

“The work just has to keep going.”

A Reflection on Denver's Community Court

Implementing a reform can be every bit as hard as winning it in the first place



Community court judges looked for a mix of sentence and services that would help keep young people from committing more crimes.

An early and dramatic success of Making Connections Denver was helping residents of the Cole neighborhood convince the juvenile court system to start a community court.

This court heard cases involving young people in Cole and several nearby

neighborhoods. The court involved the community both in determining the appropriate punishment and in helping the kids confront personal problems that helped get them in trouble in the first place. The goal was to find ways to stop young people from committing worse crimes in the future.

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“It got to the point where the court could really embrace this philosophy and start dealing with the risk factors that these kids and their families face.”

—Loree Greco

*A publication written by former Denver Diarist Tory Read examines the court and the process that led to its creation: **Taking Care of Our Own: A Denver Neighborhood Leads the Way in Alternative Youth Justice and Shows a Way that Communities Can Help Build a Model for System Reform** (available at www.DiaristProject.org).*



Loree Greco says that the diverse people involved with the court had one thing in common: the welfare of the community's children.

But after a very promising beginning, support for the court diminished. In June 2005, three people deeply involved in the court — Debra Johnson, Sandy Douglas and Loree Greco — asked Read to reflect with them about the court's struggles. Two other key participants were interviewed by Diarist Coordinator Tim Saasta: Making Connections Denver Site Coordinator Susan Motika and former Site Team Leader Garland Yates.

Their reflections provide insight into the difficult task of keeping a system reform on track.

The first year or so of the community court in the Cole neighborhood was a spectacular time for those involved in developing it.

“The court started as a beautiful story,” remembers Loree Greco. “There were a bunch of strangers standing in the room — service providers, schools, community members, moms and dads, and system people. Nobody knew that we had anything in common, but we did, and that was children. We had this common denominator that we could collaborate around to improve the health of the community.”

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“The most amazing place....”

“My 13-year-old thought this was the most amazing place he had ever been. Out of all the amusement parks he has been to and all the different places he’d been—zoos and all that. He talked about this for a long time.

“My husband was afraid of courts. They actually got him to come and stay in here. He sat through all this. Because for once he was in a place where he didn’t look like he was going to be judged.

“They actually sat down and then he listened to the kids and the stuff they were doing. He said, ‘If I’d had this as a teenager, I wouldn’t have gotten in some of the trouble I got into.’ The kids actually got hope....”

—**Aminah Taylor**,
a community service worker at the court

these kids and their families face. We were going to let it evolve in a natural way in the community and put in the resources to meet the needs of the community. Everybody wanted to get in on it.”

Unfortunately, it wasn’t going to be quite this easy. City-wide budget cuts combined with the loss of one of the court’s key champions within the juvenile justice system rather suddenly put the continued existence of the court in question in 2005. Key positions got cut, including that of Greco’s. Some staff had to work for

months without pay. Outside funding for other key positions, especially for someone who spoke Spanish, was delayed for months. One foundation that was supporting services for the kids and their families became concerned when the court system started to cut the community court’s hours.

The productive relationship between court staff and community staff and residents began to break down. Some community people felt that they weren’t being adequately informed or consulted. System people felt that the community court was doing things that were not really court work.

Some court system staff people questioned the cost of the community court. For some reason the number of cases the community court was hearing declined sharply.

People who had played key roles in establishing the community court left to take other jobs.

Perhaps most disturbingly, community court staff became disillusioned. This is one of the big dangers of any community-level change: high hopes can quickly turn into deep despair.

“Once again, the community is going to lose,” says Debra Johnson, a resident and court staff person who provided much support to the kids and their families. “We

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But despite all these struggles, the community court continued to function. It heard cases twice a week through 2006. It continued to do so at least until the middle of 2007. Some juvenile court judges cared enough about the court to agree to rearrange their court schedules to free up enough resources to keep the community court alive.

“This is not a simple ‘bad system/good community’ story,” says Motika, *Making Connections*’ Site Coordinator who advocated for the court when she ran the Community Justice unit of the District Attorneys’ office. “There are people in the court system who really want to see this community court succeed.”

What is important for these supporters to understand, Motika says, is the passion that people often feel when they are deeply engaged with something that they think is making a real difference in their communities. That passion can create tremendous energy and excitement that can multi-

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ply the impact of a reform. But, Motika warns, if the gears suddenly shift because of something like a funding crisis, that passion can also produce a lot of frustration.

