

JUVENILE JUSTICE REFORM

COMMUNICATIONS STRATEGIES that FAST TRACK POLICY CHANGE



HIGHLIGHTS

Issue During the late 1990s, 47 states passed laws that put more juveniles in adult criminal court, instituted harsher sanctions and allowed adults and youths to be imprisoned in the same facilities. Each year, 2,000,000 juveniles enter the system.

Strategy A national five-year campaign providing strategic, legislative, policy and communications support to enhance state-based juvenile justice reforms.

Who The Juvenile Justice Funders' Collaborative, includes The John D. and Catherine T. MacArthur Foundation, George Gund Foundation, Interact for Health, the New York Community Trust, the Robert Wood Johnson Foundation and the Sapelo Foundation.

How Much The MacArthur Foundation provides \$3.5 million a year for 5 years for a national campaign. Other investments vary by state; in Georgia, The Sapelo Foundation supports the campaign with \$40,000 - \$60,000 in partner grants annually.

Biggest Result In the 30 states where the Campaign has been active, more than 75 policy reforms have successfully shifted state juvenile justice systems away from the reliance on harsh, punitive responses to delinquency, and toward more rehabilitative and restorative approaches that reduce crime, save money and help youth successfully transition to adulthood.

**ONLY 5% OF KIDS
WHO GET ARRESTED HAVE COMMITTED
A VIOLENT CRIME**

THE CAMPAIGN SEIZES OPPORTUNITIES PRESENTED THROUGH STATE BUDGET CRISES AND THE CHANGING POLITICAL LANDSCAPE.

INTRODUCTION

Juvenile justice reform is inherently a state-level policy issue. During the 1990s, 47 states passed laws that put more juveniles in adult criminal court, instituted harsher sanctions, and allowed youth and adults to be imprisoned in the same facilities. In response, the National Campaign to Reform State Juvenile Justice Systems was created to advance policies that save money, improve public safety, lower recidivism, keep young people out of the juvenile justice system and increase alternatives to incarceration. The Campaign also seeks to change how youth are treated for their developmental differences from adults, addressing mental and behavioral health concerns, providing community-based alternatives to court proceedings and incarceration and ensuring that youth have access to quality legal representation.

The Campaign is designed to advance juvenile justice policy reforms that are relevant to particular states. It works to identify states and invest strategic resources into campaigns positioned to create significant policy reforms. Because the Campaign is free of competing agendas and longstanding policy positions, it can seize opportunities presented through state budget crises and the changing political landscape.

The five-year goal of the Campaign, beginning in 2011, is to provide states with the strategic resources they need to make juvenile justice reform a high priority and affect change in 75% of states throughout the country. As of 2014, the Campaign has worked or is currently working in 30 states. In 2013 alone, 30 bills were successful and fourteen states passed reform legislation. As of July 2014, 30 bills passed, 17 were unsuccessful and 8 remain active in states with ongoing legislative sessions.

The story of The National Campaign to Reform State Juvenile Justice Systems resonates for grantmakers with common goals for complex issues. It is particularly informative for issues affected by multiple levels of decision-making — from local neighborhoods, to county agencies, state legislatures and even the U.S. Supreme Court.



Photo: Andie Van Veyan/Flickr



IMPACT

75 policy reforms passed to date

Since its inception in 2011, the Campaign has broadened its work from seven to thirty states. The 2014 Campaign supports efforts in: Alaska, California, Colorado, Connecticut, Delaware, Florida, Georgia, Idaho, Kansas, Maryland, Massachusetts, Minnesota, Nebraska, Nevada, New Hampshire, New York, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Virginia, Washington, Wisconsin and Wyoming.

An early policy win occurred in Ohio in 2011 when Governor John Kasich signed two bills into law that invested money from closed juvenile justice facilities into evidence-based community services, extended judicial authority to release youth from secure facilities and revised certain mandatory sentences for youth.

The following year, the New York Campaign helped enact community-based alternatives with Governor Cuomo's "Close to Home" initiative, moving more than 300 New York City youth into non-secure and limited-security sites closer to their home communities. The New York legislature also agreed to a set of reforms that increased the amount of funding for alternatives to detention and incentivized localities to create alternatives to incarceration. In 2013, New York preserved funding for alternatives to detention and incarceration programs that gives counties flexibility in spending their allocations.

New York Police Commissioner Raymond W. Kelly explained, "New York City has become a national leader on juvenile justice ... we now send 62% fewer kids to state placements than we did in 2002. But, at the same time, we've dramatically cut serious crime among youths. In fact, major felony arrests for youth are down 22% since 2006. And fewer youths are violating probation and getting rearrested—10% fewer—over just the last two years."

In 2013, Georgia Governor Nathan Deal signed legislation that rewrote the entire juvenile code. State advocates worked to support a sweeping reform effort that allowed for unsupervised probation and required a risk-needs assessment before an order for detention.

To help implement the re-write, the state budget provided additional funding for community-based alternatives to detention.

