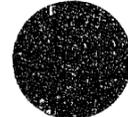


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ADVOCACY IN JUVENILE JUSTICE: CONCEPT AND PRACTICE

Robert B. Coates  
The School of Social Service Administration  
The University of Chicago

For the National Assessment Center for  
Alternatives to Juvenile Justice Processing  
The University of Chicago

February, 1981

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U.S. Department of Justice  
National Institute of Justice

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PREFACE

One of the difficulties facing anyone attempting to write on topics in juvenile justice is identifying the audience for which one writes. Such has been the case with this monograph. I have had to make some rather deliberate choices. This document is not written with the academic primarily in mind. Nor is it aimed at those individuals with vast experience in doing advocacy, although there may be some elements here that provide relevant reminders to them, particularly the necessity of following up on what appear initially to be successful advocacy efforts. It is written primarily for the practitioner or administrator who is relatively new to advocacy. For the practitioner or administrator who needs to justify his or her activity in advocacy efforts there is a historical base. For the practitioner who says, "O.K. now I am an advocate. What next?" there are also suggestions on how to learn from advocacy experiences and how to hold advocacy efforts accountable. For all, there is an attempt to conceptualize advocacy in a juvenile justice context. I do not deceive myself by thinking that this monograph brings closure to our grappling with what advocacy means and its consequences for our field. Rather, I hope that it provides a basis for more focused discussion.

As with most works of this nature, the ideas developed here have emerged and been refined over a fairly long time period. I wish to thank

Alden D. Miller and Lloyd E. Ohlin who provided valuable theoretical critiques as the advocacy framework was taking shape. I also want to express my appreciation for the patience and stimulating response of my former Harvard Divinity School students who suffered through the early developmental stages of this framework. Some of the literature search for this effort was done by Laurie Lippold. Thanks go to Margaret K. Rosenheim, Frederic Reamer, Charles Shireman and Charlotte Schuerman for their insightful responses to earlier drafts of this document. Especially I want to thank Betty Vos who was very encouraging and helpful as I struggled with the details and implications of the framework. I also thank Crystal Williams for very ably typing what has not always been a clean manuscript. None of this could have been done without the openness and cooperation of the many practitioners who have challenged me over the years.

Clearly a topic such as advocacy may lead to some controversial statements or positions. It is therefore important for the reader to understand that while there are many persons to thank, the positions represented here are my own and not necessarily those of the persons mentioned above nor are they necessarily the positions of the Office of Juvenile Justice and Delinquency Prevention.

Robert B. Coates  
February 1981

Chapter I  
ADVOCACY: A CONCEPTUAL FRAMEWORK

Introduction

The decade of the seventies witnessed a surge of advocacy programs in the field of juvenile justice. Some of these efforts represented genuine attempts at reforming juvenile justice systems and those additional environmental systems which impinge upon delinquents and justice systems. As is so often the case in human services, many "advocacy" programs, constituted little more than changing names of programs; name changes were adopted to insure eligibility for available categorical funding under the rubric of advocacy. Thus the rapid growth of advocacy programs may be an uneven predictor of the kinds of system changes which might be expected to ensue from advocacy strategies.

In recent years, the appropriateness of advocacy in juvenile justice has come under attack from many directions. On one hand, it is viewed as justifying actions which are too intrusive into the lives of citizens and into the day-to-day operations of public bureaucracies. On the other hand, it is seen as a set of pollyanish actions diverting attention from the "practical work" which can and should be done with individual delinquents.

Proponents of advocacy efforts contend that it is a common denominator for many persons working at various levels in human service systems who are attempting to bring about change and who are firmly vested in representing client interests. Much of the heat of the advocacy debate seems to stem from a fundamental confusion over what is meant by advocacy and how it can

be carried out in practice. This conceptual confusion leads to confusions in expectations of what will or will not happen as a result of advocacy efforts. This seems to be a reasonable point in time to draw upon our experience with advocacy in order to identify its strengths and weakness as a viable component of action directed at and within juvenile justice. While I do not expect to set to rest the confusion over advocacy, I wish to explore with the reader some of the assumptions of advocacy and their implications for action, and to highlight some of the commonalities across different forms of advocacy. In doing so, I will lay out a conceptual framework of advocacy and will identify some principles of advocacy practice. While the framework is being applied here specifically to juvenile justice, I will borrow selectively from other human service fields which have also grappled with questions regarding advocacy. I have sought to frame this monograph around advocacy related issues, practice principles and an historical context rather than around "ideal" programs. Individual programs will be used for illustrative purposes.

Preparation for this work included conducting focused interviews with federal, state and private administrators and program staff. However, to be fair, I must say that the bulk of the "supporting evidence" has come from years of observing advocates and advocacy programs, conversations with persons working in such programs, and my own efforts to work in and with advocacy programs on behalf of youth in the juvenile justice system. This monograph, then, is shaped, in large part, by my own observation and experience with the successes and failures of advocacy efforts.

#### Assumptions Underlying the Advocacy Framework

Although advocacy in juvenile justice has only blossomed as an

acknowledged approach to delinquency during the seventies, it has been a strategy in human service for some time. We are not creating something anew, but are building upon the experience and work of others, going back at least eighty to a hundred years. The set of actions generally conceived of as advocacy may not have been so labeled then, but the actions, themselves, have a long heritage in human service. That heritage will be spelled out in more detail in later sections of this monograph.

The most generic definition of advocacy in juvenile justice and in human services is "acting on behalf of clients and/or client interests." This is the kernel of the conceptual framework which I will portray. This generic definition is stripped of most specificity. There is no reference to who does the advocating; the clients and client interests are not designated; nor are kinds of advocacy actions identified. The task, here, will be to fill out the specifics of the conceptual framework. As a beginning, I will identify assumptions which are the foundation of this particular framework. In doing so, I will compare and contrast these assumptions with those of other attempts to define advocacy.

Whether one is approaching advocacy from a legal, social work, psychological or sociological framework, there are at least minimum implicit assumptions which justify and direct the doing of advocacy. Justification of advocacy work in human services and specifically in juvenile justice is embodied, in part, in the observer's assumptions, perceptions and values regarding 1) personhood, 2) justice and 3) society.<sup>1</sup> Most advocacy frameworks or definitions assume that each person has certain inalienable rights: the right to essential goods to assure survival, and the right to develop one's skills as long as he/she does not infringe upon the rights of others.

These rights are not regarded as earned or derived from law, but as a consequent of the person's being or existence.

A predominant view of justice underlying advocacy in human services is that each member of society should have equal opportunity and access to societal resources recognizing that individual variation will likely develop as persons use resources differentially.

Advocacy frameworks assume that society has a responsibility to assure that these rights of persons are available to all its members. Laws are created to protect those rights, e.g., to protect the minority from the whims of the majority; and groups with common interests emerge and coalesce to push for their particular desires by participating in formal and informal political processes.

The above assumptions support or speak to the why of advocacy. Society has a responsibility to make the assumptions concerning personhood and justice into realities. Advocacy plays a key role in bringing those realities about.

There is a different order of assumptions which must be considered before moving to the conceptual framework, i.e., how will we approach constructing the actual framework. To get at these assumptions, let us consider how others have sought to expand on our generic definition of advocacy, "acting on behalf of client and/or client interests."

First, the legal field. Advocacy is played out in the legal arena in this society in what is essentially an adversarial mode. Each defendant has the right to an adequate defense. The defense attorney is concerned not with whether in fact his client committed a certain act. He/she will

defend his/her client "right or wrong." His/her responsibility is to advocate on behalf of the client, just as the prosecutor's is to advocate on behalf of the state.<sup>2</sup> It is the responsibility of a judge/jury to decide the outcome of the case. For this legal system to function properly, lawyers must have a considerable amount of faith in the process.

This legal model has several flaws as a foundation for developing an advocacy model in human services. First, it is difficult to assume an impartial judge if one were to adhere to a strict adversarial stance. Will it be a school principal? Is it congress? Is it a citizens committee? Where does one go with a right to appeal? Second, defending the client "right or wrong" contradicts ethical codes of some human service workers and their professional associations. In social work, for example, representing the client and his or her interests is of primary importance but there is difficulty when those interests clash with those of other clients, e.g., child and parent. Rather than take a purely adversarial stance the social worker may, for example, rely on a negotiation stance.

Social workers offer their own definition of advocacy: acting on behalf of the "disadvantaged"<sup>3</sup> or "championing the cause of the client"<sup>4</sup> or "champion of social victims."<sup>5</sup> In my view, while such may represent the mission of social work, it poses two problems for developing a general conceptual framework for advocacy. First, the social work definition underplays the role of the "disadvantaged" (I would prefer, "users of service") as potential advocates. Second, it ignores the fact that advocacy as a strategy is used to champion the causes of many groups, not simply the disadvantaged. The oil companies are involved in advocacy. The National

Riflemans Association is involved in advocacy. The Small Businessmans Association is involved in advocacy. In juvenile justice, individuals and groups advocate on behalf of victims, professional groups, and community protection as well as on behalf of delinquents. Advocacy needs to be defined broadly enough to allow for the development of self advocates on equal footing with "professional advocates." And it needs to be defined broadly enough to encompass all groups that carry out such activities.

The next step in this issue is to determine how inclusive or exclusive the concept should be. In the Office of Juvenile Justice and Delinquency Prevention's recent request for proposals aimed at advocacy work, the Office prescribed a narrow or exclusive definition of advocacy.<sup>6</sup> Advocacy is defined as being outside the domain of direct service. If the agency had wanted to restrict advocacy applicants to non-direct service providers that could have been done as a matter of policy, but to have defined advocacy to exclude direct service raises problems of conceptual clarity. The question is, "Are direct service providers in a position to act on behalf of their clients?" Advocacy has been a thread, although very thin at times, which has run throughout the history of casework. This point will be made in more detail later. It should be clearly noted here, however, that the conceptual framework set forth below is inclusive rather than exclusive. Direct service providers do and must continue to advocate on behalf of their clients. My position is that there are already enough divisions among people in the juvenile justice arena; where there are possible bridges for developing a common ground we need to take advantage of them, not destroy them.

My last assumption regarding the development of a conceptual framework

has to do with its beginning point. Some, such as the OJJDP, seem to begin with the doers of advocacy.<sup>7</sup> Such an approach emphasizes the different kinds of persons who do advocacy, but overlooks the commonalities of the processes which these persons employ. I find a more useful method is to focus in on the targets of advocacy. Even here, however, one can easily be distracted by the great variety of potential targets, thus we will need to identify broad groupings of targets. By focusing on the targets of advocacy, one can then work backwards to discover what kinds and how different advocates try to impact upon advocacy targets. The justification of focusing on targets instead of doers is one of parsimony and the belief that it provides us with a better analytic tool as well as maintaining the integrity and purposes of advocacy. The framework below, then, is built upon the targets of advocacy rather than the doers of advocacy.

#### Assumptions of Advocacy Framework

1. Each person has certain inalienable rights: the right to essential goods to assure survival, and the right to develop one's skills as long as he/she does not infringe upon the rights of others.
2. Each member of society should have equal opportunity and access to societal resources recognizing that individual variation will likely develop as persons use resources differentially.
3. Society has a responsibility to assure that these rights of persons are available to all its members.
4. Advocacy needs to be defined broadly enough to encompass all groups that carry out such activities.
5. Advocacy needs to allow for the development of self advocates on equal footing with "professional advocates."
6. Direct service providers do and must continue to advocate on behalf of their clients.
7. The framework is built upon the targets of advocacy rather than the doers of advocacy.

### Conceptual Framework<sup>8</sup>

In the succeeding paragraphs I will lay out an advocacy typology of three types: case, community and class. The typology is derived by asking four questions:

1. What type of client is the advocacy addressing?
2. In what arena does the advocacy occur?
3. What kinds of activity shape the advocacy effort?
4. At what general goal is advocacy directed?

As I address these questions, I will be framing the answers in modal types. The advantage of the typological approach here is that it is a method which yields distinctions and clarity in what is usually viewed as entangled complexity. Its disadvantage is that what actually underlies the typology is a series of continua; thus there are more nuances within and overlaps between the types than may seem apparent. I will indicate some of these as I proceed.

