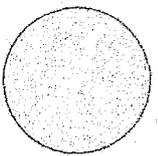


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The Citizen's Committee
On the Juvenile Court of Cook County:
A Case Study of Informing and Influencing Policy Makers

- by -

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Introduction

Citizen participation in governmental affairs in America began in colonial times and has since become a hallmark of the American democratic way of life.

This unique characteristic was noted early in the 19th century by Alexis de Tocqueville in Democracy in America where he wrote: "Whenever at the head of some new undertaking you see the government in France, or a man of rank in England, in the United States, you will be sure to find an association."¹

A most significant criminal justice-related/citizen-initiated development in the 19th century was the creation of the Juvenile Court of Cook County in 1899 -- the first juvenile court in the United States. Citizen involvement began with the birth of this court as well as that of the Cook County Juvenile Detention Center, established four years later, initiating a process in which concerned citizens exercise a special role in the affairs of both institutions. It is the purpose of this paper to briefly trace the historic development of this important tradition and examine some of the benefits and policy changes produced by this participatory relationship over the past 25 years.

Historic Considerations:

As Anthony Platt has pointed out in his famous study, The Child Savers, the Illinois Juvenile Court Act of 1899 ("An Act to regulate the treatment and control of dependent, neglected, and delinquent children") was the culmination of many years of reform efforts by diverse interest groups and individuals, including such leading women in Chicago as Jane Addams and Julia Lathrop of Hull House, and Mrs. Perry Smith and Mrs. Lucy Flower of the Chicago Woman's Club.²

Supported by the Chicago Bar Association, these and other reform minded citizens in Chicago succeeded not only in creating a new and unique court, but also in changing the law in Illinois so that no child under 16 years of age would be arrested, indicted by a grand jury, convicted, imprisoned or punished as a criminal. Among other things, the Act provided for the appointment of juvenile probation officers by the court without any financial compensation "from the public treasury."³ Consequently, until 1905, when the legislature appropriated funds for probation officers, many of the probation officers appointed by the court were actually paid by the private agencies that supported the creation of the Juvenile Court. Thus, for example, the first probation officer appointed by the Juvenile Court was Mrs. Alzina Stevens, a resident of Hull House.⁴

The Illinois Juvenile Court Act of 1899 also stipulated that children under twelve years of age when taken into custody were to be detained in a "suitable place," meaning not a jail or a police station. However, here, too, the legislature failed to allocate the necessary funds to carry out its intent, thus making it necessary for private organizations to provide a detention facility. At first a private association named the Illinois Industrial Association provided care for detained delinquent boys, with the city and the county sharing the cost of boarding. (Dependent children were detained in a hospital ward and delinquent girls in a police station.) In 1903, another private group, known as the Juvenile Court Committee, established a Detention Home for dependent children and delinquent boys in the vicinity of the juvenile courthouse. This private facility was utilized until the county opened (in 1907) a new juvenile court that included detention facilities for dependent

children, and delinquent boys and girls -- the largest detention home in the country. Although the Juvenile Detention Home was relocated several times since 1907, it has remained under the management of the Cook County Board until the present day.

Once the county had assumed responsibility for compensating probation officers and had found the means to build its own detention facility, the involvement of citizens in the affairs of the court diminished. However, many of the reformers having witnessed the dream of the Juvenile Court come true, became alarmed and outraged when in 1911 it seemed that the new court was becoming enmeshed in local politics. Reacting to a series of newspaper articles alleging "gross shortcomings in the administration of the Juvenile Court,"⁵ reform minded citizens urged the president of the County Board to appoint a non-partisan citizen's committee to "inquire into the whole operation of the Juvenile Court law."⁶

Shortly after, on August 8, 1911, the County Board did indeed pass a resolution appointing a citizen's committee under the chairmanship of Willard E. Hotchkiss. The committee held over 40 sessions and in 1912 issued a lengthy report containing numerous recommendations concerning the jurisdiction of the Juvenile Court, the probation department, the Detention Home and the disposition of children.⁷

