

The Emergence of Collaboration as the Preferred Approach in Criminal Justice



Edited by Madeline M. Carter
June 2005

The criminal justice system faces many challenges in its efforts to prevent and respond to crime, make judicious use of limited resources, and provide for public safety in our communities. Historically, justice agencies have worked independently to achieve public safety through their own singular efforts, and through very different means. Law enforcement seeks to achieve public safety through policing, investigation, and apprehension; prosecution and defense seek to achieve justice and public safety by trying fact, defending the rights of individuals, and upholding the standards of communities; the courts serve as arbiters and weighers of fact, interpreters of the law, and rulers on individual matters that come before them; corrections agencies help to assure public safety by detaining those judged to threaten community safety or worthy of incarcerative sanctions for other purposes; and probation and parole agencies work to achieve community safety by monitoring and acting upon indicators that might suggest an offender's behavior will pose further risk to the community.

In principle, these approaches provide a fair and balanced system. In practice, those seeking the same ends—a safe community and a method to enable those who have broken the law to become law abiding—often view themselves as at odds with one another, working towards dissimilar ends, and—at times—even in competition with one another.

This paper challenges this conventional, fragmented approach and suggests that justice can be more effectively served when those tasked with carrying it out define their roles, responsibilities, and relationship to one another differently and work together in pursuit of shared visions, missions, and goals. In the following pages, collaboration is defined and illustrated through examples from both the public and

private sectors. Its basis in research is described and its promise for achieving justice in our communities is explored.

Background

It is commonplace to speak of the "criminal justice system" as if it were an entity organized in service to a single goal. However, the fundamental nature of criminal law and the separation of powers inherent in our system of government mean that no such system really exists. But to the general public, these fine points of law and polity are meaningless. They expect that the agencies of that system will uphold the law and protect them from crime. It has been the public's loss of confidence in the system and their demand for improved public safety that have prompted many parts of the criminal justice system to look for new ways to address problems, and to ask whether a reactive, adversarial approach to justice and law enforcement continues to make sense as our only or even primary response to crime. These criminal justice offices and professionals have reached out to other agencies, both within and outside of the criminal justice system, to collaboratively address the safety and well-being of our communities. Counties, states, and the federal government have encouraged and supported these efforts, recognizing the enormous potential for impacting crime and reducing costs when agencies share information, develop common goals, create compatible internal policies to support those goals, and join forces to analyze problems and create responsive solutions.

LOCALLY-BASED INITIATIVES

Some suggest that it was the police, the part of the system most in touch with the impact of

This document was developed under grant number SJI-99-N-039-C01-1 from the State Justice Institute. The points of view expressed are those of the authors and do not necessarily represent the official position or policies of the State Justice Institute.

crime on families and neighborhoods, who first advocated using its power and resources to combat crime in new ways. In the 1970's, law enforcement agencies developed approaches that attacked crime as a problem to be both solved and prevented rather than merely a series of incidents whose perpetrators had to be prosecuted, adjudicated, and punished. Police departments, in pursuing this approach, realized their dependence on the rest of the system to make their strategies work. They teamed with probation and parole agencies to monitor likely recidivists and persuaded prosecutors to create neighborhood-based prosecution teams. Together, these entities approached regulatory agencies to enlist their enforcement power and to service agencies for their resources to create innovative solutions to the crime problem.

Sheriffs, county corrections departments, and county governments have wrestled with the seemingly limitless demand for jail space. They have convened jail crowding committees and policy teams to examine the use of other sanctions. These groups provided a forum through which criminal justice system policymakers could together look at information on their offender populations to examine how they were using existing and potential sanctioning resources.

For the courts, drug and domestic violence cases, overwhelming dockets, and crowded jails were among the issues that led judges to reexamine the limits of traditional approaches and seek out a different notion of justice. As a result, many courts have not only reached out to prosecutors, defense attorneys, and corrections, but also to public and private treatment and service providers to form partnerships to address complex medical, social, and behavioral problems that pose significant threats to community safety.