It seems useful from this observer's vantage point to view clients as fitting into three categories. The first, corresponding to case advocacy, is the individual client. Although individual usually implies single, I am extending it to include family, such as in instances of family counseling where the unit of focus is not one individual, but members of a family. Analogously, I include small groups; for example, a church youth group where, again we have a small distinct entity which is the primary focus of the worker. The second category of client, corresponding to community advocacy, is a composite of individuals in a community who have similar problems or needs. I do not intend to suggest group membership, nor do the

individuals even have to know one another. For example, youngsters in the age range of 16-19 in a local community must contend with the lack of organized recreation opportunities. The third client category, corresponding to class advocacy, is a class of individuals across larger jurisdictional boundaries--city, county, state nation--who have similar problems or needs, e.g., the plight of juveniles being incarcerated in jails across the United States. Those juveniles represent a class of clients for whom advocates could act.

The modal arena for each type of advocacy is probably already clear. For case advocacy, it is the dyads, triads, and small groups, particularly as they interface with natural helping networks and with public and private social service and social control agencies. For community advocacy, the locus of action is in the local community focusing on local interest groups and local agencies. Obviously, the arena may very well expand around specific issues, but the base of operations is the local community. In class advocacy, the arena can be quite expansive, including the nation. In fact, it can be international, as with involvement in the International Year of the Child.

The nature of activity associated with each advocacy type will comprise much of the later chapters. There, many of the nuances within and among types of activities will be played out. Here, we must be satisfied with modal types. For case advocacy the modal type is casework, direct and indirect. Direct involves extensive contact with the client while indirect does not. In the latter instance, I have in mind the brokering role where the advocate may not even know the client personally. The modal form of activity in community advocacy is community organizing--mobilizing

Advocacy Framework

<u>Advocacy Type</u>	<u>Client</u>	<u>Arena</u>	<u>Activity</u>	<u>Goals</u>
Individual Case	Individual, small group	Dyads, triads small groups community agencies and services	Casework Brokering services	Linking, client to resources Changing processes → Generating Resources
Community	Composite of individuals in local community with similar problems or needs	Local community	Community/interest group organizing	Generating resources Changing processes Linking clients to resources
Class	Class of individuals across larger jurisdictional boundaries with similar problems or needs	City, state, nation, international	Coalition/interest group organizing	Changing processes Generating resources

and working with local interest groups to achieve their objectives. The modal activity for class advocacy is again coalition building or working with interest groups, but on a larger scale generally than that which will occur in the local community. A second major modal activity in this category which will only be touched on in a tangential way in this paper is class action suits in the legal system.

The goals of each type of advocacy generally overlap, although there are different priorities for each group. Those general goals are: 1) linking clients to existing resources, broadly defined to include education, skill training, jobs, money, health care, housing, and relationship support; 2) generating resources where they are needed but lacking; and 3) changing processes which impinge upon access to resources, and on the manner in which clients are handled by public and private social service and social control agencies. To illustrate, this latter goal may direct attention to how youth are processed by the juvenile justice system and to the quality of life in residential programs, as well as to access of youth to resources in the community. In other words, process denotes policy and procedures.

Case advocacy will usually focus on linking clients to resources, with a second priority on generating resources and a tertiary focus on changing process. Community advocacy comes the closest to placing equal weight on each goal, depending upon the needs of particular groups. However, in general, linking clients to resources may play a somewhat secondary role. Class advocacy typically focuses most directly on changing process, with generating resources as a close second. Class advocacy is much less likely than the other types of advocacy to become directly involved with linking individual clients to resources.

#### Commonalities Across Advocacy Types

If I am accurate in attributing the word advocacy to the three sets of activities falling under individual case, community and class advocacy, there ought to be some commonalities or threads which cut across those activities in addition to those distinctions which allow for the three tier classification.

The most obvious commonality is embedded in the general definition of advocacy: "acting on behalf of client and client interests." Whether one is working on the individual, community or class level, goals and actions taken should be clearly linked to client interest. This sounds simpler and easier than it actually is. An individual client may have conflicting self interests; members of a client family may disagree, and broader groups or classes of clients may oppose each other's interests. Some client interests may be unrealistic, meaning the interests and desires will need to be tempered at least somewhat because of the constraining realities of the situation. Nonetheless, even tempering ought to be done with utmost emphasis on the client interests rather than on the efficiency of the system, the strains on decisionmakers, and the vested interest of professionals--those "clients" will have their advocates too!

Client participation in advocacy with professional advocates is a second commonality across the types of advocacy. The participation of clients in advocacy is critical for three reasons. First, it is their input at each level that can often provide clearest direction. Their experiences, their descriptions of actual situations, their articulation of need will ground advocacy activities in concrete realities. Second, their participation

can serve as an antidote to the self aggrandizing professional--they can serve to keep the professional advocate honest. Third, in many instances, with proper support and training, they are their best advocates.

The third commonality is the common vehicle for advocacy across the three types, namely, relationship. Whether individual, community or class, advocacy functions through an interpersonal enterprise. This is probably clearest at the individual and community levels where advocates work closely with clients, families, teachers, leadership in the local community and police. It is equally the case on the class level. Relationships are built not only within interest groups, but across interest groups and with key people in power who are in position to decide upon proposed changes. I am not simply referring here to the element of power in relationships. Communication, transfer of ideas, identification of need, comparing and contrasting strengths and weaknesses of policy are brought about through relationships. Relationship is not the sum total of advocacy, but it is the vehicle.

Two essential ingredients of relationship have particular import for advocacy. First, being able to place one's self in the role of the other. That is, trying to view the problem and or situation from the vantage point of other actors not only provides the possibility for leverage, it may in fact facilitate the relationship. This may be referred to as empathic understanding rather than sympathetic understanding. One does not have to accept the other's position, but one can try to grasp it.

Second, in order to get people to alter their behavior it may be necessary for them to have some stake in the advocate's position. What

are they likely to gain from changing their ways of doing things. Will there be less stress? Can the advocate offer more than intangible support or knowing that they are doing the "right" thing.

The fourth commonality speaks to part of the advocacy process. While relationship is seen as a necessary vehicle for advocacy, it is also difficult to imagine those activities occurring without some degree of tension; e.g., tension between advocate and client, tension among various interests groups within a community, and tension between advocates and decisionmakers who generate policy. At times in human services, we seem to believe, that in the interests of coordination and efficiency, tension or conflict ought to be rooted out; in our quest for consensus we often overlook the constructive, creative possibilities that can emerge out of tension among the participants.<sup>9</sup>

Advocacy takes place in a political context whether one is trying to encourage a teacher to use a different disciplinary approach with a student, to win community acceptance for a group home, or to convince legislators that more monies ought to be made available for purchase of services from the private sector. There will be people with opposing points of view; some will not want to change the way they have been doing things. There will inevitably be tension or conflict if we are trying to change anything which is particularly significant.

Advocates need to learn how to manage tension and conflict in a political context. Much of what follows in later chapters focuses on just that. Having raised the issue of tension and conflict as a commonality across the types of advocacy. I would be remiss if I did not point out that I

am not promoting the idea that open warfare is needed to alter systems. In fact, what one can achieve will be greatly influenced by the ability to know when conflict is realistic and when it is unrealistic and how to use conflict and tension in such ways as to move forward while allowing opponents and neutrals to save face and offering reasonable opportunities for them to ultimately support the positions which are being advocated.

#### Summary

In this chapter, I have laid out in broad strokes a conceptual framework of advocacy applicable to the juvenile justice field. Assumptions underlying the framework have been made explicit. The framework begins by focusing on the targets of advocacy; these are classified as individual case, community and class advocacy. In describing the classification scheme, distinctions among the three types are drawn. However, because they each fall under the rubric, advocacy, it is to be expected that the process of advocacy embodied in each type will have commonalities. These are identified as acting on behalf of, encouraging clients to be their own advocates, relationship as the vehicle of advocacy, and tension being present in advocacy relationships.

I will now turn to a more detailed discussion of each type of advocacy, placing it in a historical context and identifying the primary steps involved in each.

## Chapter II INDIVIDUAL CASE ADVOCACY

The role of case advocate may be filled by a parent, a friend, the client, a caseworker or any other person who takes a particular interest in a specific individual. As I indicated earlier, I am not accepting what I believe to be a false dichotomy between direct service and case advocacy. In each given instance, one must look at the situation and determine to what extent, if any, the direct service encounter has advocacy components.

The inclusion or exclusion of direct service providers as potential advocates is more than a theoretical issue. It is one of politics and power as well. In the first place there is no need to pro forma eliminate a pivotal group--these are case and group workers in residential and non-residential programs working on a daily basis with youth in trouble. Many of them consider at least part of their primary function to be advocacy, and many of them are doing advocacy. Furthermore, continuing debates rage within case work and group work about the efficacy of doing advocacy. To define these workers out of the realm of advocacy could have serious consequences for the kinds of advocacy work now considered by many to be legitimate under the rubric of case and group work. Moreover, to restrict advocacy to non-direct service roles would cause the appearance that advocacy has somehow emerged full blown in our time without proper credit being given to pro-active work of persons in the direct service field. For example, in the words of early social workers:

Mary Richmond (1922): Absence in any given community of the social resources and expert services of many kinds which have so enriched case work becomes a double challenge to that community's case workers--

a challenge to their ingenuity in developing possible substitutes for needed resource and a challenge to their public spirit, which should push hard to secure the community agencies still lacking...<sup>1</sup>

Charlotte Towle (1954): Granted the existence of basic biological drives and variation in constitutional endowment, the social worker operates on the assumption that the individual is fashioned largely by the circumstances and interpersonal relationships of his environment and, in turn, fashion them. The social worker's primary focus is on environment, broadly conceived, as a means to development and on environment as treatment when development is obstructed.<sup>2</sup>

While neither of these women used the word advocacy, it is difficult to read their words with out finding our current notions of advocacy aptly represented.

While I have been describing advocates who have direct contact with individual youth, it should certainly be noted that many advocates only have fleeting contact with clients. These advocates are frequently locating resources or matching youth with resources. For example, personnel in the Massachusetts Office for Children will act on behalf of clients who have special needs, be it housing, core evaluation through Chapter 766, (special education bill) or employment. A number of states and agencies have moved to a case manager approach in service delivery where the case manager is essentially a coordinator of several individual cases supervised by other staff. One of the case manager's responsibilities is typically to gain access to resources needed by the youngsters. Without extensive contact with the youth, these case managers facilitate the delivery of resources to youth and are in a position to hold the process of service delivery accountable.

Each of these chapters regarding a specific type of advocacy will follow a similar format. After a brief introductory statement, a historical sketch of the particular type of advocacy being discussed will be set forth.

These brief sketches not only serve to ground what follows, but also remind us that we are building upon existing foundations and experience. The historical sketch will be followed by a section which lays out the general steps or principles which form the process of doing the particular type of advocacy being described. The reader will soon recognize that the steps across the three steps of advocacy are more similar than dissimilar. They become distinct as they are applied with in the context of the three advocacy types: individual case, community and class. The process section will be followed by a final section on continuing or specific problems facing persons caring out these different types of advocacy.

#### Brief Historical Sketch of Advocacy in Casework

I would like now to turn to a brief history of advocacy in casework, reflecting the turmoil which such a notion has created and which continues to underscore much of the tension among caseworkers today as they are encouraged to take a pro-active advocacy stance regarding their cases.

The history of advocacy in casework can best be traced by considering the role or place of the environment or the client's situation as a potential target for directed action. Advocacy as I and others have defined it involves actions on behalf of clients. Those actions are typically aimed at systems, social networks, or the environment in which the client acts.

The history of casework exhibits considerable tension within the casework approach over the emphasis on the environment vis-a-vis the individual. Mary E. Richmond, a giant in the beginnings of social work and generally credited with giving social work a scientific base, had much to say about environment in her two classic works, Social Diagnosis, 1917<sup>3</sup> and What is Social Casework?, 1922.<sup>4</sup> In the latter work, she defines social casework

as consisting "of those processes which develop personality through adjustments consciously effected, individual by individual, between men and their social environment."<sup>5</sup> In her work, one can see the blending of the individual and the individual's situation. According to Richmond, case work involves four related sets of action: 1) insight into individuality and personal characteristics; 2) insight into the resources, dangers and influence of the social environment; 3) direct action of mind upon mind; and 4) indirect action through the social environment.<sup>6</sup> Thus environment is seen as both contributing to specific problems and a potential resource for problem resolution.