“One lesson in this for a system is that when you agree to a reform, especially one that is strongly supported by a community, you need to be prepared to stay with it.”

Garland Yates believes that one reason the court has struggled is that the community of people who were benefiting from it were not organized adequately to fight for it.

“Some people will argue that the struggles of Denver’s community court prove that trying to reform a system like the courts is doomed to failure. They believe that a system will always find a way to resist change,” says Yates, Denver *Making Connections*’ former Site Team Leader.

But for Yates, the story is not so much about how hard systems resist change, but how important it is to invest in both internal and external strategies for overcoming this inevitable resistance. By internal, he means a strategy to build support within the system. By external, he means a strategy to build a strong community voice that can respond to threats.

“It’s not surprising that a system doesn’t do what you think it is supposed

to do. That’s why reform was needed in the first place. We need to focus not just on what the system should have done, but also on what we should have done to increase the odds that this system reform will succeed.”

Yates thinks now that the community court’s supporters focused too much on convincing and then working with a few key people from within the court system. When those people left their jobs or began to feel pressure, support for the community court waned.

“For a system reform to work, what this story underscores for me is that you have to systematically mobilize allies within the system,” Yates says. “You can’t rely on your handful of friends within the system to do this. They could leave tomorrow.”

“You need to use basic organizing principles to identify potential allies, build relationships with them, educate them and help them convince other system people that this reform is a good thing and it’s in their interest to support it.”

But even more important, Yates believes, is for the supporters of a reform to mobilize the people who benefit from the changes. He knows that the community court’s supporters faced many obstacles, especially the delay

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in the funding for a Spanish-speaking staff person. This person was critical to engaging the often Spanish-speaking families whose children’s cases were being heard by the community court.

But he thinks that, “We could have done much more to involve community residents in supporting the court.” Yates thinks part of the problem is that the court became seen as a project of *Making Connections* Denver rather than as a key part of the community’s plan to deal with crime and provide the supports their kids need to avoid committing more serious crimes.

“We relied too much on appealing to our allies in the system to get things done and to deal with the problems that came up. In a way we got so entrenched in working within the system that we became immobilized. We couldn’t do anything to address the issues that came up, like the system’s claim that our data was suspect.”

Rather than maintaining the pressure on the system to keep reforming, the court’s supporters got into the posture of defending their ideas, Yates believes.

“I’ve come to believe that system reform can work only if you invest a lot in your strategies to mobilize internal and external support for the change. It’s another area where it’s critical to use some of the basic principles of organizing.”

The struggle over the community court’s future has not diminished the commitment of the staff people who have been providing the support for the young people who came before the court.

“We are rooted in it,” explains Sandy Douglas. “All of these children have my home phone number. I don’t want a break in what’s going on with these children. I don’t want a break in their support.”

“This is our work. This is what we do. It’s not a job. The work just has to keep going.”

“That’s what I keep telling the kids,” adds Debra Johnson. “I don’t have a degree, but I will bend over backwards to get you out of the muck and mire that you’re in. Call me. Beep me. Do whatever you need to do. Let’s see what your needs are. Let’s get to the table. Let’s try to work this thing out. It doesn’t matter what it is because, nine out of 10 times, whatever you’re going through is something we’ve been through too.”

While the community court’s struggles have been very hard for its staff and the community itself, these struggles are also a rich source of insights about the process of achieving and implementing system reform. The people most engaged in this effort to create a community court have many observations

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that suggest important lessons about the often hard process of implementing a reform.

► **Resistance to change doesn’t disappear when a system agrees to a change and starts to implement it.**

Some of the community court’s strongest advocates were Court Administrator Matt McConville and Presiding Judge Raymond Satter. It was easy to assume that their

support for the court equated to support from the system as a whole. But it didn’t, says Douglas.

“As I reflect back on it, Matt and Judge Satter had a lot of opposition from downtown. Although we had a good thing going, we had to fight to be where we are. We had to fight to maintain some degree of control or leadership.”

The community court staff people had to deal with many rules of a long-established system. They were told not to pick up the kids in their own cars, for example. In general, some in the court system were uncomfortable with the services the com-



Presiding Judge Raymond Satter was a big supporter of the community court.

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munity court was providing these kids, according to Johnson. They said “it was good work, but not really court work.”

The way that court staff were being paid — as contractors rather than employees — also became an issue. “They said that they can’t keep renewing contracts,” Greco explains. “We looked too much like employees. They were worried about getting in trouble for that.”

