools issuing automatic suspensions in some cases, thus putting some of our neediest young people on the streets where they are unsupervised all day.

In a similar way, the mayor will not make easy friends when business owners complaining about streetwalking and drug dealing in front of their stores and restaurants are invited to join committees that are working with police and prosecutors on long-term solutions to these problems instead of receiving the usual promises that the streets will be “cleaned up” in short order. The victim advocacy organizations will not be pleased to be told the truth about the ineffectiveness of many sanctions and how little is accomplished by fines imposed that are never collected or community service orders that are never completed—and they are invited to join committees to work on these and related issues.

But one thing that most elected and appointed criminal justice officials have in quantity is moral authority. They are viewed as knowing more than others about these matters, as having the best interests of the community at heart, as having made personal sacrifices in the public interest. Surely, a strong foundation for risk taking and for leadership in this arena includes calling upon the moral authority inherent in the positions of so many members of the policy group.

In summary, leadership in this context is critical and characterized by the following:

- The ability, using one's own voice or another's voice, to paint a picture of the future that is inspiring enough that others will want to help make it a reality and realistic enough that others can see the benefits that each will accrue from its accomplishment.
- The capacity to speak so that others will listen or to convince another to speak.
- A willingness to tell the truth about the criminal justice system and its limitations, including all of the things that it cannot and never could do.
- A deep conviction that the community and its members, institutions, and agencies are key partners in making communities, business districts, and campuses places that are healthy, safe, and full of all the opportunities and liberties we have promised to ourselves and one another.
- A readiness to tell all parts of the community that they too have an obligation in this mutual endeavor.
- A powerful belief in an obtainable future that offers a better life to all of us.
- An ability to help others hold that belief and want to participate in its realization.
- The creativity to find solutions, assets, and resources in unexpected places and to lose one's reliance on the way we have always done it.

- A readiness to take big risks to achieve our vision.
- A willingness to put one's moral authority in harness for this effort.

Individual Leadership vs. Collective Leadership

In the case of the criminal justice system, responsibility belongs with the policy team as a group. Since there is no chief of the criminal justice system and no CEO, president, or chief minister, authority over the system and its power and resources resides in the collective body made up of all of the relevant agency heads and officeholders. Part of the power of this process is to bring all of that to the table. This is not how our systems have operated in the past. However, it is essential to take a reasoned look at the composition of the team when assessing how leadership will be exercised.

Within the team are both elected and appointed officials. Although the elected officials seem to carry more personal risk, in fact the appointed officials are likely to be serving at the pleasure of an appointing official who is also elected. Exceptions exist (for example, in states where judges are not directly elected or in jurisdictions where police chiefs report to independent boards). In looking at your team members, the political tenure and future of some may be so solid that their capabilities in this arena are simply much greater than the capabilities of others. Conversely, some members may be new to their positions and lack substantial credibility. Harder still

to deal with are members who are viewed as having bright political futures or political ambitions; this makes them more vulnerable because they are seen first and foremost in terms of either their own ambitions or their threat to someone else's ambitions.

The balance of these kinds of factors will drive how the team exercises its leadership. For example, if the chief judge or district attorney has held that position for 20 years and is known for his or her credibility and wisdom, then it makes sense to put that individual front and center. On the other hand, if a majority of the officials on the team fall into that category, then they can rotate that function. If your team is composed mostly of newer officials, or if officials seem to be ambitious for higher office, then it is key that when necessary the entire team speak as one.

Leadership Within Your Own Agency and Externally

One lesson we have learned from the Criminal Justice System Project and many other endeavors is that it is often easier to take up the cause of change—to espouse a new way of doing business—within the policy team than within one's own organization. Yet system change cannot work without the agencies involved reshaping their own missions and goals to serve the larger vision established by the policy team and moving to collaborate more genuinely with colleagues and communities.

Change within an agency is just as hard as change across agencies.