STATE-MANDATED EFFORTS

Over the last 20 years, state legislatures have been wrestling with their own prison crowding problems and public dissatisfaction with the costs of ongoing prison construction and operation. They have been quick to appreciate a potential solution to both problems in the devolution of sanctioning responsibility to local jurisdictions. Through financial incentives, community corrections acts, and sentencing guidelines, state legislatures have encouraged counties to sanction more offenders locally. They have required local governments to

establish planning councils, community corrections boards, and similar bodies to plan for more effective responses to these groups of offenders.

FEDERALLY-SUPPORTED INITIATIVES

United States Justice Department-supported initiatives in the states have made partnerships and collaborative planning processes essential to receiving assistance. For example, the Office on Violence Against Women (2005) funds programs that support "community partnerships among police, prosecutors, victim advocates, and others..." The Bureau of Justice Assistance (2005), in a recent program announcement (an open solicitation in the area of sex offender management), suggests in one of its criteria that "if a multi-disciplinary team does not exist, applicants must demonstrate the level of commitment that exists to developing one..." The State Justice Institute has made collaboration a hallmark of its efforts, from its groundbreaking "Substance Abuse and the Courts" program in 1991, which specified diverse state teams as the targets of training, to its co-sponsorship with the National Institute of Corrections of the multi-stage "Facilitating the Appropriate Use of Intermediate Sanctions," which provided training and assistance to local planning and policy teams for almost 10 years, to its current "National Solutions Project," an effort designed to aid courts in forming collaborative policy teams that will define and undertake major change efforts in the courts. The National Institute of Corrections also encourages a collaborative approach in responding to long-standing problems in the criminal justice system. Its "Transition from Prison to the Community Initiative" brings together multiple stakeholders in the criminal justice system with other agencies from the public and private sectors to work together to implement a model offender transition process. In a multi-agency collaborative endeavor, the U.S. Department of Justice's Office of Justice Programs, U.S. Department of Labor, U.S. Department of Health and Human Services, and their federal partners have created the "Serious and Violent Offender Reentry Initiative," a project designed to provide assistance to state and local agencies and other interested entities in improving the coordination and availability of programs and services for specific types of criminal offenders transitioning from institutional settings to the community. Through its requirement of multi-agency partnerships at both the state and local level, the federal sponsors of this initiative underscore that

no single stakeholder can successfully facilitate the complicated and challenging reentry process independently.

WHEN IS COLLABORATION THE RIGHT CHOICE?

Given that collaboration can be such a time and resource intensive approach, it is important to recognize that it is appropriate in some, but not all situations. Generally, the more complex the problem the greater the need for the collaborative approach. Under all circumstances, when the support of multiple stakeholders is necessary for an effort to succeed, a collaborative approach is essential.

The Dilemma: Forming Collaboratives in an Adversarial System

Simply telling agencies and policymakers, whether judges or county commissioners, that they should collaborate cannot ensure that they will make effective use of the opportunity to do so. Even when these agencies and policymakers choose this approach because of their own needs or beliefs, they do not always have the attitudes, skills, or resources to make it work. Even with the most enthusiastic participants such efforts face many challenges.

ADVERSARIAL FOUNDATION OF OUR LEGAL SYSTEM

A vigorous prosecution of all appropriate charges, a zealous representation of the defendant, and an objective finding of the facts have been the cornerstones of our legal system. The training that all lawyers receive stresses these essential ingredients. Encouraging these players to step beyond their roles and agree to some other definition of justice, fairness, and appropriate legal proceeding is difficult. Asking judges, prosecutors, and defense attorneys to participate in policy teams where agreements on sanctions and system policies are being made collaboratively can also prove difficult, as criminal justice professionals—and judges in particular—often do not identify themselves as policymakers, but as individual decisionmakers. The creation of drug, domestic violence, and other ‘problem solving’ courts has expanded the traditional roles of judges, prosecutors, and defense attorneys and effectively laid the groundwork for rethinking our approach to

justice solutions. Even for those willing to embrace this approach philosophically, collaboration poses very real and practical challenges.

