JUVENILE FACILITY STAFF RESPONSES TO ORGANIZATIONAL CHANGE
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October 2013

This report details the effects of juvenile justice facility reform and deinstitutionalization on the ground, drawing from research about facilities in New York. This report seeks to educate policymakers and advocates about the effects of reforms on young people and staff. It examines why some staff members and their unions so strongly resist deinstitutionalization, and what the impact of reform practices and policies are on the individuals who live and work in the facilities.

Frontline staff play a central role in organizational change. Changemakers—whether their goal is decarceration or reform—must recognize that juvenile facilities are places where *all* individuals in them must be treated with humanity and respect. All of these individuals feel abandoned—by their communities and families, by the state, and by the 'system.' As such, reform should be driven by the principles of fairness, dignity, and respect for <u>all</u> individuals who pass through facilities, from youth, to line staff, to administrators. As the process of deinstitutionalization proceeds, facilities will remain open: these facilities should have staff who have the tools that they need to support young people and provide exemplary educational and reentry programming.

This report discusses five key themes:

1. **The critical role of frontline work in organizational change:** Frontline staff members in facilities spend between eight and sixteen hours a day with the young people under their care. As such, they play multiple roles—enforcer, caregiver, teacher, counselor, and cheerleader—yet are often the *least* recognized for their work in the juvenile justice organizational landscape.

2. **Myths about frontline workers.** Juvenile facility staff in New York (and in the rest of the country) are *not* overwhelmingly white and from rural areas. In fact, 51% of the frontline staff in New York's juvenile facilities in New York are African-American, and many come from the same communities that the young people come from.

3. **Resistance to organizational change is deeply rooted in issues of fairness**. Staff overwhelmingly perceive that they lack the ability to meaningfully participate in reforms. For these staff, the facility-based changes are often experienced as confusing, abrupt, and ever-changing. Uncertainty in the facility environments, and about layoffs, has an impact on staff behavior.

4. **Perceptions of violence are often connected to perceptions about control.**

5. Juvenile facility staff are often perceived as being resistant to rehabilitative practices when in reality a number of staff are deeply invested in the processes of treatment for change. These staff often perceive that reforms do not include equal emphasis on reentry and education as they do on therapeutic interventions.

Introduction

A number of states across the country, from Ohio to California, to Connecticut, Texas, and New York, have significantly reduced the size of their juvenile facility populations in recent years. In fact, the number of youth in custody across the country has declined in the last 10 years (Hockenberry et al., 2011). New York has closed down 31 facilities and reduced its juvenile facility population by over 3,000 young people since 2007, when the current commissioner, Gladys Carrión, was appointed by the Democratic Governor Eliot Spitzer (National Juvenile Justice Network and Texas Public Policy Foundation, 2013). In March 2012, the New York state legislature agreed on the passage of Governor Cuomo's 'Close to Home' juvenile justice initiative, which would result in the transfer of all of the young people from New York City adjudicated as delinquents from the upstate juvenile facilities to facilities run in New York City. This initiative will result in the closure of a number of the state's remaining juvenile facilities.

States across the country have cited several reasons for downsizing their juvenile facilities, from fiscal concerns, to poor conditions of confinement, to the need to keep young people closer to their homes. Numerous research studies have highlighted the deleterious effects of confinement on young people's lives (see, e.g. Gatti et al., 2009, Nagin, 2009). Researchers have found that a young person's experience in confinement may actually make them more likely to reoffend than if they are sentenced to a community-based program. This evidence has in part bolstered state government efforts to close facilities (Mendel, 2011).

In New York, Gladys Carrión and her administration reduced staff members' reliance on physical restraints and promoted the use of new therapeutic interventions, including a 'trauma-informed' program of organizational change called the 'Sanctuary Model.' State administrators also introduced Dialectical Behavior Therapy into the facilities and a new behavioral change and treatment model (called 'The New York Model') that closely aligned with (and was developed in conjunction with administrators from) a Missouri-based juvenile facility model.

Staff member resistance to some of the changes introduced in New York was well-documented in the public media and was well-known by administrators in its Office of Children and Family Services (OCFS), the state agency responsible for juvenile facility administration (Anich, 2009, McAvoy, 2008, Ference, 2008, ReadMedia, 2012). Media reports often focus on two key aspects of this opposition: the desire of workers to maintain their well-paid jobs in the face of few job prospects in the rural communities they come from, and the desire of political conservatives to lock up wayward children rather than allow them to serve their time in the community. Equally well-documented

was the position of system reformers, who spoke in public and the media about what was termed the "culture of violence" that existed among staff members in the residential facilities. Media sources around the state opined on the relationship between staff 'cultures' of resistance and the levels of brutality that existed in the facilities (King, 2010, New York Times, 2010). Throughout the reform period, there appeared to be—at least in the public media--clear divisions between the reformers and the staff members.

Moving beyond the media, this report focuses on data gathered during the reform and closure process. The report draws from interviews and observational data inside of the facilities, seeking to present an appreciative analysis of the possibilities for reforms that are meaningful and sustainable. It looks beyond the rhetoric about reform that has appeared in the media, and to some extent, deconstructs it and exposes some of the myths about staff resistance to reform that have circulated in public discourse. It seeks to educate policymakers and advocates about the context and effects of facility closures on the young people and staff that inhabit those facilities.

Sample and Methods

This report is based on two in-depth studies conducted in New York's juvenile justice system over a period of over three years. The first research study, which lasted for one year, from 2008 to 2009, focused on young people's experiences within three juvenile facilities; results of that research have been published elsewhere (Cox, 2011, Cox, 2013). These facilities were undergoing reforms during the research study. The second part of the research focused on facility staff. The research involved over 40 site visits to facilities and interviews with over 75 staff members from the beginning of 2011 until the fall of 2012. Two residential facilities were studied in this second research period. One of the facilities, a small 60-bed residential center for youth adjudicated as delinquents, closed during the summer of 2011 and the research took place both before and during the closure process. The other, a 180-bed secure residential facility for youth charged as adults, was undergoing significant reforms during the research process, including the adoption of the Sanctuary Model, staff training in Dialectical Behavioral Therapy methods, the implementation of a new restraint policy, and new practices with respect to behavioral change models. In total, this report draws more broadly from observational research and data from seven juvenile facilities across New York state.

This was a qualitative research study: it included observational fieldwork and interviews. The in-depth and long term immersion in the juvenile facilities allowed unprecedented access to the perspectives of the individuals at the front line of secure care, as well as the ability to gain insights into juvenile facility life *in context*, *over time*, and which were built on the trust and relationships that were established with the individuals who reside and work in the facilities. As an independent researcher, I was able to gain insights into secure care without any investment in any particular agendas or models.

The research on which this report is based was aimed at developing an appreciative understanding of some of the barriers and facilitators to cultural change within juvenile facilities. An Appreciative Inquiry approach was used. This has been employed in a variety of organizational contexts in order to help stimulate

"organizational growth and change," but most recently in several large-scale research projects which have examined the nature of prisoner-staff relationships (Liebling et al., 1999: 75). Appreciative Inquiry is defined as "an approach to organizations which is based on strengths rather than weaknesses, on visions of what is possible rather than what is not possible" (Liebling and Price, 2001: 6, see also Cooperrider and Whitney, 2007). This method is also focused on challenging "guiding assumptions" and raising questions about what is 'taken for granted' within organizations (Ludema et al., 2001). Appreciative inquiries contrast with problem oriented approaches, which have dominated traditional research, in that they seek to understand the "complexity, diversity and subjectivity of human action" (Liebling et al., 1999: 75). It has been argued that critical approaches to understanding organizations constrain conversations, silence voices, erode community, create social hierarchies, and contribute to cultural and organizational enfeeblement (Ludema et al., 2001). Thus, this study was built around the idea that staff insights into organizational change can be generative rather than stifling.

The Study of Organizational Change: A Brief Review of the Literature

While there has been substantial research done on labor perspectives about downsizings and layoffs in auto, energy, and manufacturing industries, research is only just emerging about staff perspectives on organizational change in prisons and juvenile facilities (Rudes et al., 2011, Farrell et al., 2011). As Lin argues in her book about a reform process in five American adult prisons, "understanding what prevents the successful implementation of programs is the first step in discovering whether prison programs can act as effective agents of correction" (2002: 5). By investigating the reasons for staff resistance to reform in juvenile facilities, it is arguable that we can discover the ways through that resistance toward meaningful *and* sustainable reforms. As a number of scholars have recognized, "frontline staff are a key part of the change process as they are often largely responsible for implementation of policy and practice reforms" (Rudes et al., 2011: 470, Lipsky, 1980). This study's focus on the role of frontline staff resistance to change in juvenile facilities is one of the first of its kind.

Scholars are increasingly analyzing the processes by which organizations undergo change and reform, and the shape and form with which resistance to those changes take (Souhami, 2007, Morrill and Rudes, 2010, Rudes, 2012). Conducting evaluations of policies alone may not be the best way in which to understand the processes of change, as line staff and management often have different language, cultures, and understandings about the everyday practices of imprisonment and treatment (Morrill and Rudes, 2010, Cheliotis, 2006). Policy-making is a process which involves moral responses, and is not always wholly rational (Maynard-Moody and McClintock, 1981). It may in fact be more effective to focus on policymaking and reform as they play out in practice.

Researchers studying organizational change have identified two areas of resistance which staff in organizations have engaged in and which have relevance for the study of juvenile justice institutions: the contestation of institutionalized power and authority and the expression of perceptions of collective injury (Morrill et al., 2003: 405-6). It has been argued that these processes of resistance may also lead to the

sabotaging of institutional goals (Morrill et al., 2003), or even of the expression of workplace aggression (Neuman and Baron, 1998). Liebling argues that attempts to change prison staff cultures could result in resistance if staff feel "threatened or unsafe" (2007: 120), although there need not necessarily be actual increases in violence for staff to actually *feel* a lack of safety.[1] As Meyerson and Martin argue, organizational "crises bring the acknowledgement of ambiguity and its concomitant, anxiety" (1987: 629). A key scholar of organizations notes that "uncertainty and instability in an organization may be affected by the anxieties and emotions of the workers within it (Hirschorn, 1988). Management scholars have found that these anxieties are destructive to work practices (Elliot, 2006). Positive organizational environments promote positive youth outcomes (Farrell et al., 2011).