Work was to be primarily carried out in one-on-one relationships, but was also expanded to include significant persons in the client's situation and social institutions with which the client interacted. This becomes very clear when one considers the range of actions which Richmond considered appropriate for the case worker: "Action ranges from the humblest services, guided by affection, patience, and personal sympathy, to such radical measures as complete change of environment, the organization of resources where none existed before, and the reknitting of ties long broken."<sup>7</sup>

Ironically, even as Richmond's books were being published a movement was a foot which would alter significantly, for several decades, the direction of case work. Psychiatry, particularly the psychoanalytic approach of Freud, found an enthusiastic audience in the social work community as well as among others working with delinquents. They thirsted for techniques, desired scientific and professional respect, and were struggling to survive in a conservative political time in which much of the populace wished to view

poverty as the result of individual depravity rather than as a consequence of societal or environmental forces.<sup>8</sup>

As early as 1920, Dr. Salmon speaking on the minimum of medical insights required by social service workers with delinquents "emphasized the fact that attention must be directed 'first, last and all the time' to the individual, but how the individual was affected by the structure and functioning of the social order was never considered, nor were the ways in which his mental processes were influenced by the prejudices and predilections of society."<sup>9</sup>

William Healy, a psychiatrist who originally directed the Juvenile Psychopathic Institute and later did ground breaking work applying psychoanalytic techniques to diagnostics and treatment within the Boston juvenile courts was one of the principle persons to popularize psychoanalytic approaches for use with delinquents. His works included three pivotal books spanning a thirty year period from 1915-1947.<sup>10</sup>

The psychoanalytic approach also gained some prominence in the delinquency field because of the developments in testing procedures. With the development of the MMPI during the war years, researchers turned to it as a tool from which to predict and explain delinquency within the psychoanalytic framework.<sup>11</sup>

In the face of the dominance of the early influence of psychoanalytic approaches, the role of the environment for causal explanation and as a target for change paled. If considered at all, it was seen as bothersome, restricting what could be done with the individual in the one-to-one therapeutic setting.

As is generally the case with radical swings in one direction or another, over time a balance begins to emerge. By 1954, Charlotte Towle, also

writing from a psychoanalytic point of view concerning the education of professionals, particularly case workers, wrote

"In the last twenty years there has been fluctuating emphasis on helping the individual use the environment. There have been periods of overemphasis on helping the individual in the vacuum of the social worker's office. A corrective trend today gives proper place to the importance of environmental lacks and stresses and to reality opportunities in the re-education and healing of individuals. Accordingly, renewed recognition is being given to the knowledge and skill involved in discriminative use of community resources. The educational focus is on helping the student become resourceful in strengthening the client's resourcefulness. This implies teaching differential help and differential use of community resources in relation to client's needs, strivings, and capacity to participate in planning. The aim is to convey the idea that community resources should be used in such a way as to become an integral part of the study, diagnostic, and helping process."<sup>12</sup>

The fifties can be characterized by emerging therapies which placed greater emphasis on the present rather than seeing problems to be explained solely by things past. In these approaches because of the present centeredness or the problem focus, the environment began increasingly to become again an object of focus. For example, work of Lazarus and Wolpe during this decade began to lay out the application of behavior modification techniques for casework.<sup>13</sup> Perlman's classic statement on the problem solving process in Social Casework came out in 1957.<sup>14</sup> In another work, Perlman made the case for putting the "social" back into social casework:

"Every day in his work the child welfare caseworker, like caseworkers in other kinds of social agencies, encounters unhappy, maladjusted children and grown-ups. They are not only the product of their past. They are being acted upon and are reacting to their immediate social situations. We need to know what these are, and what objective and subjective significance they hold for our clients, and what we must do to insure their being situations and experiences that are benign rather than devastating, supportive, rather than undermining of the individual's strengths. This means that along with our clients we need to understand the social elements that mold the individual in his daily life and to develop and use those elements, along with

social resources and social services to meet his life needs. In brief, this means greater effort on our part to put the 'social' back into social casework because it is basic to meeting the client's needs adequately."<sup>15</sup>

Writing in the late 1970's, Joel Fischer agrees with the opinion that advocacy has been a part of social casework since its origin.

In a sense, this role cluster (the broker/advocate role) represents both the oldest and the newest of casework roles. Casework began in part as an attempt to mediate between individuals and societal institutions. Gradually, however, this role became submissive to the clinical role of casework, to reemerge as a primary role in the 1960's out of the recognition that clinical services alone were insufficient to overcome the effects of an oppressive environment.<sup>16</sup>

#### Process of Individual Case Advocacy

While each individual case is unique unto itself, there are general steps or principles which guide the process of individual case advocacy. Programs and staff members who do advocacy well are not simply operating at random. And many who claim that they are operating from the "seat of their pants," if observed carefully, follow fairly systematic procedures. These procedures are more often based on the experience of trial and error rather than on any formally prepared document. Here I will try to capture, at least in broad strokes, what appear to be the most essential steps. It should be noted, that in doing so, I am not trying to describe or depict casework in its totality. Rather I am focusing on one element of casework which I believe to be very important and too often neglected: advocacy.

##### 1. Knowing the case, the specific problem/issue facing the client.

Whether one is performing an advocacy role which involves considerable face-to-face contact with the client or not, before one can act the problem or issue facing the client should be made as clear as possible. To act prematurely may aggravate the problem. For the advocate who has no direct

face-to-face contact, records become the primary source of information. However, these can be augmented by phone interviews. In most instances, it is helpful to at least contact the client by phone and to interview other significant actors in the same manner. The advocate/counsellor thus has more direct information with which to work. Persons in these roles are in positions to do in-person interviewing, thereby being able to tap the client's non-verbal as well as verbal communications. In cases with delinquent youth, these kinds of advocates may well benefit by visiting the youth at his home and involving the parent/parents in focused interviewing. Depending on the problem, those interviewed may need to be expanded to include teachers, employers, other youth, or police.

The advocate will want to find out the specific scope of the problem. For instance, if it is a problem at school, does it involve one teacher only, others, peers and so on. What is the nature of the problem-- discipline, academics, motivation. What strategies has the client instituted to overcome the problem? What has been done by the teacher or others to alter the problem? What has worked and what has not? What has not been tried?

2. Assessing the available resources. Before formulating an actual action strategy for advocacy, the advocate will want to know more than the nature of the problem. He/she will want to know what kinds of resources can be brought to bear on the client's situation.

First the advocate will want to assess what resources and strengths the client brings to the situation. How committed is the youngster to resolving the problem?<sup>17</sup> How does the young person define his/her role in the problem? Is there a sense of responsibility for partially creating and resolving the

situation? Does the youth see the problem in terms of system dynamics, that is, for example, a school discipline problem being interactive between the youth, the teacher/s, the administration and other peers, or is the problem simply viewed as the teacher's problem in which the youth is caught. Another way of phrasing these questions is what does the client have going for himself in a positive way, and how can these strengths be tapped to impact upon the current situation? Getting the client involved as a resource for resolving his/her own situation will enhance the probabilities of ultimate resolution. The client will have stake not only in that the problem be resolved, but in how it will be resolved. Client involvement will also mean that the problem solving skills and relationships developed in this particular situation can be drawn upon to prevent or deal with other problems which will inevitably occur in the future.

Second, the advocate will want to assess the resources available within the client's social network. For illustrative purposes, let us stay with the school as the locus of the problem. How do the parents seek to intervene, if they do, in the school situation? I am using the word parents loosely here. It doesn't matter, in this instance, if there are two parents or one. Or if it happens to be a grandmother, aunt or uncle who is actually performing the parent role. The question is how does the person who is performing that role interact with the school system? And with what results? What are the other resources? Are there other relatives with whom the youngster has a close relationship who could be involved in a supportive manner? Is there a teacher whom the youth trusts; an employer, a clergyperson, a recreation

worker, other youth? Where possible the advocate will want to tap potentially supportive relationships as resources which may need to be further nurtured. Advocacy is a tenuous relationship at best; by tapping into and providing support to the young persons existing social network, the possibility of lasting support and advocacy is strengthened.

Third, the advocate will want to assess the resources available outside the social network of the youngster, but available in the local community. In general, the advocate needs a local community map of resources for youth. This would include public and private services such as legal services, counseling, recreational, health care, alternative schools, youth service bureaus, social work services in local schools, and church youth programs. Where possible the advocate should learn first hand about what happens in these various problems, who is eligible for service, and what type of funding is required. In doing so, the advocate should try to develop a relationship with at least one worker in each of these settings to facilitate future linkages. In addition to the resource map of which only perhaps one small piece is appropriate for a particular case, the advocate should consider other possible volunteers in the local community. These may be connected with trade unions, local churches, business associations, PTA's and other civic organizations.

Fourth, the advocate will need to assess the resources available outside the local community. Here, of particular interest are the specialized services which may not be available locally, for example, specific programs appropriate for various kinds of learning disabilities, vocational training programs, mental health services, centers for testing, and personnel in regional offices of juvenile corrections and other human service areas. Again,

information concerning client eligibility, type of funding and quality of service should be gained.

3. Making the linkage. Having assessed the specific problem of the youngster and having assessed the resources which can be brought to bear upon the situation, one must turn to developing strategies for making the linkage or connection between the resources and the youth. Case advocacy strategies involve at least three key elements: leverage, negotiating stance, and timing.

Leverage entails getting the attention of the key decisionmakers at whom advocacy efforts are directed. In part it informs how we justify our involvement in the case. It also suggests trying to come up with something in the youngster's general situation which may have been overlooked that could be helpful in getting the decisionmaker to act or alter a prior decision. For example, it may be the case that a probation officer's background checks on a youngster appearing before a judge in an adjudication hearing may not have been thorough enough to turn up the fact that an uncle, living two blocks away from the youth's home, is willing to see that the youth attends school and is willing to intercede on his behalf within the school setting. Or it may be that a neighbor is willing to hire the youngster part time for a period of time in order that he/she can earn monies for restitution purposes. It may be that the advocates presence and case is justified by the regulations governing the agency whose actions are under question. For example, a client has been detained in isolation for forty-eight hours. Or a client who is in the Department of Youth Corrections has been denied family visits for three months. These kinds of actions are likely to run counter to the formal regulations governing the agency, thereby justifying

the involvement of an outside advocate.

Leverage also involves relationships. If individual advocates have relationships with key people in schools, the business world and the juvenile justice system, they will be able to use those relationships as legitimate entries to the systems involved. The extent to which this can be done obviously depends upon the level of trust and respect developed over time; such relationships can be easily abused. Memberships of boards of directors of advocacy programs can also foster leverage and legitimacy. If a program has the president of the local PTA on the board, access to the school may be easier and perceived to be more legitimate. The same could be said of local businessmen, police and other juvenile justice officials. An important caveat here is not to overload boards with juvenile justice personnel to the point that the advocacy program suffers because of too close of a relationship with the official system. It is important to build bridges, but advocacy efforts can easily beco-opted if those ties are too binding.

Bringing resources to bear on the client, getting a teacher to respond somewhat differently to a youngster, having the parent implement a different set of techniques of punishing and rewarding the client will involve negotiation--often delicate negotiation. In cases which are not clear cut violation of laws or regulations, bringing about change will essentially mean changing the view of the responsible decisionmaker, be it a teacher, a parent or a judge. The advocate is seldom in a position of possessing enough overt power to dramatically alter the situation. He/she will most likely be in a position to try to influence, entice, and cajole. Change will come about if he/she can change points of view and provide enough stake in the proposed change so the decisionmaker may have something to gain or at

least have little to lose. In other words, the advocate must be keenly aware of the politics of the situation and how the suggested change impinges on those politics. And he must be a skilled politician to negotiate with persons who do not share, for any variety of reasons, his point of view, ideas, and plans. Some have said that he must be a "master magician."

These comments suggest that often the advocate must be something other than the common stereotype--one who rails against the system, who defends his client right or wrong, who sees things in absolutes and in clear cut rights and wrongs. He must be a prodder and a catalyst, but he need not view himself as an adversary to all who disagree with him. Perlman describes this aspect of the role quite aptly,

"If he (significant other) is openly resistive, we need to take care to act in full awareness that being our client's advocate does not mean we are thereby the other's adversary. Rather, our task is to try to draw him into a shared, partway advocate position. This means, then, that such annoyance or counterhostility that his behavior may rouse in us be put on ice until later, and that our attitude must be one that expresses, 'I can see how you feel, even though...'"<sup>18</sup>

One of the most important strategies for negotiating is to "take the role of the other," to look at the situation from the other's point of view. How will the proposed change affect that person's world? What will cause problems for him? For example, what are the likely perceived consequences by a school administrator when group home staff try to convince him/her to accept three of its charges in the public school? It is not simply a matter that these young people have a right to a public education. The administrator may very well respond that the potential acting out behavior of the youth prohibits the other students in exercising their rights to an education. While it is important to debate ethical issues mere intellectual or ideological debate is unlikely to move very far. What is needed is to get

down to the pragmatics of the situation. What can be done to assure that group home staff will work with the school to prevent such acting out behavior or to intervene in ways that will be perceived as supportive by the school system? If there is a major incident, will staff be available to come to the school immediately? Will staff be willing to sit down with the concerned teacher to discuss the youngster's home environment to determine how the school fits into the youngster's overall situation? Will staff be able to augment the teachers efforts by providing individual educational attention to youth after school? Is there empathy on the part of advocates and staff for the teacher whose task of teaching thirty pupils may be made even more difficult by adding students who have already had less than satisfactory school experiences.

