

RESTORATIVE ARTS:
HOW LOCAL ARTS AGENCIES CAN
FACILITATE THE ARTS IN JUVENILE JUSTICE SETTINGS

Andrew Richard Woodard

Major paper submitted to the faculty of Goucher College in partial
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Abstract

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The prison populations in the United States increased significantly in recent decades. The same low-tolerance policies, adopted in school systems, created a school-to-prison pipeline where juveniles enter the justice system and lack the opportunities to develop prosocial skills.

This research was intended to determine whether an arts-based solution exists. The effects of restorative justice techniques, as opposed to traditional punitive methods, were analyzed. The research focused on the personal skills required to make restoration successful and on the personal benefits of arts participation. The identified benefits and real-world examples suggest that arts can be used effectively in juvenile justice settings.

To serve as the framework for a specific model, research focused on the role and responsibility of the local arts agency (LAA) to initiate the partnerships. LAAs are committed to the wellbeing of their communities and are adept at working with partner

organizations. Despite this, few agencies have already initiated arts programs for juvenile justice.

The final segment of research was intended to demonstrate the viability of the arts-justice partnership model. Trends suggest that socially-motivated programming will be attractive to future donors. Two actual examples of LAA-led initiatives are presented to serve as indicators of viability.

The conclusion is that a local arts agency can fulfill its responsibility to improve the quality of life in its community by facilitating partnerships that integrate the arts into restorative juvenile justice.

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This work—and all of my work—is dedicated to Kerry, who supports, motivates, and tolerates me at every step.

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TABLE OF CONTENTS

Introduction		1
	Principles of Restorative and Juvenile Justice	1
	Local Arts Agencies	4
	Methodology	5
Chapter I:	THE NEED FOR REFORM	7
	Prison Populations	7
	Racial Inequity	8
	Local Arts Agencies in Justice Reform	10
Chapter II:	EFFICACY OF ARTS AND JUVENILE JUSTICE PARTNERSHIPS	11
	Goals and Effects of Restorative Justice	11
	Arts and Restorative Skills	14
	Examples of Arts and Justice Partnerships	16
Chapter III:	THE ROLE AND RESPONSIBILITY OF THE LOCAL ARTS AGENCY	19
	Mission and Impact	19
	Arts and Healthy Communities	22
	Strategic Partnerships	25
	Arts, Justice, and LAAs	27
Chapter IV:	VIABILITY AND SUSTAINABILITY	28
	Sustainability of Partnerships	28
	Future Fundraising: Millennial Appeal	30
	Funding Interests for Local Arts Agencies	31
	Examples of LAAs with Juvenile Justice Initiatives	32
Conclusions		35
	Implications	36
Works Cited		37

Introduction

The research for this paper intertwines two broad concepts: justice and the arts. Either of these is too vast a subject to explore in its entirety, so the scope of each concept is limited. The justice idea is therefore narrowed to restorative justice practices in juvenile settings. Arts applications—this research does not focus on differentiating artistic media or methods—within that framework can then be explored. To narrow the artistic scope, this research is designed to emphasize the role that a local arts agency can play in joining the two main ideas by facilitating partnerships.

Principles of Restorative and Juvenile Justice

The Centre for Justice and Reconciliation—whose mission is “to develop and promote restorative justice in criminal justice systems around the world”—declares that restorative justice practices should be equally victim-centered, not exclusively offender-centered (“Restorative Justice”). This is in contrast to the common understanding of justice, which typically relies on punitive methods for offenders. Criminologist William R. Kelly suggests that the “tough on crime” system designed to administer post-hoc punishment does little to repair the damage of those crimes or offer constructive rehabilitation for the offender: “Our criminal justice policies have failed to effectively reduce crime and recidivism... and they have facilitated a large segment of the population cycling in and out of the justice system and becoming permanently dependent on public services, rather than being productive citizens” (qtd. in “Why”). Restorative justice is an

active process of repairing the harm between offenders and victims of crimes and working to restore the offenders as productive members of society.

Victim-offender conferences—an important act in the restorative process when offenders directly address the harm of their crimes—are most successful when there is sustained support for victims and sufficient preparation for offenders. In a study of restorative justice conferencing, Masahiro Suzuki and William Wood found that successful conveners spent sufficient time with offenders before conferencing in order to discuss the details of their offense, their feelings, context, and the effects of their actions. It is important for the offenders to understand the damage in order to repair it. The process itself often helps offenders address “complex issues such as lack of self-respect or relationship with their families” (Suzuki and Wood). Effective communication and empathy are important skills in the restorative process. These skills are essential in order to repair harm and provide a framework for the offender to prevent future crime.

Victims of crimes sometimes feel betrayed by a justice system that does not result in true repair of the harm. This is the product of a criminal justice system that has primarily focused on punishing offenders with the hope of preventing future crime. Victims of crime are therefore the “owners of conflict” (Mika et al.) because they must live with the consequences each day. In the report “Listening to Victims – A Critique of Restorative Justice,” Mika and his colleagues acknowledged that conferencing sometimes failed to actually resolve such conflict, particularly when the offender was emotionally or socially incapable of remorse. The report also argued that, because of their ownership of conflict, victims deserve to have a role in every element of justice reform. However, the focus of this paper is how arts initiatives can improve prosocial skills for offenders. An

offender's deep understanding of the harm caused by the crime and his or her ability to empathize and communicate with direct or indirect victims are essential for successful restoration.

Young people are considered excellent candidates for restorative techniques because of their relative ability to be rehabilitated. Most adults will freely admit to making—and subsequently learning from—mistakes during their youth. For countless generations and across numerous cultures, common practices are predicated on the idea that youth and adolescents are not as emotionally or cognitively developed as adults. For that reason, restorative practices are most commonly used in juvenile settings.

