

COD Network News

A Newsletter for the Community Oriented Defender Network

The Brennan Center for Justice at NYU School of Law

Community Defense: A Definition

Community defenders seek collaboration with neighboring community members, community groups, and local social service providers, rather than simply waiting for clients to appear alongside them in court. Community defenders recognize that an individual's initial contact with the criminal justice system offers a rare moment in which to address many of that individual's most salient needs, including those that lie outside the immediate realm of the legal system. Yet such advocacy is seldom strictly extralegal, for it is often through their established contacts with community groups and service providers that defenders are able to most significantly improve their clients' case outcomes – often through diversion, sentence mitigation, and the avoidance of civil sanctions – and reduce the burden of overwhelming caseloads and needlessly large court dockets.

Community defenders advocate on behalf of their clients as a community or collective constituency rather than as a mere collection of individual cases. Through various kinds of advocacy and systemic reform efforts, they attempt to improve the social standing of the communities from which many of their clients come, and to which many eventually return.

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(excerpted from *The Case for Community Defense in New Orleans*
http://www.brennancenter.org/dynamic/subpages/download_file_47790.pdf)

Opening a Community Law Office in Baltimore, Maryland

By Natalie Finegar
Director, Neighborhood Defenders Northwest

The Maryland Office of the Public Defender is committed to fostering client-centered and community oriented representation. The State Public Defender, Nancy Forster, has authorized the establishment of a Neighborhood Defenders program. The offices participating in this program are working to create models of holistic representation that can serve as examples for future endeavors.

“Partnerships have been built with area law schools and universities to actively recruit interns and establish ties with existing clinical law programs.”

- Natalie Finegar

Paul DeWolfe, the District Public Defender for Montgomery County, created the first model. He has reorganized the entirety of the Montgomery County OPD office, creating teams of both misdemeanor and felony attorneys. Each team has law clerks, either a social worker or a social worker intern, and a host of other volunteers. This team model allows for cross-training between attorneys that do not normally appear in court together, and affords a greater distribution of resources throughout the office. Each team meets weekly to discuss new cases and how resources can be best used. Every team has the ability to refer matters to the Client Services Team which consists of the Client Services Attorney and a social worker. The Client Services Attorney will provide direct legal services in civil matters when appropriate, or

will work to make effective referrals to partnering organizations. A key component to this team is the strong partnership that has been fostered with the Maryland Legal Aid Bureau. Paul has also worked tirelessly to create a strong internship program that attracts top-notch college and high school students.

In Baltimore City, Elizabeth Julian and Grace Reusing – local community activists – supported the creation of a neighborhood defender program site in the Park Heights area of Baltimore City. I direct the office, Neighborhood Defenders Northwest, which had its official opening on May 11, 2007, following finalization of the lease. A team of misdemeanor and felony lawyers will dedicate their services to one geographical area, bringing new practices to bear within the largest district office of the Maryland Office of the Public Defender. The new office will open inside of the community it is to serve, allowing clients to more easily access the services of the office, instead of requiring clients to travel to the courthouse. The team will also benefit from the added resources of a Civil Legal Resource Coordinating attorney, a social worker, and two paralegals. I have dedicated myself to building ties within the community and learning more about the special needs and resources available within the Park Heights area. We have built partnerships with area law schools and universities to actively recruit interns and establish ties with existing clinical law programs. In addition, our strong relationship with the Maryland Legal Aid Bureau will continue to benefit clients of both agencies.

Through the creation of these programs, the Maryland Office of the Public Defender is demonstrating that public defense work should entail not only zealous advocacy of constitutionally protected rights, but that it must also reach beyond the courthouse doors and into the lives of our clients.

Can a Big State System of Public Defense Be “Community-Oriented”?

Part I: Big State System Goes to the Legislature

By John Stuart

Minnesota Public Defender

Minnesota is a pretty big state. Someone told me it's the 6th biggest. We have 87 counties, and 10 judicial districts—one of them is larger than Indiana. For a budget presentation one year we had a graph from that district showing that the number of deer hit by lawyers driving to court was up 20%. (From 10 to 12.) Statewide we have 700 defender staff, and we represent 175,000 clients a year—urban, suburban, rural, very rural. We have state funding and unions and all kinds of policies and procedures that a state agency has to have.

So, for a couple years after the COD Network got started I just admired it from a distance. I thought the vision, for lack of a better word, was inspiring; but, not for us, we're a big state agency.