As noted above, staff may also perform their roles in response to their feelings about the fairness of processes and the uses of authority within the institutions. Liebling found that "how staff thought and felt about prisoners and managers influenced the quality of life for prisoner or the prison climate," and that "there were links between these aspects and the quality of prison life…and levels of well-being among prisoners" (2007: 110-111). Additionally, Arnold *et al* found in their study of prisons that "where staff feel they have clear roles and responsibilities, are involved in the organization, and feel able to do the job they are asked to do, communication and suicide prevention effectiveness are better. A positive work culture is about good relationships and clear roles" (2007). These ideas are echoed by American scholars of prison life, who claim that "greater perception of justice in an organization predicts lower cynicism, improved willingness for risk-taking (regarding trying new procedures and practices to improve operations), and improved sharing of information about individual progress and clarity of performance expectations" (Rudes et al., 2011: 470). Elliot (2006), in his extensive work facilitating organizational change amongst staff in British prisons, found that engendering hope for the future amongst staff, eroding cynicism, and providing reassurance, positive support and acknowledgement for good work were key strategies in improving organizational performance.

Frontline Work in Detail

In New York, as in other juvenile facilities across the country, the term 'guard' is often a misnomer for frontline staff whose role extends far beyond order maintenance. Uniformed frontline staff in New York—called Youth Division Aides (YDAs)—spend between eight and sixteen hours a day with a residential unit. That unit can have anywhere from one to fifteen residents, depending on the facility. Throughout the system, the units typically have two staff members working on the unit at a time. Over the course of this research, we observed these frontline staff members play a diverse range of roles, including (but not limited to): observation, searching rooms for contraband, engaging in de-escalation techniques and physical restraints, paperwork (primarily for behavioral change programming), participation in treatment team

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[1] Lancman (2010) reports an increase in Workman's Compensation Claims related to assaults in New York's OCFS facilities since 2007, but these data have not been sufficiently analyzed to take into account confounding variables as well as the possible correlation between the processes of reform and perceptions of (un)safety. This issue is examined in more detail below.

meetings, serving food and clearing up lunch and dinner trays, playing sports (basketball, ping pong, and softball, for example), conducting reading groups, drug and alcohol treatment groups, anger management training with the youth, tutoring, filling in financial aid forms for college, watching television with the youth, and, most significantly, *talking to and counseling* them, particularly after a difficult family visit or phone call, a parole or aftercare hearing, and about going home, girlfriends, children, life plans, college, GEDs, and other hopes and aspirations.[2]

Numerous researchers have identified the particular stresses associated with balancing the needs of care and control in juvenile facilities, working in environments with high inmate-to-staff ratios, and coping with the generalized pressures of movement and control (Auerbach et al., 2003, Dowden and Tellier, 2004, Finn, 2000). There are also stresses associated with the process of organizational change, which will be discussed in more detail below. In New York, the key features of the YDA job involved extensive time and contact with the youth, the expectation that they serve multiple roles with them, and a more demanding schedule in the context of the reforms.

In New York, the shifts for frontline staff members in the facilities are organized according to the following timetable: 6am to 2pm, 2pm to 10pm, 10pm to 6am. Senior staff members are prioritized when it comes to choosing their shift times. Yet none of these shift times are ideal for those staff members who have children. When I asked one staff member about how this affected his family life, he shrugged, smirked and said that he couldn't conceive of building a family in the context of his job.

During the research period, staff experienced high levels of mandated overtime, an issue that was also recognized by the OCFS administration. By 2010, New York had spent $14 million on staff overtime at OCFS. The vast majority of those who were placed on overtime were the frontline staff (Paniza, 2011, Wurtmann, 2012). Numerous staff members, union officials, and administrators identified two possible causes for this rise in overtime: more staff members calling in sick in response to the reforms, and the relative cost effectiveness for the state of paying for overtime as opposed to making a recurring investment in new employees. During the state fiscal crises of the 1970s, in which a similar period of deinstitutionalization occurred in juvenile facilities, states saw a similar rise in the use of overtime in correctional institutions (Wynne, 1978: 36). It is worth noting this trend in order to examine more closely whether the use of overtime is connected to staff resistance to reform.

During the period of significant organizational changes that began in New York in 2007, staff morale was generally low, and one way that staff members resisted the changes—or at least conveyed their response to the changes--was to call out sick. As one YDA noted, "a lot of people don't want to come to work. They feel afraid, so a lot of staff won't…we were getting mandated because these guys didn't want to come in to work." This YDA and others spoke about two sources of anxiety amongst the staff which may have contributed to their decision to stay at home: a fear of the residents in the facilities but also a more generalized fear about the uncertainty and unpredictability of the job. The overuse of overtime impacted facility life. According to a union representative:

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[2] Some of the observational research and interviews for this report was conducted in conjunction with a young woman who had spent time in OCFS facilities when she was a teenager.

It takes a physical toll, it takes an emotional toll, when you are dealing with difficult and challenging behaviors. So they can't be giving their best…when people are fatigued, they're more likely to make mistakes, and be injured.

The union representative points to some of the key stressors that existed amongst staff, and which will be addressed in more detail below.

Although each juvenile facility in New York has youth counselors assigned to each residential unit, young people are dependent on the YDAs for support and comfort, in part because those staff members work in the facility 24 hours a day (Youth Counselors only work during the daytime hours).   At a recent graduation ceremony at a residential facility, the facility's imam stood up to give the closing remarks. In them, he noted the significance of the YDA role by talking about this '24 hour job' as one where the residents see the staff before they go to bed and when they wake up, and that the staff act as their fathers, mothers, aunts, and uncles. One YDA described his role as a "de facto counselor," "role model," and "house parent." Another YDA said that "I'm the psychologist, bartender, and cab driver" for the young people.

Many of the staff do not identify as guards, but instead see themselves as youth workers. A teacher in one of the facilities commented on the staff-youth relationships in this way:

A YDA who looks like one of the boys, talks like one of the boys, I will hear saying to the boy, hey, that's not right, talk right, do right or they're talking about stuff and the YDA is counseling him. It's so nice. It's just lovely. I think it's the hidden beauty of this place. That the YDAs, each in his own way, forms a relationship with a boy and that's why you see them hugging each other so much, even shadow boxing or fake boxing. It's a way of interacting that is playful and shows a relationship.

This teacher's observations of staff-youth relationships reveal the part of the relationships which are often obscured for reformers—the banal, everyday interactions which form the glue of facility life.

Who are the staff members? Facts and Myths.

In 2007, when the reform process began in New York, the vast majority of the state's juvenile facilities existed outside of New York City in rural parts of upstate New York. A number of these facilities were built during a period in the late nineteenth and early twentieth centuries of "sentimental pastoralism," when rural life was seen to be a salve to the city's ills (Fader, 2011).   Over time, these facilities became key sources of stable employment in rural areas, particularly those hard-hit by New York's significant deinstitutionalization process. In the post-World War II years, many of New York's cities along the Hudson and Mohawk rivers had thriving automobile, steel, heavy equipment, consumer and industrial electronic industries, and New York City had strong manufacturing bases in apparel and printing which disappeared (Castellani, 2005: 120-121). Various factors contributed to New York's economic decline, but perhaps most significantly, New York's highly unionized work force and its high taxes relative to other states in part contributed to the relocation of industries to other states (Castellani, 2005: 121). As the manufacturing jobs declined in New York, state jobs increased during the 1960s as Governor Rockefeller inflated the state's public administrations and authorities

and state colleges, universities and other public programs expanded (Castellani, 2005: 125).   Displaced workers found help in the growth of public sector jobs.   Government employment grew by more than a third from 1965 to 1972 in upstate New York, while manufacturing jobs declined significantly (Castellani, 2005: 127). Public sector positions, particularly those in the juvenile justice system and prisons, were considered to be a salve for rural economic deprivation (King et al., 2003).   As Castellani, a scholar who has studied New York's public sector employment, has noted, the largely Republican legislators representing upstate communities found themselves in the unusual—and untypical—position of supporting public sector employment in their districts (Castellani, 2005: 127-8). Prison jobs in the public sector were sometimes offered as the only solution to economic recession, when in fact an argument can be made that an investment in public jobs in the social services sector may have been equally important for rural and urban economies struggling with joblessness and crime (Kaplan, 2012, Wilson Gilmore, 2007).

During the recent juvenile system reform process in New York, a number of advocates and members of the public media characterized the juvenile facilities as places in rural areas of New York that provided economic benefits for the largely rural white populations who lived there. As the newly-elected Andrew Cuomo noted in his State of the State speech in January 2011:

> I understand the importance of keeping jobs especially in upstate New York. I also understand that that does not justify the burden on the taxpayer and the violation of civil rights of the young person who is in a program that they don't need where they're not being treated hundreds of miles from their home just to save state jobs. An incarceration program is not
> an employment program.

Ironically, Cuomo's father, Mario Cuomo, had led one of the state's largest prison-building efforts in history; in this new era of reform, upstate workers were portrayed as a key obstructionist force in the reforms.

The staff members who work in the juvenile facilities in New York and in many other places across the country are part of the state's civil service sector. The individuals who staff the New York facilities are members of the state's two largest public sector unions: the Civil Service Employees Association (CSEA), which became an affiliate of the American Federation of State, County and Municipal Employees (AFSCME) affiliate in 1978, and the Public Employees Federation (PEF). CSEA, which represents the line staff in the facilities, and PEF, which represents the teachers, counselors, and social workers, together represent over 300,000 workers in the state, from those in government jobs to private sector direct care workers. These unions do not represent prison guards—the New York State Correctional Officers & Police Benevolent Association (NYSCOPBA), a separate entity, does. In a context where a number of their family members and friends worked in local prisons, these staff members were quick to point out the differences between their work and that of prison staff.   The juvenile facility line staff felt that their work was more clearly focused on rehabilitation and care than their counterparts in the adult system.[3] CSEA and PEF, once a single union that represented all state workers, became separate entities in the

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[3] The Prison Public Memory Project, an organization which has been conducting oral history interviews with staff from juvenile facilities in New York, have made similar findings.

aftermath of the mental health deinstitutionalization process of the late 1970s and early 1980s when frontline staff and the blue collar counselors found that they had divergent needs.

As has been well-documented, public sector workers across the country have faced layoffs, furlough days, cuts to their benefits, and salary decreases in the context of the financial collapse of 2008 and the low revenues of state governments, particularly for the funding of education and health care. New York, like many other states across the country, faces significant budget shortfalls (Oliff et al., 2012). In their last round of negotiations with the state governor, CSEA and PEF experienced considerable layoffs, furlough days, and cuts to their benefit packages. Thus, while the juvenile facility closures and subsequent layoffs received a lot of press, these were not the only job losses amongst members of these unions.

As juvenile facilities across the state closed both CSEA and PEF engaged in public campaigns against the closures. During this process, the relationships between the labor union representatives and management in OCFS deteriorated, and tensions emerged between the two groups. After one facility, Tryon, stayed staffed after all of the young people were transferred out of it, this facility was held up in the public media as a key example of the wastefulness of state resources.