Recent rulings by the Supreme Court of the United States have been centered around the idea that juveniles are not as fully developed or mature as adults. A landmark decision from *Miller v. Alabama* and *Jackson v. Hobbs*—the two cases ruled in conjunction—ruled mandatory life without parole sentencing for juveniles is cruel and unusual punishment and therefore unconstitutional. This is based on the idea that juveniles are prone to “recklessness, impulsivity, and heedless risk-taking” (United States), factors that make youth less culpable and more capable of rehabilitation over time, supporting the idea that juveniles are excellent candidates for restorative practices.

The term juvenile justice, as used in this paper, will describe the formalized criminal systems as applied to youth, which include juvenile court, detention, parole, and probation. The term juvenile justice will not be used to describe a broader scope of services for at-risk youth populations, such as alternative schools, civic clubs, foster care, Child Protective Services, or other similar organizations and programs. The primary aim of this research was to establish an arts-related benefit for youth already involved in a

formal juvenile justice setting. While it is conceivable that the same benefits could apply to at-risk youth without a criminal record, further research would be needed.

Local Arts Agencies

A local arts agency (LAA) is an organization designed to enhance the arts and enrich its community. In the United States, the number of LAAs increased drastically after the 1967 formation of the National Endowment for the Arts and, subsequently, various state arts agencies. Although there are no formal naming conventions, most LAAs are referred to as arts councils. Program offerings and organizational structure can vary significantly, but all LAAs are focused on serving a specific geographic area, such as a neighborhood, city, county, or other nonpolitical boundary. The focus of this research is on the role that an LAA can play in facilitating arts-justice partnerships.

All local arts agencies are mission driven, and according to Americans for the Arts, “LAAs build healthy, vibrant, and equitable communities” (“What Is a Local Arts Agency”). The specific mission of an LAA can vary, but almost always centers around improving a community and its artistic landscape. Such missions are a nod to the interdependence of arts and community health; communities need arts offerings to be healthy and arts thrive in healthy communities. Although causality is often difficult to prove, there is a large body of evidence demonstrating a strong positive correlation between the number of arts offerings in a community and its social health (McCarthy et al.).

As previously mentioned, there are many different types and styles for LAAs and, generally, no two organizations function identically. Structurally, agencies are either public—generally a division or office of a governmental body—or private. Regardless of

the distinction, most serve their community through a combination of direct artistic programming and other services. The other services can include technical assistance for artists or arts organizations, grant making, or addressing other community needs. The *2015 LAA Census* by Americans for the Arts shows that 71% of agencies are private and the remaining 29% are public entities. The primary differences between the two types are funding and governance. Public LAAs, as offices or departments of a governmental body, receive the bulk of their revenue through tax dollars. Public LAA governance is sometimes an independently elected or appointed commission, but sometimes it is defined solely by the government hierarchy. Private LAAs, in contrast, autonomously fill a volunteer board of governors, sometimes referred to as directors or trustees. Revenue for private LAAs is a combination of government grants and private—individual, corporate, and foundation—support. Both types of agencies can earn income through direct programming or services, but private LAAs are more likely to conduct such programs, whereas public agencies are more likely to be grant makers (*25 Highlights*). The scope of this research was not limited to agencies of a specific type or function.

Methodology

The overall presentation of this paper intends to display the societal need for justice reform and a pathway for the arts to be included in that reform. To accomplish this presentation, this research is structured in three primary sections, represented in chapters two through four. The first section is designed to demonstrate the merits of progressive, restorative justice concepts and how the arts can produce positive effects in justice settings. The second section provides a specific model for this integration by demonstrating the responsibility of LAAs to improve their communities as well as their

ability to successfully partner with many types of organizations. The third section then highlights why the model is viable and potentially attractive to external funders. The conclusion is meant to demonstrate one way that arts administrators can address a specific societal issue and is not intended to diminish the importance of other issues currently being addressed.

The research for this paper regarding the justice system includes published reports, law periodicals, court cases, articles, and interviews. The bulk of these sources are recent, though in some cases historical trends or longitudinal studies were necessary to understand the scope of the issue. A similar set of sources was used for research related to arts or local arts agencies, but with an additional emphasis on blog posts and informal publications of practitioners in the field. Research that demonstrates the viability of the model was most challenging because of the impossibility of predicting the future. Therefore, viability must be inferred after examining recent trends and expert opinions.

Chapter I THE NEED FOR REFORM

The United States has a greater prison population than any other country in the world and the second-highest rate of incarceration per capita (“Highest to Lowest – Prison”). Most notably, the prison population in the United States has grown significantly during the past few decades. Low- or zero-tolerance policies on crime and disruption have led to overpopulated correctional facilities. Similar attitudes toward suspension and expulsion of disruptive youth led to a phenomenon known as the school-to-prison pipeline, which has created a cycle that limits the potential of many young people. The call for justice reform will revolve around practices that repair harm and provide support for successful rehabilitation of offenders.

Prison Populations

Prison populations in the United States have skyrocketed in recent decades. In 1980, the total inmate population in state and federal prisons was close to 300,000. By 2015, the inmate population was approximately 1.5 million (*Trends*). The increase in population is due largely to tougher enforcement of laws and harsher sentencing in a period known as the “tough on crime era” (Ferner). However, polls in recent years have shown that American voters in both major parties are unhappy with overcrowded prisons and harsh sentencing for nonviolent crimes. The same poll indicates that voters support education or rehabilitation efforts aimed at curbing recidivism, which is the likelihood

that an offender will repeat criminal activity (Ferner). Federal prisons house roughly 10% of the nation's inmates. For that reason, new rehabilitation initiatives would be most effective at the local or state prison level.