COMPETITION FOR RESOURCES AMONG THOSE AT THE TABLE

Many of those at the table in collaborative planning groups, whether public or private agencies, must compete for shares of the same limited funding. It is not unusual for a jail administrator to face losing budget dollars in the creation of a pre-trial program within probation or at a private agency. Likewise, the management information system that everyone on the policy team agrees must be a funding priority for the entire criminal justice system may mean that the court does without the refurbishing of its internal system or even its courtrooms. Such competition makes it hard for beleaguered administrators with overworked staff and overcrowded facilities to adopt an “all for one, one for all” attitude.

POLITICAL PRESSURE ON ELECTED OFFICIALS

Similarly, it is difficult for policymakers who face competitive election to embrace the same “all for one, one for all” attitude as their non-elected colleagues, or colleagues who may be potential political competitors in the future.

CREATION OF OVERLAPPING BODIES BY THE REQUIREMENTS OF DIFFERENT AUTHORITIES

Between the issues facing local officials and the requirements of state and federal funding agencies, many jurisdictions find themselves with more than one—and sometimes many more than one—planning board, policy team, or coordinating group. In small and medium size courts and counties, officials like the prosecutor, the presiding judge, and the sheriff may serve on a variety of such bodies, dealing with issues as diverse as domestic violence arrest policies, jail crowding, and community corrections planning. Creation of too many overlapping coordinating bodies may result in participation attrition and a certain cynicism about the usefulness and impact of the collaborative approach.

NEED FOR LEADERSHIP IN AN INDEPENDENT SYSTEM OF JUSTICE

The potential benefits to the criminal justice system and the community that can accrue from this collaborative approach—including a better use of resources, enhanced public safety, or improved public confidence—are many. However, these benefits may never be realized if the opportunities presented to these divergent forces are not marshaled and directed. To successfully initiate a collaborative process, leadership is essential. The court is in the best position to assume this responsibility, but may need assistance in fully realizing that role, developing the resources that are needed to support a collaborative process, and assuring that the overall needs of the system and the jurisdiction are met.

THE CRITICAL ROLE OF THE FACILITATOR/CONVENER OF COLLABORATIVE TEAMS

Research on collaboration has demonstrated overwhelmingly that the presence of a skilled convener is essential to success, as the kinds of obstacles outlined above will represent a challenge to even the most skilled process facilitator. However, the reality is that few in the criminal justice system have the training or experience to lead such collaborations effectively, which in turn poses a barrier to changing how we think and work in the criminal justice system.

SPECIAL PLACE OF THE JUDICIAL BRANCH OF GOVERNMENT

The process of collaboration poses all of the above challenges for judges and court administrators, but with some particular emphases and concerns. The status of the judiciary as a separate branch of government places some limits on the court's interaction with other justice system agencies. A basis for collaboration must be found in which both the reality and the perception of judicial independence are preserved. The neutrality of the judiciary must also be maintained.

The nature of the judicial role also presents specific challenges to successful collaboration. Traditionally, judges defined their role as independent arbiters in the adversarial process. (Law school training leads to a focus on the conduct of individual cases.) Moreover, judicial careers tend to attract those lawyers who place

a particularly high value on the independence offered by service on the bench.

Judges are bound in their conduct by the canons of judicial ethics, which set limits on the kinds of activities in which they may legitimately engage. Judicial participation in the solicitation of funds, for example, is restricted by ethical canons. The American Bar Association's (ABA) Model Code of Judicial Conduct (ABA Model Code, 2000), Canon 4(C)(2) indicates that "A judge shall not accept appointment to a government committee or commission or other government position that is concerned with issues of fact or policy on matters other than the improvement of the law, the legal system, or the administration of justice." This canon demonstrates the importance of judicial neutrality in the actions and activities of judges. Each state has its own rules outlining judicial ethics and permitted conduct, but at the core of these rules is the expectation that judges will act in an impartial manner.