One very important outcome of this citizen's committee work was the creation of an Advisory Committee composed of representatives of various religious and civic organizations in Chicago, which was to meet with the Court "from time to time to discuss policies, and promote co-operation."⁸ As part of this agreement, the Roman Catholic Charities, the United Jewish Charities, the St. Vincent de Paul Society and the United Charities of Chicago each agreed to

assign to the Juvenile Court a "trained worker" to be commissioned as a voluntary probation officer under the supervision of the Court. This relationship between the Juvenile Court and the private social agencies was maintained for many years, at least into the 1930's.⁹

On November 2, 1923, the Juvenile Court and the Detention Home moved into a newly built facility, which housed these institutions for the next 50 years.

A Citizen's Advisory Committee on the Cook County Detention Home appointed in 1922 helped plan the new Home and assisted the Cook County Civil Service Commission in selecting and appointing the Home's superintendent.¹⁰ Concerned about the large increase in the number of children detained in the new and bigger facility (on the average, 131 more children each month during the first year of operations) the Citizen's Advisory Committee recommended that a careful study be made of detention intake practices in Cook County. Consequently, the Cook County Board commissioned Miss Edith Abbot of the Graduate School of Social Service Administration of the University of Chicago to direct the project.

One of the more interesting findings of the completed study, submitted to the Citizen's Committee in 1926, concerned a problem of overcrowding in the Home caused by police detention of children with no record or hearing in the Juvenile Court.¹¹

Ted Rubin has noted that once the initial enthusiasm over the creation of the Juvenile Court subsided, not much attention was paid to the way these courts operated in the U.S. until the 1960's.¹² The renewed interest in the juvenile court, though national in scope, was, quite appropriately, made manifest in Chicago.

**The Citizen's Committee on the Juvenile Court
of Cook County from its Inception to the Present**

In 1961 the Juvenile Court in Chicago (then known as the Family Court of Cook County) came under renewed public scrutiny, especially after a series of articles in the Chicago Daily News focused attention on the Court's various problems. Among other things, concern was raised over the disposition of cases and the Court's alleged infringement on the civil rights of children. (The latter was of course an issue being raised across the country, which a few years later led to Kent and In re Gault.)

Consequently, in November 1961 an initiative was undertaken to pressure the judiciary to appoint an independent citizen's committee and engage a professional organization to study the Family Court, including the detention center, in an impartial and objective manner. A formal petition, signed by representatives of the Chicago Bar Association and several civic agencies as well as representatives of all the local schools of social work, was filed with the Circuit Court demanding that a citizen's committee be appointed by the entire court rather than by the Family Court, to assure the committee's independence and permanence. On December 1, 1961 the judges of the Circuit Court issued a directive to their Executive Committee to establish a citizen's committee. Six weeks later, on January 12, 1962, an official announcement was made that a thirty-member citizens committee (selected from a list submitted to the Circuit Court) representing Cook County's academic, business, civic, and legal communities was appointed to examine "every facet of the structure, organization, and operation of the Family Court."¹³ Moreover, the same announcement made it clear that the Citizen's Committee would be

maintained by the Circuit Court as a permanent advisory body on the needs of the Juvenile (Family) Court.

Soon after its appointment, the Committee decided that in order to carry out its mandate it would have to sponsor a professional study of the operations of the Court. Consequently, with funds appropriated for that purpose by the County Board, the committee employed the National Council on Crime and Delinquency (NCCD) to undertake the desired study. The NCCD study with recommendations was completed within one year.

Having received the NCCD report (published in April 1963), the Citizen's Committee endorsed the entire document and summarized it for general consumption along with an action program that included short range, intermediate and long range objectives.¹⁴

The most critical test for the new Citizen's Committee was yet to come: was the NCCD report, like so many other studies, just going to be shelved or would it mark the dawn of a new era for the Juvenile Court? Or, stated in the language of Chicago politics, would the committee have enough "clout" to influence the various policy makers to implement the recommendations?