Every organization has an established culture—a sense of identity and purpose that colors how staff members approach their work, understand their responsibilities, and work with one another, with their leadership, and with others outside the agency. That culture is often a mixture of explicit and implicit messages from both the management of the organization and the outside world. For example, a probation department may have its own set of principles and guidelines for officer conduct and for the content of supervision it expects, but officers and midlevel managers also will be guided by what they hear from the bench, the expectations of individual judges, and judges' responses to both officer and probationer conduct.

Organizations, particularly public agencies, are also affected by very rigid and real structures, such as union contracts; county employment, pay, and promotion policies; state job classification requirements; and local, state, and federal budgets. These are often a constant source of creative challenge for public agency administrators who wish to bring about change.

Internal leadership rests on many of the same qualities as external leadership, but more is required to take the employees of a public agency through the kinds of changes that might be needed. It begins with knowing the organization well, understanding how each job contributes to its capacity, and respecting the individuals who are currently trying earnestly to do what is expected of them in those

positions. Although the head of an organization must be visionary, inspiring, and able to tell the truth, he or she also must have the capacity to communicate to every corner of every office the loud message that he or she understands the concerns and vulnerabilities of each employee, has taken account of the impact of these changes, and cares enough about each one to help walk them all—and the agency they mutually care about—through the change process successfully. An executive must communicate resolve and respect, vision and caring, knowledge of today, and a belief in tomorrow—all at the same time.

Agency leaders and policymakers who are wrestling to bring this kind of change to their organizations also will bring a much sharper understanding of the larger enterprise, and a deeper appreciation of what this kind of change takes, to the policy team's efforts.

Many excellent books and articles have been written about successful organizational leadership. This short section is not a substitute for those reading materials, but it is intended to place agency leadership in the context of systemwide change.

Obstacles to Leadership

Several obstacles to exerting leadership are identifiable, but they mostly boil down to one: fear. The most important aspect of leadership is to believe in something and to stand up for it. But standing up means standing out. And standing out always comes with risks. We fear the following:

- People will disagree with the positions that we have taken.
- We will lose support.
- We will be wrong.
- We will offend someone who holds power.
- Our power will be compromised.
- We will lose or waste assets, whether concrete or intangible.
- We will make someone else look good to our detriment.
- Someone we support will embarrass us.
- Something we support will go terribly wrong.

All of these fears are reasonable and real. Finding our way to being prudent and smart in our risk taking is also a hallmark of leadership: Take time to know what you are doing and to be sure it is worthy, but do not be paralyzed. Study, but then act. Make careful alliances, but be willing to be the only one standing. Take time to measure the risks and to think through recovery strategies, but ultimately—just do it.

**Task To Accomplish:
Discuss Leadership Issues**

Although no specific tasks will achieve leadership, the policy team would be well advised to discuss leadership issues, particularly as the group addresses vision, mission, and goals and considers making changes.

**Practical Tips and Tools:
Become Familiar With
Leadership Resources**

Review and become familiar with the leadership resources listed at the end of this chapter.

Resource List. Leadership

Resources From the National Institute of Corrections

The following resources are available through the National Institute of Corrections Web site (www.nicic.org).

Assessing Tomorrow's Leadership, National Academy of Corrections, 1992.

Building Capacity of Oversight Agencies, 1989.

Correctional Leadership Development (training curriculum), National Academy of Corrections, 1989–2003.

Executive Excellence, 1999–2003.

Executive Leadership Training for Women (training curriculum), National Academy of Corrections, 1994–95. A 2003 assessment of this training program, by Jeanne B. Stinchcomb, is also available.

Exploring the Dynamics and Principles of Effective Leadership (leadership curriculum), National Academy of Corrections, 2003.

Principled Leadership (lesson plan), by Ellie Jennings, 1996.

Strategies for Building Effective Work Teams, 1993–2003.

Other Resources

Medrano, Martha A. "Effective Community Leaders: Traits and Challenges," **Join Together To Reduce Substance Abuse**, Volume 2, No. 1, Fall 1999 (online newsletter, available at www.jointogether.org).