While these canons do impose limits on judges that do not apply to prosecutors or defenders, for example, they do not prohibit collaboration. Judges frequently participate in task forces and coordinating councils on topics such as domestic violence and jail overcrowding and as members of local criminal justice cabinets. The American Judicature Society has identified a number of factors that would make a judge's participation as a member of a collaborative team more likely to be appropriate. To encourage judicial participation, collaborative teams should:

- "Take policy positions central to the legal system and relating to matters arising in and directly affecting the bench;
- Serve the interests of those who use the legal system;
- Be directly and primarily connected to how the courts function to deliver unbiased, effective justice;
- Work on issues that a judge, by virtue of judicial experience, is uniquely qualified to address;
- Recommend action that benefits the law and legal system itself rather than any particular cause or group; and
- Have a diverse membership that represents more than one point of view" (AJS, 2002).

The last point is especially salient. Judges are charged with serving as neutral arbiters of justice, and must take care to ensure that their participation on a collaborative team is not construed as advocacy for any particular viewpoint. Participation in a collaboration that lacks a strong institutional voice by indigent defenders, for example, potentially threatens judicial neutrality. In practice, however, criminal justice collaborations have found ways to preserve the decisional independence of the judiciary, in which the judge before whom a case is tried can remain impartial and independent of outside influences.

While judicial participation on collaborative teams can be fraught with complexities, their membership on these teams is invaluable. Judges are often viewed as the stewards of justice not only by their colleagues in the criminal justice system, but also by members of the public. AJS, while recognizing the ethical issues that must be addressed in order to encourage judicial participation, also acknowledges the need for their membership on collaborative teams, suggesting that “public confidence in and support for the courts may be undermined if the judiciary is seen as standing aloof from society’s problems and unwilling to cooperate in their resolution” (AJS, 2002).

What Do We Know About Collaboration?

Defining collaboration is difficult because of the ambiguities in practical usage. For example, the word “collaboration” is commonly interchanged with terms such as “networking,” “cooperation,” and “coordination.” Chris Huxham, in *Collaborative Advantage* (1996), provides definitions in an effort to distinguish collaboration from these other terms:

- **Networking** is the exchange of information for mutual benefit;
- **Coordination** is the exchange of information and the altering of activities for mutual benefit and to achieve a common purpose; and
- **Cooperation** is the exchange of information, the altering of activities, and the sharing of resources for mutual benefit to achieve a common purpose.

Huxham distinguishes these terms from collaboration, indicating that:

- **Collaboration** is the exchange of information, the altering of activities, the sharing of resources, **and the enhancement of the capacity of another** for the mutual benefit of all and to achieve a common purpose.

It is the effort to *enhance the capacity of another* that makes collaboration a unique enterprise. Collaboratives are different from cooperatives and coalitions because they involve more formal and sustained commitment and rely on the conviction that, while retaining uniqueness and autonomy, organizations that share values and goals can accomplish more by working together than on their own (Raley, 1993).

Collaboration changes the way we work and requires a profound shift in our conception about how change is created. Collaboration shifts organizational focus from competing to consensus building; from working alone to including others; from thinking about activities to thinking about results and strategies; and from focusing on short-term accomplishments to demanding long-term results. Recently, both the theory and practice of collaboration have received increasing attention from both scholars and practitioners. For instance, Mattessich, Murray-Close, and Monsey (2001) in *Collaboration: What Makes It Work*, cited 20 factors leading to successful collaboration and 22 studies that have examined these factors.

LESSONS FROM THE PRIVATE SECTOR

Over the last quarter century many corporations turned to more collaborative approaches in the face of unrelenting competition and demanding customers. For these companies change was acceptable because failure was the alternative. Literature documenting accounts of businesses that have employed collaborative concepts effectively and providing theoretical frameworks that could be utilized by managers and entrepreneurs have proliferated as more companies in the private sector seek ways to succeed in our global economy. A few lessons from this literature that can be applied in the criminal justice system include the following:

- Components of an organization are most effective when they are interconnected to the other parts and to the whole. Thoughtful decisions can be made when many, rather than few, stakeholders participate in discussions about how the actions of each

component impacts systematic responses.