What often gets overlooked are the demands that unions made beyond simply job preservation. In the case of PEF, the union asked for more mental health positions in the facilities and a higher staff to youth ratio. CSEA, inspired by a shared staffing arrangement brokered during a period of deinstitutionalization in the 1970s, asked for public sector jobs to be made available in the community-based facilities that were being opened.[4] Juvenile facility staff members are working in a political and economic context which has been deeply impacted by the recession and are part of a broader climate of threats to public sector jobs. A number of workers in these unions are simply seeking better working conditions. As New York's juvenile justice agency shifted many youth to voluntary agencies that contracted with the state, but which had a non-unionized workforce, staff members and their unions felt slighted. In particular, these staff members and their unions felt that the jobs that were available in the voluntary and private agencies, both in the initial period of reforms and then under New York state's 'Close to Home' initiative, which has resulted in the large-scale shift of youth from state facilities to local, privately-operated facilities, were low-paid and insecure jobs. Thus,

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[4] In the late seventies, staff from the large mental hospitals began to shift to the private sector under what were termed 'shared staffing' arrangements. Yet, hiring freezes and layoffs continued to occur in New York, and state employees expressed frustration with the democratically-elected governor, Hugh Carey, whom they helped to support. Shortly before the 1978 re-election of Hugh Carey, his chief of staff, Robert Morgado, devised a memorandum of understanding with the state's public sector unions, allowing union members to work in the community-based mental health facilities. Termed the 'Morgado Memorandum,' this was an agreement reached between organized labor and the State in the context of deinstitutionalization and the privatization of mental health facilities. As hundreds of thousands of individuals came out of the mental health facilities during this time, public and private community-based agencies began to be built across New York State, in urban and rural areas. In rural areas, these facilities were particularly welcomed, as they helped to create employment opportunities for those individuals hit most hard by the decline in the manufacturing industries in the 1970s, although affecting all parts of the state, and thus all members of the industrial workforce, from urban to rural, were hit hard by this decline. CSEA proposed a similar memorandum during the most recent reforms.

staff felt reluctant to pursue this work and instead sought out state jobs in alternate sectors.

As members of the civil service, juvenile facility workers often stay in their jobs for many years. Employees of OCFS have worked there for an average of 15 years; this average includes those members of the central office administrative staff. Amongst my research sample, the average tenure of the workers I interviewed was 17 years. The length of the staff members' tenure in the system was significant for three reasons. One, a number of staff members were cynical about the reforms in part because they conflated organizational change with partisan politics and felt that the next election cycle would simply bring in another commissioner with more changes. A number of these individuals have worked for both a Democratic-appointed OCFS commissioner (Gladys Carrión) and a Republican-appointed commissioner (John Johnson). 'Patronage' jobs at juvenile facilities are also often allocated through local political parties. Two, staff members with the knowledge of institutional history and programming possessed a long view when it came to what they felt worked with kids and what didn't work. Third, in a world in which, as noted above, direct and sustained contact with young people is an essential part of work with the young people in care, *experience* is given more value over *expertise*; thus, system administrators who don't 'come up' through facilities or frontline work with young people are regarded with suspicion by frontline workers.

Facility staff members are also overwhelmingly made up of individuals who, through their work, live fairly comfortable, middle-class lives in communities where the best jobs are state jobs. As one YDA put it, "when I was growing up, anyone's parent who worked for the state was like a God." In this context, these individuals are often respected members of their communities; they are coaches, volunteers, and sit on boards.

A majority of the frontline staff members in New York are people of color: 51% of the frontline staff are African-American, and approximately 1-2% of the staff members are Latino/a, Native American, Asian, and of mixed race and ethnicity (Source: Office of Children and Family Services).[5] The staff members are overwhelmingly male: 71% of the staff are men and 29% of the staff are women (Source: Office of Children and Family Services). A number of the African-American staff members had moved to upstate New York from New York City to seek out better opportunities for themselves and their families. Some of these staff members shared their experiences of racism, of being policed, and of growing up in poverty with the young people under their care. Others stressed their capacities to get out of the impoverished situations they had lived in. In a number of interviews with staff of color, I learned stories about their personal connections to the young people under their care. These staff recognized the poverty and violence that the young people had experienced because they too had experienced it. They would speak about the connections between their lives and those of the young people--their shared neighborhood experiences, cultures, values, and even their

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[5] African-Americans represent 30.9% of the total OCFS workforce, indicating that they represent a greater proportion of the frontline staff. African-Americans also represent a significantly higher proportion of the corrections officer workforce than whites in the United States, as well as the less prestigious justice jobs in general (Ward, 2006: 78). Based on interviews with leading figures in the voluntary sector, there is also strong evidence to support the idea that the frontline workers inside of privately-run and publicly-contracted private agencies are also overwhelmingly people of color (and perhaps even more so than in the public sector).

experiences of being in trouble with the law-- but would often describe their abilities to 'get out' of the communities which they had been born into, whether it be through college, joining the military, or moving to upstate New York. These common experiences were not just shared by staff of color; some white staff members spoke about their experiences of being in trouble with the law which led them to work in the juvenile facilities.

Diversity within the justice professions does not in and of itself represent or ensure that the practices of justice will be legitimate or fair, but it is essential to recognize that the majority of individuals who populate the jobs which involve the most contact with youth, are the least powerful and prestigious, and arguably the highest level of 'risk' (or occupational hazard) in the residential care system – and those most focused on the execution of tasks (rather than managers who focus on "task definition") (Ward, 2006) are people of color. In other words, those making decisions are primarily white and those carrying out decisions are primarily people of color. This arguably creates some tensions within the system reform landscape, particularly when the vast majority of young people in the system are youth of color.

The racial identity of system workers is important in several key ways: one, as the process of reform and deinstitutionalization occur, facility staff members often point to the contradictions and ironies inherent in advocacy rhetoric which pits 'us' against 'them,' in that they feel overwhelmingly that the young people they work with more often resemble *them* than what they saw as the overwhelmingly white advocates for reform. Two, because people of color largely populate the less prestigious jobs in the landscape of juvenile justice, when those individuals lack decision-making power and participation rights in the landscape of reform, questions about fairness (to be discussed below) become more profound and thorny. Finally, the system offers the opportunity for people of color from New York City, and individuals from rural areas who have few opportunities for class advancement, to have secure jobs and the opportunity to occupy the middle-class. Despite the risks and stressors of the job, this sense of opportunity plays an important role in the workers' perceptions that the state is abandoning them as it seeks out a more cost-effective juvenile justice system. Thus, the workers identified what they perceived as the hypocrisies of reforms—that they were focused on improving the lives of individuals who were similarly abandoned by the state.

The Administrators' Perspectives

While the research for this report was based on interviews with line staff and facility administrators, I engaged in participant observation in several state-wide and local meetings convened with advocates and system administrators, did presentations for system administrators, and engaged in a number of informal conversations with administrators about system reforms. While the leaders of New York system are political appointees, a number of system administrators who work in the central office are former facility directors who have been transferred to the central office. Some of those administrators began their work in the agency as line staff members. Thus, their perspectives played a role in shaping reform policy in a way that was often unrecognized by line staff.

The top administrators (the political appointees) entered a system that they felt was in need of serious and systemic overhaul. A 15-year-old boy died in 2006 in a facility after being restrained by staff members. A number of state and national organizations, and later the Department of Justice, investigated the state's system and found that there was an excessive use of restraints, large numbers of injuries to youth, and a dearth of mental health programming in the facilities. It was clear to these administrators that the system needed improved oversight, that youth needed greater protections, and that change was necessary. Thus, working under this mandate, and with limited budgetary capacity, the administrators set out immediately to make improvements where they appeared to be most needed: they made the ombudsman system more robust; started counting the number of restraints that occurred in facilities; and made efforts to change the behavioral and mental health treatment programming, as noted throughout this report.

In the public media, the unions which represented the staff, and some staff members themselves, openly criticized the reforms, and the media often became the only forum in which administrators 'heard' staff perspectives. These settings were often places where union representatives were portrayed as resistant to facility downsizing and angry about oversight. As has been well-established, nuanced perspectives about the reforms did not come through in these media accounts. From the perspective of administrators, these forms of resistance to change were a frustrating impediment to change which they felt was focused on ensuring the safety of youth in care. Those charged with overseeing the system felt frustrated with what they perceived as a culture of silence and loyalty within the facilities, and hostility about oversight when they attempted to address issues that youth raised about conditions of confinement via the office of the ombudsman.

The OCFS administrators, like in other states across the country, were also under enormous financial pressures. While many of the administrators were driven by a strong reform agenda, the pressure on them to find cost savings in the system, particularly in the context of a state budget crisis, was immense. One solution that the state decided to embrace, which they also did in the past, was via a block grant from the Federal government, available through Title IV-E funding, which provides states with further resources for funding sanctioning options for youth who are in non-state run facilities. This source of funding can be used by voluntary agencies who contract with the state, and creates an incentive for the state to shift more young people to care in these agencies. During the period of reforms, a significant number of young people were moved to voluntary agencies which were supported by this funding stream. From the perspective of the state agencies, this was a viable solution for two reasons: it involved a shift away from the large 'training school' model of custody, which they felt had been proven to be ill-equipped to treat young people, and it offered substantial cost-savings to the state.

In short, the administrators and the staff in New York's system were both burdened in part by a difference of perspectives that was in part borne out of misconceptions about each other's role and mandates, but also by competing economic pressures and job constraints. In the sections below, I will go into more detail about how the staff managed institutional changes.

Legitimacy and Fairness in the Reform Landscape

How does the uncertainty that accompanies organizational change, coupled with staff perceptions of unfairness, contribute to staff resistance to change? Staff and youth perceptions of fairness were rooted in their desire for *participation and voice* in the organizational landscape. Youth desired access to adults who would listen to them, who would respectfully and meaningfully address their concerns, and who had an understanding of their anxieties.[6] Staff wanted to be acknowledged by their supervisors and the central administration for their work, desired support as they learned new implementations and faced layoffs, and to have a voice in the reform process.

Some researchers have described frontline juvenile facility staff as having a significant *role conflict* (as dealing with both correctional and rehabilitative roles) (Inderbitzen, 2006). Yet many of the staff that I interviewed and spoke with did not describe their roles as conflicted. Instead, they perceived that their wide-ranging responsibilities and efforts were not recognized by reformers who had characterized them as 'guards.' They saw their roles as much more expansive than that, and when they were simply treated as guards, they felt misrecognized. While the staff in the facilities *were* in fact charged with both care and control, many saw their efforts at control as fully integrated with their role as caregivers; 'guarding' the youth was as much about protecting them from harm and instituting a sense of boundaries, they felt.