The best laid plans and strategies can go awry because of poor timing. One cannot overstate the importance of knowing when is the appropriate time to move. In order to know when to take a given action, one must have adequate information about the politics of the environment in which change is being sought. Has the father or mother taken on a new demanding job making it more difficult for that parent to find the time to get involved in his/her youngster's situation? Does the relationship between husband and wife need shoring up before they can effectively advocate for their child? Is the decisionmaker embroiled in other administrative matters such as budgets? How strong politically is the decisionmaker--could he/she use the support of anyone, including a juvenile justice child advocate? In other words, how does the desired change fit into the on going tugs and pulls of the system be it family, school or court? Who may possibly lose and gain from the change and are these losses or gains related to timing of action? In some cases

timing of action is obvious. One would not normally try to enroll a child who has been away from school for some time in public school in the month of May. We would most likely look for a summer program and seek enrollment for the Fall.

4. Helping others help/advocate. An implicit assumption has been operating through out this discussion which I will now make explicit. Given that the paid advocate will at some point have to cease advocating for a particular individual, the advocate should wherever possible attempt to shore up the youngsters social network so that the youngster and others in the network are better able to carry on the work of advocacy. If we are advocating on behalf of a youngster in the school setting, it would be better for that negotiation to be carried out by a parent or parents. Thus effort should be directed at the parents to strengthen their understanding of how systems function, negotiating processes, and negotiation skills. One advocacy program which takes this responsibility seriously is the Pennsylvania Youth Advocacy Program. Training is done with a parent; staff and parent may initially work together in a school negotiation, with the staff member then stepping aside and having the parent and youngster check back to report how negotiations are going or to seek specific assistance or support. Staff may give other kinds of support service such as providing temporary day care to children remaining at home, thus freeing the parent to meet appointments at the school.

Some times it will be important to provide specialized training for significant others. For example, teachers are typically taught how to educate young people. Many, if not most, learn little about handling the difficult to handle youngster, particularly the youngster who is part of the

juvenile justice system. In the middle seventies, the Vermont Teacher Corp, a program sponsored by the University of Vermont and the Office of Education, instituted programs which would provide support to such teachers around the general issues of teaching difficult to handle youngsters.

Other programs place considerable emphasis on training youth to be advocates. This is frequently done under the rubric of youth participation. The Blue Gargoyle, a delinquency prevention program based in the Chicago community of Hyde Park identifies and trains senior high youth to work with incoming freshman. The program is designed to foster the understanding that youth can help and advocate for other youth. The older youth are prepared to work with the younger youth around such difficulties as transition from junior to senior high, drugs, and juvenile justice involvements.

The important point here is that the advocate should not fall into the trap of assuming that his/her relationship with the client is the helping relationship. To do so is to ignore the fact that the relationship is not lasting and in and of itself has limited value. The relationship is important to the extent that through it the advocate can leave behind a stronger supportive social network.

5. Follow-up. Although the advocacy relationship is typically not long lasting, it should last long enough for the advocate to check back, to follow up to determine whether the desired results have actually occurred. An employer has been convinced to give a youth a chance at a job--is the advocacy task over? No! The advocate must be available for the youngster or the employer to call if difficulties arise. It is crucial to check back in a couple days and then weeks to see how things are going. If nothing

else the employer, the teacher who takes a risk, the parent who is struggling to change, the youth who is trying to be more than a ping pong ball deserve a pat on the back. Quite likely they will need even more. But in any case, let us not forget that most rewards in this field are intrinsic. The teacher will not get paid extra to teach the child who lives in the group home. Providing simple praise and recognition where deserved not only is the decent thing to do, it can go a long ways toward creating opportunities for other youth.

Too often, when checking back, one will discover that good intention has been lost in the paperwork or has been overwhelmed by the pressures of meeting the needs of a lot of other people. One may very well have to apply additional gentle pressure, devise new strategies for affecting the situation, or involve other persons. The case that "ended" may have just begun.

Chapter III  
COMMUNITY ADVOCACY

In this chapter I move on to the next level of advocacy: community advocacy. Attention is directed to efforts and processes used to generate and influence resources at the local community level on behalf of a collectivity of individuals within a community.

Brief History of Community Advocacy

Tensions have existed over the years in the delinquency field between those persons who work directly with individuals and their specific problems and those who organize interest groups as a means to alleviate or reduce problems by encouraging the development of additional resources and opportunities in the local community. These tensions are quite sharply reflected, for example, in the profession of social work. In fact, professional conflicts characterizing the delinquency field may in part be explained by those of social work because so many social workers are active in working with delinquents and delinquency related problems. Therefore it is appropriate to begin this chapter by once again citing the work of the pioneering social worker, Mary Richmond. The reader will recall that in the last chapter she was depicted as being a central figure in establishing social casework; giving it a scientific base, and providing it with stature. However, Mary Richmond saw social work as encompassing much more than casework. She, herself, had been a leading activist as General Secretary to the Philadelphia Society for Organizing Charity. In that role she lead movements to encourage the Pennsylvania Legislature to

pass reform bills in such areas as juvenile delinquency, child labor, and housing.<sup>1</sup>

I have spent twenty-five years of my life in an attempt to get social casework accepted as a valid process in social work. Now I shall spend the rest of my life trying to demonstrate to social caseworkers that there is more to social work than social casework.<sup>2</sup>

There was much more to social work activity, and much of that activity took place, during the early years, in the settlement houses. The settlement house movement originated in England and quickly spread to the United States. In 1889, perhaps the most famous, Hull House, was established by Jane Addams and one of their central issues was children (particularly immigrant children) and the difficulties and problems they encountered while growing up and trying to find a place for themselves in society. The work of Hull House did not focus solely or that directly on children; if focused on their environment. Parents were instructed about parenting skills and how to deal with the education system; action was taken to clean up the filth and garbage in the streets; regulations were sought to restrict the number of hours a child could work and to clarify and improve the conditions under which children were forced to work, and work was done to establish what was popularly believed to be a more benign and humane justice system for youth which separated them and saw them passing through different developmental stage than adults.<sup>3</sup>

Impressed and shocked by what they saw, smelled and felt as they worked in the ethnic ghettos; and significantly influenced by progressive ideology and the Social Gospel movement, these early founders and participants in Hull House were leading advocates for children.

An emergent theme at Hull House which would become central in later community organization experiments was the role of the local community resident. Addams noted

There is little doubt that "friendly visiting" (a term in popular use to describe work with individuals before social casework became the moniker) while of great value, to be complete should also include the "friendly visited." The residents at Hull House find in themselves a constantly increasing tendency to consult their neighbors on the advisability of each new undertaking.<sup>4</sup>

An important tactic of Hull House residents was to conduct investigations or research in order to document the extent of specific problems in the local area. This information was used to support their case with city officials and to involve local residents in political efforts. Thus their task, was, in part, to define the very visible local problems in ways which could be comprehended by decisionmakers far removed from the actual conditions of the ghettos and then to develop strategies for action which they believed to be ameliorative.

One of the major roots of community advocacy in the delinquency field emerged a few years later, again in Chicago. In 1927, Clifford R. Shaw became director of the Institute of Juvenile Research; his assistant was Henry McKay. Ironically, the Institute of Juvenile Research was formerly the Juvenile Psychopathic Institute, the same place where Healy had previously conducted much of his pioneering psychoanalytic work with delinquents. Under Shaw's influence, however, the direction of the Institute was in sharp variance with Healy. Shaw and McKay had both been students in sociology at the University of Chicago where they had been greatly influenced by Robert Park and Ernest Burgess seminal work on the impact of environment and social structure on behavior. Shaw's early research was

ethnographic in style, describing the interaction between environment and delinquency by having individuals tell their own story.<sup>5</sup>

For Shaw, research went hand in hand with action. In 1934, the Chicago Area Projects were incorporated. They would function under his tutelage until 1957; they would provide him with a fertile ground for research and a challenge to his interest in community organizing.<sup>6</sup>

The hallmark of Shaw's community organizing was the involvement of local residents and the planning and implementing of such efforts. While for the Hull House residents, community participation was often limited to such means as relying on neighbors as sounding boards, for Shaw and the Chicago Area Projects community participation was the corner stone. In the early days, this position was played out in the most extreme form of refusing to accept federal monies or monies from other sources which had strings attached. The program was to be the program of concerned folks within the communities, not the program of persons from outside. When change necessarily involved outside decisionmakers, that is city fathers rather than local residents, the principle tactics used were again documentation of information, persuasion and influence, and quid-pro-quo cooperation with public officials. Through the latter tactic they helped implement city policies while at the same time moving the policies of the Chicago Area Projects forward.<sup>7</sup>

During the 30's, Saul Alinsky was on Shaw's staff. By 1940, Alinsky would split from Shaw and form his own organization, the Industrial Areas Foundation, better known as the Back-of-the-Yards Project. The influence of Alinsky's advocacy and organizing strategies would be felt through the active 60's and even to this day. Alinsky shared Shaw's view of the importance of

community participation, but he took it a step further developing tactical strategies and a philosophy supporting those strategies in a sharply divergent direction. Power politics is an apt phrase for describing the Alinsky approach. In Rule for Radicals, Alinsky argues

Change comes from power, and power comes from organization. In order to act, people must get together.<sup>8</sup>

The first step in community organization is community disorganization... Present arrangements must be disorganized if they are to be displaced by new patterns that provide the opportunities and means of citizen participation.<sup>9</sup>

No one can negotiate without the power to compel negotiation.<sup>10</sup>

Alinsky's confrontation politics grew in part out of his experience with delinquents and the Chicago Area Projects; he moved, however, from focusing on delinquency to empowering families, groups and communities to take hold, to confront, and to manage their own problems--a strategy which, if successful, would also impact upon factors related to delinquency.

In the 1960's, the federal government became a major catalyst in the delinquency field providing incentives, directives and at times mandates that would impact on local community ability to cope with delinquency. The federal government in cooperation with the Ford Foundation instituted the Mobilization for Youth Projects in fifteen cities across the country.<sup>11</sup> The theoretical underpinning of this undertaking was greatly influenced by the work of Cloward and Ohlin in Delinquency and Opportunity.

Ohlin played a pivotal role as special assistant in HEW in coordinating this national effort. A key notion which turned out to be very difficult to implement was that representatives of local community institutions, city fathers, and key figures in the local community would participate in a rational planning phase developing the particular components of the project

tailored to the needs of the specific community.<sup>12</sup>

Difficulties encountered during the mobilization for youth projects included outside people trying to identify local power influentials, being blocked in various ways by city officials who guarded their prerogatives for distribution of spoils on a patronage basis, and the unwillingness of individuals and groups who had seen themselves as natural enemies to coalesce and coordinate merely because of the existence of federal dollars. While the Mobilization Projects were a valiant effort at involving the federal government in what was clearly a national problem, they failed to elicit the grass roots support needed to carry out delinquency prevention on the local level.<sup>13</sup>

Today we see an unsteady balance between approaches similar to Mobilization and the Chicago Area Project and those modeled after Alinsky efforts. The federal government is still trying to influence direction by promulgating federal standards, issuing mandates and setting priority areas for funding, yet, the emphasis on revenue sharing and local initiative means that much of what happens at the local community level begins there with or without the help of federal funds. And localities which first believed federal money to be a godsend are now wary of seed money for development of programs which will eventually have to be funded from other sources. The local community, while pushed and pulled by outside forces, remains the front line battleground where policies are forged and implemented and their impact, positive or negative, is felt.

#### The Process of Community Advocacy

As with individual case advocacy, community advocates are involved in a

fairly systematic process to achieve their goals. While there is no denying the fact that successful community advocacy depends a lot on "feeling things out" in order to know when to make a move, there exist principles and steps which make sense. And when a step is ignored or played poorly, the result is usually a set back if not total failure for the advocacy effort. Identification and discussion of the key steps follows.