- While each component must carry out specific tasks in an efficient manner, an overarching group is essential to ensure that the goals desired by the customer are achieved and quality across the entire system is maximized.
- Organizations are the most effective when they have doable but challenging goals, as well as a clear purpose and vision.
- Successful planning occurs when stakeholders make decisions, ask questions, and have time to reflect on conditions that should be in place before acting.

INTERCONNECTEDNESS OF THE PARTS

In her book *Leadership and the New Science* (1992), Margaret Wheatley explores the twentieth century shift away from Newtonian mechanics toward quantum physics and the connections of this shift to organizational management practices. A Newtonian model of the world is characterized by a focus on discrete things, such as atoms and their separate particles. Most organizations are built on Newtonian concepts, with an emphasis on structure and reduction into parts. In the criminal justice system, for example, we organize responsibilities into distinct functional areas, such as courts, jails, probation, and parole. In quantum physics, however, it is the relationship *between* particles and the observer that determines their nature. Particles change form as they interact with one another and with their surroundings. In quantum terms, reality in organizations emerges through the process of observation, from decisions we the observers make about what we see. An interpretation of a perception does not stabilize until we make a specific observation and come to a conclusion about it. If there are only a few observers, there will be few interpretations of that perception or data. But a collaborating group of stakeholders will see multiple intersections. The group will listen to many possible interpretations of that information until a general consensus about the information is discovered. As Wheatley put it:

“... the multiplicity of interactions can elicit ... a genuine richness to the data that is lost when we restrict information access to only a few people. An organization swimming in many interpretations can then discuss, combine, and build on them. The outcome of

such a process has to be a much more diverse and richer sense of what is going on and what needs to be done ... the more participants we engage in this participative universe, the more we can access its potentials and the wiser we can become.”

As in the quantum world, no individual component of the criminal justice system can act independently of the rest of the system. For example, when the jail is overcrowded, other parts of the system are often similarly overcrowded. Or when police arrests escalate, the entire system—from pretrial, to the courts, to correctional sanctions—is impacted. By involving participation from across the system, rather than restricting input to a select few, we are able to understand how actions of one component impact other parts and the whole, and in turn are able to generate more effective systematic responses.

EMPHASIS ON PROCESS, CUSTOMER SATISFACTION, AND SUCCESSFUL OUTCOMES

“Reengineering,” as described by Michael Hammer in *Beyond Reengineering* (1996), examines improving corporations by focusing on process rather than products. In process-centered organizations, management systems are reinvented to create customer value.

During the industrial revolution, work was deconstructed into specialized and measurable tasks (e.g., manufacturing became the turning of each screw, the fitting together of pieces, and the manufacturing of single parts). Reengineering reverses this revolution by reconstructing work into complex, multi-task activities that together create value for the customer. Unlike the industrial era, when “companies were limited by production capacity, not by market demand” (Hammer, 1996), today’s corporations are faced with customers who have many choices. Thus, corporations are bound to fail if they do not concentrate on processes that produce customer satisfaction. Hammer cites several major corporations that focus on process control, including GTE, Ryder Truck, American Airlines, and Circuit City. GTE, for example, grouped tasks involved in resolving customer problems and created a “customer care” outcome coordinator. Outcome coordination may be the responsibility of one person or many people; however, the key is that all employees recognize it as one common job.

Hammer uses the football team as a metaphor for effective business process. There are many tasks to consider in this game, such as throwing, running, blocking, and catching. These specific, task-oriented jobs become “centers of excellence” in reengineering language. Coaches are responsible for ensuring that their particular centers of excellence are equipped with skilled players, which entails their hiring, training, and firing. However, it is the offensive and defensive coordinators who are responsible for the outcomes across *all* centers of excellence. Their job is to ensure that the complex relationships among centers of excellence accomplish the goals of maximizing points scored by the offense while minimizing points scored by the opposing team. The head coach is responsible for selecting coaches and coordinators, motivating players, and creating an organizational environment of success.