Reinventing Probation Council. **Transforming Probation Through Leadership: The "Broken Windows" Model**. New York, NY: Manhattan Institute, Center for Civic Innovation, 2000.

Weller, Steven, John A. Martin, David A. Price, and Brenda J. Wagenknecht-Ivey. Factors for a Successful Collaboration Process. In **Criminal Justice System Project Final Report of Evaluation Findings: Critical Components for Successful Criminal Justice System Planning**. Washington, DC: U.S. Department of Justice, National Institute of Justice, May 23, 2001.

Develop Policies, Procedures, and Programs as Strategies To Achieve Outcomes

The Principle

The key to developing effective and resource-wise policies, procedures, and programs is to restrain our impulses to do things for the sake of doing them or to leap to solutions without fully understanding the problem. We should initiate new programs and policies only when there is a problem that we understand and evidence shows that our intended response will be effective.

So often in the past, driven by a lack of both information and evidence and by the absence of coordination and shared goals to drive decisions, the individual agencies of the criminal justice system have been left to pull ideas, programs, and policies off the shelf or out of the air in uneven efforts to respond to perceived problems. We have reacted over and over to pressing problems or crises with quick fixes, thinking “This has seemed to work somewhere else, so why not try it here?” Jail crowding? Set up emergency release procedures. Too many drug offenders who are not getting jail time? Implement a drug

court. Too many offenders going to prison? Create a day reporting center or an electronic monitoring program. Although these responses and programs may be effective over the short term or for some purposes, their usefulness will depend on how well they have been devised to respond precisely to the particular source or cause of your problem. For example, emergency release procedures can undermine confidence in your entire system of pretrial detention or sentencing unless you allow them to be used as only stopgap measures while you examine the cause of your population growth. A day reporting center will do nothing to lower your prison commitment rate if it ends up being used primarily for those who previously would have been sent to jail or placed on probation.

In addition to implementing a “quick-and-dirty” crisis response or leaping to implement a solution before really understanding the problem, many of us have been guilty of “innovation-for-the-sake-of-doing-something” actions. Although

As the District Attorney in Multnomah County, I have been a part of numerous criminal justice planning efforts over the years. The efforts that have been most successful in producing measurable outcomes are those that have clear, measurable goals, are grounded in research, and have the full participation and support of the entire system.

—Michael D. Schrunk,
District Attorney,
Multnomah County, Oregon

these actions take different forms, some more benign than others, all are wasteful of resources. A common scenario is “I’ve just come back from a conference with a great idea.” A judge, sheriff, or district attorney may attend a conference or training session, learn about a terrific program that peers in another state have recently implemented, and decide “We need one of those here.” (Of course, whether or not the program is really needed is a much longer discussion.) The program sounds like such a great idea that we feel we should just do it—especially when it appears that federal funds are available for it.

Another common scenario is naming a problem and proposing its solution without really establishing whether or not this is a problem for you. It may be an issue that is getting a lot of attention in the national media or in a neighboring community within your state. The problem could be gangs or drug sales in the schools, violent crime committed by teenage girls, illegal methamphetamine laboratories, or drug overdoses from illegal OxyContin use. Although these are clearly pressing problems in some places, in other places they are not problems or present much less cause for alarm than other crimes or issues creating a much larger impact within the community.

Either of these scenarios may be espoused for the best reasons (including a desire to be proactive and to take care of problems) or for the most calculating political reasons (like being able to secure

a large grant and new jobs or currying favor with a particular constituency).

In any case, the key to avoiding both scenarios (and the resources they are likely to waste) is to be able to tie any proposed new policy or program to a specific issue in your jurisdiction that you have studied and assessed for its prevalence, impact, and cause. Furthermore, you should have clear evidence that the proposed policy or program has demonstrated its effectiveness in response to your specific problem.