Over time, and after going to the COD Network meeting in December, 2006, I got to thinking differently: what could we do to make our state system more community-oriented? What could we learn from community-based defender offices like the Bronx Defender or Knoxville? How could we use our state agency connections and our bulk, to improve the prospects for our clients to go home and contribute to community life?

I agreed to write three articles, short ones, hoping to start discussions where I can learn more answers to these questions. I'm writing about our work in Minnesota, I hope not in a self-congratulating way, but more like, “where do you think we could go from here?” There are many aspects of what

we do where we could ask how we could be more community-oriented: hiring, training, case management, legislative work, court system policy planning, outreach and media work, connecting with other agencies. We just finished five months of legislative session, so I will start there.

If you are a state system of public defense, you are going to be at the legislature because that's where the money comes from to pay the people who work for the clients. But, what else do you do? Why do you do it? Who do you do it with? And, how does it all work out?

In 1993 the Minnesota State Board of Public Defense adopted General Principles for Legislative Work. This is a useful document to have, sort of a Constitution for public defenders to have backing us up when we do justice policy work at the Capitol. It states Board support for due process, equal protection, and “humane and rational punishment...in general, scarce resources should go to treatment, diversion, and other programs that address the roots of crime, rather than more prisons.” Progressive legislators have also always encouraged us to show up and present alternatives to the predictable bills calling for more and more lock-ups. For instance, in 2002, two of us were invited to be on the state “Anti-Terrorism Legislative Work Group,” which passed a big bill that took several of our concerns into account.

Over the years we have worked to develop blended sentencing as an alternative to sending serious juvenile offenders to adult court (successful); diversion programs for drivers' license and property offenders (mixed success); and parole for certain clients burdened with very long Sentencing Guidelines sentences (no success yet.)

The last three years, some of us have formed a loose coalition with the Minnesota Drug Policy Reform Group, the Council on Crime & Justice, the Minnesota Association of Black Lawyers, and the Minnesota Association of Criminal Defense Lawyers. After years of “war on crime” measures, the state had managed to quintuple the prison population, create some of the worst racial disparities in the country, and make it almost impossible for any ex-offender at the felony level to ever get a decent job or a place to live. So our group of policy advocates felt we had a lot of opportunities to encourage change. Then as prisons began taking more and more of Minnesota's tight budget, policy-makers started to look for alternatives.

We developed a wish list. For two years we tried to pass it as a package we called “Second Chance.” The provisions attempt to help clients get back into community life.

See what you think of the list:

- Enfranchisement of ex-offenders once they leave prison or jail—anyone on probation or parole could vote.

Can a Big State System of Public Defense Be “Community-Oriented”?

(cont'd)

- Collateral consequences study, to set up a major effort to reduce barriers to employment.
- Drivers' license reinstatement fee to be payable in installments rather than a lump sum (\$680! Wow! This is a state where you gotta drive, to have a life.)
- Expungement of executive branch records—not just court records.
- Drug sentence adjustments, so more people go on probation.
- Property crime thresholds adjusted for inflation, reducing felonies to misdemeanors in many cases.
- Data harvester regulation, so criminal justice databases are revised frequently to show favorable case outcomes.

“There are many aspects of what we do where we could be more community-oriented: hiring, training, case management, legislative work, court system policy planning, outreach and media work, connecting with other agencies.”

- John Stuart

So, how did we do? I'd say, “not bad,” but there is still plenty to work on in 2008. A collateral consequences task force was created and well funded, including an ex-offender, and the state public defender, and a lawyer from MACDL. The Sentencing Guidelines Commission was directed to propose more

“proportional” drug sentences. Felony property crime values thresholds were doubled.

On the other hand, re-enfranchisement didn't get a hearing. Last year's author, Keith Ellison, went to Congress—probably the first neighborhood defender office director to join the House of Representatives—so we need a new author. The drivers' license fee bill passed the House and Senate, but went into a bigger bill that got vetoed. Four expungement bills were introduced in the Senate, but none made it all the way through.

We got “data subject access” but not “data harvester regulation.”

Next year, we will be back. From our various organizations we put together a team of about 10 people who meet at the Capitol every week and work on these bills. The thought that comes to me now is, how can we get more community involvement? Wouldn't people in faith communities support expungement? Could we get employers to testify that they WANT our clients applying for jobs? What else should we ask for? These are the kinds of questions that might make our legislative work more community-oriented next time around.