A common theme to emerge during the research was the desire by line staff to be *acknowledged.* This was often symbolized by their frequent complaint that when central office administrators visited the facility, they did not speak to frontline staff members or include them in meetings that they held with youth and facility administrators. Often, meetings took place in facilities with youth and outside visitors—whether they were administrators or advocates--where staff members were present in the room supervising the young people but were not invited to sit at the table and participate in the conversations. Staff often contrasted the approach used by administrators and reformers with the young people—to include them in focus groups, on advisory boards, and to provide them with greater access to ombudsman—with their own experience, of feeling invisible to administrators. A union representative commented on complaints that she had received from staff about this issue:

> There was never an effort made to include the people who deal directly with the kids and talk about how it could be done better...and that undermines the implementation too. When you don't get buy in from the people are going to be the ones actually implementing it.

This sense of exclusion created resentment and resistance amongst staff. The staff who felt particularly resentful were those that most often interfaced with outsider visitors yet who seldom had the opportunity to talk with them—those that operated the front booths in the facilities, those who sat inside the classrooms with kids, or those who escorted kids from unit to unit.

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[6] According to the 2010 survey of youth needs and services from the survey of youth in residential placement, 51 percent of youth surveyed said that they had nervous or worried feelings which kept them from doing things that they wanted to do (Sedlak and McPherson, 2010: 3)

Some staff members felt that they had been excluded from participating in the reform process because they were seen as having less expertise than the individuals who ran the system. One staff member said that she wished that the agency recognized that "we are the foundation of the organization," that they should be treated "with respect and dignity," and that "we are the mothers and fathers of these children." This perception almost always translated into bitterness and anger that was directed at central office administrators, consultants, and visitors who came to the facilities. Staff were aware of the *discussions* about changes taking place, which they learned about through the newspapers and through rumors, but they often pointed to the distance they felt from the change-makers. One staff member suggested that instead of always telling the staff that they needed to change, the administrators should also be open to change themselves:

> All right, this is what they're telling me I need to change. This is what the governor and the advisory people are telling me I need to do. [They should ask] What do you think I need to do? What do I need to change in your place? What can I do to help you wanna come to work and be more productive?

What became clear was that these feelings ultimately translated into staff members' decisions not to fully cooperate or participate in the reform implementation process.

Line staff frequently commented on the issue of participation: they felt like the reformers emphasized the values of fairness, participation, and transparency– particularly in the trauma-informed Sanctuary model that had been introduced in the reforms-- but didn't actually *practice* those strategies themselves. One facility administrator expressed frustration about the process of implementing a treatment model ostensibly focused on open communication, participation, and safety, and then feeling as if those ideals weren't practiced by administrators in the agency. He said that he felt that there were "consequences for open communication," and that "they [the central office] encourage" it, but then "shut us down" when they expressed their ideas about the implementation of the model. Another facility administrator said that there was a sense that the administration was "talking the talk without walking the walk." A staff member spoke about the administrators' distance from the implementation process:

> …the agency continually adopts positions, ideas that are all good, but they don't want to do the work. The dump it on the facility and make it happen. Most facilities are so stressed – they can't. They don't have the resources. So you get the pseudo training. You the pseudo implementation. You get the checklist.

Both staff members highlight the distance between central office administrators and staff and administrators in the facilities.

Over the course of the research process, a number of staff members referred to a previous effort by the agency to focus on inclusivity and participation amongst the staff, through a strategy called the 'High Performance Organization.'

> They trained this whole agency on HPO – High Performance Organization – 11 years ago – mandatory. You had to go to this training, so everybody did. And then people at the top are like, "I don't wanna hear what you have to say" (Youth Counselor, male).

A YDA said that during the HPO process "we were told our input would actually count" and that "you're the experts." He said that the staff were encouraged to engage in "push back" if they saw a problem in policy implementation. He said that about one

year after staff went through the training, "it went from one extreme to the other…it was flipped over to <u>you</u> mean nothing." He said that he perceived that the message transmitted to staff was "all your experience doesn't matter one bit." This sense by staff that their input didn't matter left some of them feeling resigned about the reforms.

Many staff expressed a desire for meaningful input, and a number of staff had concrete ideas about innovations that could happen inside of the facilities that would help to ensure meaningful change. One staff member said that if the commissioner of the system wasn't able to come to every facility and talk to all of the staff, she should "do a telecast so everybody hears her, sees her, say that, and send everybody a self-addressed stamped envelope with a form that they can fill out anonymously and send it back in. And when you go to make a change or you go to do something, someone can say, "That was my idea," or, "I had something to do with that." His comments point to the desire by staff to have input and acknowledgement.

Staff also spoke about their need for support in doing their work. As one frontline worker said, "they give us nothing to protect us," and "they don't care about us." The expression "they don't care about us" was used by a significant number of staff members interviewed for this research. One YDA said that the "state has never acknowledged how tough the job is," which echoes this perception that the state "doesn't care." During the reforms, more cameras were installed in the facilities and the central office and facility administrators focused greater attention on incident and restraint reports. Regular meetings were held between central office administrators and facility directors to review the incident and restraint reports. Staff members who engaged in restraints were investigated by the statewide central registry of child abuse and neglect if an allegation of abuse or neglect was made after a restraint occurred.[7] This overwhelming focus on incidents left staff with a sense that the only time they were acknowledged was when they did something wrong. A female YDA said that "we're reprimanded faster than kids are." Staff members commented on these tensions between support and criticism:

> I think they felt like they didn't have support, not only did they not have support from their employer, they were, their employer saw them as the enemy. That they were being made a model of exemplifying everything that was supposed to be wrong with the system (Union representative, female).

> I think anybody could do the job if they feel the higher ups are supporting them and they feel there is some kind of worth at the end of the day…Once in a while, you are told you're doing a decent job. I think there is a need for that, but as a whole, that does not happen. When you get called in, it is usually for something you did wrong, like why is this not working, as opposed to saying – in my case the other day – they could have said that is a really good activity and the kids looked like they were having a good time. I would crawl through a snow bank to work for somebody that would make you feel good. I think the staff feels under-appreciated and not really supported. I think that …would be a big motivation for someone to perform at performance level (Recreational staff member, male).

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[7] This registry was operated by the state's Office of Children and Family Services, which also runs the juvenile facilities, which means that there may actually be some conflicts inherent in this investigation process; staff members would often point to these conflicts.

Other staff members connected their investment in the job, and their sense that they would be willing to be engaged in it, to their need for support. One staff linked support to their ability to do their job well, and ultimately to treat young people with fairness and consistency. He said that "they have to work as a team, and that you gotta support them." A youth counselor focused on the need for facility directors to have more time "on the floor" with the YDAs, because:

> Like the director needs to get up out of his office, go down the hallway, and walk and sit down where the kids are because you can't do it from the cameras and your office upfront. If you're not in the back feeling [the] pulse of what's going on being on the floor, there's no way you can look a YDA in the face when you're interrogating them and have any feeling as to what they're going through because when's the last time you sat in their shoes? … They get stuck in their niche doing paperwork…. And if you're not super highly efficient and organized enough to get eight hours worth of work done in four hours so you can be on the floor for four hours, no one will ever see you.

When a YDA commented on how directors used to come out of their offices more often in the past, he said that it was better because "We felt more comfortable. We felt we could do our job better. If we had an issue, we could go right to him then and there."

Staff members' comments often revealed that they placed a high value on transparency and communication about the reforms. What mattered the most to them was that there was some sense of clarity about the kinds of changes that would be happening, when they would be happening, and at what pace. One teacher said, for example, that there was "no change management" process inside of the facilities, and this impacted on all elements of facility life, from the units to the classroom. A union official spoke about the ways that the confusions about the change process, and the lack of communication, impacted all levels of facility life: "if the staff don't get it, the directors don't get it, the staff don't get it, the kids don't get it either." This comment recognizes the fully integrated nature of all individuals in the agency and their reliance on clear communications and understandings.

Staff members felt that they were not given enough clear information about the layoff process and their alternative job placements, and they became frustrated by this. The closure process revealed the importance not only of communication about reforms, but fairness in communication. As some researchers have found, the way that employees perceive they are treated during layoff periods or times of organizational change can result in conflict and resistance (Neuman and Baron, 1998). The experience of the staff in the facility as they went through the closures may be significant, especially as the staff in facilities that are closed are often given the option of working in facilities that remain open.

Several key themes emerged in the facility closure process which may be useful for understanding the deinstitutionalization process. One, the facility that closed was actively engaging in the implementation of a new treatment program prior to the closure process, and so when the facility closure was announced, administrators and staff in the facility felt that their efforts at change were partially meaningless, and it became hard for facility administrators to continue to keep staff engaged in the reforms. As one facility administrator said "I sold them a bill of goods," referring to his efforts at encouraging them about the work that they were doing, telling them that if they participated in the new programming efforts that they would be rewarded (ie. holding out the hope that the

facility would stay open). A staff member in the same facility commented on the layoffs in this way:

> They tell you that you're doing a good job, you're doing this, you're doing that; "Oh, we can't lose you" and then they go and they close the facility. There's no rhyme and reason for it.

Another administrator said that he struggled to keep his staff motivated to "excel" if "it doesn't make a difference."

OCFS did not reveal the process by which facilities were chosen for downsizing; some facility administrators had been told that facility performance reviews would be used to determine closures, but it became clear during the closure process that this was not the case. Thus, conspiracy theories about the politics of the closures abounded. In the case of the facility studied in this report, staff began to think that their facility was closed because it was in a part of New York that voted for Republicans (and thus the closure was a retaliatory political move). This culture of gossip and rumor fueled bitterness and resistance in an unproductive manner, which ultimately had consequences for the treatment of the young people remaining in the facility, who were highly attuned to staff members' frustration and stress.

Over the course of the layoff process, staff members were provided with inconsistent information about their unemployment benefits, their rights to 'bump' to other facilities or other state jobs, and the amount of time that it would take for their facility to be closed. This created a climate of uncertainty, and staff members made decisions—for example, to go on unemployment or to decide to make themselves available for different state jobs—without having accurate information on which to base their decisions. Staff members at the facility described their experience in these ways:

> It seems like no one knows what's really happening. You ask questions and they tell you to go to another person; that person says, "I don't know, go back to that person." It's just this whole runaround thing (YDA, Male).

> …the way I understand it is there's been a lot of, "I don't know, I don't know, I don't know." (Youth Counselor, Male)

> It was kind of like they said well we're going to close this facility, and when you try to gain information about you know what is it like mean for me losing my job right now, nobody had a clue what was going on (Teacher, female).

These critiques of the communication practices of the agency point to staff's need to feel that they are receiving messages that are consistent, clear, and fair.