In *Built to Last* (1994), James Collins and Jerry Porras found that the stock of 18 long-lasting U.S. companies appreciated 15 times more than competing companies. They discovered that these “visionary” companies shared several key characteristics, including and particularly a clear sense of purpose and vision of their future. 3M, American Express, Johnson and Johnson, and Proctor and Gamble were among the companies studied.

APPLICATION REENGINEERING AND BUILT TO LAST CONCEPTS TO CRIMINAL JUSTICE

As Hammer found with businesses, the criminal justice system also operates as a series of separate tasks, such as arrest, prosecution, pretrial release, trial, sentencing, corrections, and probation and parole. While it is clear that criminal justice “centers of excellence” must be maintained, many individual tasks can be grouped together to better achieve the goals desired by the customer (e.g., the citizen). An overarching policy group can ensure that these desired outcomes are achieved across the entire system. For example, many jurisdictions have formed oversight teams to facilitate more comprehensive, coordinated responses to specific crimes, such as sexual assault, domestic violence, and child abuse. Others have formed multi-disciplinary policy teams with the broad overarching responsibility for improving the functioning of the justice system as a whole. These teams are more likely to meet with success when their vision and purpose are clear and their processes are appreciated as complex interrelated processes.

THE VALUE OF COLLABORATION IN A SUCCESSFUL PLANNING PROCESS

In *Logic of Failure* (1996), Dietrich Dorner examined why organizations fail. He states:

“To deal with a system as if it were a bundle of unrelated individual systems is, on the one hand, the method that saves the most cognitive energy. On the other hand, it is the method that guarantees neglect of side effects and repercussions and therefore guarantees failure. If we have no idea how the variables in a system influence one another, we cannot take those influences into account.”

Consider how Dorner’s statement could play out in the criminal justice system. When a judge decides to establish a drug court without consideration for the other judges or service providers affected by his decision, he runs the risk of failure. When a police chief decides to do a sweep of prostitutes, but fails to advise the jail in advance, staffing may dictate early release of offenders. When a prosecutor changes charging policies for specific offense categories, probation may become overwhelmed.

According to Dorner, planning is the act of considering a series of actions. A planning sequence is complete when it includes a condition element, an action element, and a result element. After the current conditions are considered, actions designed to achieve specific results are carried out. Dorner found that a successful result was most often predicted when multiple stakeholders were involved in the decision process, asked numerous questions about the initiative, and invested substantial time in reflection on these elements.

How Collaboration Is Applied in Other Public Policy Arenas

In the late 1990’s, collaboration emerged as a promising approach to problem-solving in the public policy sector. Chrislip and Larson (1994) in *Collaborative Leadership*, cite several exemplary cases of successful collaboration, including the Phoenix Futures Forum, the Baltimore Commonwealth, the Newark Collaboration Group, Citizens for Denver’s Future, and Roanoke Vision. Each of these

examples, which apply collaboration to different sectors of public policy, demonstrates (1) a full commitment to a common goal that is mutually agreed upon, (2) clearly defined roles and operating procedures, (3) open communication among collaborators, (4) the sharing of resources, and (5) mutually beneficial results that participants agree could not be achieved by a single organization.

In Phoenix, Arizona the mayor initiated the Phoenix Futures Forum to address the city's growth rate. The forum became a process through which businesses, labor, religious and nonprofit organizations, neighborhood representatives, environmental and education groups, and city officials participated in the development of a vision for the city in 2015, along with strategies for achieving that vision. A Futures Forum Action Committee was established to move the report forward toward implementation. This collaboration resulted in new, local leadership, numerous neighborhood projects, and a renewed spirit of optimism.