In the same year, Massachusetts Governor Deval Patrick signed "Raise the Age" legislation for juvenile court jurisdiction to include 17-year olds. This was a significant win for Massachusetts to "treat kids like kids" and reflect developmental differences from adults. According to Governor Patrick, this law creates "a better balance of holding our most violent offenders accountable, while giving our young people the opportunity for rehabilitation and reform that they deserve."

The Campaign has also seen legislative progress in addressing juvenile mental health and behavioral concerns. In 2013, Louisiana Governor Bobby Jindal signed legislation creating integrated case management systems among youth-serving agencies for at-risk juveniles.

And finally, in 2013, Nebraska reorganized the state's juvenile justice system and allocated an additional \$5 million over two years to fund diversion programs. An omnibus juvenile justice bill led by Nebraska Senator Brad Ashford reorganized responsibilities and funding streams.

HOW IT HAPPENED

The National Campaign to Reform State Juvenile Justice Systems uses coordinated, but customized advocacy, organizing, messaging and media relations strategies. Within each of the selected states, there is no common branding of a national campaign. All legislative, media and policy experts are state-based and locally focused.

State-by-state assessments

To select campaign states, state assessments evaluate the political landscape, the individual players, the pending and likely juvenile justice reform issues and the appetite for change. From that assessment process, it is determined whether there is a role for specific campaign investments to achieve success. After the Juvenile Justice Funders' Collaborative approves states for campaign activities, a team of seasoned, state-based government affairs professionals, communications experts and policy analysts from both sides of the political aisle work with local advocates to forge a shared policy

agenda. The state campaign works to target communications, conduct lawmaker issue education and outreach to state legislative leaders, district attorneys and the judiciary. Within each state, a local campaign is created to work on behalf of local advocacy partners.

Local advocates team up with the National Campaign

Georgia is an excellent example of the Campaign's multi-level approach. During the state assessment at the end of 2011, the Campaign identified JUSTGeorgia, a collaborative of organizations focused on juvenile justice reform funded in large part by The Sapelo Foundation that began work in 2007 to develop recommendations for rewriting the Juvenile Code. In 2012, the Campaign provided the group with research, messaging and state public affairs experts. Through this partnership, advocates working with public affairs experts, created a statewide campaign strategy and shared talking points — as well as politically charged words and advocacy pitfalls to avoid. Phyllis Bowen, Executive Director of the Sapelo Foundation explains, "[The Campaign consultants'] approach was no nonsense...whatever it took to get the job done. With a Republican Governor, their method was to build alliances and work across the aisle. Hiring a firm with strong Republican ties was critical. This took a bit of adjustment for some of the nonprofit advocates, but in the end partisan ideology was not a divisive factor." In the second year of the campaign, JUSTGeorgia was successful with monumental reform to the state's juvenile code.

Focus on policymakers

Georgia's reform campaign never lost sight of its goal to educate its state policymakers. Legislative and media consultants worked with JUSTGeorgia and its advocacy network on a robust series of op-eds authored by influential leaders such as law enforcement, prosecutors such as experienced District Attorneys and key elected officials. Consultants also created backgrounders and fact sheets to help the media understand and digest the complexities of the legislative reform campaign that sought to update 40 years of state judicial code.

Likewise, after three years of solid reform initiatives in New York, advocates were dismayed that Governor Mario Cuomo was not interested in raising the age for adult convictions from 16. In the summer of 2013, government affairs and media professionals worked with advocates on a statewide campaign strategy. The advocates launched Raise the Age New York, a public relations campaign designed to raise awareness and educate policymakers. Raise the Age worked with the Black, Latino and Asian Legislative Caucus to build support. It also secured op-eds throughout the state by religious leaders, law enforcement, business and leading children's advocates including the Children's Defense Fund and the state NAACP chapter. By January 2014, the media coverage demonstrating the broad base of support made a significant difference in the decision of Governor Cuomo to embrace reforming the age of juvenile court jurisdiction. In his annual State of the State address he said, "Our juvenile justice laws are outdated. Under New York State law, 16 and 17 year olds can be tried and charged as adults. Only one other state in the nation does that...It's not right, it's not fair — we must raise the age. Let's form a commission on youth public safety and justice and let's get it done this year."

A broader constituency

In addition to providing strategic resources and support for state-specific reform campaigns, the MacArthur Foundation funded the "The Mistakes Kids Make" awareness-building communications campaign to expand beyond traditional reform supporters. The national earned media effort has focused on bringing leading partners together to develop and promote new research products that define the problem and solutions on juvenile justice policy, such as the "The Comeback States," authored by the National Juvenile Justice Network (NJJN) and Texas Public Policy Foundation (TPPF), which highlighted the states that are leading the nation on implementing proven reforms. The campaign has connected national and regional partner groups (Justice Policy Institute, Campaign for Fair Sentencing of Youth and others) together with real voices of kids affected by these issues, judges, juvenile defenders and others, and succeeded in placing media stories and editorials across nearly 200 different news outlets, including *The New York Times*, *Los Angeles Times*, *Washington Post*, *NPR*, and *Rolling Stone*.