Through the system assessment process, you can expect that if you have issues like these you will take the time to understand each one completely. The sources of population pressure at the jail, for example, could be anything from changes in district attorney office charging practices to a new round of “street sweeps” conducted by the police department to the appointment of a new magistrate whose bail-setting practices do not conform to accepted court policies. Your response, then, is unlikely to be either simple or unidimensional and will likely involve several agencies. It will take into account your overall goals and the crisis or problem presenting itself this week.

In one Criminal Justice System Project county, for example, the judges were very unhappy because only certain offenders (specifically those sentenced to 6 months or longer) had access to the jail’s drug treatment program. They wanted to expand the jail’s physical and programmatic capacity to give

more short-term offenders and detainees access to treatment. After an intense discussion of desired outcomes (in this case, reducing drug-related crime by ensuring easier access to treatment for any offender who wanted it) and consideration of budget dollars, the policy team concluded that putting funds into purchasing community-based treatment services for offenders on probation and pretrial defendants made far more sense than putting funds into expanding the jail's capacity with all of the attendant costs of a secure facility.

As your policy team proceeds through its system assessment process, change will happen in two ways:

- First, as you go through the process of mapping, of gathering initial data and information, it will be very obvious to you that some areas need immediate change. Some of these may be simple, and others may be more complex. These are easy wins and accomplishments along the way.
- Second, a more systematic effort should be made to identify targets of change. That is, as you complete your system assessment and identify gaps, you will look at and prioritize the areas in your system that seem to be most in need of attention.

Tasks To Accomplish

Tasks to accomplish in developing policy, procedure, and programs involve identifying and selecting targets, evaluating choices and

preparing strategies, and creating a process for managing change.

Identify Targets of Change

It is helpful to build a list of targets (exhibit 21–1) and change what you can as you proceed.

Build a list as you proceed. As you complete your system assessment and connect with your community, keep track of items that are unsatisfactory, items that seem duplicative or illogical, or needs that are not being addressed. You should expect these to represent an entire range of problems, from glitches in how cases are processed to information that is not communicated from one agency to another, from overlapping sanctions to agencies lacking victim-responsive services or lacking sanctioning options for a particular set of offenders. The level of these problems may be fairly significant or very small.

Change what you can as you proceed. The mapping process, your ongoing discussions, and your data-gathering efforts will reveal small issues along the way that can be “fixed” rather easily. Evaluate them in light of your goals and the resources required to address them, and decide whether action can be taken immediately.

For example, one policy team's earliest data collection efforts revealed that many people who had received citations were failing to appear within the designated time period for formal processing and were later being arrested on failure-to-appear charges. A review of the

Tasks To Accomplish

- Identify targets of change.
- Choose your targets.
- Evaluate your choices and prepare your strategies.
- Create a process for managing change.

processing system and interviews with people who had been arrested revealed that the police were handing out confusing citation documents and that the instructions to appear were insufficiently highlighted. The police department and the court clerk's office revised the form and ordered new ones. Another team, concerned about the length of time needed for arrestees to make even low bail amounts, physically inspected the booking area and concluded that simply redesigning the area and providing easy access to phones with free local calls would allow arrestees still awaiting booking to inform family or friends that the arrestees would likely need bail and thus expedite the entire process.

In both cases, the teams were clear about what they wanted (avoiding unnecessary arrests and avoiding unnecessary bed-days in the jail). They also knew that these changes were relatively simple and would result in big pay-offs in costs averted for a very small financial investment.

In your jurisdiction, you may be looking at bail setting and the use of pretrial release and learn that your pretrial agency is using a set of criteria or a screening instrument whose predictive reliability has never been tested for your jurisdiction. Because this is a resource-intensive validation process, the team might decide that the agency should either initiate it immediately or wait and see how the need stacks up against others later.

Choose Your Targets

No simple linear set of steps exists for choosing which items to act on. Suggested approaches include the following.