Much of what staff felt that they deserved to receive in terms of treatment from the agency was reflected in what they saw as their best practices with youth. The words 'firm' 'fair' and 'consistent' were repeated by many staff when they spoke about the best ways to engage youth in the system. Staff members felt that they were doing their best work and they had the best relationships with young people when they were able to do their work with fairness and consistency. Consistency also involved a kind of reciprocity. As some staff put it:

> You try to do everything possible to being positive towards that individual. Treat them as they would treat you I guess. That's what I would look for (YDA, male).

Everything is this work is about consistency, respect, and compassion from both sides…They care about the kids, and they're fair. That's all the kids want (Recreational staff, male).

You're saying if I was a resident here, what kind of relationship I should have with the staff? Well, you try to do everything possible to being positive towards that individual. Treat them as they would treat you I guess. That's what I would look for (YDA, male).

Interviewer: What sort of relationships would you think that's most beneficial for the residents and YDAs?
Interviewee: Mutual relationship with mutual respect both ways, the way to speak to each other, the way to deal with other, understanding and get to know each other real good so you can know if a resident's had a bad day or if a resident can also tell if staff's had a bad day (YDA, male)

The ones that the kids respect are the kids that are – you know, people that are tough on them but yet still have a balance of, you know, we still care about you (Teacher, male)

Staff stressed the importance of relationships built on mutual respect between themselves and young people: one YDA said that that "if there's no relationship, we can't do anything." A social worker observed that the best relationships between youth and staff were based on "mutual respect and positive regard." Another YDA felt like the central administration didn't recognize the staff members' commitment to these relationships, saying that he got the sense that that the central administration feels that "the staff want to be lazy and don't want to build relationships with kids, but they do." As noted above, staff felt a crucial need to be recognized for the breadth of their efforts and responsibilities.

In summary, staff members were acutely attuned to matters of fairness in the institutional landscape. They desired acknowledgement and visibility for the work they did; an opportunity to provide input and feedback in the reforms; and the chance to be treated fairly and to receive consistent and clear information about the reforms. Staff felt that they did their best work when they were able to treat youth in a similarly fair manner.

Perceptions of violence are often driven by perceptions about control.

Across the country and in previous periods of deinstitutionalization and organizational change in juvenile justice systems, staff have argued that juvenile facilities have become more violent as a result of the reforms. I argue below that it is important to understand these perceptions in context, as they are more often symptomatic of staff members' feelings of insecurity about their jobs and about what is expected of them than they are about the levels of violence themselves.

History tells us that narratives about a rise in violence reoccur in contexts of serious organizational change and uncertainty. During the late 1970s, New York underwent a similar period of reforms. Peter Edelman was appointed by the governor in 1975 to run New York's system. Edelman immediately felt that there were too many training schools in New York, and he set out to reduce the state's reliance on them as a form of secure placement. During his time in the agency, Edelman focused on shifting care away from large institutions and toward smaller ones. As the juvenile facilities

began to close, there was a significant amount of pushback to the reforms from the staff working in the facilities.[8]

Two incidents also occurred which ultimately galvanized Edelman's opponents. In 1976, a 13-year-old boy from Buffalo named David Smith was murdered at the Industry facility, located just outside of Rochester. In 1977, youth residents at the Austin McCormick facility near Ithaca set the facility on fire; staff members reportedly sat and watched as the facility burned down. In both instances, the putative 'softening' of the system was blamed. According to Edelman, the debates about juvenile justice reform—which were to reach a fever pitch by 1978—became "nasty" in part because of these two incidents. Ralph Morina, a state legislator from Long Island, led the charge against Edelman, and initiated an investigation against him. Interestingly, two upstate Republican legislators, John Bonacic and Catherine Young, have led similar attacks against Gladys Carrión.

During the summer of 1978, the public media widely reported that there was an increase in juvenile crime. One of the most prominent of those cases involved a 15 year-old named Willie Bosket, who killed two subway passengers and one other individual within eight days (Dionne, 1978, Butterfield, 1996). Although violent crimes by young people were actually on the decline during this period, cases like Willie Bosket's stoked public fears, and Peter Edelman became an easy target for attack (New York Times, 1978, Treaster, 1976). During this summer, Governor Hugh Carey was also facing a tough reelection battle, and his opponent, Perry B. Duryea, accused Carey of being soft on crime, particularly because of his opposition to the death penalty. In response, Carey threw his support behind the Juvenile Offender law, which would require that 13, 14, and 15 year olds charged with certain violent felonies be automatically prosecuted in adult court, and behind a provision which would allow a panel of psychiatrists, a district attorney, and a judge to determine a young person's eligibility for release (Butterfield, 1996, Singer, 1996, Dionne, 1978). This law passed in July 1978. During the summer of 1978, staff in the juvenile training schools also began to report a rise in overcrowding, staff shortages, and violence in the facilities.

All of these forms of resistance, in combination with the influx of youth who came into the system under the Juvenile Offender law, forced a swift reversal in the reforms that had been initiated, and Peter Edelman resigned from his position as the commissioner of the system. As noted by McGarrell in his comprehensive study of New York's juvenile justice system: "whereas in 1970 approximately 90 percent of the residential population was held in non-community-based facilities and 10 percent in community-based facilities, by 1977 the proportions had changed to approximately 54 percent and 46 percent, respectively" (1988: 65-66). This change in the use of confinement is instructive in the sense that opposition to reform may have some power to undo organizational change. The issue of violence in the facilities can become a particularly powerful lightening rod in this process.

Today, across the country, staff members in juvenile facilities that are undergoing reforms have complained about a rise in violence. For example, according to a June 2011 Associated Press story about reforms in Massachusetts, "Some workers at

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[8] This pushback also existed in Massachusetts during their deinstitutionalization and reform process, and was likely known by New York administrators, some of whom had come from Massachusetts (Miller, 1991).

juvenile correctional centers are pushing back against what they see as overly permissive policies that have made their jobs more dangerous" (Lavoie, 2011). In New York, staff members from the residential facilities expressed deep resistance to the reforms in the public media, citing increased violence (see Karlin, 2008, Mangus, 2009).

My research showed that staff perceptions about violence in the facilities were linked to their feelings of anxiety and insecurity about their ability to exert control over youth and about their future employment. These feelings of insecurity were fundamentally about their ability to control their environments and their futures as workers. These feelings found their greatest manifestation in staff discussions about control over the youth under their care.

The reforms in the facilities involved just three key adjustments in the landscape of control which ultimately had serious consequences for staff members' perceptions of control. One, youth were no longer expected to hold their hands behind their back when they walked around the facilities; two, staff members required several more reasons to initiate a physical restraint than they previously had; and three, every restraint they engaged in was investigated by the statewide central registry of child abuse complaints.

In discussing the changes in the uses of 'hand checks' and restraints, staff complained that the reforms had resulted in a weakening of 'accountability' measures or 'structure.' As one male YDA put it, we have "no more structure to hold them accountable for their actions." Others commented on their perceptions about the efficacy of the tools in maintaining safety and order in the facilities:

> "I just think they took too much away" from the staff, and how "I grew up and used to get the belt" (YDA, male).

> [Before the reforms] we weren't overbearing with the kids, but they knew there was a line they could not cross. They were not disrespectful. Their education was phenomenal. They were good in the classrooms. It was just a really nice place to work, and unfortunately they took some of our tools away from us and now the kids are basically just controlling us. It's frustrating, to say the least (YDA, Male).

> "If there's no structure, there's no use [for staff]…if we don't provide structure, we're just like another set of bad parents" (YDA, Male)

> "Nothing works until you have discipline and control" (YDA, Male).

The staff members spoke about how they struggled to get young people to do what they wanted them to do –such as go to school, go into their rooms, and stop fighting--when they lacked the 'tools' they felt were necessary to accomplish these things. Often, these complaints emerged in light of staff members' feelings that they were given insufficient alternatives for de-escalation or support in rule enforcement. A number of staff said that they had resorted to manipulating and 'cajoling' the young people, which they felt were ineffective tools:

> …"we are expected to coddle" them, and "cajole" them, "before it gets to the physical." When I asked him what they do, he said that they "use interventions" or do "whatever we can do" (Facility administrator, male)

Staff members felt that when they were not able to sufficiently 'control' the young people under their care, then a culture of unruliness and chaos developed in the facilities:

> You have to prove yourself. And kids are afraid. The kids who wanna do the right thing are afraid to just behave, because then other kids pick on them for doing that. And the workers aren't allowed to – not even discipline, I'm not sure discipline is the right word, but there are no consequences for low level behaviors, so it ends up escalating into bigger behaviors (Union representative, Male).

> As we let go of the kids' responsibilities, like not checking your hands, not talking and movement, standing on your door, lining up in certain areas, not talking in the hallways, not using the N-word, not disrespecting women, not cursing. You know, all of that we got away from. And then, you do one thing and it leads to another thing, then before you know it, it's snowballed and they're just out of control (YDA, Male).

A straightforward reading of these comments suggests that staff feel that the *only* way they can control youth is by using physical force. Yet despite these comments which implicitly invoke the physical restraint as the tool to maintain control, when pressed to elaborate further on their ideas about 'control,' a number of staff members spoke in a more nuanced way about their desire *not* to do restraints, and their feeling that if they had support in understanding alternative ways of establishing control, they would relish that support. As a union representative put it "so they felt like options for how to respond to kids were removed from them. And nobody wants to do restraints, you know." A YDA commented on the feeling that if they received more support and training about the new interventions, they might feel more confident:

> Interviewer: So it's more like you're talking about you had confidence that you were doing the job in the way that you were –
> Interviewee: Trained.
> Interviewer: – trained to do.
> Interviewee: Correct.
> Interviewer: And is that training still the same, or do you think it's different?
> Interviewee: The training is the still the same because when they changed everything they never gave us no new training to how they wanted us to do things the new way.

Other staff members spoke frequently about striking a balance between control and discretion, because, as a YDA put it, "you can't be too rigid." Another staff member said:

> Flexible is a good thing, it's one of the things that when a kid looks at you it's because you're not a steel rod you can bend a little bit. That's nice, I know. You just can't let them push you too far. They'll just take advantage like any other kid would (Youth counselor, male).

Both youth and staff described feeling unsafe during the reform period. A number of staff members described a shift in 'control' from staff to residents, which they felt resulted in residents feeling unsafe:

> Without hands-on and without a fear factor, they feel like they're in power (YDA, Male).

> …they feel unsafe because they don't know what's going to happen, if they going to be supported if something does happen. It's the same thing with the residents. A lot of residents don't even feel safe. That's why the whole uproars come up a lot. They do it to get attention (YDA, Male).