But when they tried to find the appropriate employee classification, the roles being played by the community court staff didn’t fit into the existing classification system. “They could not create any new

categories without going through a whole lot of changes,” says Douglas.

One issue is that some people doing the community work don’t have the degrees required to be classified in a certain way. “They said she doesn’t have a degree,” Greco says. “Well, she’s got a degree on the streets, which is why we need her.”

The focus on finding a way to fit this work into the existing court structure became a big part of the problem, Douglas believes. “That’s what they keep bringing up: ‘Do this to keep your job.’” But the issue was not saving their jobs but saving the work they were doing with commu-



Sandy Douglas (left) says that “it’s not a question of funding a job. It’s supposed to be about supporting a movement.”

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nity kids, Douglas says. “Every day I hear something concerning saving my job. That is just eating me up. It’s not a question of funding a job. It’s supposed to be about supporting a movement. A partnership. A philosophy.”

► The roles of the community and the system need to be spelled out as clearly as possible at the beginning.

“In the beginning the people from the courts said that it’s all about system change,” says Douglas. “They told us, ‘We have to find different ways. You guys tell us what you need. We’ll provide the TA.’ I can hear that ringing in my head every day.”

But this verbal commitment to change began to change as new people got involved. “The initial partnership was flawed,” Douglas thinks. “We didn’t define any roles.” Over time, she adds, the commitment to systems change began to diminish.

“We wanted to be at the table, and not as decoration,” Douglas continues. “We had to fight for things every month. It was just a constant. We want to have a voice in all of this. But there were people at the table who were kind of dictating that this

is the way it will be. Over time it seems like people started to pull away because we, community, were standing strong.”

Greco now believes that a memorandum of understanding needed to be worked out among the court system, the other funders and the community at the beginning of the community court. “We needed to get a formal buy-in by all the partners.”

► Resistance to change often comes from a reluctance to relinquish power.

Roles and values needed to be spelled out because it is often very hard for a system to let go of the control it has always exercised.

“In the beginning the court said that we’re stretching the way we do business,” remembers Greco. But now she says that it feels like the court is reverting back to many of the old ways. “They have ultimate decision-making power. That is one of the big lessons we’ve learned from this. One stakeholder has all the power.”

The community court has attracted considerable outside funding, from Making Connections Denver, the Piton Foundation, the Annie E. Casey Foundation

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and others. But some in the court system were uncomfortable with this funding. Greco says that their concern was that, “In order to take their money, we have to give something up. We have to go with their policy. They are going to want something out of us.”

► Keep working to educate others both inside and outside the system.

“Downtown didn’t really know what we were doing,” explains Greco. “They had a lot of questions. They see the court as an easy cut, something that they won’t feel any pain in doing.”

The community court cost about \$300,000, which included part of the salaries of those who managed the court from downtown, the judges who heard cases, the court clerk, security guards, Greco’s salary and part of the rent for the building. The cost of the support services were being covered mostly by several grants from sources such as *Making Connections* and the Piton Foundation.

Part of the problem, Douglas thinks, is that key court administrators did not appreciate the value of these services. “They said all these ‘extras’ are not court work.

They said it’s nice, but it’s not really the work of the court.”

Greco wishes that Judge Satter had been able to meet with the other judges to discuss the community court and tell them why he was such a big supporter of it. “Imagine if Judge Satter had sold this to the judges,” Douglas adds.

Actually, Motika adds, some of the other judges *were* sold on the community court and they made sacrifices to keep it going. But other key judges proved to be very hard to engage, Motika explains, thus they never became big supporters.

Greco also thinks that reaching and educating people outside the system is also vital, people like Denver’s mayor. “What the court really needs is direction from the mayor. He needs to be saying, ‘This is an investment. This is something I believe in. We don’t want this to be on the chopping block and here’s why.’”

► Don’t rely exclusively on a few individuals.

At the beginning of the community court, Greco says, “There was a group of people who were really tight in supporting this. But then everybody got different jobs.”

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Court administrator Matt McConville was a big early supporter of the community court, talking about expanding the concept to other parts of Denver.

One of these people was Presiding Judge Raymond Satter. His term as presiding judge ended shortly after the community court began. But he wasn't the only one. Denver got a new mayor. The District Attorney left (he is now Colorado's governor). Two people in the D.A.'s Community Justice office left (one being Susan Motika, who became the *Making Connections* Denver Site Coordinator).