The Baltimore, Maryland Commonwealth was a partnership between BUILD (Baltimoreans United in Leadership Development), a grass-roots community organizing group, the Greater Baltimore Committee, Baltimore's primary business organization, several government organizations, the mayor's office, and the Baltimore City Public Schools. The partnership was created to address unemployment, housing, and education issues, based on the recognition that business workforce needs were closely tied to the educational success of the community. The goal of this collaboration was to prepare young people to be responsible and contributing citizens.

The Newark, New Jersey Collaboration Group was created in 1984 as a result of the relentless efforts of Prudential executive Alex Plinio. He endeavored to bring together key leaders from the various city sectors—business, government, nonprofit, neighborhood, academic, and religious institutions — to facilitate collaborative problem solving around Newark's most difficult issues, including housing, education, and economic development. Through task forces and large public meetings, the group produced a vision for the city and a strategic plan for getting there, entitled "City Life." In 1991, Newark received the National Civic League's All-American City Award for its collaborative revitalization efforts.

The Citizens for Denver's Future in Colorado was a 92 person committee that included business, neighborhood, government, nonprofit, and legislative representatives who had joined together to address a variety of infrastructure needs. The committee developed a bond package to support infrastructure improvements, and through the collaborative process, gained the support of the mayor and city council. The bond was passed with almost no opposition.

Three collaborative efforts sparked revitalization in Roanoke, Virginia. Design '79 focused on revitalizing the downtown area, a once thriving industrial area that had become vacant and destitute. A second project, the Roanoke Neighborhood Partnership, focused on rebuilding neighborhoods. A third citizen planning effort was undertaken to protect and improve city parks. These efforts routinely met with obstacles posed by a comprehensive plan developed by city planners in 1964. In order to overcome these barriers, a new comprehensive plan was created with citizen support to bind the city to the values, vision, and direction expressed through the new collaborative process. Today, downtown Roanoke is a different community than it was just 20 years ago.

The Application of the Collaborative Model to Criminal Justice

Since the 1970's, the federal government has encouraged and supported a collaborative approach to criminal justice system planning and decisionmaking. The original grant-making structure of the Law Enforcement Assistance Administration, with its state and local coordinating and planning councils, was intended to achieve the setting of common goals and the funding priorities to meet them. On a programmatic level, comparable efforts were at the heart of projects like the National Jail and Prison Overcrowding Project (NJPOP), funded jointly by a federal agency, the National Institute of Corrections, and the privately funded Edna McConnell Clark Foundation. The NJPOP recognized that unless all the parts of the system that had a hand in creating jail and prison populations were involved in the decisions on the best use of these limited resources, institutions would continue to be filled beyond capacity. This required a tremendous effort on the part of policymakers to understand

each other's roles and responsibilities, the capacity to acknowledge and respect each other's political realities, and a willingness to compromise.

In more recent years, numerous federal initiatives have encouraged the collaborative approach in various criminal justice policymaking areas. Just a few of the national efforts designed to address complex public policy issues in this way include: Comprehensive Communities, Weed and Seed, community policing through the Community Oriented Policing Services (COPS) office, numerous Violence Against Women Office (VAWO) initiatives, Safe Kids/Safe Streets, Safe Kids/Safe Neighborhoods, initiatives by the former Drug Courts Program Office, and the reentry initiatives of the National Institute of Corrections and the Office of Justice Programs and its non-criminal justice federal partners. Many of these programs represent federal interagency or inter-bureau collaborations as well.

Despite these many efforts, collaboration in criminal justice seems to be the exception rather than the rule. Even when the greatest commitment exists, collaboration remains a seeming oxymoron, threatened by philosophical hurdles and entrenched organizational structures. There remains a great need for training and resources of many varieties to ensure that collaborative efforts—particularly those that offer the promise of public safety—can succeed.