The following brief review of NCCD's major recommendations and the way they fared, demonstrates the extent of the Citizens Committees' success in the 1960's and early 1970's.

** NCCD recommended that the Detention Home no longer house dependent and neglected children, and that services to neglected and dependent children become the responsibility of a public agency.

In 1964, a new facility was opened for the care of 50 dependent and neglected children, and five years later the presiding judge of the Juvenile Court prohibited the housing of any mentally retarded, dependent, or neglected children in the Detention Home.

A state agency, the Department of Children and Family Services was established in 1964, enabling the Juvenile Court to cease providing direct services for dependent and neglected children. As NCCD recommended, henceforth the Juvenile Court maintained jurisdiction over such cases only for the legal protection of the child.

** NCCD recommended that the Illinois Juvenile Court Act be changed to conform to the Standard Juvenile Court Act of the National Probation and Parole Association.

In 1965, the Illinois Juvenile Court Act was completely revised. Additional important amendments were added in 1972.

** NCCD pointed out that the shortage of probation officers caused heavy caseloads and inadequate treatment plans. (Based on the 1961 caseload, NCCD recommended that 93 new probation officers were needed to meet minimum standards.)

Within two years, the County Board authorized the hiring of 22 additional probation officers and 48 supervisory, clinical, administrative and clerical personnel.¹⁵ Consequently, caseloads were reduced and treatment plans improved. By 1975, probation officers had an average caseload of approximately 30 juveniles -- an average that has been maintained more or less to the present time.

** NCCD recommended that a qualified chief administrator for the Juvenile Court be hired.

After a nation-wide search, the first Director of Court Services was employed in 1964.

** The development of staff training programs was recommended and acted upon.

** NCCD recommended that additional judges (a minimum of 3) be assigned to the Juvenile Court. This was done immediately.

** NCCD called for the establishment of new court and detention facilities.

In late 1973, the Juvenile Court and the Detention Home moved into one building -- the Cook County Juvenile Justice Center.

** NCCD recommended that, on one hand, the Juvenile Court and the Detention Home be unified under a common administration responsible to the judiciary and, on the other hand, that decentralized facilities for court and detention purposes be established. These two recommendations were not adopted.

The successful implementation of many of NCCD's recommendations and the resulting progress made in professionalizing the operations of the Juvenile Court diffused public criticism that otherwise would have been directed towards the Court.

That, however, was not quite the case with regard to the Detention Home. The recommendation that this county institution be placed under the jurisdiction of the judiciary and that it be decentralized evoked much controversy and resistance.

Proponents of this particular proposal, of course, hoped to advance their cause by focusing public attention on any deficiencies that could be pinned on the Home's administration. The most consistent and severe criticism was mounted by the John Howard Association (a prison watchdog group in Chicago) in a series of so-called "Watch Dog Reports." The John Howard Association's investigations and criticism culminated in a report issued on February 5, 1973 in which the association charged that detained children were brutalized and demanded the immediate dismissal of the Detention Home's superintendent. To blunt this attack, the president of the County Board appointed an Ad-Hoc Committee (three days later) to review the John Howard Association's allegations. This committee,

chaired by Philip Corboy, president of the Chicago Bar Association, conducted its own investigation and issued a report in which it criticized the John Howard Association for going public with unsubstantiated accusations and recommended that the Home remain separate from the Juvenile Court and that its superintendent be retained. In addition, the Ad-Hoc Committee called for the appointment of an advisory board for the Detention Home "of concerned citizens and professionals in the field of juvenile corrections and rehabilitation."¹⁶ This idea, to create a citizen's advisory committee for the Detention Home, was also later endorsed by the John Howard Association, which suggested that one of its own board members serve on the proposed committee.¹⁷