1. Identifying and justifying a need. The best laid advocacy strategy will often crumble into ashes if the nitty gritty work of documenting a case is skipped over or taken for granted. The driving force of an advocacy group will be an issue, a problem area or a need. That concern will have to be communicated to others to generate support for change, to convince decisionmakers that alternative approaches are indicated and should be taken seriously. How can this documentation take place? The specifics will vary given the particular issue, but some steps seem generic.

First, how did the awareness of the issue emerge? Did we observe it? Did individuals representing groups on whose behalf we are advocating set forth the issue? Thus the first step is to try to pinpoint the kinds of groups most directly effected by the lack of a particular resource or the blocked opportunity. A typical approach by community groups is to survey youth perceptions of needs. When this was done in Burlington, Vermont, police hassling youths and difficulties with parents were the two issues identified most often by youth. In Hyde Park, it was no place to go or limited recreation opportunities and lack of job opportunities. I provide these two examples not as generalizations of how youth view their needs, but to raise a couple of potential pitfalls in documenting needs. In each case,

the youth survey may have adequately pinpointed the actual need areas for youths in the respective communities. However, one must exercise care in launching such a survey. Who is surveyed? Are only youth in schools surveyed? Or are youth who have dropped out of school also included? In other words, how adequately have we tapped the people who are most directly encountering the inadequacy of resources or the manner in which resources are made available?

Second, what kinds of existing community data can be gleaned to support the advocacy effort? Let's stay with the recreation example for a moment. What kinds of recreational facilities are available to young people? For what ages? Who uses them? Are public school grounds available? Are parks available and how are they used? When are they used? Do young people consider those areas to be safe and accessible or are they turf for specific groups? What kinds of supervised recreation programs are available? Again, who uses them and how are they perceived by young people? In short, an advocacy group may want to develop a resource map of recreation services in the local community. This requires more than merely listing resources. It involves obtaining usage information, and how youth assess the usefulness of the resources. Taken together this kind of information will identify not only gaps in resources but also the kind of support systems needed if recreational difficulties are actually to be used. And there is little question that the specific needs for types of recreation and control versus autonomy will vary by youth characteristics such as age and by community factors such as fear of threat to personal safety.

In short, in justifying a problem or need, documentation will usually

include tapping the groups most directly affected, developing a resource map of the community and assessing access to and usage of resources. Advocacy groups must know as much as they can about the community. This becomes critical for the actual political process of doing advocacy, but neither should it be overlooked in this important first step of determining why a particular advocacy goal or effort is important.

2. Identifying change targets: barriers/facilitators. Before actually engaging in advocacy strategies, the initial targets of change should be clearly developed. These may alter as the process continues. Let us assume for the moment that the documentation effort in step one points to hassling of teenagers by police--what are the targets for change? It may be the behavior and attitudes of a few individual policemen. But where does the power rest for altering those behaviors? Who is responsible? It may be the police chief or a district commander. It may be that guidelines and regulations already exist in the police department which can be drawn upon to ease the situation. It may be a city manager or city council. It may be that federal or other monies supporting the work of the police would be in jeopardy if individual policemen were found to be consistently acting outside their authority when dealing with youth.

Thus step two identifies the target of change, the barriers to change and the facilitants of change. And in each instance they may involve individuals, groups, organization structures, and incentives, and community conditions. This is a process of identifying points of possible leverage which will play an important part later when advocacy strategies are

weighed.

3. Assessing the political scene. Just as it is important to know the community in terms of resources and to clearly identify targets of change, it is equally vital to know the community politically. Who is likely to support what position? Who is likely to oppose it? Here I am speaking not only of individuals, but also of interest groups. Who will have stake in maintaining things as they are and who will have stake in making changes? What do people have to win or lose? Are there swing groups? These will typically be individuals and groups in formal decision-making roles who have little interest in the issue per se, but will have considerable stake in how programs are administered or monies distributed.<sup>14</sup>

Have local citizens organized in the past to defeat similar proposals? How did they fight politically? These are questions which need to be addressed before one selects advocacy strategies. Answers to these questions will provide indicators of the political climate, forces, and type of oppositional maneuvering that one will likely encounter.

Much of this information can be obtained by carefully analyzing a community's local newspapers for the past six months or a year. More detail can be gained by talking with key people within the infrastructure of the community. Obviously members of each advocacy group will have experience and perceptions to draw upon. However, it is typically not wise to solely rest upon an individual's or the group's preconceived judgements, because they will likely be colored by the importance of your particular issue. In a study identifying factors related to successfully

setting up groups homes in communities, it was clear that agencies having long experience within a community were as likely to fail as agencies which did not have such experience.<sup>15</sup>

This failure was explained in part by the agencies being overly confident that they had support and knew their communities well. They may have known pieces of the community very well, but their vision was so narrow that they had neither anticipated nor prepared to do the kind of community mobilization work required to set up a new program.

4. Developing advocacy strategies. To this point, I have talked a lot about garnering information. Some might think that this is a research design, but it is not. These sets of information are not gathered purely for descriptive purposes; they are the basis for action.

Given the nature of the issue or problem being addressed, the identification of key change targets, and the knowledge of how the community typically behaves politically, it is now time to match these sets of information to come up with reasonable advocacy options. How broadly based support has to be will depend considerably on the nature of the issue. If focal concern is detention practices at the local detention center, broad support will probably not be as critical nor as forthcoming as it would be if you were trying to generate recreational resources or were dealing with local school suspension policy. In the former case, fewer persons are affected by detention practices; fewer community folks will have interest or stake. In the latter cases, many more local community people are likely to be affected and to have stake both in maintaining the status quo and in bringing about change. I am not saying that one issue is easier to deal

with than the other, but that the arena of advocacy will be more delimited in the detention case than in the recreation or school examples.

If the school superintendent is greatly concerned about fear of crime in his/her schools, but is also aware that suspending or expelling acting out youth most often results in simply shuttling the same kinds of behavior problems to the larger community, he/she may be desperately looking for support and ideas which may alter the social climate of the school. This may involve working with a small group of parents, lay experts and local businessmen to set up courses that are more experientially based and more clearly relevant to teenagers who will shortly be in the full time labor market.

The presence of a recalcitrant superintendent would indicate that the advocacy group would need to do more grass roots work with parents and employers and perhaps even police to bring pressure upon the school administration to institute change. In either case, one can anticipate opposition. There will be some parents and other local residents who will resent the fact that the school is making any changes; they will fear that the educational function of the school is being diluted because officials cannot deal effectively with troublemakers.

Having assessed the local political scene, one will have a sense for how often local citizens coalesce to defeat similar proposals and how often such proposals are primarily left up to elected officials and agency heads. Even in cases of setting up group homes this will vary from community to community. In this instance, however, one can generally anticipate some kind of formal hearing. In addition to paying close attention to all

the practical matters such as the place of residence of youth and staff, a clearly articulated program, public safety, and property values, one will need to be politically prepared for such a public hearing.

Doing one's homework with potential abutters can have dramatic payoff in such a hearing. Much resistance can be overcome if even one potential abuttor can be convinced that the program is worth the risk. Having a clergy person stand up at the hearing to support the effort is useful and should be welcomed, but there is typically the response that that is to be expected. Having a neighbor stand up and say the same things will have much more impact on the meeting and be more influential on the hearing officials.

Most advocacy groups functioning on the community level are interested in more than a single issue or event. This diversity has implications for how power is exercised. First, it becomes incumbent on advocates to focus on realistic conflict and not become drawn into unrealistic, symbolic and ideological conflict where resolution is seldom possible. Calling the opposition, who because of their concern for public safety support locking up the three time armed robber, inhumane, godless, and uncaring escalates a community and public policy issue to a symbolic level where little can be gained. Engaging in debate over the pros and cons of alternative ways for providing for public safety is quite another matter.

Second, power should be used efficiently. In this business, there is no need for overkill. Conditions and issues change; persons who are opponents on an issue one month may be the best of allies on a different issue the next month. If the same job can be done by applying some general

pressure without publicly embarrassing an individual, why choose the latter course? One of the facts which so often gets overlooked by advocacy groups is that on many issues there is considerable room for honest differences for opinion. Reflecting on these differences should not necessarily be equated with personal betrayal.

Third, the art of compromise, a much maligned art, has a place in advocacy. It is often said, "why settle for half a loaf?" The question is "would you settle for three-quarters?" And even half a loaf may be far better than a crumb. To a youngster who wants to make some money, a job with a fast food chain may not be as good as a job as that of a key punch operator, but it is better than none. This does not mean that we should not continue to work with other kinds of employment opportunities; it means that we take what we can get, and then try for more.

5. Timing. The timing of advocacy tactics and strategies is one of the most critical yet elusive aspects of doing advocacy. Timing requires close attention to the needs of the internal interest group coalition as well as to the conditions of the external environment.

To act before the interest group coalition is prepared or ready can be suicidal. Individuals and sub-groups can be separated and played off against each other by an astute outsider. However, moving too slowly can be equally destructive. Group members will need to see results, even if results only constitute movement or actions. Some of these results may only bring about immediate tension or conflict with outside groups yet have a solidifying effect for the interest group coalition. The group can obviously benefit from such results only for so long without jeopardizing

the achievement of its primary advocacy goals. The advocate must remember that all members of the coalition are not equally committed to the task at hand. Strategies which take too long to unfold or yield minimal results will become tedious and boring for the membership. And tedium can also lead to self-destruction of the coalition.

These concerns with internal interest group relationships must, of course, be considered in the context of the external environment. A series of escapes from the local detention may no doubt prompt concern for public safety. Advocates can take the opportunity to link public safety with the need to look at the quality of life in that center, to argue for improvement of its program, or to press the issue of decentralizing the detaining of youngsters to counter conditions of overcrowding. If the local media have just completed a series on local gangs, it may have facilitated the timing for local efforts to support programs seeking to diffuse the gang conflict.

Timing should involve a review of all the data at hand including the case that has been documented to support the advocacy coalition's position, its political strengths and vulnerabilities, sources of opposition and their strengths and weaknesses, and the chances of successfully carrying out the advocacy strategies. Upon review, the best decision may be to decide to withdraw and fight another day. Particularly at the level of the local community, to move against insurmountable odds may be more ruinous for the causes of advocacy than not to act at all. The dilemma for the local advocacy group is constant; to bring about change, yet be in a position to continue monitoring and impacting upon the system.

6. Follow-up. Follow-up is just as crucial in community advocacy as it is in case advocacy. Hard won changes can evaporate quickly if there is no continued attention or awareness of the situation. A useful way to follow-up on a proposed and accepted change is to engage in helping to implement it. This may mean having representatives working on committees within the school or with groups of businessmen. It may involve review boards with the police department or the recreation department. This kind of supportive activity can also build the kinds of relationships needed to be in a better informed and respected position to continue doing advocacy in the future.

#### Special Problems

1. Internal decision-making process. Two models of internal decision-making seem to dominate local community advocacy groups. The first is the pure grass roots model which is as committed to the principal of democratic governance as it is to particular community and juvenile justice issues. In this type of organization, selection of issues on which to act, choosing the appropriate advocacy strategy, and on-going decisions during the implementation phase are shared and voted on as a whole. The strength of the model is in its commitment to full participation; the group tends to act as a whole bringing about strong commitment, stake and action around selected issues. The weakness of the model is its slowness to act. Such a group has difficulty responding to crisis, because it becomes bogged down in its own decision-making process.

The second model depends more heavily upon elected leadership. Frequently

a board will hire an executive director who then has authority to hire and fire his/her own staff. Tenor and broad policy mandates are set by the board, but interpretation and carrying out of those mandates is largely a staff function. The strength of this model is its ability to respond quickly to a crisis in the community. Its weakness rests in a potentially sharply divided group. If the staff leadership moves too far beyond the membership and the board, it may find itself, its actions and its position on particular issues lacking the broad based support required to accomplish its objectives.

2. Maintenance of the interest group. It is not uncommon to see advocacy groups mired down internally over questions of power and competition among their participants. Status in the community, real or unreal, becomes a diversion from the formal task of doing advocacy. Groups or agencies who disagree with the advocacy groups goals and objectives can wreak considerable havoc by playing on aspirations of individuals within the advocacy groups. In its worst form, the advocacy group can be paralyzed for months squabbling over internal power struggles thereby leaving aside the very issues concerning youth which justified their banding together in the first place..