The same low-tolerance policies that drove prison populations were also adapted for use in schools, leading to the school-to-prison pipeline. School administrators, in observance of a societal shift toward harsh sentencing, largely adopted policies that removed disruptive youth from the learning environment. Detention, suspension, and expulsion—all punitive actions—have been used in schools for many years as the simplest options to maintain classroom control, but not necessarily in the best interest of all students. Most schools instituted progressive disciplinary procedures such that students would face harsher penalties for repeat offenses, even if the severity of the offense was the same. The primary failure of this system is that students who are removed from the regular learning environment often do not receive the same learning opportunities or supports as their fellow classmates. The end result is that the offending students are left less equipped to cope with the challenges of school and society, which leads to increased divergent behavior or, often, entrance into a juvenile or criminal justice system. Organizations like the American Civil Liberties Union are committed to challenging this trend of unfairly criminalizing school children (“School-to-Prison”).

Racial Inequity

The public call for justice reform in recent years is largely fueled by a call for racial and ethnic equity. The radical increase in American incarceration over the past four decades is cause for concern by itself. However, an equal—if not greater—cause for concern is how incarceration disproportionately affects minority and marginalized

populations. This disparity has received renewed national attention in recent years after high-profile killing of several unarmed black men at the hands of police officers. According to a 2008 manual published by The Sentencing Project about reducing racial disparity in the criminal justice system, “If the criminal justice system is to be viewed as fair, it needs the support and cooperation of the public. The perception or existence of racial bias or unwarranted racial disparities reduces public confidence in the system” (*Reducing Racial Disparity*). Justice reform will be an area of interest at least until there are no more racially-motivated human rights violations.

Prisons in the United States house disproportionately high percentages of minorities. White inmates comprise 33.8% of federal and state prison population in the United States. The remaining inmates, identified as black, Hispanic, or other, make up 35.4%, 21.6%, and 9.2% of the prison population, respectively. In regard to the demographic breakdown of the overall population, black men are five times more likely to be incarcerated than white men. Similarly, Hispanic men are more than twice as likely to be incarcerated as white men. Overall, white women and men are incarcerated far less, per capita, than their black or Hispanic counterparts. Similarly, black, American Indian, and Hispanic youth are all disproportionately housed in juvenile facilities (*Trends*). Organizations like The Sentencing Project conduct research and create awareness of the unequal application of justice. Racially motivated enforcement of laws and sentences will continue to rally public opposition.

National media coverage after killings of unarmed black men by police has increased the national call for social justice and police reform. In 2017, the *New York Times* published an article detailing fifteen high-profile cases of a black person dying

with police officer involvement (Lee and Park). According to the article, only two officers pleaded or were found guilty of any wrongdoing. Two incidents from 2014, the killing of Michael Brown in Ferguson, Missouri, and Eric Garner in New York City, led to national attention for the Black Lives Matter movement, which aims to increase awareness of injustice. Although this movement has been the source of considerable controversy, it has also raised hundreds of millions of dollars in private and foundation support (Richardson). In 2015, the John D. and Catherine T. MacArthur Foundation pledged one hundred million dollars to locally-based organizations as part of its Safety and Justice Challenge, which aims “to tackle one of the greatest drivers of over-incarceration in America—the misuse and overuse of jails” (“About”). The social climate in America suggests that justice reform will remain an important—and polarizing—topic that attracts many potential funders and partners.

Local Arts Agencies in Justice Reform

Regardless of organizational type or structure, 91% of LAAs are involved in direct programming, 88% provide services for individual artists, and 53% provide grants. Most LAAs, 57%, also report using the arts to address community development issues and 92% report collaborating with at least one other community organization. The types of programs and partnerships used by LAAs to advance their missions and impact their communities are varied, but only 10% of agencies engage in partnerships with juvenile justice or law enforcement, ranking as the thirty-fifth most likely partnership overall (25 *Highlights*). There is an opportunity for LAAs to address the societal need for reform and lead the way for arts integration in justice settings.

Chapter II

EFFICACY OF ARTS AND JUVENILE JUSTICE PARTNERSHIPS

One aim of restorative justice is to humanize offenders—to perceive and treat them as emotionally and intellectually complex human beings—and mold them into more productive citizens. Youth in justice settings can gain inter- and intra-personal skills through arts participation. This leads to the belief that arts and juvenile justice partnerships can be an excellent tool for restoration. When applied over a long enough period of time, effective rehabilitation processes will yield a broader sense of citizenship in the community.

Goals and Effects of Restorative Justice

A justice system that is centered on healing, as opposed to punishing, creates a more positive culture for offenders and officers. Punitive techniques can remove offenders from conflicts, but do not necessarily provide the socio-personal framework to prevent future conflicts. Measuring an inmate's likelihood of future offense is difficult because of variables that are not within the control of the justice system. However, an environment centered around healing and skill-building is more likely to effect positive changes on the incarcerated.

Punitive justice techniques, such as solitary confinement, show no demonstrable benefit to the offenders. Proponents of isolation argue that removing a potentially violent offender from a negative environment can reduce an immediate threat. However, this point of view fails to consider the long-term impact of isolation on the offender. While

isolated, the individual is removed from any opportunity to gain the necessary skills or experience to be productive in society. Isolation can also compound negative thinking by an individual who lacks a channel for positive self-expression. Solitary confinement—removing an individual offender from any social circle—is analogous to the punitive justice system as a whole. The traditional focus on punishing offenders may reduce the likelihood of crime, but does not equip those offenders with the skills to be restored as productive members of society.

Restorative practices can improve behavior within the justice system. The underlying philosophy is that such programs are desirable and therefore can be used as an incentive for good behavior. According to a 2014 quantitative evaluation of the California Prison Arts program, “prison arts programs have been found to positively impact behavior while incarcerated... Further, prison officials stated that behavior in the arts was better than in industrial workshops or in other areas of the prison” (Brewster). Good behavior while incarcerated is often rewarded with shorter sentences, which is often referred to as “good time” (O’Hear). The underlying belief is that positive behavior indicates readiness for life outside of prison. Marquette University law professor Michael O’Hear wrote an essay highlighting the success in multiple states where recent legislation increased the availability of good time for nonviolent inmates. O’Hear’s research indicates that there has been no statistically significant increase in repeat offenses as a result of the shortened sentences. O’Hear concludes, “programs that allow prison inmates to be released early for good behavior... reduce prison populations and decrease the likelihood that former inmates will commit more crimes once released” (O’Hear). The

implication is that improved compliance and prosocial behaviors can lead inmates to become more productive members of society upon their release.