The campaign includes an online storytelling component starting with a short video that earned 22,000+ views and ongoing social media engagement efforts with more than 20,000 Facebook followers, cross-marketing advocacy partners such as MomsRising and Colorlines and promotion on sites such as Upworthy. “We all make mistakes, especially in our youth, and while adolescents must be held accountable for their actions, their mistakes should not ruin their lives,” explains Laurie Garduque, Program Director for Justice Reform at the MacArthur Foundation.

Bipartisan effort

The Campaign has consciously capitalized on bipartisan support for laws that redirect resources from punishment to more effective community-based treatment services that save taxpayer dollars and reduce crime. In addition to working with traditional state and national juvenile justice advocates, The Campaign built alliances with Right on Crime, Justice Fellowship Ministries and the American Conservative Union Foundation. These relationships, built on a shared vision for reform, have created a supportive working relationship throughout state reform campaigns. This is dramatically illustrated in a September 2012 op-ed written in support of California bill SB9, which would require convicted juvenile offenders be offered a “youth offender parole hearing.” Former House Speaker Newt Gingrich and Former California Assembly Republican Leader Pat Nolan teamed up to write, “We are

conservative Republicans, and we believe that some people are so dangerous that we must separate them from our communities. That is what prisons are for. But sometimes we overuse our institutions. California’s teen life without parole is an overuse of incarceration.” This bi-partisan show of support provided Republican lawmakers with the public discussion they needed to support the bill. Governor Jerry Brown signed the bill into law hailing it, “historic reform demonstrat[ing] the State’s clear commitment to...developing lasting, balanced, and cost-effective solutions for California’s prisons.”

Funder collaborative expands resources, creates efficiencies

The MacArthur Foundation initiated the conversations that created The Juvenile Justice Funders’ Collaborative supporting the Campaign. Along with the MacArthur Foundation, Collaborative members include the George Gund Foundation, the New York Community Trust, the Robert Wood Johnson Foundation and The Sapelo Foundation. Some funders support specific efforts in particular states, others contribute to the national Campaign administered through Public Interest Projects (PIP), a 501© (3) nonprofit organization. Susan Stamler, Senior Vice President at M+R Strategic Services, the firm hired to manage the National Campaign explains, “While flexible in its implementation, the collaborative of advocates and funders have benefited from shared best practices, common messaging strategies and state campaign experts.”

LESSONS LEARNED

- ▶ When foundations collaborate on a strategic communications campaign for a vital cause, they can effect policy change and draw more philanthropic dollars.
- ▶ Having a knowledgeable and skilled central facilitator (or facilitation team) adds value to both regional and national efforts — linking all available resources.
- ▶ Maintaining agility and flexibility in communications campaigns is key to adapting to local/regional conditions.
- ▶ Targeting, customized messages and political strategy for policymakers is key to building political momentum.

10 Elements of Success

Among the Fast Track case studies, we've identified the following 10 insights. The most critical elements of success for each case appear as symbols throughout the series.



1 SOLUTIONS

The majority of these initiatives contained messages not just about the problem, but about a range of potential solutions. The net effect is to give the public hope and give policymakers a call to action. This approach also speaks directly to the nexus of the nature of the Internet and journalism: to both ask questions and answer them.



2 POLICYMAKERS

Identifying policymakers explicitly as a target audience and devoting appropriate resources to outreach is key. Whenever possible, explicitly making it a bi-partisan effort can be very effective.



3 AGILITY

While a communications strategy is important, so is building in flexibility. The ability to respond quickly with resources to a changing landscape is critical to overcoming unforeseen challenges and leveraging unexpected opportunities. Often these initiatives can be a bit messy mid-stream; flexibility and agility makes navigation easier.



4 REPETITION

Continuity of coverage has a multiplier effect on awareness building. Journalistic series and paid-advertising campaigns keep issues top-of-mind during delays in the legislative process.



5 HUMANITY

Engaging community voices can be a powerful way to give an issue a human face. Emphasizing personal impact stories can also support journalistic efforts, assist with multi-media content, engage the constituents of lawmakers and provide testimonials for solutions.



6 PAID ADVERTISING

Having the ability to control the content and timing of messages through paid advertising can create awareness during key milestones. The ability to customize messages geographically or by target audience can also accelerate the speed of social change.



7 FOUNDATION BRANDING

Putting a foundation's name and "brand" on media or communications efforts lends credibility and gravitas to an issue, especially in smaller markets or rural areas. Stakeholders are more likely to take another look at an issue if it has become the priority of a philanthropic institution.



8 MEDIA START-UPS

Establishing digital outlets where in-depth coverage about an issue can be a cost-effective and efficient way of designating a "space" for the issue to live in. At their best, these sites also become media tools for expanded and sustained coverage over time.



9 PARTNER. PARTNER. PARTNER.

Whether it is funder partnerships or media partnerships, collaborative and in-kind efforts result in impact that is greater than the sum of its individual parts.



10 INTEGRATION FROM THE OUTSET

The combination of media, community and policy-maker engagement from the beginning of a strategic communications effort is key to success. The catalytic effect of coordinating and integrating these strategies far outweighs any one as a siloed or solo effort.