Challenging Shackling of Juveniles in Court

By Carlos Martinez

Chief Assistant Public Defender, Law Offices of Public Defender Bennett H. Brummer

How it all began.

While visiting a Tallahassee juvenile courtroom, I observed a young girl, barely 4 feet tall, shuffle into the courtroom, leg shackles scraping the floor. I figured she had been charged with murder or was suicidal. Actually, she was accused of hitting her mother at home. Unlike most juveniles charged with a misdemeanor offense, she spent the night in the detention lock up because it's considered a domestic violence charge. Without the benefit of an attorney, she pled guilty at that first court appearance. She was chained and shackled while agreeing to give up her rights. Her chains clanked against the podium when she was fingerprinted.

I later found out that routine shackling was a statewide practice. In Miami, it started two years earlier; in other counties, it had been going on for 15 years or longer.

It was shocking to me that children were treated as enemy combatants in court, dressed in bright orange or brown jumpsuits, wearing metal handcuffs, belly chain connected to the handcuffs, and metal leg shackles. Unlike jailed adult defendants, securely detained children are chained and shackled in the courtroom regardless of age, size, gender or alleged offense, without a finding of dangerousness or risk of flight. Florida has a blanket practice that is not authorized in statute, administrative or court rule, or in Department of Juvenile Justice regulations.

We, at the Miami Dade Public Defender's Office, knew that previous challenges to indiscriminate shackling in Florida had failed. Despite that, our appellate attorneys formulated a broad based legal challenge. With help from the National Juvenile Defender Center and expertise from the medical, psychological, therapeutic jurisprudence and international law fields, we filed hundreds of motions to unchain the children. We notified the media and worked with editorial boards. We also filed legislation, secured support from the faith community, The Florida Bar, the Miami Dade County Commission, and two statewide child advocacy organizations -- Florida's Children First and The Children's Campaign.

On September 11, 2006, a courageous juvenile court judge, William Johnson, made the first individualized findings and children began to appear before him unchained, unshackled. Soon after, the other 3 juvenile judges

followed suit. Throughout Florida and other states, including California, North Carolina and North Dakota, defenders have begun to fight.

What it's like now in a Miami juvenile courtroom.

In Miami Dade, since the first child was unshackled, more than 3,000 detained children have appeared in court, few have been determined to be a flight or safety risk to justify shackling. We have not had courtroom escapes or injuries caused by the detained but unshackled children. Despite seeing a high number of detained children in court each day, our judges dispense justice one-child-at-a-time, without additional courtroom personnel. We do not have armed officers in court.

What proponents of routine shackling say and how to fight back.

"Shackling Children will have a Deterrent Effect."

In its recent decision ruling that the death penalty is unconstitutional when applied to juveniles, the United States Supreme Court stated, "*the absence of evidence of deterrent effect is of special concern because the same characteristics that render juveniles less culpable suggest as well that juveniles will be less susceptible to deterrence.*"

"Kids need to learn a lesson – don't break the law."

When proponents welcome chaining presumed-innocent children for "deterrent effect," they are advocating pre-trial punishment. That's not the American idea of justice.

"Shackling prevents a juvenile from grabbing the officer's gun."

A courtroom is typically a high conflict location. Having guns readily accessible to angry adults, whether it's a parent, family of a victim, or gang member, creates a dangerous atmosphere, even when children, the least physically capable, are chained and shackled.

"We're not trying to shame or humiliate them."

It's not the intent to humiliate that matters most, it's the negative emotional and psychological effect that the multiple restraints will have on the child. Not only is this humiliating practice inhumane, it further shackles the ability of the juvenile justice system to rehabilitate our troubled children.

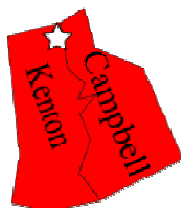
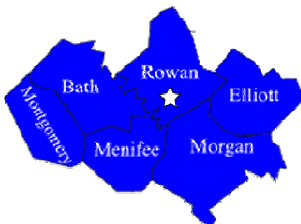
Realizing Justice Through Social Workers

By Dawn Jenkins and Rebecca DiLoreto

The Department of Public Advocacy, a state-wide public defender system in Kentucky, implemented a one year Social Worker Pilot Project from October 2006 to October 2007.