Recidivism is a fundamental concept of criminal justice that is regularly used to try to prove the effectiveness of reform efforts. However, quantifying results in these ways yields a limited picture of any justice effort. Most researchers acknowledge that collecting accurate and reliable recidivism data can be challenging. As it is impossible to prove a negative, the absence of a data point—in this case, new criminal charges—would not prove that a release offender has ceased illegal activity. Such absence would only prove that the illegal activity has not yet been discovered, if it exists at all. If a released inmate does reoffend, the severity of the crime and the elapsed time between charges are important factors to consider as indicators of rehabilitative progress. For that reason, recidivism data alone fails to completely capture the positive effects of any criminal justice system.

Even if reliable data were captured, recidivism rates are difficult to attribute to any single factor. A wide variety of systemic and individual factors makes controlled scientific study impossible. Systemic factors, in this scenario, are those that are determined by the justice system and its officers. Correctional officers regularly apply a variety of techniques and programs, all of which may impact individuals in unique ways. Policy reform within a facility may not reliably isolate a technique because offenders have individualized incarceration sentences. Individual factors, such as home environment, health, employment status, or others, are specific to each offender and can hugely impact future decisions. Any environmental influence after an inmate's release is outside of the justice system's control.

Recidivism data fails to capture other qualitative benefits of rehabilitation practices. Anecdotal measurements of inmates' improved compliance, body language, or social interactions can also be indicators of progress. Unlike recidivism, those qualities are focused on the overall humanity of the incarcerated individuals. The impact of successful restorative practices is most obvious when considering these qualitative benefits and not just recidivism.

Arts and Restorative Skills

Arts participation yields many direct and indirect benefits that can be particularly valuable for incarcerated individuals. In 2004, the RAND corporation funded a study to assess the existing body of research on the benefits of the arts on individuals and communities. The research focused on perceived cognitive, attitudinal and behavioral, health, community-level social, and economic benefits. The report acknowledged that most previous research lacked the appropriate control groups to adequately prove a cause-effect relationship, stating, "intrinsic benefits of the arts are intangible and difficult to define. They lie beyond the traditional quantitative tools of the social sciences, and often beyond the language of common experience" (McCarthy et al. 37). Nonetheless, the authors admit that the staggering positive correlation between arts participation and personal growth are compelling. Of the personal benefits of arts participation, cognitive benefits along with attitudinal and behavioral benefits are most relevant for individuals in the justice system.

Arts participation leads to positive changes in attitudes and behavior. According to the RAND study, these positive changes are most noticeable after active, hands-on participation. The majority of the research is focused on youth populations and, not

surprisingly, the strongest positive changes were seen in participants that previously exhibited negative attitudes or behaviors. The implication is that the greatest potential benefit of arts participation may be for incarcerated youth populations. Janice Jones, Senior Probation Director at Nidorf Juvenile Hall in California, has worked to increase arts opportunities for inmates. Jones expressed an overall shift in the culture once arts modules were implemented. “You could see the changes in the kids while they were engaged with the art... There has been a drastic reduction of fights and use of force” (Jones). The arts have unique qualities that allow for intellectual freedom and self-expression, which can lead to positive changes in incarcerated youth.

Arts advocates have often lauded the cognitive benefits of arts participation. Research suggests that school-aged children gain a number of learning-related benefits such as higher test scores, improved basic skill function, knowledge retention, and interest in learning (McCarthy et al.) These benefits are gained from arts instruction and participation in formal education or informal community settings. An important cognitive benefit for incarcerated populations is an increased desire to learn, which can provide a pathway to acquire additional skills. In his quantitative assessment of adult inmates in California’s *Arts in Corrections* initiative, Larry Brewster identified a strong correlation between inmates who engaged in arts programming and also pursued other educational or training opportunities (Brewster).

Incarcerated populations must be humanized in order to demonstrate empathy and become productive members of civil society. In the RAND study of arts benefits, McCarthy and his colleagues write, “The communicative nature of the arts, the personal nature of creative expression, and the trust associated with revealing one’s creativity to

others may make joint arts activities particularly conducive to forging social bonds and bridges across social divides” (McCarthy et al). At its core, art is a channel for personal expression, which is particularly valuable for incarcerated or at-risk populations who may not otherwise be able to express themselves. Youth offenders are often the products of disruptive environments and can benefit significantly from artistic expression. Jones recounted a young inmate at her facility with a pattern of negative self-thought who calmed while painting a wall: “his mind would go away in that room.” Jones believes that the act of painting gave the inmate an alternative way to focus and communicate his thoughts and feelings. A 2016 study funded by the Urban Institute agrees with McCarthy’s suggestion that art promotes empathy and understanding, which leads to reduced interpersonal violence and the unification of disparate communities (Ross).

Examples of Arts and Justice Partnerships

Partnerships involving art in juvenile justice settings are used throughout the United States. The specific program model or artistic media may vary, but each example supports young people involved in the justice system with the hope of providing a framework for a productive future. The following examples demonstrate the viability of arts and justice partnerships.