The “big picture”: **What would have to be true to realize your vision?** If your group tends toward the abstract or the highly rational, then the “logical” way to approach the task of choosing your targets of change is probably to compare the picture revealed by your system assessment with your vision, mission, and goals; decide what would have to be true about your system to achieve that vision; and then decide what would have to change. For example, if one part of your vision or mission is to ensure that system officials' earliest contacts with citizens will likely deal with their problems effectively and prevent their being drawn further into the system, then you might decide to focus your energy on the police and the communities in which they operate. What kind of training do the police have? What kind of access do they have to information, analysis, and resources? Is the community organized in support of the police efforts? Do the prosecutor's office, the court, and the other government agencies understand the goals of the police and support their efforts?

Perhaps your mission is focused more on ensuring that offenders sanctioned in your jurisdiction return to their communities with more capacity to deal with their own problems and a clearer plan for finding support there. Your efforts then are likely to be targeted

toward securing a good assessment for each offender, an array of sanctions and programming options that are responsive to each offender's needs and risks, and more involvement and coordination with agencies and institutions in the community that can assist with reentry.

Where are the policy team's interests, commitments, and resources? Another approach to choosing where to focus your efforts is to follow the interests and commitments on your policy team or the timing of other factors that can influence decisions. For example, if your jurisdiction initiated this effort in response to jail crowding, it is likely that you will have the support needed to take measures that you know will affect the jail population (for example, the number of people coming in, inmates' length of incarceration, or the means of their release). Particular interests may have emerged from the assessment itself: Perhaps the group was shocked at the number of minor offenders who cycle through the system over and over, at the number of young people involved with the system who came out of the foster care system in your state, or the absence of real supervision or programming for offenders on probation.

Where are the most glaring needs or gaps? For many teams, the choice of targets will be easy: The assessment may have revealed some glaring deficiencies, inefficiencies, gaps, or other issues that the policy group simply cannot tolerate or ignore. These might

include an information system that will not allow routine analysis of arrests, charges, or disposition information, or a probation agency whose approach to supervision is so antiquated and inadequate that there is simply no question that it must be overhauled from top to bottom.

Evaluate Your Choices and Prepare Your Strategies

The following steps are involved in evaluating your choices and preparing your strategies.

Return to your vision, mission, and goals. As you make choices about the areas on which to focus, look again at your vision, mission, and goals (see the team exercise "Achieving Goals Through Action" at the end of this chapter). Discuss how these areas will advance achieving your goals. Challenge one another to be as specific as possible in making the connection. Remain open to changing your choices or discovering that you need to revisit your vision, mission, or goals.

Specify the outcomes that you want for each area chosen. If you are certain that these change targets are appropriate and necessary to achieving your vision, mission, and goals, then you should be able to specify the outcomes that you want from each. What has to happen, change, or become true in order for this specific initiative to make the kind of contribution you want to achieve? You are not specifying what precise form the change will take but, rather, what the result has to be.

Discuss who else might share your concerns, interests, or stakes in each area. You will likely want to create subcommittees to work on each area or issue. Do not assume that they must be made up exclusively of policy group members; in fact, this is a time, if you have not already done so, to open up your process to a wide variety of interests, such as other government agencies, schools, citizens, neighborhood groups, faith communities, businesses, and civic and fraternal organizations. You also may need to delve more deeply into criminal justice agencies to involve staff members who are knowledgeable about the way things really work.

Create a Process for Managing Change

Creating a process for managing change involves the following steps.

Agree on how you will oversee the process and make decisions along the way. As committees meet—perhaps gathering more in-depth information or research findings, discussing options and resources, or considering possible policy and procedural changes, the creation of new policies, or the development of new programs—the policy team will want to stay fully abreast of the committees’ work and offer guidance along the way (see the list of resources at the end of this chapter). You would be well advised to make decisions about how you will manage the work of the committees and how you will steer their choices before the committees are set up and

before they meet (see the team exercise “Developing an Effective Monitoring System” at the end of this chapter).