Conclusion

Collaboration in criminal justice has tremendous potential as a tool to create more responsive solutions to crime in our communities. While it has been lauded as an effective approach to work activities and decisionmaking, collaboration still is more a concept than a practice in both the public and private sectors. However, there remains cause for optimism. There are numerous criminal justice initiatives that provide examples of outstanding collaborative practices. The business world and other public arenas also offer inspiring illustrations of successful collaboratives that can be adapted by the criminal justice system. An ever-expanding number of funding resources and technical assistance initiatives are available to support collaborative efforts. And, while many criminal justice leaders and practitioners still shy away

from collaborative ventures, there are a growing number who truly believe in the power of collaboration to create positive systematic change and are willing to devote time and effort to such processes.

As this paper suggests, the difficulty of creating collaborative responses within the criminal justice system cannot be overlooked. However, the challenging nature of this work should not preclude us from expanding and enhancing collaborative criminal justice efforts in order to better protect and support our communities.

A Note to Readers

The Center for Effective Public Policy is administering a national training and technical assistance project, entitled the National Resource Center on Collaboration in the Criminal and Juvenile Justice Systems. This project, sponsored by the State Justice Institute, along with several federal partners including the National Institute of Corrections and the U.S. Department of Justice, Office of Justice Programs, is assisting selected jurisdictions in building stronger collaboratives as they seek to enhance justice in their communities. This is the first in the series of articles produced under this project.

Peggy McGarry, (former) Principal of the Center for Effective Public Policy made significant contributions to the development of this article, as did William Woodward, Director of Training and Technical Assistance for the Center for the Study and Prevention of Violence, Institute of Behavioral Science at the University of Colorado, Boulder.

Works Cited

American Bar Association. (2000). *Model Code of Judicial Conduct*. Chicago, IL: ABA Book Publishing.

American Judicature Society. (2002). *Ethics and Judges' Evolving Roles Off the Bench: Serving on Governmental Commissions*. Chicago, IL: State Justice Institute.

Bureau of Justice Assistance. U.S. Department of Justice, Office of Justice Programs. *Comprehensive Approached to Sex Offender Management: FY 2005 Competitive Grant Announcement*. Retrieved June 27, 2005

from the World Wide Web:
<<http://www.ojp.usdoj.gov/BJA/grant/05CASOsol.pdf>>.

Chrislip, David, and Carl Larson. (1994). *Collaborative Leadership: How Citizens and Civic Leaders Can Make a Difference*. San Francisco, CA: Jossey-Bass Publishers.

Collins, James, and Jerry Porras. (1994). *Built to Last: Successful Habits of Visionary Companies*. New York, NY: Harper Collins Publishers.

Dörner, Dietrich. (1996). *The Logic of Failure: Recognizing and Avoiding Error in Complex Situations*. Cambridge, MA: Perseus Books Group.

Hammer, Michael. (1996). *Beyond Reengineering: How Process-Centered Organization is Changing our Work and our Lives*. New York, NY: Harper Collins Publishers.

Huxham, Christopher (Ed.). (1996). *Creating Collaborative Advantage*. London: Sage.

Mattessich, Paul, Marta Murray-Close, and Barbara Monsey. (2001). *Collaboration: What Makes It Work. A Review of Research Literature on Factors Influencing Successful Collaboration*. St. Paul, MN: Amherst H. Wilder Foundation.

Office on Violence Against Women. U.S. Department of Justice, Office of Justice Programs. (2005, May 25). *About the Office on Violence Against Women*. Retrieved June 27, 2005 from the World Wide Web: <<http://www.ojp.usdoj.gov/vawo/about.htm>>.

Raley, Gordon. (1993). *The Community Collaboration Manual*. Washington, D.C.: The National Assembly of National Voluntary Health and Social Welfare Organizations.

Wheatley, Margaret. (1992). *Leadership and the New Science: Learning about Organization from an Orderly Universe*. San Francisco, CA: Berrett-Koehler Publishers, Inc.

Contact Information

Madeline M. Carter, Principal
Center for Effective Public Policy
8403 Colesville Road, Suite 720
Silver Spring, MD 20910
Phone: (301) 589-9383
Fax: (301) 589-3505
Web site: www.cepp.com