DPA Social Worker Pilot is One Solution to the Growing Problems of Overincarceration and Jail Overcrowding.

- Through a public relations campaign called Justice Jeopardized, DPA was able to convince the 2006 Kentucky General Assembly to appropriate \$3 million to DPA for the first year of the biennium. The Social Worker Pilot Project was part of its budget.
- The Social Worker Pilot will place a social worker in the Morehead, Covington and Owensboro DPA field offices.
- Social workers will work with indigent clients upon arrest and until they are fully integrated and functioning in their community.
- Each social worker will work with those clients with mental illness, developmental disabilities, substance abuse and mental retardation, and find each client the individualized treatment they need in order to travel the road to recovery and rehabilitation.

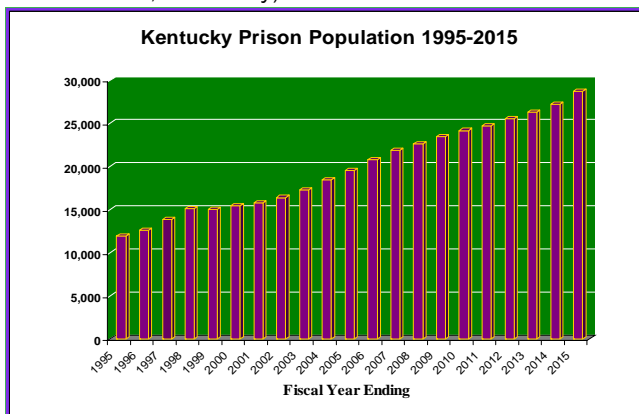


persons were in US mental hospitals while today only 72,000 are treated there.

- 50% of inmates are functionally illiterate.
- 50% of inmates have incomes under \$10,000.
- 3-10% of jailed population has mental retardation.

Incarceration Rates in Kentucky are Skyrocketing

- The US incarcerates 7 times as many people as in 1970 (110 out of 100,000 in 1970 compared to 726 out of 100,000 today).



- Kentucky's prison population has risen from 12,000 in 1995 to 20,465 today.
- While the rate of incarceration is growing rapidly, Kentucky's crime rate is below the national average at 2783 per 100,000 (compared to 3983 per 100,000 nationwide).
- The incarceration projection for 2015 is close to 30,000 Kentucky men, women, and children.

Who is Kentucky incarcerating?

- 68% of jail inmates have substance abuse dependence prior to incarceration and less than 20% receive treatment.
- 56% of state prison inmates are mentally ill (Bureau of Justice Statistics) and 64% of jail inmates are mentally ill (BJS). Persons formerly treated in state mental hospitals are now being warehoused in Kentucky's jails and prisons. In 1950, 560,000

Every day a Kentucky inmate is treated rather than imprisoned is a savings of \$47.12 per day for the Commonwealth. Everyday a Kentucky inmate is treated rather than jailed is a \$26.19 per day savings in jail costs. Colorado saved \$4.5 million from implementing a social worker pilot while Rhode Island realized an even more significant savings, \$15 million.

- DPA social workers will enable the attorneys in these offices to be more efficient.

- These social workers will also make a significant difference in the lives of persons charged with crime and their families. Social workers can be a resource that will allow persons charged with a crime to be treated for their substance abuse and mental illness, to make restitution to their victims, and eventually to be restored to their communities and families better able to live crime-free lives.
- DPA fully expects to demonstrate significant savings through the use of these social workers, and looks forward to demonstrating these savings to policy makers.

Realizing Justice is creating communities of hope and justice and ending the revolving door of incarceration.

DPA hired the first three social workers and they received 30 hours of training at Faubush, DPA's defender development program, along with their directing attorneys. Simmie Baer and David Feige, former attorney with Bronx Defenders, an agency on the forefront of incorporating social workers in defender services, were on faculty. DPA will begin tracking social workers' cases through our case tracking system in order to report to policy-makers both the value of this new and effective interdisciplinary approach and the efficiency to the Commonwealth.