The new presiding judge approached the court, Greco says, with a strict cost/benefit approach, an approach motivated

in part by the funding crunch the court system was facing. “He told me that, ‘If the numbers don't make sense, there needs to be an adjustment.’ He put the community court budget in front of me and said, ‘If you were the CEO of a company, what would you do?’ His main focus was on the number of cases we were hearing.”

Motika adds that this judge liked the services that the young offenders were receiving, but he didn't think it was the work of the court system to provide these services.

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“If a system truly embraces and believes in something, they need to find a sustainable way to fund it.”

—Loree Greco

**► A corollary:
don't rely solely on grant or
contract funding.**

Denver's community court was vulnerable when a city-wide funding crisis came because it wasn't seen as a core function of the court system. The people working for the community court — such as Greco and Johnson — were contractors, not employees, which meant the court system only needed to not renew their contracts.

“If a system truly embraces and believes in something, they need to find a sustainable way to fund it,” Greco believes.

Motika points out that one judge in particular demonstrated support for the community court by changing his court schedule so he could hear the cases every week at the community court.

The court also continued to receive grants from outside funders. While outside support made the community court less dependent on one source of funding, grants can also be cut off.

One grant was made with the understanding that the court would be operating close to full time. When the court system cut the community court's hours, this funder was concerned, according to Greco. “They said, ‘Wait a minute. We're not going to get the benefit of our bargain. This is not what we bought

into. We bought into a concept. We bought into a philosophy.’”

The court system's concern that outside funders want too much control meant that the grants had to go through the court system downtown rather than coming directly to the community court. As a result, one person who worked closely with the community court worked out of the court system's downtown office. Douglas be-



Debra Johnson believes they should have done more to make the community aware of the cuts in the court's budget.

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believes that this kept this person from being integrated into the community court’s approach and culture.

Grants also don’t always come when you expect them. This became a major problem for the community court when a grant that was supposed to pay for a Spanish-speaking staff person didn’t come through until more than half a year after it was expected. “We have been attacked in meetings over and over that we don’t have a Spanish speaker here,” says Douglas. “But we can’t fund them out of our pockets.”

D Funding for the essentials — such as a Spanish-speaking organizer/staff person — need to be in place from the beginning.

In reflecting back on the beginning of Denver’s community court, Motika believes two things should have been seen as “deal breakers.” One is a data-driven evaluation plan. The other was to have the money in place to immediately hire the Spanish-speaking organizer/staff person.

“Loree [Greco] laid a tremendous foundation for the court,” says Motika. “But we needed a Spanish-speaking organizer.”

Like many inner-city neighborhoods, the Cole neighborhood — where the community court building is located — used to be primarily African-American. Denver’s former mayor (and an early *Making Connections* supporter) was an African American who grew up in Cole.

But Cole and the area near it is now about 70% Latino. Both Douglas and Johnson have deep roots in this community, but neither speaks Spanish.

“A lot of groups struggle with the inevitable tensions” that arise in any neighborhood that is going through rapid demographic change, Motika believes. She says that bridging the cultural and language barriers is hard. But to get the voice of Spanish speakers in the justice system, she says that you have to find ways to bridge these differences.

Just as important, you need to have a Spanish-speaking organizer to engage the mostly Latino parents—whose children are being helped by the court—in an effort to maintain and possibly expand the court’s impact.

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—Loree Greco

► Getting good data is critical.

Susan Motika’s other “deal breaker” concerns the need for solid data on a reform’s impact. Early data on the community court showed a significant reduction in recidivism among the kids whose cases were heard by this court. But “downtown” questioned this data. When the community court people tried to get more data, they discovered that it wasn’t available.

The big problem was the court system’s outdated software, Greco suggests. “There are so many inconsistencies in how the information is coded in the computer.”

The lesson in this for Motika is that any system reform must “begin with a data-driven approach” that includes a control group. “Rigorous evaluation needs to be the first step of any pilot project. And make sure that you have a comparative population so you’ll have solid evidence of any progress you’re making in achieving the goals.”

► Getting data that quantifies the benefits of a reform is also vital.

In the struggle to maintain the community court’s funding, Greco clearly saw the need to “somehow put a dollar figure with the

data.” Being able to do this could show that an investment in a system reform strategy such as the community court was saving money over time.

Greco points to statistics that say that, “if you save one high-risk kid, you’re saving 60 to 80 crimes from being committed.” She thinks that, “People who work in these systems just need to start hearing that type of language....”