Rather than appoint yet another citizen's committee, the County Board requested that the Citizens's Committee on the Juvenile Court of Cook County agree to expand its responsibilities so it could also serve the Detention Home, once it moved into the new Juvenile Justice Center. Consequently, an agreement was reached to do so, providing the County Board would meet certain conditions. One of the conditions formally transmitted to the president of the County Board was that "the county would employ a professional staff person (in addition to our present Executive Director), to be selected by and responsible to our committee."¹⁸

The committee's decision requesting that the county pay the salary of its staff was necessitated by the fact that voluntary contributions to the committee had "fallen off dramatically" and that foundations on which the committee depended were unwilling to provide funds indefinitely.¹⁹ This decision, of course, was not adopted lightly or without debate over whether such a move would compromise the committee's independence. In a memorandum to the members of the Citizen's Committee, the chairman explained that the committee's

independence was not being compromised because "the members... receive no financial remuneration..." and their "sole compensation comes from the belief that we are helping important public institutions...."20

County Board approval having been secured, the Citizen's Committee on the Juvenile Court officially began working with the superintendent and the administrators of the Cook County Juvenile Temporary Detention Center (so renamed in 1973) in the same manner it had worked with the Juvenile Court in prior years.

Vested with increased responsibilities, by the mid-70's the committee found it necessary to create a number of specialized subcommittees to accomplish its various tasks. It is of course impossible in this paper to review or attempt to evaluate the activities of these subcommittees. However, to appreciate the scope of the committee's interests at that time, it is worth noting that in the mid-70's there were subcommittees on research and legislation, court facilities, procedures and policies, probation services, dependent and neglected children, and on the Detention Center. Since then, some subcommittees have been discontinued and new ones have been added; currently, the work of the Citizen's Committee is carried out primarily through five subcommittees.

These subcommittees, their objectives and recent accomplishments are briefly highlighted as follows:

The Executive Subcommittee functions as the administrative arm of the Committee. It monitors courtroom procedure and decorum as well as the performance of the Juvenile Court judges. One of this subcommittee's major accomplishments has been the development of a staggered court call which has increased the afternoon call by 40 percent.

The Child Welfare Subcommittee's primary concerns are the Court's Dependency/Neglect calendars and the adequacy of representation afforded to abused and neglected children that come before the Court. One of this subcommittee's major achievements has been the total reorganization of the Office of the Guardian ad Litem, and the establishment of a "Court Efficiency Committee" whose objective it is to improve the processing of cases.

The Court Services Subcommittee strives to improve the Court's probation and clinical services. One of its recent accomplishments has been the creation of the Community Services Unit within the Probation Department, making it possible for judges to include community service in their probation orders.

The Legislative Subcommittee reviews pending legislation and when necessary lobbies for or against measures that affect the juvenile justice system and child welfare. Recently, this subcommittee helped preserve the confidentiality provision of the Juvenile Court Act and supported the passage of the Family Preservation Act.

The Detention Subcommittee has a broad mandate to oversee the management and operations of the Detention Center. One major accomplishment of this subcommittee was the accreditation of the Detention Center by the American Corrections Association in 1981 and the Detention Center's reaccreditation in later years. In recent years it helped resolve a growing problem that developed in the Detention Center because of failure or refusal of parents, guardians or custodians to pick up juveniles whose release was ordered by a judge. (At one time these cases constituted 10-15 percent of the center's detained population, and the average stay was 25 days after the legal release.) Through the efforts of the subcommittee, an

internal procedure was developed to guarantee the release of these detainees to a social agency.

While the members of each of these subcommittees are selected from the committee's general membership, (all citizen volunteers appointed by the chief judge of the Circuit Court), support services are provided by the committee's paid staff (an executive director, associate director, and one secretary). Most of the committee's operating expenses continue to be met by the County Board, however, significant amounts of money are raised through the Citizen's Committee on the Juvenile Court Support Fund, which was incorporated in 1980 and engages in a variety of fund raising activities.