- **Jacqueline B. Joiner MSW, LSW is hired in the Covington Field Office.**
Jacque has her MSW from University of Cincinnati with 16 years of experience in mediation and training. She served on the Mental Health Board of Hamilton County and facilitated services for criminal offenders with mental health disorders. She has vast experience working with both adults and youth. She is an important addition to the Covington office, where the average caseload last year was 493, a 12% increase. Her vision is to "identify underlying factors that contribute to our client's criminal behavior. By making appropriate referrals to community resources and treatment programs I will be able to assist the client in successful reintegration into society, and in turn reduce recidivism."
- **Sarah Grimes, MSW is hired in the Morehead Field Office.**
Sarah is from Bath County located in the heart of the Morehead service area. Sarah has her MSW from the University of Kentucky and undergraduate degree from Morehead State. Sarah has a deep understanding of the fundamental problems most of our clients face because she has worked with many of them. Since graduation,

she has been a social worker for persons struggling to overcome addiction.

- **Rachel Pate, BSW is hired in the Owensboro Field Office**
Rachel Pate is a Brescia University graduate who interned with DPA for two years in the Owensboro Office. She assisted Jerry Johnson, Assistant Public Advocate, in finding successful treatment alternatives for juveniles. While working on her bachelors in social work she also worked as a probation officer for an Indiana judge. She found a remarkable difference between the DPA internship and her work as an assistant probation officer, only enforcing the rules.

Making a Difference

DPA social workers are already making a difference in the lives of DPA's clients. Ms. Joiner described one of her clients as having multiple problems including dual diagnoses of substance abuse and mental illness. Her assessment and intervention resulted in an alternative sentencing plan on a motion to reconsider sentence. When supervised housing is found, shock probation will be granted.

Ms. Joiner identified the client's barriers to success in the community. While the client was diagnosed with chronic schizophrenia, he neither had the money nor assistance needed to continue with medications as prescribed, and he self medicated.

Ms. Joiner made an assessment of his needs including that he be placed in an assisted-living facility that assisted him in complying with medication. She developed a plan that he be educated on how drugs and alcohol interact with his psychiatric medications and mental illness.

Through Ms. Joiner's advocacy, the client will be placed in a Personal Care Facility in Jonesville, KY. The staff will monitor drug compliance and will implement consequences for non-compliance. Consequences (after 3 non-compliances) include being sent to the behavioral unit for 72 hours. He will receive outpatient therapy, on site, for his mental health issues. Ms. Joiner will facilitate reinstatement of the client's Social Security benefits via the Welcome House (guardian) and perform a 6 month follow-up on the client. Ms. Joiner will routinely follow-up on his status until he is stable.



Challenging Shackling of Juveniles in Court

(cont'd from page 5)

“Children are more dangerous today than in the past.”

This is the blanket pre-judgment on a class of people, that if made about a racial or ethnic group would be appropriately described as prejudiced and solely based on stereotyping. We should not be shy about calling it what it is –it’s prejudice.

“We don’t have staff or time to deal with one child at a time.”

In most juvenile courtrooms, 8 or more children are brought into court at a time. Assembly line justice has no place in juvenile court.

Where we are today.

In December, then Governor-elect Charlie Crist declared that routine shackling is wrong. *“I think it’s only fair to judge these things on a case-by-case basis,”* Crist said to A.P.’s Curt Anderson. Tough-on-crime Governor Crist agreed with us! I point this out to remind defenders to reach out to unlikely allies.

Unfortunately, statewide progress has been slower than we hoped. Despite the efforts of many defenders, in almost all juvenile courtrooms in Florida, securely detained children still look like Guantanamo detainees.

To view the motions, appendices, photographs, news articles and editorials, please visit our website www.pdmiami.com/unchainthechildren.htm.

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Carlos Martinez

New Books on Public Defenders, Crime & Justice

Arbitrary Justice: The Power of the American Prosecutor

By Angela J. Davis

Inscribed on the walls of the United States Department of Justice are the lofty words: "The United States wins its point whenever justice is done its citizens in the courts." Yet what happens when prosecutors, the most powerful officials in the criminal justice system, seek convictions instead of justice? Why are cases involving educated, well-to-do victims often prosecuted more vigorously than those involving poor, uneducated victims? Why do wealthy defendants frequently enjoy more lenient plea bargains than the disadvantaged? In this timely work, Angela J. Davis examines the expanding power of prosecutors, from mandatory minimum sentencing laws that enhance prosecutorial control over the outcome of cases to the increasing politicization of the office. Drawing on her dozen years of experience as a public defender, Davis demonstrates how the everyday, legal exercise of prosecutorial discretion is responsible for tremendous inequities in criminal justice. Davis uses powerful stories of individuals caught in the system to illustrate how the day-to-day practices and decisions of well-meaning prosecutors produce unfair and unequal treatment of both defendants and victims, often along race and class lines. These disparities are particularly evident in prosecutors' charging and plea-bargaining decisions and in their muddy relationships with victims.