Rather than sending them off with vague instructions, provide each committee with its own directives in terms of the following:

- Outcomes that the team has specified.
- Direction and suggestions as to membership, outreach, and an approach to its work.
- Specific instructions on the structure of the committees (e.g., whether each one should be chaired by a policy team member).
- Instructions on how often committees will report to the full team and whether those reports will be written or verbal.
- Instructions as to whether or not the committees will be required to keep records of their meetings, including who was present and where they met.
- Most specifically, directions specifying the points at which the committees need to come back to the full team for guidance before proceeding.

Once you are clear among yourselves and with the committees about how much autonomy the committees have and the kinds of decisions they may make, you will need some preliminary agreements about how the policy team itself will make the decisions that the committees may bring to you.

Be ready to repeat the entire process all over again. Your final

task is to know and understand that the process does not end but must be repeated, not in the same order and not, perhaps, in the same level of detail, but the cornerstone of good planning is that it never ends.

Practical Tips and Tools

Set Your Initial Priorities Using a Full Nominal Group Technique or Dot Voting

If your group finds that it is not easy to choose the areas on which to focus, you may want to use a full nominal group technique to set your initial priorities. This method is less “either-or” than voting and allows individuals to express choices along a spectrum. First, the group is presented with a list of all possibilities and each member is asked to choose one possibility and explain his or her choice. Next, with a list of all “first choices,” the process is repeated. Discussion and argument are not permitted. The process is repeated until the list is narrowed to whatever number of options seems optimal and until the list represents only items that everyone can support to some degree.

A second possibility is a variation of dot voting that allows members to express a preference for more than one item and different levels of interest within that preference. For example, each person might receive four dots of three different colors, each color representing a different level of interest (e.g., one

color might signify strong support, another might indicate “I could live with this,” and a third might indicate “I don’t think this is worth our time”). Members would then have an opportunity to support a number of issues or areas while also indicating level of interest, if not support, for others. Narrowing the list is a matter of simply choosing the items that have received the most dots in the first and second colors. This process may be conducted in any number of ways.

Establish a Timetable for Regular Reports

Set up a timetable for regular reports from each committee.

Conduct a Force Field Analysis To Understand How People and Institutions Will Be Affected

In considering who you would like to involve in your efforts, a force field analysis may help your team determine both how some people and institutions might be affected and what their response may be. This will help your team understand the likely environment in which you will work and identify who needs to be involved from the outset. You are far more likely to succeed if everyone affected by your changes is involved in making them. Like the policy team itself, the greater the number of different points of view involved in the process, the greater the likelihood that the product or outcome will have credibility among a wide audience.

Practical Tips and Tools

Set your initial priorities using a full nominal group technique or dot voting.

Establish a timetable for regular reports.

Conduct a force field analysis to understand how people and institutions will be affected.

Exhibit 21–1. An Action Checklist

1. The Policy Team
 - Is organized with appropriate membership.
 - Has necessary staff support.
 - Has established an approach to doing work that is characterized by frank and open communication.
 - Members have developed a sense of ownership of and commitment to the work.
 - Has energy for the tasks that have to be done.
2. Information Gathering
 - About the system: courts, case processing, disposition.
 - About the population.
 - About existing correctional resources and their populations.
3. Consensus Building on Changes Desired/Policy To Be Adopted
 - Purposes to be served by sentencing and corrections.
 - Values that will guide those decisions and operations.
 - Short-term goals for specific changes in system practice.
 - Outcomes desired for specific sanctioning options.
 - Policies that express those purposes, goals, and values and direct how they will be achieved.
4. Individual Agency Changes
 - Internal policies and practices.
 - Staff training.
 - Interagency cooperation.
5. Implementation
 - Population targeting.
 - Changes in existing programs/sanctioning options.
 - Development of new programs/options.
 - Reallocation of existing resources: funds, personnel, physical plant.
 - Agreement on distribution of discretion among actors in sentencing process.
 - Changes in system practices.
6. Outreach and Education
 - Local legislative body and executive.
 - State legislators and executive.
 - Key constituencies (e.g., victim groups).
 - General public.