3. Community advocacy housed in a direct service community based program. Many juvenile justice service providers are hesitant to become involved in community advocacy. They would be happy if as few people as possible knew of their existence. Community advocacy may make their program even more vulnerable to citizen reaction and resistance by attracting attention. Yet, these providers need some community support to survive and they need to use

the resources of the community if they are not going to run a small institution located "in" the community. Group home staffs which are very committed to the community based philosophy actually reach out to become involved in community advocacy efforts believing that this is one way to show that they are willing to contribute to the development of the community rather than simply taking from it. They will argue that the needs of the youngsters they serve are frequently the same as those of other youth in the community. If there is a dearth of recreation resources, such a lack impacts on all the youths in the community. Thus they believe that working with other responsible people in the community to develop more resources is not only good for the community, but is also good for the program; it gives more community folks a stake in the continued existence of the program.

Chapter IV  
CLASS ADVOCACY

Brief History of Class Advocacy

Children's policy has been the focus of class advocacy at least since before the turn of the century. An early thrust was in corrections, where the original focus was separating prisons for children and youth from those for adults.<sup>1</sup> It is a historic irony that one of the major class advocacy efforts today remains the removal of juveniles from jails for adults.<sup>2</sup> The child labor movement provided the thrust of much of the early work of reformers. Efforts of Julia Lathrop, Edith and Grace Abbott, Sophinsha Breckinridge, Jane Addams, Mary Richmond and many others were devoted to bring about legislation regulating the number of hours and conditions under which children should work.<sup>3</sup> They wanted state and federal governments to take more proactive stances toward children. They lobbied hard for the establishment of a Children's Bureau in Washington. Julia Lathrop became its first administrator, with Grace Abbott succeeding her. Their view of the factors and conditions impinging upon youth was broad. Support for families, particularly mothers, was a pivotal concern. Their experience in the Children's Bureau would later become a significant influence as they sought to influence the Social Security Act legislation emerging in the thirties. Given the role of big business and monied interests as opposition to child labor reform and housing reform, these early reformers found a natural relationship with the Progressive movement spearheaded by Theodore Roosevelt in the early 1900's. Shaping public policy on behalf of those who were traditionally exploited involved these advocates

in the push and shove of national interest group politics.

With the belief that the federal government ought to play a strong supporting role in child welfare, one of the primary concerns of the advocacy groups was where the authority within the federal administration for children's policies should be lodged.<sup>4</sup> The Abbotts and Breckenridge among others wanted the Children's Bureau to be that place, and if not, at least wanted to have some central unit for children's affairs. Their position did not carry the day. Numerous federal agencies continued to deal with children's issues with no central locus of authority.

The same kind of debate focused much more directly on juvenile delinquency in the sixties and seventies. Where would the locus of power for development of federal juvenile delinquency policy be housed? Traditionally the Children's Bureau had been the most powerful unit. Their philosophy had been one of delinquency prevention. Much of the theoretical grist for the Mobilization For Youth Projects had emanated from HEW and the Children's Bureau. However, the mobilization strategy was directed by an interagency task force headed by Robert F. Kennedy then Attorney General. The 1968 Omnibus Crime Bill, establishing the Office of Law Enforcement Administration later to become the Law Enforcement Assistance Administration, set aside a relatively small percentage of monies to be devoted to juvenile delinquency. The focus was on police, court, and corrections, leaving prevention to remain fairly much the responsibility of the Children's Bureau.

The same issue was to emerge as a special concern with the development of the 1974 Juvenile Justice Delinquency Prevention Act which would establish a federal office for administration of federally funded juvenile delinquency

programs and an institute to support research and training. Again heated debate occurred between those groups desiring to have such an office and institute house in HEW outside of the justice arena and those groups who were afraid that such a move would blunt the effort by having the newly created office swallowed up in a gargantuan bureaucracy. The Office was established within LEAA remaining under Department of Justice jurisdiction.<sup>5</sup>

During the sixties and seventies many state and nationally based advocacy groups directed much of their attention at the conditions of life in institutions housing juveniles. Clarion calls were heard for removing youngsters from the large institutions and placing them in smaller "community based" programs: the deinstitution movement in juvenile corrections had come to fruition.

By the middle of 1972, Massachusetts, under the leadership of Jerome Miller, had closed all of its training schools with the exception of a few cottages located on the grounds of the training school for girls.<sup>6</sup> They would be closed within another year. These moves did not occur over night. Advocacy groups within the state had been pressuring the prior administration for years about the conditions of the training schools. HEW had conducted a very critical investigation of the programs at the training schools. The environment was ripe for a proactive administrator. And Miller and his administration built upon the existing ferment and used it very skillfully to chart a political course which would support the actual closing of the institutions.

The Massachusetts experience and the leaders of that deinstitutionalization movement had considerable impact on the formulation and passage of the 1974 Juvenile Delinquency and Prevention Act which embodied deinstitutionalization language, particularly for status offenders. Deinstitutionalization of

status offenders nation wide became a priority of the new office. It was responding to advocacy efforts and in turn became an advocate with a fair amount of clout. The office was able to distribute monies to the states based on state plans and compliance with the status offender objectives. Many nationally based advocacy groups and state chapters had been active before passage of 1974 Act and remained so afterwards. They included the National Council on Crime and Delinquency, Children's Defense Fund, Council of Jewish Women, and the League of Women Voters to name a few.

By 1979, in addition to funds funneled directly to the states for deinstitutionalization of status offenders and in some places delinquents, the National Council of Crime and Delinquency, and the National Center on Institutions and Alternatives were funded to work with groups in the states to organize advocacy efforts in support of deinstitutionalization and the Harvard Center for Criminal Justice was carrying out a training program directed at selected states and interest groups to disseminate the findings and implications of the Massachusetts experience.

Advocacy groups were active on other fronts also. The last decade has witnessed numerous efforts at setting standards in juvenile justice ranging from police handling of juveniles, to detention practices, to court processing, to corrections services. These standard setting bodies have drawn extensively from groups advocating on behalf of client interests. The courts have been a setting for class advocacy. Of particular importance regarding the deinstitutionalization issue was the Morales V. Turman case in Texas.<sup>7</sup> In that case, advocates and advocacy groups were asked to provide expert testimony and assistance.

Getting young people directly involved in class advocacy has also been

a goal of some groups. These efforts are directed both at youth who have been involved in the juvenile justice system and at those who have not. Groups that encourage youth participation at state and national levels include the Social Action Research Center in San Raphael, California, the National Commission on Resources for Youth, Inc., in New York City, the Youth Policy Institute, in Washington D.C., and the Childrens Express, in New York City.

#### The Process of Class Advocacy

Class advocacy differs from individual case and community advocacy primarily in two ways: the clients or client interests being considered represent groups and issues which cut across local community boundaries and the activity of class advocacy generally takes place in a larger and broader political arena, state and national as well as local community. In each type of advocacy, managing the political process is important; in class advocacy, it is paramount. The class advocate directs his or her activity toward the political arena and is frequently involved in mobilizing interests groups to influence administrators and legislators. Again we discover a fairly systematic set of steps that class advocates use. The steps of class advocacy look quite similar to community advocacy, but the nuances are different because of the interests that they represent and the arenas in which they advocate.

1. Defining and documenting a problem or issue. Just as was the case with the other types of advocacy the beginning point is to gain an understanding of a particular issue. Ability to document the need for change will become pivotal when action strategies are chosen. The tools of documentation for

the class advocate are typically investigation, research, and expert testimony. Class advocates concerned with getting juveniles out of adult jails will send teams of individuals into the local jails in various parts of a state or states to observe how youth are being dealt with in the jails. What are the living conditions? Are youth held separately from adults? Are youth emotionally or sexually abused? What kinds of programming opportunities are available? What is being done to maintain ties with families and the youth's community network? These advocacy groups will rely upon investigations done by members of the media as well as by their own teams of observers and interviewers. Research will be used to document their case that jails are being used inappropriately. They will look to studies which identify the total numbers of youth in jails. The advocate groups will be interested in studies that seek to determine how and why youth are processed into jails. Are these youth the most violent offenders? Holding offense history constant is there a suggestion of racial or class bias? What are the long range consequences of being in jail i.e., do these youths do worse or better than their counterparts who have not been incarcerated in jails? They will look for cost studies. What is the impact on the taxpayer of holding youth in jails rather than in juvenile justice programs? The advocacy groups will seek out expert testimony from people who have worked in or studied the conditions of jails. Similar questions to those above will be asked of these experts.

All of this information will be studied and merged into a case supporting their position. For those groups which had a very strong position identified before conducting these fact gathering efforts, the facts will probably be santized so their position can be strengthened; facts which contradict their

original position will be cast aside with the caveat that the opposition has the responsibility of presenting those facts but it is most important to know of them in order to prepare an adequate defense. Other advocacy groups will use all the information gathered to prepare and modify their position concerning youth in jails in order to present a balanced and measured position. I am not making a judgement, here, that one group is better or more effective than the other. The first is obviously more ideologically based and is in search of facts which will support their position. The second, less ideologically based, is seeking to ground its advocacy stance in what they believe reality to be and also assuming that any change in policy will have to represent both sides of the issue. As a society, we probably need both kinds of groups. The first represents the proverbial burrs under the saddle, and they will have their ideological counterparts in groups which want to maintain the status quo or perhaps even want to process more youth through the adult jail system. The second kind of advocacy group, in fact, depends somewhat on the first. The ideologists will take much of the heat in the political process making the other groups look more rational and acceptable to deal with.

2. Identifying change targets: barriers and facilitants. As in the case of community advocacy, class advocacy can simply run aground if time is not devoted to identifying appropriate targets for change. Given that the group wants to remove youth from adult jails, at what targets does it amass and direct its forces? Is it a county, state or federal issue? It may be all three depending on where authority is lodged. What is the sentiment of the local county officials? Are there any individuals who support youth concerns? What is the state role? Does it control revenues

available to the jails? Does it have administrative authority? Is there a county jail administrator who would welcome a legal suit for removing youth from his/her jail? What is the federal role? Is there support for removal of kids from jail? Could this support be built upon to provide financial support to the advocacy effort? Is there a possibility of influencing federal policy so that states holding youth in jails would have their eligibility for federal funds questioned? Does an advocacy group put all of its funds and efforts into a few states to come up with a class action suit to settle the issue? Or is that too risky?

3. Assessing the political scene. Again the basic question to be answered is who will be for or against any particular issue? Who has stake in things as they are and therefore be likely to oppose? Who comprises the pivotal swing groups, that is administrators and legislators who may not have a strong point of view concerning the primary issue but who have considerable stake in how change takes place procedurally? For example, in the Massachusetts deinstitutionalization effort, administrative and legislative committees were frequently more concerned with how purchase of service rates would be set for the private vendors providing community based settings, the protection of civil service employees and the disposal of state properties (training schools) than they were with whether or not the training schools should be closed. These persons represented formal decision making swing powers; if they were ignored, they would likely coalesce with those administrators and legislators who were opposed to the reform in the first place.

In order to move state or federal legislative and executive committees, it is often as important to know the aides and committee staffers as it is to know the Committee members. To a large extent, these are the shapers of information which will ultimately influence legislation and they are

frequently the gatekeepers to their respective legislative employers. Particularly at the state level it is important to know where these people have come from and what their stakes have been in the current system. For example, in Massachusetts a former administrator in the Department of Youth Services became the Patronage Officer for the Governor. Staying with Massachusetts for a moment, the Governor's wife had a significant interest in youth. The Commissioner of the Department of Youth Services toured institutions with her and she chaired advocacy type conferences in the state. This relationship brought credibility to the reform and placed a strong advocate right next to the governor. There was potential threat to the closing of the training school from the unions representing institution staff. The commissioner hired the president of the staff union to be his personnel director.

4. Selecting advocacy approaches and strategies. The typical class advocacy approaches fall under the following rubrics: information gathering and dissemination, testifying, organizing local citizen/special interest groups, and direct work with decisionmakers including members of executive departments, legislature, and courts. Any one advocacy group may use each strategy; some groups will be specialists or will differ by degree. The League of Women Voters tend to place emphasis on information and dissemination. In Illinois, one of its projects is a court watching program which has generated useful information about status offenders in the court. This information has been used by the League and other advocacy groups to influence policies regarding status offenders and the courts. In Massachusetts, the League was influential in demonstrating the defaults of the old training school system. The Childrens Defense Fund is well known for its excellent white papers in the areas of child welfare and juvenile

justice. While they engage in their own advocacy efforts on behalf of these issues, the point here is that these documentation efforts are invaluable to other advocacy groups who may not have the resources to generate the detailed data bases and/or policy analyses.