Defending the Damned: Inside Chicago's Cook County Public Defender's Office

By Kevin Davis

A colorful lawyer and a cop killing are at the center of this skillfully crafted narrative look at the Murder Task Force of Chicago's public defender's office. A veteran crime reporter, Davis focuses on the case of Aloysius Oliver, a 26-year-old ex-convict charged with fatally shooting undercover police officer Eric Lee. In sharp journalistic prose, Davis portrays a variety of public defenders driven by idealism, ambition and the excitement of legal battles. At the heart of this story is Oliver's lawyer, Marijane Placek, an excellent lawyer and a character who loves "high profile, seemingly impossible cases" like a cop killing. Placek views the court as a stage where she performs before a hostile audience. Despite her best efforts to prove that Oliver's confession was coerced with physical abuse, that he didn't know Lee was a police officer and did not intend to fire his weapon, the jury found him guilty; the judge gave him life without parole. Davis ably captures the drama of the courtroom and makes a powerful case for the necessity of the often unpopular public defenders within the criminal justice system, conveying their dedication to obtaining justice for their clients.

Governing Through Crime: How the War on Crime Transformed American Democracy and Created a Culture of Fear

By Jonathan Simon

Across America today gated communities sprawl out from urban centers, employers enforce mandatory drug testing, and schools screen students with metal detectors. Social problems ranging from welfare dependency to educational inequality have been re-conceptualized as crimes, with an attendant focus on assigning fault and imposing consequences. Even before the recent terrorist attacks, non-citizen residents had become subject to an increasingly harsh regime of detention and deportation, and prospective employees subjected to background checks. How and when did our everyday world become dominated by fear, every citizen treated as a potential criminal? In this startlingly original work, Jonathan Simon traces this pattern back to the collapse of the New Deal approach to governing during the 1960s when declining confidence in expert-guided government policies sent political leaders searching for new models of governance. The War on Crime offered a ready solution to their problem: politicians set agendas by drawing analogies to crime and redefined the ideal citizen as a crime victim, one whose vulnerabilities opened the door to overweening government intervention. By the 1980s, this transformation of the core powers of government had spilled over into the institutions that govern daily life. Soon our schools, our families, our workplaces, and our residential communities were being governed through crime.

Telling Stories: The Nuts and Bolts of Creating a Story CD

By Anne Daly

Executive Director, Society of Counsel Representing Accused Persons

When one thinks about what it means to be an advocate, for our clients, it's really all about telling a good story. A great opening statement or closing argument is really the telling of story in a way that connects with the audience – typically a judge or a jury. Sentencing and mitigation plans involve stories that humanize clients for the judge and community. Every case we handle, every client we represent is a story waiting to be told.

It was the stories of youth aging out of the foster care system that compelled my agency – The Society of Counsel Representing Accused Persons – to develop the *Fostering Independence* project. Listening to the stories of attorneys and social workers in our hallways motivated us to try and address the needs of teen foster youth: The 17-year-old boy whose caseworker, never bothered to set up an appointment to have his braces removed, resulting in more damage than had he never had braces; the girl dropped off by her caseworker, at a shelter with \$6.00 to her name on her 18th birthday; and the child brought to the United States as an infant, who was going to be sent back to her birth country, because the paperwork that would allow her to remain here had not been filled out.

SCRAP's Assistant Director, Jana Heyd and I coordinated the project. At a Community Defender Network meeting and training in Chicago in 2004, we were relaying some of the stories to our small group. The stories were not having the impact on the group that we had hoped. In discussing this, Jana and I agreed that we wished the group could hear the kids tell their stories, which lost something when translated by a third party. This began a discussion of whether or not there was

a way for the kids whose stories we wanted to tell, could tell their own stories. The idea of a story CD was born.