Baltimore Youth Arts (BYA) is a program designed specifically to increase the skills of at-risk and incarcerated youth in Baltimore, Maryland. The organization holds that “the arts are a path towards personal liberation and self-sufficiency and that they not only impact youth facing incarceration, but also the justice system and perceptions held by the greater community” (“Baltimore Youth Arts”). Visual arts are the primary focus of BYA and it holds classes and workshops at multiple facilities throughout the city. In

addition to direct arts instruction, BYA staff support the youth by fostering leadership skills, helping write resumes, and occasionally assisting with transportation. Dante Scancella, a juvenile social worker in Baltimore, supports the program because it is improving the lives of its participants. Scancella believes, “in particular for youth, and the youth that we frequently see in the juvenile justice system who have limited family supports, sometimes no family support, those supports [like BYA] are even more important” (qtd. in Kirkman). Baltimore Youth Arts exemplifies the impact of the arts for at-risk youth.

New York University has a course titled Lyrics on Lockdown which prepares students to create and administer arts workshops at Rikers Island that are geared toward incarcerated teenage boys. The program began after Mayor Michael Bloomberg announced the Individualized Correction Achievement Network, which was designed to provide pathways for inmates to receive education and resources that will help them after prison. The driving belief behind the Lyrics on Lockdown program is that there is power in each individual’s stories. The workshops use poetry, yoga, music, and other types of storytelling that encourage the young inmates to connect with their inner selves (Silver). Tuli Etedgi, a student leader working with the youth in Rikers Island, learned that “every act that constitutes a person or their identity... needs a voice and a listener” (qtd. in Silver). Based on her work with Lyrics on Lockdown, Etedgi believes that the workshops are empowering for those behind bars.

The Arts for Incarcerated Youth Network (AIYN), based in Los Angeles, is one of the most compelling examples of arts and justice collaborations. The network facilitates partnerships between artists, organizations, probation facilities, and the Los

Angeles County Arts Commission. All AIYN partner-members agree to focus on four areas of shared purpose: arts education in detention center curriculum, collaboration to increase capacity and build connections, advocacy for arts integration, and professional development in correctional facilities. The network also maintains ideology that is expected of all members, which includes the belief that “arts are uniquely positioned to strengthen young people, and create pathways for youth success, and catalyze systemic change. Arts should be valued as foundational to investing in youth wellbeing” (“Arts for Incarcerated Youth Network”).

What makes AIYN different than other arts and justice programs is its emphasis on building coalition. After discussing the numerous tasks involved with making the programs work, Executive Director Kaile Shilling said, “no [single] organization would have been able to do that.” She added, “the most amazing thing... is thinking about what we can collectively do together.” Officially, AIYN is less than ten years old, but was founded when multiple arts organizations with justice programs determined that capacity would be increased by working together. The effect of AIYN programs on inmates and correctional facilities is difficult to quantify, especially in terms of recidivism. However, participants continuously witness positive changes from within the probation system, including inmate cooperation and staff attitude. As another indicator of success, the number of participating facilities and member organizations has also increased steadily (Shilling). The outcomes demonstrated by AIYN serve as strong evidence of the concept that arts—as organized by a lead partner—can be an effective tool in the justice system.

Chapter III

THE ROLE AND RESPONSIBILITY OF THE LOCAL ARTS AGENCY

LAA's have a responsibility to improve the quality of life in their communities and play an important role in doing so. Whether a private or public organization, an LAA is mission-driven to serve its community through the arts. Arts activities contribute to, and benefit from, healthier communities. Strategic partnerships are often important for an agency to advance its mission.

Mission and Impact

Local arts agencies focus on the arts and the overall health of their communities. Arts administrator and advocate Barry Hessenius describes the role of the modern LAA:

First, LAA's are “hubs”—and the role of a locally central point, out from which bridges to all parts of the community can fan, is of critical importance to all manner of needs—from professional networking, to brokering potential collaborations, to communications, to leveraging knowledge, to incubating new ideas, to being the liaison to stakeholders. Without the LAA all of these kinds of things will need to be housed somewhere, or it will be axiomatically that much more difficult for any of these needs to be met at all. (Hessenius)

The mission focus of LAA's is partially supported by section 501(c)(3) of the United States Internal Revenue Code, which provides Federal tax exemptions for private businesses with charitable or service-oriented purposes. Organizations with this designation are not required to pay Federal income taxes on mission-related income and

are able to accept tax-deductible contributions from private parties. The term “charitable purposes” is a vast concept that includes education, public works, lessening neighborhood tensions, defending civil rights, and combating community deterioration and juvenile delinquency (“Exempt Purposes”). Almost all privately operated LAAs have 501(c)(3) designation (*25 Highlights*). The financial benefits of this designation are essential for the sustainability of designated organizations. As 71% of LAAs are private, the rules of charitable exemption apply to the majority of agencies.

The purpose of a nonprofit organization is reflected in its mission statement, which must express an element of public benefit as a condition of 501(c)(3) exemption. Any programs of the organization must therefore be aligned with advancing its mission. A clear mission statement for an arts organization expresses why it exists (Webb). For an LAA, a mission statement generally focuses on supporting the arts for the benefit of the public it serves, which allows it to maintain its status as a tax-exempt organization.

Community impact is one of the primary functions of an LAA. Many specialized organizations may present a specific type of art with the goal of enriching the community. In contrast, the purpose of an LAA is to enrich the community through whatever artistic means necessary. The *2015 LAA Census* reports more than twenty-five community development issues that are addressed by participating LAAs. Aside from directly or indirectly addressing social issues, LAAs impact their communities in other significant ways: 90% provide services to arts organizations, 88% provide services for artists, 89% are involved in arts education programming, and—as stated earlier—53% provide grants to organizations or artists (*25 Highlights*). Each LAA may use a different

combination of programs to accomplish its goal, but the commitment to improving the overall health of the community is ubiquitous.

Authorities in the arts frequently place community impact at the center of the conversation. The field is saturated with strategies for building culturally healthy and dynamic communities. The creative placemaking movement of the twenty-first century highlights the important relationship between arts and community. The concept has been the center of controversy, particularly as it pertains to population displacement and gentrification (Moss). However, the debate seems to have produced consensus on two important ideas: the arts can transform a community and an authentic, community-centered approach to development is critical. As mission-driven organizations, LAAs can use ideas from the creative placemaking movement to inform broader decision making.