Team Exercise. Achieving Goals Through Action

Goals

The purpose of this session is to revisit all of the elements of your planning process in the context of your goals.

Instructions

1. As a team, review each element of the strategic planning framework:
 - Mission.
 - Vision.
 - Goals.
 - Objectives.
 - Tasks.

Make sure each member of the team understands what is meant by each of these terms.
2. Revisit the work that your team has done in each area.
 - Do you have a mission statement? What is it?
 - Do you have an articulated vision that all members of the team have agreed to?
 - Have you set goals for each of the areas that your team is working on? How do these goals relate to the team's vision? What information and data did you draw on to determine these goals?
 - Have you set realistic objectives to achieve your goals? What are they? Does the plan include both short- and long-term goals?
 - Have you created a detailed work plan (tasks and activities) to achieve the goals and objectives you have set?
3. Are there gaps in your plan? What are they? How will you go about filling those gaps? Are there additional issues that the team wants to deal with that are not currently reflected in the plan?
4. What mechanisms have you/should you put in place to monitor progress? What information and data will you need ongoing to determine if you are achieving your goals?
5. Develop an action plan, using the form that follows.

Team Exercise. Achieving Goals Through Action (continued)

ACTION PLAN

GOAL: _____

OBJECTIVE: _____

Action Steps	Resources Required	Start Date	Complete Date	Person Responsible	Status of Plan

Team Exercise. Developing an Effective Monitoring System

Adequate information plays a critical role in devising sentencing policy and planning intermediate sanctions programs. Despite this, many jurisdictions lack meaningful data to support the policy development process. The policy team may have to take on the task of developing a monitoring system.

Objectives

This exercise is designed to help the policy team think through the components of a useful monitoring system.

Instructions

1. The first step in determining the components of your monitoring system is gaining an understanding of what you want from it when it is in place. As a group, brainstorm a list of questions that you would want your new monitoring system to answer. Record your list of questions on flip charts and post the pages around the room. Below are some questions to help you get started; use the ones that are appropriate for your jurisdiction and then keep going until you have covered the critical ones:
 - What kind of offenders are in our jail?
 - In what ways is the sentenced population in our jail different from the population we have on probation?
 - How many residential drug treatment slots are available to us for sentenced offenders, and how many do we need?
2. For each of your questions, identify the information points, or data elements, that are needed to answer the questions. For example, if one of your questions is “What type of offenders are being sentenced to electronic monitoring?” you will probably want to collect a number of data elements to answer this question, such as the arrest charge, the charge of conviction, how many times the offender has been on community supervision before and the outcome of those sanctions, the offender’s mental health history, and other variables. Be as specific as possible in data elements. Noting “substance abuse history” as a data element may not be sufficient. What do you want to know about that history? Length of use? Substances used? Extent of use?

Resource List. Companion Documents

Burke, Peggy, and Madeline Carter, eds. **Facilitating the Use of Intermediate Sanctions: A Series of Four Video Seminars.** Alexandria, VA: State Justice Institute, 1996.

Burke, Peggy, Robert C. Cushman, and Becki Ney. **Guide to a Criminal Justice System Assessment.** Washington, DC: U.S. Department of Justice, National Institute of Corrections, 1996.

Carter, Madeline, and Peggy McGarry, eds. **The Intermediate Sanctions Handbook: Tools and Experiences for Policymakers.** Washington, DC: U.S. Department of Justice, National Institute of Corrections, 1993.

National Institute of Corrections. **Conducting a Local System Assessment.** Washington, DC: U.S. Department of Justice, National Institute of Corrections, 1996.

Weller, Steven, John A. Martin, David A. Price, and Brenda J. Wagenknecht-Ivey. **Criminal Justice System Project Final Report of Evaluation Findings: Critical Components for Successful Criminal Justice System Planning.** Washington, DC: U.S. Department of Justice, National Institute of Justice, May 23, 2001.

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