> Interviewer: Do you think staff feel unsafe?
> Interviewee: Yes. Very much so. A lot of them, seeing it on their face, they feel unsafe because they don't know what's going to happen, if they going to be supported if something does happen. It's the same thing with the residents. A lot of residents don't even feel safe. That's why the whole uproars come up a lot. They do it to get attention (YDA, Male)

> If the kids don't truly see someone in charge and feel safe, they make their own environment. And the more chaotic, the more safe they feel because as long as everything is going crazy out there, no one can focus on me. So it's either safe or that you'd rather them choose to make it chaotic (Youth counselor, male).

As staff members struggled to manage the facility environments, they felt less capable in implementing the treatment interventions they were being taught. As will be described in more detail below, they thus spent less time doing group work or interventions, and more time managing what they perceived to be the loss of structure. In one facility where Dialectical Behavior Therapy was being introduced, a staff member spoke about his difficulty in employing the tools learned in that therapy in the facility:

> I mean it's just like, "Listen. These kids are here. They're worried about that kid's gonna punch me. That kid's gonna punch me. I'm not wise-minding at all over here. I wanna make sure I'm safe." Because until facilities are safe, you can't do therapy there. I mean, "Here, do DBT" (Youth counselor, male).

The data revealed that there was a strong relationship between staff feelings of unsafety and the levels of violence in the facility. As a YDA noted, in OCFS when the "staff gets scared, staff gets assaulted." There are two reasons why this may have occurred: one, staff members, fearful that they might have a child abuse complaint leveled against them if they did a restraint, often decided to watch fights occur until they escalated to an untenable level, resulting in youth and staff injuries. Two, staff members who felt insecure about their abilities to manage units, particularly units where levels of boredom were extremely high, conveyed that insecurity to young people, who often took advantage of their feelings of anxiety and fear.

> Interviewer: So, do they say—how would that—their morale is low and that kind of thing. They have no control?
> Interviewee: No control.
> Interviewer: So they just give up on enforcing things.
> Interviewee: They don't feel they have the backing from the administration that they need. That's present also.
> Interviewer: When you say administration, do you mean this building?
> Interviewee: In this building, but in the central office. Mainly in this building they had no backing from them. Anything that happened, they weren't going to get any backing from anybody. They don't feel safe here. I mean, you saw the tape, obviously you saw the tape, and that's an environment where it's hard to feel safe. You're sitting there watching TV and you end up with your teeth in your lap. (Facility recreation staff, male).

> That's another thing too. Residents pick up on that. They know who is afraid of them. They know who is into. The biggest to the smallest, they know. They've learned to spot it. (YDA, Male)

> Back then, you didn't have to worry about that; now, every little thing you do, somebody have something to say about it negative (YDA, male).

> I used to be the most structured person, the most strictest person. Now, I just let them do what they do. Because I don't – I fear some – I'm gonna get in trouble or I'm gonna get suspended or something gonna happen (YDA, male).

The staff members' acts of resistance could best be described as "tacit noninvolvement" (Rudes et al., 2011: 486). This decision not to participate in work with young people can have potentially harmful effects on the facility environment.

A number of staff and residents commented on the relationship between engagement in activities and chaos and violence. A staff member who was responsible for auditing the use of restraints in the facilities noted that he had told system administrators that "Over the last eight months, the lowest days that we had restraints all across the state are holidays when they were doing activities." He said, "When they make it good is when they make stuff entertaining, or they force the kids to do activities – athletics, gym – stuff like that to keep them interested and focused." One YDA who expressed some of the strongest opinions about 'structure' and accountability similarly spoke about the need for more treatment and programming in the facilities:

> Interviewer: If you had one wish for changing the way things are now between staff – like the kind of staff/youth situation – what would it be?
> Interviewee: More structure, more rehabilitation. These kids need to be rehabilitated. They don't need to be given everything in the world. That's not helping them none. That's not teaching them anything.
> Interviewer: And what would be a good – I mean what would be better rehabilitation programs than the ones like – there's not really much now, but –
> Interviewee: You gotta be firm, and you gotta be – they need more programs and more activities to do.

As shown through the data, staff members linked their feelings about 'structure' to their feelings of security and safety. When analysed more carefully, it appeared that 'structure' was less related to physical control than it was to a feeling of clarity and consistency about the rules, regulations, procedures, opportunities and protocols in the facility environments. In the section below, I describe the relationship between programming, treatment, and resistance to reform.

This study focused on staff members' qualitative understandings of safety and violence. Thanks to the national Performance Based Standards initiative, a national quality improvement data collection program that New York participates in, we have some quantitative data about staff assaults. Today, there are thirteen residential juvenile facilities which remain in New York. Data was collected from those facilities about assaults on staff per 100 days of confinement. In a comparison between data collected on this measure from October 2009 and April 2013, eight out of eleven of

those facilities saw an increase in the number of staff assaults.[9] Data is also collected about the percent of staff members who report that they feared for their safety in the previous six months. This data is more equivocal; in seven out of the eleven facilities, there was a decline in the number of staff who felt unsafe. The facility that reported a significant increase (of approximately 23 percent of the staf feeling unsafe to 63 percent of the staff) is one that made the shift from being a bootcamp facility to a traditional residential treatment facility. That facility also faced a significant number of layoffs in 2011. Another facility that faced a significant increase in the number of staff feeling unsafe was one of the last "limited secure" facilities remaining open which served young men from New York city, many of whom had been moved to facilities in the city after the state's 'Close to Home' initiative passed. The facility experienced an influx of youth who had more significant mental health issues and were considered to be "hard to place," and staff there also felt uncertain about the future of the facility in the context of Close to Home. It is arguable that some of these perceptions may be shaped by these experiences.

The PBS survey also asked youth to report if they feared for their safety within the six previous months at the facility, and *every* facility reported a drop in the number of youth feeling unsafe, and in some cases, a quite substantial drop. These data are quite significant in that it is clear that there is some discrepancy between staff and youth perceptions of safety in the context (and perhaps in response to) reforms. These data and the qualitative data presented above suggest that it might be necessary to examine these discrepancies in more detail.

More Programs, Less Treatment

As states reform their juvenile justice systems, many have emphasized the need to expand treatment opportunities for young people both in and out of confinement. When she came into office in New York, Gladys Carrión said that she would shift the system from a 'correctional' to a 'therapeutic' one. She emphasized this distinction between the 'old' and 'new' system in a number of public appearances and news media outlets, and the staff members made note of her rhetoric. For example, in a speech at a national conference on disproportionate minority confinement, Carrión (2010) noted: "We declared early on that we no longer subscribed to a correctional model of custody and control and would implement a trauma informed therapeutic model." This shift was often cited in local and national media sources.

During the research period, it became clear that staff felt defense about the system being characterized in the way it was. In fact, one facility staff member said that his facility was "never" a juvenile prison and that it was always a "rehabilitation facility." Other staff members felt that after the reforms they were able to do *less* rehabilitative work because of increased chaos in the facilities. A YDA said that before the reforms "we tried to rehabilitate" the kids, and "show them a different life." Now, she said "we're warehousing" them. Another line staff member said we "have no rehabilitation methods here."

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[9] Two of the facilities were not in existence in October of 2009 so comparative data could not be obtained for them.

As noted above, a number of staff members resisted the rhetoric about the reforms because they said that they felt that they *had been* doing 'rehabilitative' work with the young people under their care. Those who had worked in the system for a number of years pointed to the ever-changing behavioral and therapeutic interventions that they had been trained in and then were expected to use with the young people under their care. These included, over just several years: Behavior modification, Aggression Replacement Therapy (ART), Moral Reconation Therapy, 'Thinking Errors,' Restrictive Program, Enhanced Behavior Protocol Prescriptive Programming, Inner Vision, Guided Group Interaction, Social Learning Theory, Victim Awareness, Family Integrated Transitions model, the High Performance Organization, Dialectical Behavioral Therapy, the Sanctuary Model, and the 'New York' model, loosely based on the Missouri Model. For each new modality that they were expected to use, staff members received training. While speaking with a youth counselor about this shifting landscape of treatment and training, he pointed to a stack of books on Moral Reconation Therapy which sat, unused, in the corner of his office, and said there are "so many of these silver bullets" that they are required to learn and which are then abandoned by the agency. As the new interventions were introduced, staff members became confused about what programs they were meant to do and what programs they were meant to abandon. One youth counselor spoke about the training required to learn these new techniques:

> I sat in a meeting…for DBT, and at the end of the 5-day training, I raised my hand…I said, "I'm a youth counselor…And you want me – during this training, you told me you're gonna give me 20 more hours of counseling I have to do." I said, "Every week and an additional four-hour meeting that I have to attend every week." I said, "I'd like to read you what my current duties are," and I said, "And this is on 160 hours a month, 40 hours a week." I read off all my duties on the first page, on the second page, and on the third page, and I attached how many hours it takes to do each thing. I said, "Okay, for me to do this complete list," I said, "it's 540 hours, and everything on this list has to be done once a month, and I only work 160 hours. Where's my relief? You're trying to get me to do this whole new thing. What are you taking away from the stuff I'm currently doing?" And this [an agency administrator] – was at the podium – and said to me, "Well, with DBT, you won't have to do ART groups anymore." I said, "Oh, my god, you saved me eight hours a month. Thank god. Let me cross that off. Now what about the other 400 hours that I have extra? What am I supposed to do with them?" And he's like, "Well, that's just a ridiculous list that you have." So I said to all the other YDCs [Youth Development Counselors] that are in there – 200 people in there – I said, "Is this list accurate?" And they're like, "Yeah. Yeah, I do more than that," some people are going. They said, "I got more stuff. I was writing down more stuff that you forgot to mention."

The administrative staff in particular also noted that they were overburdened with trainings and meetings which prevented them from having the *time* to do programming with the youth (as one counselor noted in response to a question about doing groups, "Who the hell has time?").

Staff members' sense that they were being expected to learn too many interventions, and their confusion about which interventions they were using, and which they were meant to abandon, was palpable in the facilities. A facility administrator identified the problem in this way:

> We hit everybody's goals without committing resources vertically to individualized training, vocabulary, documentation systems, feedback loops. This is the vertical problem that I see.

> We've got four maybe five different initiatives that all are saying we need resources for development, training, documentation, and follow up. It's simply not practical and it's simply not effective. Again, I see it as the fatal flaw with the agency. Not ideas. Not even motivated and concerned people. It's really an organizational challenge which I don't think they've gotten ahold of yet.

In the face of this confusion, I observed a number of staff members engage in increasingly *less* group treatment and provide *fewer* programs for the young people. While this seems like a paradoxical response to a demand for more treatment, staff members simply decided to either fall back on very simplified interventions with the young people, which was often what they felt comfortable or familiar with. As the counselor who had used and abandoned the Moral Reconation therapy books said, he had decided to just use "clear limits" and a "strict behavior modification" approach with his residents. Treatment choices often had more to do with staff members' backgrounds and family histories (one staff member spoke about how he used to be deeply frightened of his father when he was growing up, but that this 'worked' to instil a sense of discipline in him), or their sense or feeling of control in the institutional landscape.