Jennifer Cole, Executive Director at the Metropolitan Nashville Arts Commission, wrote about a community-centered approach on the National Endowment for the Arts' *ArtWorks* blog: "We came to believe that our work wasn't about giving out grants or installing public art, but about creating the conditions that allow communities and artists to thrive –TOGETHER" (Cole). Cole also describes the importance of creating safe and healthy communities because an artist must feel secure in his or her environment in order to create. Local arts agencies have a responsibility to promote healthy communities where art and artists can thrive. Even if an LAA feels responsible only for advancing the artistic component of its mission, overall community needs must be addressed to sufficiently empower artists.

Arts and Healthy Communities

Unhealthy or distressed communities are often rife with barriers to arts participation such as high crime or poverty rates. For many individuals in such conditions, it can be difficult to break the cycle. The same factors that lead to—and are simultaneously the result of—an unhealthy community also put a strain on arts participation. In addition to creating conditions that empower artists to create, an LAA has a responsibility to address issues in the community so that audiences feel physically and financially secure enough to engage with art.

Individuals in communities with high crime rates may be less inclined to attend arts events. The likely factor of personal safety concerns aside, communities with higher crime rates tend to have lower overall educational attainment, which has a direct impact on overall arts attendance. The data suggest that crime and education are intertwined; incarceration reduces the capacity for educational attainment and increased educational attainment increases an individual's aversion to criminal activity (Lochner and Moretti). Although direct cause-effect relationship is difficult to establish between crime and low education rates, the latter has implications for arts organizations. A 2015 study funded by the National Endowment for the Arts found that only 23% of individuals with less than a high school diploma attended any arts event in the previous year. The study also found that 46% of high school graduates, 59% of individuals with some college experience, and 76% of individuals with a bachelor's degree attended an arts event during the previous year (*When Going*). By considering the impact of education on arts attendance combined with the correlation between crime rates and educational attainment, an LAA could

improve the artistic health of a community by addressing concerns of crime and public safety.

According to figures from the Bureau of Justice Statistics, people living in households with income below poverty thresholds are more than twice as likely to be the victims of violent crime than those in high-income households (“26 Poverty”). Similar to the link between crime and education, poverty can be a cause and a result of crime. There is also a similar correlation between income level and arts participation. According to the 2015 study, 37% of individuals in the lowest income quartile attended an arts event in the previous year, which is significantly lower than the 72% of individuals in the highest quartile. In addition, one in three survey respondents who were interested in an event but did not attend stated that high cost was the most significant barrier (*When Going*). The evidence suggests that the arts are more likely to thrive in healthy communities where crime and poverty rates are low.

Although the arts can be negatively impacted by unhealthy communities, they also have the power to positively influence the communities of which they are a part. A large body of case studies provide empirical evidence that arts-related activities can provide direct and indirect economic benefits to a community. In addition, arts participation has positive effects on building social or community capacity. Given the impact of community health on arts participation, leaders of LAAs can be empowered knowing that arts initiatives can positively impact the economic and social environment.

Americans for the Arts, in an effort to prove the economic benefit of the arts, has conducted a series of studies titled *Arts and Economic Prosperity*. The most recent version, published in 2015 as the fifth in the series, shows that nonprofit arts and cultural

activities nationwide generated \$166.3 billion of direct and indirect economic activity (“Arts & Economic”). Although this type of research is often used to support the argument that the arts deserve public funding, the underlying concepts have been the impetus for arts-based economic rejuvenation efforts at the local level. The creative placemaking concept has successfully been applied in numerous communities to stimulate an economy with arts and culture. The opportunity to stimulate a local economy with the arts has been recognized by LAAs and some communities incorporated the arts into official planning documents. Of those communities, 62% include the arts as part of their economic development plans, which is the most common document to contain arts-related ideas (*25 Highlights*). By recognizing the power of the arts to positively impact the economy, these LAAs are creating healthier communities.

Whereas the arts are just one of many ways to stimulate an economy, they are essential for the increase of community capacity. A 2009 study by Mark J. Stern and Susan C. Seifert titled *Civic Engagement and the Arts: Issues of Conceptualization and Measurement* describes the idea of building community capacity as “developing abilities—leadership, social connections, and skills—that give a community the ability to tackle problems” (Stern and Seifert). Stern and Seifert argue that the arts influence civic engagement through didactic and discursive approaches. The didactic approach uses the arts to directly inform or persuade an audience’s opinion on a subject, and the discursive approach uses the arts to create an environment that supports public engagement. Through the two approaches, the arts are able to successfully engage many members of a community, including those who are historically excluded from public dialogue. The overall findings of the study point to a relationship between the arts and the collective

efficacy of a community. This research implies that LAAs—as a result of their focus on community and the arts—are uniquely poised to address social issues through the arts.

Strategic Partnerships

Leadership is essential for any successful partnership designed to achieve common goals by pooling resources and skills. To form and facilitate partnerships, LAA leaders must be connected with other community leaders. A wide grassroots network is also beneficial to stimulate public support for a new project. A typical LAA is able to engage essential stakeholders in a variety of ways and therefore has influence as a thought leader in its community.

Geographic or political boundaries define the service area of an LAA. Whatever the area, any community is shaped by its leadership, which is often comprised of a combination of politicians, organizational leaders, or community activists. Representation in planning committees, chambers of commerce, or other networks is common for LAAs. In addition, most LAAs use independent initiatives to maintain strategic relationships. According to the 2015 LAA census, 63% of agencies provide some type of services for local businesses and 51% give awards or formally recognize community leaders in some way (*25 Highlights*). By focusing on relationships, LAAs can more effectively lead partnerships or other community projects.