Over the past two years, the committee has been more successful than ever before in diversifying its funding sources and raising additional funds. As a result, the committee has been expanding in new directions. For example, a Court Watch Coordinator was hired to supervise an increasing number of volunteers and student interns engaged in the committee's Court Watching program. And in another new initiative, funded by the John D. and Catherine T. MacArthur Foundation, the committee sponsored a special training program for Juvenile Court judges.

Finally it must be noted that the Citizen's Committee regularly publishes a newsletter, annual reports, and legislative summaries that are widely distributed to the legislative, executive, and judicial branches of government, both local and state.

CONCLUSION

This paper demonstrates that since the inception of the Juvenile Court of Cook County, and especially during the past quarter century, civic minded citizens in Chicago have not left the operation and management of the juvenile justice system solely in the hands of government paid professionals.

Granted that the influence the Citizen's Committee can exercise on policy decision makers is limited, it is not contradictory to claim that the committee has established an impressive record of accomplishments, and that the Juvenile Court and the Detention Center are better run institutions because of daily monitoring and free assistance provided to judges, administrators and other personnel.

Little has been published about citizen participation in the operations of the criminal or juvenile justice systems, except for descriptive reports and evaluation studies of crime prevention and court watching projects. Hopefully, this paper will help to stimulate exploration of the work of other citizen advisory committees or related activities in the United States so that a more comprehensive understanding of citizen involvement in the criminal justice system will emerge.

ENDNOTES

1. Alexis de Tocqueville, Democracy in America (New York: Alfred A. Knopf, 1945), Vol. II, p.106.
2. Anthony M. Platt, The Child Savers, (Chicago: The University of Chicago Press, 1969), pp. 101-136. Also, see Jane Addams, Twenty Years at Hull House, (New York: McMillan, 1910).
3. Quoted in Willard E. Hotchkiss, The Juvenile Court of Cook County, Illinois Report of a Committee Appointed Under Resolution of the Board of Commissioners of Cook County, Bearing date August 8, 1911. (Chicago: Chicago Investigating Committee, 1912), p.214.
4. Platt, p. 129, Footnote 24.
5. Hotchkiss, p. 1.
6. Ibid.
7. Ibid. pp. 9-55.
8. Ibid. p.19
9. For instance see Albert Lepansky, The Judicial System of Metropolitan Chicago: (Chicago: The University of Chicago Press, 1932), pp. 190-91. Also, Gad J. Bensinger (ed), Festschrift for Sarah B. Schaar (Chicago: Illinois Academy of Criminology, 1987), pp. 5-8.
10. Sylvia Millis, The Juvenile Detention Home in Relation to Juvenile Court Policy: A Study of Intake in the Cook County Juvenile Detention Home (Chicago: Citizen's Advisory Committee on the Juvenile Detention Home of Cook County, 1927), p.10.
11. Ibid., p. 91.
12. H. Ted Rubin, The Courts: Fulcrum of the Justice System, (Pacific Palisades, California: Goodyear Publishing Company, Inc., 1976), p.80.
13. Circuit Court of Cook County, press release dated January 12, 1962.
14. Report of the Citizen's Committee on the Family Court (Chicago: The Citizen's Committee on the Family Court, July, 1963) p.47.
15. Citizen's Committee on the Family Court Bulletin. Progress Report 1963 - 1965, May 1965.
16. Philip H. Corboy, Report of President Dunne's Ad-Hoc Committee Concerning John Howard Association "Watch-Dog Report", n.d., p.8.

17. Letter from John Howard Association to George W. Dunne, President Board of Commissioners of Cook County, dated October 15, 1973.
18. Letter from Robert A. Helman, Chairman, Citizen's Committee on the Juvenile Court to Honorable George W. Dunne, President Cook County Board of Commissioners, dated October 10, 1973.
19. Citizen's Committee on the Juvenile Court, memorandum to members, dated October 10, 1973.
20. Ibid.