Many advocacy groups and individual advocates are called upon to testify in court cases, before special Blue Ribbon Commissions, before legislative and before congressional committees. All one needs to do to verify this is to look at the expert witnesses appearing in major court cases such as Morales decision or at the list of persons appearing before committees considering the authorization and reauthorization of the Juvenile Delinquency Prevention Act. These events are duplicated multifold on the state and local levels across the country.

Organizing local citizen and special interest groups is another major class advocacy approach. The OJJDP indirectly serves to do this by requiring some variation of juvenile justice advisory groups in the states which participate in the Act. The Council on Jewish Women has been particularly active in the state of New York. The National Council on Crime and Delinquency has worked with professionals, businessmen and local citizens in numerous parts of the nation. Currently NCCD, under a grant from OJJDP, is working in three state specifically to organize local citizens around the issues of deinstitutionalization of status offenders. And efforts to deinstitutionalize status offenders and delinquents in Massachusetts and Vermont revolved considerably around the ability to organize and mobilize interest groups in support of these efforts.

In the latter cases, interest groups within and outside of state government worked actively to garner support by directly focusing advocacy

efforts at decisionmakers of influence and power in the executive, legislative and judicial branches of government. The Illinois Collaboration on Youth, a newly founded advocacy organization comprised of groups from the private sector, has offices in Chicago and in Springfield (the state Capitol) in order to be in a position to monitor legislative and executive activity and to be in a position to influence the direction of youth policy.

Strategies need to be developed and tailored to specific issues and political situations reflecting the depth and experience of the advocacy group. Specific strategies should be appropriate to the issue, the audience, and the skills of the advocates. What kinds of information are likely to sway the decisionmakers? For the administrator, it may be information that will make his or her life easier; conversely, it may be information that shows clearly the advocacy group is capable of making his or her life much more difficult if changes are not brought about. For the legislator, the information may have to be tied to cost efficiency arguments or to votes. Some administrators and some legislators will be persuaded by the merits of the arguments in terms of what is best for young people; these persons still need supporting information to be supplied in a clear and precise way so they can use the information to influence others.

It is important to have reasonable expectations about the strategies and tactics to be used by a particular advocacy group. Some groups will not be comfortable with direct confrontation politics, but will prefer to sift through disparate data concerning an issue, weighing the pros and cons, and issuing white papers to be distributed to influentials. Others will prefer to attack an issue by supporting class action suits. Still

others will engage the political machinery ranging from board room politics to politics of the streets. The advocate organizer runs considerable risks if he/she expects the group to operate outside of its own skills and experience. An underlying assumption here is that a range of strategies and tactics are appropriate and each strategy may actually benefit some from the other.

A major pitfall even for experienced advocates is to fall into a pattern of using the same tactics and strategies over and over again. Two obvious results are that opposition forces can easily predict what is likely to occur and thereby be in a better position to defend. Moreover, members of advocacy groups will become bored with the same routines. Perhaps less obvious is that strategies and tactics used in one place and one time period may be quite inappropriate in a new location and time. Professional groups that were opposed to deinstitutionalization efforts in one state may be neutral or favorable in another. Groups which were opposed in one location may be divided on the issue in the next; if the advocate assumes, based on past experience, that a group will be opposed, a potential support base will have been ignored if not alienated to the extent that it will line up in the opposition's camp. All of this is to underscore, once again, the primary first step of developing strategy as documenting the political environment before setting into action specific strategies. Not to do so runs the risk of becoming the proverbial "bull in the china shop."

Once strategies have been selected and begun, it will still be necessary to continue being flexible to continually assess the results of the efforts and be prepared to modify or discard entirely specific strategies. One of

the worst things which can happen to an advocate or an advocacy group is to become convinced that a particular technique is "right."

5. Gaining Support and Neutralizing the Opposition. It is not only incumbent upon the advocacy group to be able to articulate clearly its own position; it is also imperative to be able to identify and articulate the common ground which exist among groups of varying opinion. At the current time, for example, in the area of community based services, some would argue that there is no common ground between liberal and conservative coalitions. Others would argue that there is common ground, although modest in breadth. At least three such areas can be identified. First, for years many within the liberal coalition have argued for delinquency prevention and treatment programs to take more seriously the need to involve the family as part of the system of intervention focus, both as a target for support and a possible target for change. Clearly, some liberal and conservative coalitions will differ sharply over the appropriateness of various family structures and values. Yet this remains an area of shared concern; some accord can probably be reached and many policy and philosophical issues will remain to be reconciled. Second, concurrent with "liberal reform" in the community based arena has been the development of an enlarged and significant private provider enterprise. Involvement of private providers seems quite consistent with the conservative coalition's emphasis upon engaging the private sector to help remedy societal problems. Third, buried within the community based movement has been a call from many liberal coalitions for more systematic quality control and accountability. Deinstitutionalization accomplishes little if at the minimum the quality of life within the community based programs is not improved over that within institutions. It does not seem

to far fetched to assume that the call for accountability is at least within the same general framework as the conservative call for cost-efficiency. Granted conservatives may put more emphasis upon the word cost than liberals, both groups are attacking the same problem from a different angle. Each group would probably prefer to say that it wants the most quality (how ever defined) for the least expenditure.

As I write this, I do not think I am suffering from delusion. I don't have grand expectations. However, establishing some fragments of common ground means that a relationship can be developed. And from that relationship one can engage important, honest disagreements in such areas as the balance between punishment and providing service, rights of individuals, and special needs of minorities.

Principles outlined under community advocacy, such as providing stake and becoming involved in realistic conflict, are also applicable when doing class advocacy. A classic example was depicted in the Massachusetts deinstitutionalization effort. The restructured system relied extensively upon private providers for provision of services which had been previously provided by state employees. Some of the private agencies had existed for years, many were newly established, and most were new to the delinquency field. Within a brief period of time, the private sector became a major force for maintaining the restructured system, preventing a major and immediate shift back to the training schools. They had been given an opportunity to develop stake in the new system. This stake was not only developed around economics, although that was obviously important; it was formulated on a philosophy and commitment of how best to intervene in the life of the delinquent. In Vermont, the governor

and many legislators developed stake in the deinstitutionalization effort, in part, because of what could be done with the old training school. Plans had been set into motion to implement a Job Corps training program at the location as soon as the department of corrections could remove its clients. The campaign theme for the governor and for others had been "Jobs for Vermonters."

6. Timing. Getting information to key decision makers, legislators for example, requires a well organized network. Grassroots supporters must know who to contact, how to contact them and when to contact them. Information provided far in advance of a decision is likely to be set aside and forgotten. Whether dealing with congress or a state legislature the advocacy group needs to know how bills are progressing on a day to day basis. Amendments affecting youth policy can be added to totally unrelated bills at the last minute. Thus the advocacy group seeking impact at these levels can work best if it has an able representative on the scene who is capable of monitoring the legislative process and who has relationships with key legislative staffs. Thus the advocacy group must be able to engage in long run information sharing and education campaigns, but it must also be in a position to know what is happening at the moment, to react quickly, and to organize and communicate a response representing its constituency. The best thought through policy positions can easily go for naught if they are not communicated and supported in a timely fashion to those who ultimately have the power to make policy decisions.

The architects of the Vermont deinstitutionalization effort were very committed to rational planning. An entire 18 month period was used to

formulate principles for managing a remodeled system, for setting up alternative programming models, and for considering how the new system would be monitored and evaluated. It was an exciting and stimulating period. However, with hindsight, some of the key planners indicated that they almost over planned to the point that they nearly missed initiating the reform effort. Several factors were cited: 1) dragging out the process allowed the opposition forces to coalesce and pose a serious threat, 2) the coalition supporting deinstitutionalization began to splinter as the movement began to get bogged down in detail losing its momentum, and 3) the original reform effort began to broaden out to encompass even larger reforms; thus the original focus began to be submerged.

7. Followup. As is the case with the other types of advocacy, class advocacy is a continuous process. Simply having particular policy reflected in legislative packages is not enough. If one is successful with an authorization bill, one must then be concerned that monies are actually designated in the appropriations bill for that purpose. If successful at that point, one still must follow up to be certain that the executive agency is expending the monies.

And what about reform efforts? If there is any truism about reform it is that "nothing is writ in stone" as it properly should not be; today's "reform" may very well be the target of tomorrow's "reform." The issue of deinstitutionalization provides an excellent example for justifying followup. Deinstitutionalization is largely an "anti" movement--anti-institution and anti-medical model. However, getting youth out of institutions is not the sole purpose of this particular youth policy. The advocacy group must turn its attention to the new system. Is it providing a more humane

set of experiences than the former? Is the new system really community based? How is the new system being circumvented? How can the new system be monitored? How can it be improved?

During its seven year study of the Massachusetts reform efforts the research team at the Harvard Center for Criminal Justice continuously documented problems in the new system which needed more resources and attention. Four of these problem areas were detention, programs for girls, secure care, and quality control. From time to time, advocacy groups would use these documents to bring pressure to bear upon the Department of Youth Services. Most of the persons who had primary responsibility for the reform are now long gone; but followup continues. The Massachusetts Advocacy Center has recently issued an in depth report on detention practices current in the Department of Youth Services.<sup>8</sup> Some of the practices and conditions were found to be deplorable. Clearly continued monitoring of detention and secure care practices is required. The point here is that reform efforts do not come to a neat conclusion. They are embroiled within political and professional conflicts bringing about an ebb and flow. Thus the class advocacy task is seldom if ever finished.

#### Continuing Problems

1. Is it lobbying? The Random House Dictionary of the English language defines lobbying as "to solicit or try to influence the votes of members of a legislative body" or "to influence (legislators), or urge or procure the passage of (a bill)." Certainly, a good part of what I have been describing as class advocacy is in fact lobbying. Organizing a group of

people to write letters or call representatives regarding a particular bill constitutes lobbying. Lobbying however does not necessarily mean bribery and arm twisting. It is an action which can be carried out in an ethical straight forward manner as opposed to the smoke filled room and martini lunch stereotypes.

It seems to this observer that lobbying, as defined above, is the cornerstone of our political process, i.e., interest groups (persons) making their views known to their elected officials in hopes that these views will underscore the importance of the issues and interests they reflect. That the process can be debased by the unscrupulous does not denigrate the importance of the process itself. Furthermore, if in reality policy and legislative action is formulated through this exchange of ideas and positions process, then it behooves our system to allow for a great variety of view points to be heard and represented. Not to do so would mean that only those with power and ample financial resources would be heard while the needs and viewpoints of the less privileged would go unheard and likely unheeded. In my view it is better to own that part of class advocacy which constitutes lobbying by acknowledging it as lobbying than to engage in semantic games which seek to disguise these efforts and risk losing the group's sense of integrity.

Having said that a portion of class lobbying is in fact lobbying, I want to point out clearly that the large portion of class advocacy is educational in nature. The documenting of issues, dissemination of that information to interest group members as well as to legislators, and keeping the group members informed of legislative progress can all be

classified quite legitimately under the rubric of education--a very important task in and of itself.

Groups which take the next step of organizing themselves and encouraging their members to write or call legislature to influence particular votes are involved in lobbying. Groups which do not want to take that step can simply stop short of such organizing efforts.

2. Should the federal government fund groups which are engaged in lobbying activities? In the course of doing the background interviewing for this monograph, I soon discovered that there was no more volatile question to be asked than the one above. To say that there was no consensus reflected in the answers is an understatement. I talked with officials within the Office of Juvenile Justice and Delinquency Prevention, Children and Family Services of HEW, and administrators in the public and private sectors at state and local levels. Accord was not found within any one of those groups. Within government circles opinion ranged from supporting all levels of lobbying activities, to rejecting all including using federal monies to support class action suits. Clearly the latter step would be a significant retrenchment in current federal policy. Those who opposed the use of federal monies claimed that they were not opposed to lobbying, but that the federal government ought not be in the business of subsidizing it. Furthermore they indicated that it was difficult to get legislation through congress when congressmen knew that part of the money would be used to direct pressure at them. Supporters of using federal monies for such purposes saw the issue as a red herring. They pointed out that the federal government subsidizes with "big money" the oil industry and the dairy business and many others, but do not complain when

those groups reappear as lobbyists. That the money they were given was not used for lobbying purposes was seen generally as simply a paper or bookkeeping issue.

An official in one state agency was very much engaged in general advocacy and specific lobbying activities, but was very concerned about the private agency getting involved and possibly monitoring the work of the agency in which that person worked. As one might imagine, advocacy groups split on this issue according to need. Groups with strong private funding sources were less concerned about the issue. Those who did not have such an ample private funding base saw the federal government as a primary funding resource.