In addition to their professional and strategic relationships, LAAs are typically connected to large portions of the general population. These connections include artists and others who support the arts through donations, patronage, or memberships to arts organizations. The relationship that an LAA has with its community can have a profound effect on its ability to conduct any program, including new ventures or partnerships. The

goals of a project can be refined through surveys or focus groups and additional material or financial resources can be gathered from community members with connections to the LAA. Like many nonprofit organizations, LAAs can leverage their wide support to generate program outcomes that align with the community's vision.

By engaging their networks, LAAs frequently partner with other organizations or work to address community development issues. Of agencies that responded to the *2015 LAA Census*, 92% claimed to maintain one or more active partnerships in the community, 76% of LAAs claim three or more ongoing collaborations, though most partnerships are informal and do not indicate a deep commitment to joint planning. Recognizing that partnerships can have multiple definitions, the census asked LAAs to indicate what their collaborations looked like. Of respondents, 79% have informal conversations with partners, 65% meet regularly with partners, 75% work together to plan, fund, and implement programs, 31% fund partners through grants or contracts, and 46% have a partner that fully integrated the arts into their initiatives. As a representation of a partnership with the community at-large, 57% of LAAs work to address community development issues. The majority of community development work by an LAA is done through direct programming, but a portion of agencies also awards grants or contracts to artists or organizations to achieve community goals (*25 Highlights*). As important fixtures in their communities, LAAs are well-practiced and well-equipped at creating and maintaining partnerships in a variety of ways.

Most partnerships produce some form of direct programming between LAAs and other community organizations. Local arts agencies most commonly partner with chambers of commerce, libraries, other LAAs, tourism departments, and educational

institutions. Despite the track record of community collaborations, LAAs engaged in justice-related partnerships are still rare. The LAA census reported thirty-seven different types of inter-organization partnerships and the thirty-fifth and thirty-sixth are both related to law enforcement: only 10% of LAAs partner with juvenile justice organizations and 7% of LAAs partner with adult corrections organizations (*25 Highlights*).

While most LAAs make a commitment to address issues in their communities, arts leaders believe that economic and educational issues are seen as the most viable options for their programs. Of twenty-seven identified issues, the most commonly addressed by LAAs are tourism, economic development, and education. The least-supported issues by LAAs are teen pregnancy, population displacement, substance abuse, and public safety. However, work with at-risk youth ranks fifth among the issues and is addressed by 28% of LAAs with a nearly equal split of direct programs and grants. Crime and violence prevention ranks sixteenth overall with 8% of LAAs addressing it. Of the agencies that support crime and violence prevention, 70% do so through grants and contracts while 50% create direct programming.

Arts, Justice, and LAAs

Given the relative infrequency of arts-justice partnerships, communities must look to an institutional leader to initiate these programs. Local arts agencies are well-suited for that role as they are mission-driven to support their communities and use a wide variety of programs and strategic partnerships to accomplish their goals. This—in combination with the potential of arts programs to support delinquent youth—suggests that one way LAAs can improve the quality of their communities is by facilitating arts-justice partnerships for juveniles.

Chapter IV VIABILITY AND SUSTAINABILITY

For any local arts agency to initiate a new type of partnership, it must be perceived as a viable option to advance its mission. Partnerships between organizations can provide increased financial and operational resources that overcome specific institutional weaknesses in order to accomplish a common goal. The arts-justice partnership model can be sustained when an LAA taps into philanthropic channels that are increasingly focused on social issues and at-risk youth. For these reasons, facilitating partnerships between arts and juvenile justice organizations is a sustainable model.

Sustainability of Partnerships

The issues of society tend to be complex while many nonprofit organizations specialize in a particular area of expertise. As a result, foundations frequently seek to fund innovative partnerships that combine the strengths of multiple organizations to solve problems. Inter-organization partnerships are attractive for other potential funders as well, but nearly all supporters recognize the need for one organization to lead the initiative for long-term success. Local arts agencies can sustainably lead partnerships by developing foundation and private support.

Venture philanthropy is a recent concept that describes how funders look beyond the simple exchange of money in order to make deeper connections and solve real problems with innovative ideas (Cunniffe). Establishing cross-sector partnerships that stimulate new solutions to address community needs is one way that foundations are

creating change. One network of foundations in California, Philanthropy for Active Civic Engagement (PACE), is rooted in the principle that public good only comes when people and institutions “understand their civic power, influence, opportunity, and responsibility through collaboration” (Cambell). To commit to this idea, PACE—and other similar networks or foundations—are facilitating live discussions and meetings for philanthropists about their role in cross-sector leadership. Arts and justice partnerships may represent the type of innovative social change ideas that are sought by venture philanthropists.

Nearly three quarters of all charitable dollars in the United States are given by individuals. Although many of these donors may also be motivated by the goals of venture philanthropy, partnerships can develop increased individual giving in an even simpler way: through a combined pool of interested donors. A cross-sector partnership may have fewer overlapping donors, which means the number of individuals who could be solicited is greater than if either organization were acting alone. Cross-sector partners can expand the reach for private support and act as gateways to professional resources that can provide long-term benefits well after the completion of the project.

The administrative capacity of a collaborative project inherently will be greater than that of any individual partner organization. By enhancing human resources, the collaborative will make higher quality decisions as a result of additional, specialized points of view. Partnerships can also benefit from pooled physical resources such as space or equipment. Physical assets, such as equipment or facility space, are the simplest nonfinancial resources that partners can share. In this scenario, the overhead cost of the project is effectively reduced by the purchase or rental value of the asset being used.

Although it can be logistically challenging to arrange meetings and planning sessions between multiple organizations, partnerships can lead to high quality, sustainable projects when partners are chosen strategically. On the Rockefeller Foundation blog, Zia Khan, Vice President of Initiatives and Strategy, writes, “It’s critical for partners to understand what they do really well and then work with those who complement them” (Khan). Khan elaborates that the most effective partnerships unite those differences toward a specific goal, as opposed to a common cause, then adds “[it is] much better to figure out how to harness existing capabilities in service of new goals than to hope for new capabilities.” The increased capacity gained from understanding and utilizing the strengths of each partner mitigates their individual weaknesses and allows the partnership to thrive.