We received a \$10,000 grant from NLADA/SOROS for the specific purpose of developing the CD. We found a professional storyteller, Joe McHugh, who lives 60 miles south of Seattle. Joe had spent much of his life gathering family stories from around the country which were played on a regular NPR program, "The Telling Takes Us Home." Our first few meetings with Joe were simply to educate him on the foster care system, issues facing youth aging out of the system and how the *Fostering Independence* project would address these issues. Once Joe had a framework of the problem, the discussion shifted to a series of questions that needed to be answered about the content of the CD: How many stories? Who did we want to listen to the CD? For what purpose? Did we want stories from Judges? Caseworkers? Attorneys? Did we need an educational story that outlined the problem and provided an overview of the system? Did we need statistics or data to justify the need for our project? Did we only want stories where the system had failed the kids? Did we want success stories? How long did we want the CD to be? As each question was answered, the format of the CD began to take shape.

We decided the audience we wanted to target with the CD were judges, legislators and potential project funders.

Because of the identified audience, we decided we did need an overview story, as not everyone would be familiar with the system or problem. As we wanted

to reach legislators and funders we decided to include a brief statistical story so that the CD was not just anecdotal in nature. While we wanted the majority of stories to be kids, we did add attorneys and judges as we wanted their support and commitment to the project. Lastly, we wanted to give the listeners a sense that this problem could be solved, so we decided to include a few stories from youth who were successful in leaving the foster care system and we asked them to identify the components that were critical to that transition. When we reviewed these answers, we ended up with a need for over a dozen stories.

Before our next meeting with Joe, Jana and I had to decide who we wanted to tell each story. We asked several of our young clients if they would be willing to share their story on the CD. Many said no. We were able to get 5-6 clients who did agree to share their experiences. We asked a highly regarded judge to tell his story, of putting school pictures in the legal file so that he had a face to go with each name. This was in his role of handling hearings that were non-events, as they were paper hearings rather than in-court hearings. Our goal was to change this process to all hearings being in court, with the youth present. He agreed to tell his story, which has been included on the CD. Jana agreed to describe the system and what was needed and I provided the statistical story that outlined the scope of the problem.

Once our storytellers were lined up, the recording began. Each person told their story and Joe then asked questions to flesh out aspects of the story depending on the reason for each story. While each story on the CD would be edited to about 2 minutes, each interview to gather that 2 minutes

“While being a good advocate often means that one is a good storyteller, this CD helped us realize that often being a good advocate also means knowing who the best teller of a story is and using those storytellers to further the work we do.”

Anne Daly

of information lasted an hour. Joe was gracious in his willingness to travel to the interviewees with his equipment and to conduct interviews at our office. We scheduled and did the interviews over four different days. Jana or I was present at every interview. Joe took the raw material to his studio where he did some initial diting and then sent two raw CDs to Jana and I to review. We provided input on what we wanted included, what wasn't helpful, which stories should just be cut, and which should be longer. Joe did a second round of editing based on this input and we were close to having a final product. We asked Joe to provide the narration, which he graciously agreed to do. We drafted a script for him

which he used. Joe also agreed to introduce each piece as we felt there needed to be better flow and a context given for each story. Lastly, we decided that there needed to be some music as the CD seemed sterile. Joe assisted us in finding music that added to the CD rather than detracting or distracting from it. Lastly, the CD cover was created. The cover identifies the project, our agency, and the sponsor, and includes an index of the stories.

Once this was done, the *Fostering Independence* story CD was complete! The process from beginning to end was 90 days. We ordered 250 CDs from Joe. Copies were

immediately sent to NLADA/SOROS, The Brennan Center, judges, legislators and all who had contributed a story.

The CD has been widely played. We have given copies to other agencies/programs looking to develop a similar tool, whom we want to educate, or whom we simply want to build a relationship with. We've played the CD at seminars and trainings, basically anywhere we have an audience, to pitch the *Fostering Independence* project. We've included copies of the CD with written proposals for funding and we've used the CD to educate our staff. The CD, while a lot of work to create, has been an invaluable tool. It tells our stories for us in many different settings and to many different audiences. Since our original order of 250, we've placed two subsequent orders each for an additional 100 CDs. They are an inexpensive tool as a box of 100 costs us about \$180 dollars, making each CD less than \$2.00. We've asked legislators, judges and potential funders, to "just listen to it on your way into work," knowing that if they only listen to one or two stories, that the impact will be greater than having spent 30 minutes with us telling the same stories. All they have to do is press a button to be carried away in to the lives of teens in foster care.

While being a good advocate often means that one is a good storyteller, this CD helped us realize that often being a good advocate also means knowing who the best teller of a story is and using those storytellers to further the work we do.



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