Another benefit the community court produced is the huge number of community service hours that kids performed as alternative sentences: the work these kids did clearly has monetary value. So too does the work of the community volunteers that the court has attracted. Greco says that one volunteer, Aminah Taylor, “has been amazing” and “actually saves the court \$50,000 a year doing case management.”

Greco says that she can point to times when the services provided by the court helped keep kids from being placed outside their homes, which “saves huge dollars too.”

Somewhat ironically, one piece of data that suggested progress — a reduction in the number of cases the community court was hearing — ended up hurting the court. The court system saw it as a sign that it was investing too much in the community court.

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“I figured if a lot of parents knew what was going on who lived in this community, it would probably be a ruckus. If they actually really knew the details of everything.”

—Aminah Taylor

“Downtown wasn’t happy with those numbers,” Greco explains. “This brings a larger ethical question about the courts being driven by tickets. I think that is wrong. That the court could go out of business because cops aren’t writing enough tickets seems crazy. That should be what the court wants — public safety.”

“Just because your numbers drop is not a bad thing,” says Aminah Taylor, the community service volunteer for the court. “That’s a good thing. The kids have something they value. They look up to Sandy and Deb and don’t want to disappoint them.”

Good Data + An Organized Community = The power to maintain and expand a system reform.

While it’s called a “community” court and it deeply engaged community people in its work, this juvenile court reform is not a clear example of “community-driven” system reform. A strong group of residents helped design the court, but the push for a court reform that would incorporate restorative justice principles came originally from within the system, or at least from within a unit of the D.A.’s office.

One consequence of this history — combined with the court’s lack of a Spanish-speaking organizer/staff person — may have been the lack of a broad community-led outcry when the court system began to cut back on its support for the community court.

When they first found out about the pending cuts, Johnson says, “We knew we needed to do something. We needed to talk to community. We needed to let them know and make them aware.” But the court system didn’t want the staff to talk publicly about the possible cuts, and for a long time there was uncertainty about when they would happen and how deep they would be.

Johnson says that “one of the major ways we could change” is to do much more networking among families within the court’s neighborhoods and get them “a whole lot more involved this go around than the last.”

“I figured if a lot of parents knew what was going on who lived in this community, it would probably be a ruckus,” says court volunteer Taylor. “If they actually really knew the details of everything.”

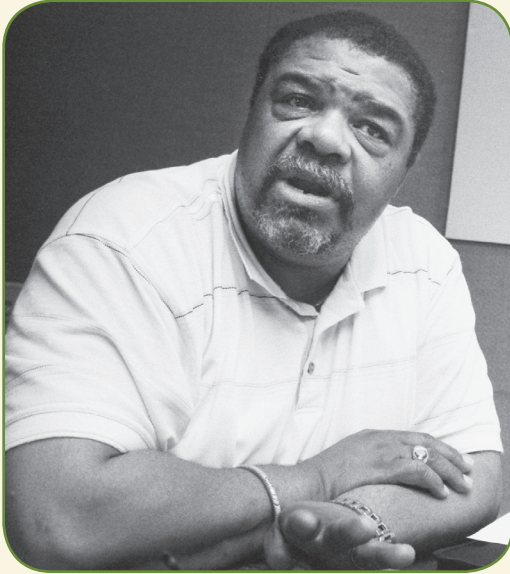
Yates, the former Site Team Leader for *Making Connections* Denver, believes that the key to the success of any system reform is the degree to which the

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community that benefits from the reform is organized to maintain the pressure for change.

“So often you will get significant community involvement in the push to get a reform or a policy change in the first place. But it’s very hard to maintain that level of community involvement.

“And systems know this. They know that they can often get away with agreeing to make a change, then just not fully implementing that change. The community must have a monitoring role.”

Yates thinks an ongoing effort to engage community people in monitoring a reform is just as important as the ongoing effort to produce solid data. “You can have great data, but if you don’t have people pushing the politicians and the policy people to respond to this data, a system reform can still fail.”

Photos by Tory Read (pages 1, 4, 7, 11, 16) and Mary Ann Dolcemascolo (2, 8, 12).

This is one of a series of reflections and stories about the work of *Making Connections*, a long-term community change initiative supported by the Annie E. Casey Foundation. This reflection was written by Tim Saasta, coordinator of the Diarist Project and former Denver diarist. It is based on interviews conducted by Saasta and Tory Read, also a former Denver diarist. Diarist publications are available at: www.DiaristProject.org. For more information, contact Tim@CharityChoices.com.

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