A number of staff members said that they did fewer groups and provided fewer recreational opportunities since the reforms because the facilities had become more chaotic and violent. One staff member, in response to a question about why they did fewer recreational activities than they had previously done with youth said that the facility had become a "more dangerous environment." When I asked a frontline worker about whether or not they do groups in the facility, he said that they only do groups when they have 'issues' with the youth. He said it was hard to do groups because so many of the young people are "acting out," while recognizing that they "used to have very productive groups." He said that he used to do six to seven groups a week, but that he only now does them every once in a while. In one case, a supervising counsellor showed me detailed forms and training manuals for the behavioral intervention that he used with his residents, called 'Prescriptive Programming,' that I had been told by the central administration was no longer in use.

Staff members received little clear on-going and dynamic support and instruction in implementing the interventions. In addition to their confusion about *which* interventions they were expected to use, they often lacked a clear mentor or administrator to whom they could turn to in order to trouble-shoot what they had learned. One staff member said that he practiced his Dialectical Behavioral Therapy skills with his children at home. Other staff members picked and chose which interventions suited their personal philosophies. When I asked an experienced staff member to clarify how younger staff members learned about developing relationships with young people, drawing boundaries, and explaining their role with them, he responded in this way:

> Some of them learn on the job and from the staff that are there. Then they kind of get with the wrong staff too. You can learn some of the wrong things, so they got to pick and choose who they want to listen to and who not to listen to.

Another staff member commented on the unsystematic way that staff were asked to 'shadow' other staff members:

Interviewee: I'm a YDA in a facility, and my boss comes and tells me, "Hey, we got a new person coming in tomorrow. They're gonna shadow you." Well, I don't wanna. You know what I mean? How about having a volunteer, someone come up and say, "I'll do that. I'll take them around and show them."
Interviewer: Oh, I see, someone who's motivated, again, to –
Interviewee: They don't ask anybody to do it. They always tell someone, "You have to do it."

Staff members also cited a lack of consistency in job assignments which contributed to a lack of consistency in the implementation of programs and groups. Two frontline staff members were assigned to each residential unit. Often, staff members would arrive at work and be given their unit assignment on the day that they arrived. While some staff members might stay together on a unit for a few weeks, individual staff would more often be moved to another unit which might need some coverage. Interestingly, the unit where the most number of groups, out of school time activities, and staff innovation was observed during this research was a unit where the staff members had been working together as partners for fourteen years. This unit had the fewest number of incidents, staff members and teachers worked collaboratively (and teachers commented on how much they looked forward to teaching on the unit), and youth commented on their high levels of respect for the frontline staff. The long term partnership allowed the staff to develop coherent approaches to youth care, preserve institutional knowledge and practices, and strong inter-communication skills. So, for example, they developed traditions and practices on the unit based on what they knew worked with young people, they were able to respond more effectively to incidents when they occurred, and they knew each others strengths and weaknesses in terms of their approaches with various youth.

Staff members who had to convey the meaning of the reforms to the young people under their care struggled when they themselves did not have clarity about what they were doing.

I'm one of the trainers that I have to train the kids, and I have two psychologists that we do it and co-lead co-groups, and we're co-leaders, and we do the best we can. And if we ask the kids, next week, what we talked about, they have absolutely no idea. They can't remember. I have one guy that's very dry to listen to. We do the best we can, but the kids, it's over their head. And again, there's only a core group of us doing it in the facility. Our whole facility doesn't even know what the hell we're talking about. They only bring a core group of us to these trainings, so there's – five of us go, and five us come back, and we're trying to figure out what the hell we're talking about, and we're supposed to train everybody else (Youth counselor, male)

All I heard – I've been hearing Sanctuary, Sanctuary, Sanctuary for three, four years. Never been trained (YDA, male).

He said that there were new rules and unwritten policies always coming down" and that "nobody knows what they are doing." He said that this had a negative impact on staff morale, and that "people don't know" what to do (Field notes describing interview with Youth Counselor, male).

As discussed above, there were key tensions in the facility environments between staff members' understandings of the reforms and those of the senior managers in the agency. This led to feelings of uncertainty and confusion, which ultimately played a role in their resistance to reform. Researchers who have studied organizational change

have found that "the way staff understand reforms influences implementation" (Rudes et al., 2011: 469). As noted above, this is an especially crucial insight in juvenile facility environments.

In the context of the confusion about treatment programs, staff would often point to what they saw as a key irony present in the reform environment: the interventions that were being introduced did not sufficiently address young people's educational and reentry needs. Many staff spoke about their perception that the reforms only addressed youth behavior and their treatment needs *in the facilities*, but did not assist them with their needs for when they would get out. This was a particularly pronounced perception by staff about older teenagers, who they felt lacked meaningful assistance in finding housing, jobs, and support in transitioning back to high school or into college when they would get out. The unique role of the frontline workers in particular emerged here; many frontline staff member were observed assisting young people with their reentry needs, sometimes doing research while they were at home about housing, educational, and job programs. Youth counselors with limited knowledge of New York City social service organizations would often search for opportunities for the youth under their care but were generally unsuccessful in finding any. While OCFS focused attention and resources in their aftercare division, less attention was directed during the reforms at building a meaningful *bridge* between the facilities and aftercare. For the young people who were charged as adults and who would be released onto parole, the resources were even thinner.

The educational programming in the institutions was an oft-discussed subject amongst staff members. As frontline staff were required to sit in the classroom with the youth, they were often participants in and observers of the educational programming. A number of staff felt like a greater emphasis had been placed on programming reforms *outside* of the classroom, despite the fact that the youth spent the vast majority of their days *in* the classroom. One YDA said that they felt that the reformers "haven't drawn the link between education and recidivism." The staff members and educators in the facilities recognized that the youth came into the facilities with limited educational abilities but also a negative perception of school; almost all of the staff interviewed commented on their perception that the educational programming inside of the facilities needed to be improved. One staff said that "everything they've experienced schoolwise has been negative," and that the facility staff could turn that perception around. While one facility had a full time college program which was respected by many staff and students for its exemplary programming and opportunities, that program itself did not include the resources necessary to help 'bridge' youth into college programs in their communities. When a YDA who had worked in the system for 30 years was asked about reentry programming, he responded in this way:

> Interviewer: Thinking forward, what are your thoughts about what the agency does in terms of providing for kids once they leave the facility, like preparing them to leave the facility?
>
> Interviewee: Very little. These guys are not really prepared. They get out of here, and in the past, they did a lot of things for them. They had some type of discussion. "Where are you going to school?" They made sure that was all set up for them. Even work wise, they asked you about that. Now there's not that much out there for them, so they try to, but by the time it comes time, they haven't got much set up.

This YDA captures some of the frustration that staff felt about doing work with young people in a context in which they perceived that the young people were not 'prepared' for release.

One anecdote about staff-youth relationships on a unit illustrates the breadth of the YDA role and their perspectives on reentry. While on a residential unit one evening, I observed a young person pacing in front of his door. The boy gestured over to one of the staff members, asking him if he could talk to him. The staff member went to go talk to him. While the two were talking, a shift change was occurring, and there were four frontline staff members on the unit. The staff members explained to me that the young person, who was 16 years old, was going to be released in a month, and that he had no release plan in place; he was in foster care and his previous foster parent did not want to take him back. Notoriously difficult to place, teenagers often end up in group homes. The staff members told me that this young man was "unraveling," growing increasingly agitated and paranoid. The staff explained that the counselor had been searching for placements, but there wasn't anywhere or anyone who would take him. A YDA went into the young man's room to talk to him.

During my conversation with the staff members, it became clear to me that the young person's release was of deep concern to them, but they could do little for him beyond just support him as he struggled emotionally. One of the staff members said that she had gone home and done some research online about placements for teenagers, although it was clear that she knew very little about how and where to work. As the YDA emerged from the young man's room, shaking his head, it was clear that he could do little to reassure this young man.

The unit that the YDA worked on illustrated the ways that the staff extended their roles with the young people. This YDA and his colleagues started a reading group with the young people without prompting from the senior administrators. They refereed and played in sports games with them. They talked to the residents about school, they read their homework and corrected it for them, and they even talked to the residents about their own personal histories. The YDA's long term parner, had made it out of his impoverished neighborhood by getting a scholarship to a good college, and he often told the young people about his experiences. It was these abilities to connect with the youth that were arguably important in shaping their outcomes, but under-recognized in the reform landscape.

Concluding Comments

This report makes a contribution to our understandings about the members of the juvenile justice landscape who are arguably amongst the most important but also the most invisible members of that landscape: the men and women who work with young people on a daily basis, interpreting and implementing treatment and behavioral interventions, supporting young people as they grapple with the pains of confinement, and preparing them to reenter their communities. As adults who create the policies that shape the outcomes of young people who are accused of crimes, it is critical that we pay closer attention to those other adults who engage in the practice of youth work. Young people's ability to get out of the juvenile and criminal justice systems, and ultimately to flourish in their lives, is largely dependent upon their treatment by the

adults who they become dependent upon during the years when they are growing up. In this report, we look at the ways that staff members perceive the way that they are treated, and the potential consequences for young people's treatment while they are under the care of these adults.

As the brief glimpse at the history of New York's juvenile justice system reveals, these forms of resistance to change are not new. Today, we face a unique climate in which there is enormous momentum for organizational change coming from advocates and politicians from both sides of the political aisle and a fiscal climate in which there are strong incentives for deinstitutionalization. Yet, one piece of the reform process that we have neglected to recognize, both in the past and today, are the links that can be made between the experiences of those who are most deeply impacted by poverty in urban and rural areas. While urban and rural poverty are not driven by *the same* forces, nor experienced in the same way, they have similar consequences for the lives of individuals in the way that they structure their relationships to the criminal justice system. We must strive to recognize these connections as we craft reforms.

In the section below, I lay out some recommendations that are drawn from the observations made in this report. Many of these recommendations are drawn from the ideas of the staff and youth who were interviewed for this report.

RECOMMENDATIONS

Treat juvenile justice institutions as complex organisms.
Each facility has its own unique history, staffing cultures and practices, and needs. It is important to be attuned to and knowledgeable about the length of time that staff members have worked in institutions, their cynicism about change, and their need for inclusion. Scholars of organizational change in correctional environments have found that organizational cultures "may work to facilitate or stall progress" (Rudes et al., 2011). Facilities are emotional landscapes, filled with fraught *and* positive relationships, tensions, areas of desperation and hope. Reformers should address and recognize the long history and cycling of reforms in New York as they engage with staff members who have often worked around and through that history.