Clearly the issue is one not limited to these groups. On April 17, 1980 Congressman Kramer of Colorado offered five amendments before the House Education and Labor Committee seeking to modify the Juvenile Justice and Delinquency Act of 1974. The first three amendments would have prohibited the following:

1. "Funds paid pursuant to this title to any public or private agency, organization, institution, or individual (whether directly or through a State criminal justice council) shall not be used for any activity carried out in connection with the consideration of any Acts, bills, resolutions, or similar legislation by the Congress, any State legislature, any local council, or any similar governing body, or in connection with any referendum, initiative, constitutional amendment or similar procedure..."
2. "Funds paid pursuant to this title to any public or private agency, organization, institution, or individual (whether directly or through a State criminal justice council) shall not be used to influence, or to attempt to influence, the issuance, amendment or revocation of any order, rule, regulation, or other action by any Federal, State, or local rule making or other regulatory agency."

3. "Funds paid pursuant to this title to any public or private agency, organization, institution, or individual (whether directly or through a State criminal justice council) shall not be used--  
 "(1) to commence or maintain any court action which seeks to challenge the constitutionality of any State law relating to the operation of any juvenile justice system; or  
 "(2) for the provision of any legal advice or representation by an attorney with respect to the legal rights of any individual youth or any class of youths."

None of these amendments were approved, but it is unclear whether they were rejected for substantive or for technical reasons. Certainly the Kramer amendments if passed would have restricted advocacy activities which fall outside those generally regarded as constituting lobbying.

I will not attempt here to resolve what is a very thorny philosophical, ethical, political and perhaps legal issue. I will restrict myself to considering practical options for advocacy groups who may very well find that they cannot receive federal funds for support of lobbying efforts.

First, an advocacy group may decide that it can achieve its goals quite adequately by education, i.e., educating the general public including legislative, executive and judicial decisionmakers. In this case the lobbying issue will be moot.

Second, the advocacy group may regard organizing to influence legislative activity to be crucial for meeting its own objectives. If receiving federal funds for its educational efforts, it will have to be careful to separate out its lobbying activities and have them funded separately.

Third, advocacy groups may need to think more creatively about coalitions. For example, one could imagine a dozen advocacy groups in one state actively involved in generating information, clarifying issues and taking positions, but feeding into one coalition group set up solely as a direct lobbying group and funded privately.

3. The problem of natural constituency. In such human service fields as mental retardation, mental health and aging, advocacy groups exist which build upon natural constituencies, that is, persons who are users of those systems. Strong local, regional, and national organizations of former clients and families characterize the mental retardation and mental health areas. Specialized interest groups such as Recovery, Inc. operate within mental health. And various "gray panther" groups are becoming quite active in the aging field. In juvenile justice, the situation is rather different. Minimal success has occurred in getting former delinquents and their families involved in advocacy groups. Some of the youth participation efforts are directed toward this end. Yet, it appears that these efforts are successful in attracting youth who are not involved or who have low risk of involvement in the formal juvenile justice system. While empowering youth is important, the relation of those youth to a natural constituency for advocacy groups in juvenile justice is still open to question.

Thus most class advocacy groups in this area are comprised of public and private professionals who work in juvenile justice and of concerned lay people typically not directly affected by the system. Opinions as to why this situation exists are three in number: 1) it is believed that parents and former delinquents are aware of the stigma attached to involvement in a justice system and want to forget or put the experience behind them, making involvement in an advocacy group unattractive; 2) it is believed that potential members are struggling to make ends meet and have no resources or time to participate; and 3) some believe that professionals distrust and question what the natural constituents have to offer and

therefore are not very receptive of the idea nor accepting of the individuals.

Without meaningful participation of the natural constituency in juvenile justice, many class advocacy groups, particularly those comprised of people who provide services are open to the charge that their groups represent little more than trade unions.

## CONCLUSION

During the past decade, advocacy in juvenile justice has exploded upon the scene. The continuing place of advocacy in juvenile justice remains somewhat precarious due, in part, to confusion about its intent and its methods of practice. In an attempt to provide some clarity to the conceiving of and doing of advocacy, I have, here, set forth a conceptual framework to explicate types of advocacy and to elicit principles and steps for advocacy practice.

In my view, advocacy has always had a place in juvenile justice. Its salience has ebbed and flowed with the times. The seventies was a decade when advocacy, at least in name if not always in practice, emerged formally and was explicitly acknowledged by professions in the field and in funding agencies. However, acting on behalf of client and client interests is a theme which is historically embedded in the helping professions generally and in juvenile justice specifically. Sharpening our understanding of advocacy in terms of its justification, forms and practice should provide a basis for advocacy to have a stronger, more legitimate foundation within juvenile justice. This will be, no doubt, an ongoing process.

The three types of advocacy described in earlier chapters differ with regards to client populations served, arenas and objectives. They share, however, much in common. The steps of the advocacy process are quite parallel. These generic steps include: 1) defining the problem or issue whether it involves a single client, a group or a class of clients;

2) determining targets for change; 3) assessing the resources available; 4) assessing the political environment in which advocacy takes place; 5) developing and implementing appropriate advocacy strategies being aware of how to negotiate and manage conflict; 6) timing advocacy efforts within the context of external events; and 7) following up advocacy efforts to assure that outcomes continue.

Qualitative aspects of advocacy practice are also equally important to each type of advocacy. These include: 1) involvement of client/clients as advocates; 2) viewing the process and obstacles from other peoples perspectives; 3) providing stake for supporters and opponents in the proposed changes; and 4) engaging in realistic conflict, when necessary, while avoiding unrealistic or symbolic conflict.

The direction of policy and practice in juvenile justice during the coming decades can be significantly influenced by persons engaged in advocacy. These advocates can play meaningful roles in defining issues, facilitating change, and assuring that quality services are indeed delivered to youth in trouble. The risks associated with doing advocacy are real; not becoming seriously engaged in advocacy would pose even greater risks for our youth and for our society.

## FOOTNOTES

## Chapter I

1. Herb Kutchins and Stuart Kutchins, "Advocacy and social work," in G.H. Weber and G.J. McCall (eds), Social Scientists as Advocates, Beverly Hills, Calif.: Sage Publications, Inc., 1978, pp. 14-17.

2. Harold T. Berman and William R. Geiner, The Nature and Functions of Law, Mineola, New York: The Foundation Press, Inc., 1972, pp. 386-99. In this section on "Responsibility of Lawyer," Charles Curtis notes the classical solution to this issue by referring to a discussion between Boswell and the famed Dr. Johnson:

"What do you think," said Boswell, "of supporting a cause which you know to be bad?"

Johnson answered, "Sir, you do not know it to be good or bad till the Judge determines it."

3. Georg A. Brager, "Advocacy and Political Behavior," Social Work Vol. 13, No. 2 (April 1958), pp. 5-16.

4. Scott Briar, "The Current Crisis in Social Casework," In Social Work Practice. Selected papers from the 94th annual forum of the National Conference of Social Welfare. New York: Columbia University Press, 1967. pp. 19-33.

5. Ad Hoc Committee on Advocacy, "The Social Worker as Advocate: Champion of Social Victims," Social Work Vol 14, No. 2, 1969, pp. 16-22.

6. U.S. Department of Justice, Law Enforcement Assistance Administration, Office of Juvenile Justice and Delinquency Prevention, "Youth Advocacy Program Announcement," Washington, D.C., October 1969, Appendix 3, p. 2.

7. Office of Juvenile Justice and Delinquency Prevention, "Youth Advocacy Program Announcement," Appendix 3, pp. 2-3.

8. The beginnings of this theoretical framework emerged in dialogue with students at the Harvard Divinity School where in 1976-77, as a Visiting Lecturer on Ministry I offered a year long seminar on "Issues in Juvenile Justice: A Ministry of Advocacy." The framework was also being influenced by the empirical work being done on the Massachusetts deinstitutionalization effort. Reflection upon this beginning work was briefly described in Robert B. Coates, Alden D. Miller and Lloyd E. Ohlin, Diversity in A Youth Correctional System: Handling Delinquents in Massachusetts, Cambridge, MA: Ballinger Pub. Co., 1978, pp. 179-181.

9. Tension and conflict have long been recognized as essential determinants of change or growth. They undergird Hegelian philosophical thought in terms of thesis, antithesis, and synthesis. Tension is a key concept in personality theories such as that developed by Harry Stack Sullivan. Conflict around vested interests is central to Georg Simmel's writings concerning change within triadic formations (three or more individuals or three or more groups). Theologians such as Paul Tillich have devoted much of their work to ferreting out how faith systems change and develop most dramatically as the individual lives on the boundaries between the sacred and the secular. And Lewis Coser specifically looks at the functions of social conflict as impetus for change.

## Chapter II

1. Mary Richmond, What is Social Casework? New York: Russell Sage, 1922, p. 115.
2. Charlotte Towle, The Learner in Education for the Professions: As Seen in Education for Social Work Chicago: University of Chicago Press, 1954, p. 254.
3. Mary Richmond, Social Diagnosis, New York: Russell Sage Foundation, 1917.
4. Mary Richmond, What is Social Case Work? New York: Russell Sage, 1922.
5. Richmond, What is Social Case Work? pp. 98-99.
6. Richmond, What is Social Case Work? pp. 101-102.
7. Richmond, What is Social Case Work? pp. 255-256.
8. Kathleen Woodroffe, From Charity to Social Work in England and the United State. Toronto: Univ. of Toronto Press, 1971 pp. 133-135.
9. Woodroffe, From Charity to Social Work, p. 129.
10. William Healy, The Individual Delinquent, Boston: Little Brown and Co., 1915; William Healy and Augusta F. Bronner, Delinquents and Criminals, New York: Macmillan Co., 1926; William Healy, New Lights on Delinquency in Treatment, New Haven: Yale University Press, 1936.
11. S.R. Hathaway and E.D. Monaches, Analyzing and Predicting Juvenile Delinquency with the MMPI, Minneapolis: Univ. of Minnesota Press, 1953.
12. Towle, The Learner in Education for the Professions, p. 274.
13. A.A. Lazarus, "New Methods in Psychotherapy: A Case Study," South African Medical Journal, 32, 1958, pp. 660-64; J. Wolpe, Psychotherapy by Reciprocal Inhibition, Stanford: Stanford University Press, 1958.

14. Helen Harris Perlman, Social Casework: A Problem-Solving Process, Chicago: University of Chicago Press, 1957.
15. Helen Harris Perlman, "Putting the "Social" Back in Social Casework," Child Welfare 31 (July 1952) p. 14.
16. Joel Fischer, Effective Casework Practice: An Eclectic Approach, N.Y.: McGraw-Hill Book Co., 1978, p. 21.
17. This section is devoted to one important element of casework: advocacy. Commitment or motivation of the youngster to change is clearly a critical variable when looking at casework and casework outcomes. For a detailed look at motivation of client in the casework context see: Lillian Ripple, Motivation, Capacity and Opportunity: Studies in Casework Theory and Practice. Social Service Monographs, Second Series. Chicago: School of Social Service Administration, Univ. of Chicago, 1964.
18. Helen Harris Perlman, Relationship, The Heart of Helping People, Chicago: University of Chicago Press, 1979 p. 194.

### Chapter III

1. Kathleen Woodroffe, From Charity to Social Work in England and the United States, Toronto: Univ. of Toronto Press, 1974, ed., p. 103.
2. Frank T. Bruno, Trends in Social Work 1874-1956, New York: Columbia University Press, 1957 pp. 186-187.
3. Jane Addams, Twenty Years At Hull House, N.Y.: Macmillan Co., 1910.
4. Christopher Lasch, (ed.) The Social Thought of Jane Addams, Indianapolis: Bobbs-Merrill Company, Inc., 1965, p. 56.
5. See: Clifford R. Shaw, The Jack-Roller, Chicago: University of Chicago Press, 1930; Clifford R. Shaw, The Natural History of a Delinquent Career, Chicago: University of Chicago Press, 1931.
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9. Alinsky, Rules for Radicals, p. 116.
10. Alinsky, Rules for Radicals, p. 119.
11. Peter Marris and Martin Rein, Dilemmas of Social Reform: Poverty and Community Action in the United States, N.Y. Atherton Press, 1969, p. 30.
12. Marris and Rein, Dilemmas of Social Reform, p. 19; See Richard Cloward and Lloyd E. Ohlin, Delinquency and Opportunity, Glencoe, Ill: Free Press, 1960.
13. Marris and Rein, Dilemmas of Social Reform, see especially chapters VI and VII.

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**END**