Create clear processes for building institutional reforms and sustaining them.
In New York, state administrators stress the need to begin planning for a young person's departure the moment they walk in the door of a facility. The same approach should be employed by administrators planning institutional changes. Political realities dictate that system commissioners will not stay in their jobs longer than about eight years. Thus, to ensure sustainable and long-lasting change, system administrators should create and record a clear record of the institutional changes being implemented.

Build clear and strong communication strategies to lessen the distance between frontline staff and management.
Beckhard and Pritchard (1992) argue that there are two types of communication: *passive* communication, which is often one-way (downward), "which may engage people intellectually," but "does not necessarily result in any emotional commitment." In active communication, "the communication process is designed so that people become

involved with it personally and begin to translate the messages into the question: "What does this mean for me, my behavior, my way of working, my relationships, and so on?" (Beckhard and Pritchard, 1992). So, for example, a change might be communicated to a group, and then they might have smaller group discussions about what this means, raise questions about how it will work, and report back on those questions.

Several administrators in New York and around the country have convened town halls or 'listening tours' aimed at promoting staff engagement with reforms. During his tenure as commissioner of New York's for 12 years, from 1983 to 1995, Leonard Dunston convened regional forums and meetings with line staff and local union representatives; these meetings arguably played a role in developing commitment to the process of cultural change. After reflecting on resistance to some of the changes they tried to implement in DC's juvenile justice system, Vincent Schiraldi and David Muhammad, who left DC's system to lead New York's probation department, began their work in New York City by doing listening tours amongst probation staff. Both commented on the usefulness of learning from the ground up about staff perspectives on their work. Yet these listening sessions alone must be coupled with a process whereby staff feedback is responded to in a concrete and dynamic way.

New York's OCFS has just created a newsletter which they distributed to all agency staff, including line staff, in which they share key highlights about agency work. This newsletter was introduced as part of an effort to improve communication in the agency and to highlight the strengths of some of the work that is being done. This seems to be a positive step towards an approach that seeks to promote positive practices inside of facilities. Again, though, the efforts should always be coupled with an effort at *active* as well as passive communication.

Juvenile justice agencies should prioritize the inclusion of staff in the reforms they make in treatment and behavioral change approaches. There are several ways they can do this:

- Include frontline staff members in workplace violence groups, advisory committees, and planning meetings. While frontline staff members are currently a part of treatment team meetings, it is arguable that their role can be more robust in that they can offer significant observations about how a young person is doing in confinement.
- Invite staff to participate in meetings and 'sit at the table' with outside visitors and guests when they go to facilities.
- Require that facility directors and administrators spend a significant percentage of their time 'on the floor' observing and meeting with staff and residents by streamlining paperwork processes, limiting meetings between central office and facility directors, and providing a clear and streamlined process for responding to oversight issues.

Criminologist Danielle Rudes, in her study of organizational change in a state parole agency, found that middle managers play a critical role in communicating policy change:

> As first receivers and first responders of policy-related information, their impact on how street-level workers carry out policy changes (or do not) may be a critical part of the ultimate success or failure of organizational change (2012: 24).

Rudes' comments are reflected in some of the findings of this report.

Clarify reform plans and goals with frontline staff.

Following from the previous point, agencies should clearly establish which treatment and behavioral change methodologies are being used in their facilities. Too many staff members do not know what interventions are being used and what interventions have been abandoned. Central office administrators should have a designated staff member who goes to all facilities to develop a clear and streamlined processes for sharing knowledge about what interventions are being used, and to *eliminate* all manuals, forms, binders, and materials associated with the interventions that have been abandoned. Ideally, agencies should develop posters which are placed throughout facilities which clearly the principles of their treatment models, eliminate contradictory information, and have clear language about the rules and procedures involved in using them. A facility administrator captured this need in his own recommendation about clarifying this process:

> What we can do is take all the vocabulary and demands from all these different initiatives that always end up on them, simplify, collapse it together, show them that if there is overlap, these are completely separate things, here is where they cross over. And here's what we're going to do to make your job easier.

This staff member's suggestion provides a strong way forward in clarifying the reform goals.

Build a strengths-based environment for youth *and* staff.
A number of facilities across the country have drawn from the principles of positive youth development to build strength-based practices in juvenile facilities (Butts et al., 2010). Staff are best equipped to employ those practices when they also feel that they are being treated in a manner consistent with the principles of positive youth development. Thus, facility administrators should strive to create a staff culture which balances support with feedback. Some possible ideas for doing this include:

- When reviewing incident reports and restraints, highlight examples with staff when they did *good* work in deescalating a situation; show those examples at staff meetings and allow discussions about them. The facility administrator described above talks about the effect this might have on staff: "If they can experience some success with some of these ideas – a kid improves and their personal experience is, "Wow, that actually worked." It helps me control the kid. It keeps the unit quieter. The kids are actually less upset when I respond or act this way. When they begin to experience some success with tools that we give them, you've won them over. You've got them."
- Recognize and encourage frontline staff members who go above and beyond in their everyday duties, such as those who organize book groups, organize pick up games, assist students with their homework, and otherwise find ways to innovate with youth.
- Allow staff members to receive credits for continuing education in areas such as literacy, youth development, physical training <u>and</u> to employ their developing skills in the facility environments.

- Promote staff innovation in the areas of recreation, education, and the arts by providing staff with vacation days, prizes, or bonuses if they design and implement extracurricular activities in the facilities. [10]
- Purchase play-related items that help to facilitate more *active* physical activity on the unit (as opposed to PlayStations, which often simply deepen the passive and bored culture of the units).[11]

Strong alliances between young people and staff form the cornerstone of relationships which are therapeutic and which help to facilitate desistance from crime (McNeill et al., 2005, McNeill and Weaver, 2010). Staff members who build positive and respectful relationships with young people should be recognized and encouraged in order to build positive institutional cultures. This recommendation is echoed in research conducted in other juvenile justice settings, which have found that staff alienation and their feelings of lack of recognition can translate into institutional uncertainty and disorder (Bartollas et al., 2007).

Strengths-based environments should also recognize and capitalize on the diversity of the juvenile justice workplace. They should not ignore the benefits that youth may accrue from working with staff members who are they are able to relate to. By being more strongly attuned to the fact that juvenile justice systems are occupied by both staff of color and youth of color, agencies can do a better job of promoting opportunities for youth *and* staff to engage in serious and sustained conversations about the reduction of youth of color in custody, promoting leadership development amongst line staff of color, and elevating and respecting the expertise that staff of color may have about the lives of the young people they care for, as well as the disproportionate risks they face as line staff as opposed to system administrators. Systems should also consider engaging their staff in sustained conversations about racism and anti-racist practices, and in particular about the accumulated forms of systemic injustice and racism that have long existed in juvenile justice systems and which line staff can be a strong force of resistance to if properly trained and supported in anti-racist practices.

Recognize and support economic transformation for rural *and* urban areas.
As juvenile facilities and prisons close, reformers should support initiatives such as New York's Economic Transformation Program, which provided economic incentives to re-use empty juvenile facilities and prisons. To be clear, the ETP program does not necessarily create jobs for rural residents; many rural communities that are economically distressed lack adequate jobs for their residents. Rural areas where juvenile facilities are located and urban areas where youth are heavily policed are both what scholar Ruthie Gilmore (2008) terms "abandoned" regions. The state must recognize the loss that is experienced when jobs that provide stability, strong benefits, and opportunity for advancement are not available.

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[10] At a juvenile facility in England, young people can nominate staff members who they feel they have a strong relationship with for what they call an 'Aspire' award. See: National Children's Board, 'Positive Relationships, Better Outcomes: the benefits for young people and staff in secure settings.' http://www.ncb.org.uk/pdf/Project%20Report.pdf
[11] Organizations could consult with the organization Playworks (http://www.playworks.org/about), which consults with schools on the development of play and physical activity programs.

The fiscal woes of government have arguably played a role in shaping juvenile justice reforms in the last few years. Rate setting, cost splitting between local, state, and federal governments, and concerns over the cost of public sector labor have in part played a role in the shift in care models to privately-operated but publicly-funded juvenile facilities which are eligible for Title IVE Federal grant funding. It is arguably important to let philosophies of care and positive outcomes for youth (not simply oriented around the prevention of recidivism but aimed at promoting 'good lives' (Ward and Brown, 2004)), rather than fiscal needs, more strongly guide the development of juvenile justice systems. This should recognize that strong systems require staff members who are invested in them and feel invested in.

Ensure that frontline staff in <u>all</u> facilities (including those which are privately-run and publicly contracted) receive adequate pay and benefits and reasonable working hours.

As noted above, frontline staff have among the most difficult jobs in the system which requires that they spend considerable time away from their families and loved ones. In order to make sure youth are treated well, staff must be treated well. Many states have substantially reduced their public sector workforces, and have thus reduced the supply of stable work with strong benefits. Juvenile justice reforms focused on cost-savings should not necessarily sacrifice the well-being of their workers as they make these reforms.

Develop professional growth models that treat the acquisition of knowledge about new interventions as dynamic.

New York's OCFS and systems around the country are moving towards a training model focused in principles of professional growth in which coaches are employed to help staff learn about doing their work. This should be developed and expanded in all juvenile facility settings, including those publicly-contracted private agencies. It is extremely important that organizational change processes in juvenile justice systems recognize, as the leading scholars of organizational change note, that "evidence-based practice reforms are more likely to occur in performance-oriented correctional agencies that host open learning environments" (Rudes et al., 2011: 468). The process of learning about working with young people cannot be accomplished in a single training; it is an ongoing, active, and dynamic process.

Some of the best staff members have spoken about the ways that they have benefitted from informal mentoring and modeling practices. The clinical supervision model used in mental health settings is the gold standard for this kind of work. The coaching model, which received legislative support in New York, is not visibly being implemented in the facilities thus far, although OCFS aims to implement it.

Although the YDAs are not clinicians, they are often the first point of contact for a young person in crisis, and it is absolutely essential that the YDAs receive support and supervision to provide care for the young people, as the youth counselors and social workers are sometimes unavailable to help in these matters, particularly during the evening time. It is important to recognize the fact that YDAs develop strong bonds and relationships with young people, and that they should be provided with ongoing support in the following areas.

- ·   Building a therapeutic alliance
- ·   Prosocial relationships
- ·   Boundaries
- ·   Growth and development
- ·   Affective skills and emotion management, such as transference and countertransference
- ·   Loss and the process of going 'home'

Contemporary organizations are inevitably places where individuals bring their feelings and ideas to the table about how the work should be done. The leading innovators in organizational change argue that it is important to create a 'knowledge workplace' or a 'learning organization' (Argyris, 1991), where individuals' doubts, questions, and debates are nourished and supported; otherwise, defensiveness emerges, rather than productive forms of change. People don't resist change as much as they resist *being* changed.

Acknowledgments

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