Future Fundraising: Millennial Appeal

Younger adults, such as the Millennial generation, respond favorably to socially responsible or progressive organizations and projects. Millennials are inclined to give to specific projects or causes that affect social change as opposed to routine funding of specific organizations. The socio-spending motivations of Millennials will become increasingly important as their portion of total wealth increases. Millennials are entering the most lucrative earning phase of their careers at the same time they overtake Baby Boomers as the largest living generation in the United States. Although older generations still contribute the majority of philanthropic dollars, there will be an inevitable increase of Millennial influence in the coming decades. This shift will benefit cause-based initiatives and collaborations.

Millennials demonstrate commitment to cause-based spending and donating. “They are a generation characterized by integrating the causes they care about into their

daily routines and purchase behaviors” (Fromm). For Millennials, spending decisions are driven by cause, which is why they are more likely to purchase consumer items from socially responsible corporations. When making philanthropic decisions, Millennials want to see progress toward specific goals. Millennials are interested in knowing that their decision makes an impact and are less concerned with the people or ideas of a nonprofit than with its results (Depew). The philanthropic tendencies of Millennials can be capitalized upon by projects with demonstrable social impact.

Historically, peak spending years for generations occur between ages thirty-five and fifty-five, a range that Millennials are just recently entering. This spending is generally the combined result of life cycle needs and earning capacity (“Generations”). Although Millennials are entering an age range typically associated with higher living expenses, past behavior suggests that some of their discretionary income will be donated toward causes. In 2016, the number of living Millennials in the United States surpassed that of any other generation. The social drive of Millennials, when combined with their share of the population, will have a significant impact on the future of charitable giving.

Funding Interests for Local Arts Agencies

Local arts agencies can appeal to a cross-section of potential funders who are concerned with initiatives involving at-risk youth. The 2015 LAA census examined the philanthropic interests of four key stakeholder groups: elected officials, business leaders, private funders, and individual donors. The interests were determined by the perceived overall effectiveness of twenty-six possible advocacy arguments. As a combined overall score, “arts and at-risk youth” was determined as the seventh most effective message (25

Highlights). Directors of LAAs could effectively use this advocacy message to support arts and juvenile justice partnerships.

Public interest in projects for at-risk youth is likely rooted in the broad support for youth education. The LAA census identified “arts in education” as the most effective advocacy argument. Youth education is also among the most common community issues addressed by LAAs. There is a collective sense that teaching young people ensures the productive future of society. Some adults in the United States—most often those without children—do not value the impact of education spending. However, compulsory education laws, regulated public school systems, and competitive private school options demonstrate that most individuals support public and private investment in youth.

Interest in at-risk youth also stems from the belief that all children can be molded as productive members of society. The Supreme Court of the United States decision in *Miller v. Alabama* was based on the idea that children are more impressionable, reckless, and impulsive than adults. This collective belief suggests that all children are capable of increasing their productivity and social efficacy as they age. Funders are interested in supporting at-risk youth because it is human nature to believe in individual redemption. However, there must be quality programs that support this transformation in order for the lives of delinquent youth to be affected.

Examples of LAAs with Juvenile Justice Initiatives

Arts As Healing is a partnership between the Arts Council for Monterey County and the Monterey County Probation Department in Carmel, California. The program, piloted in 2012, provides a series of specialized visual arts classes for incarcerated boys between the ages of thirteen and eighteen. A goal of the program is for the students to

improve their “ability to reduce anxiety, communicate feelings, and develop empathy. They also learn to value persistence and teamwork, develop a more positive outlook, and reduce the likelihood of return” (“Healing”). The success of the program and quality of the students’ work has increased visibility and support for the partnership, which helped secure a significant grant from the David and Lucille Packard Foundation that allowed every eligible student to participate in the sessions. According to the Arts Council for Monterey County, “The results have been amazing for the students and the staff. The short term impact has been more positive outlook and behaviors. The long-term impact will be that students will start making better choices and longer range plans for themselves” (“Healing”).

Brush Up and Speak Up are two arts programs initiated by a partnership between the Mobile Arts Council, the Alabama Contemporary Arts Center, and the Mobile County Commission in Mobile, Alabama. Both programs are designed for residents of the James T. Strickland Youth Center. Brush Up is a public art program that engages young men and women to install murals in downtown Mobile and throughout Mobile County. Riley Brenes, a Brush Up instructor, says “To me, Brush Up kind of illustrates what we try to do at Strickland... These blighted buildings are similar to those kids in that they’ve been neglected, ignored and condemned in a sense. Yet, we’re bringing new life to them” (qtd. in Johnson). Speak Up was a documentary project designed for each of the participating youth to tell his or her story. Aside from being the subjects of the documentary, the youth also directed, filmed, and narrated the project. Devin Ford, leader of the Speak Up project and a board member of Mobile Arts Council, said, “Once [the students] realized, ‘this is your voice, this is your story,’ they started to get excited because they do have something

to say, they just didn't think anyone was listening" (qtd. in Johnson). The Brush Up and Speak Up projects put restoring the youth at the center of the conversation. By creating programs that build prosocial skills and create community projects, this initiative strives to combat the conditions that led those individuals to be involved in the justice system in the first place (Johnson).

Conclusions

Restorative justice practices are designed to repair the harm of criminal activity while rehabilitating offenders to reduce the likelihood of future crime. For these practices to be successful, it is essential that offenders are given the opportunity to build communication, self-esteem, empathy, and other intra- and inter-personal skills. Although recidivism is a difficult metric to pinpoint, it is reasonable that past offenders who demonstrate improved pro-social skills are then better equipped to cope with the challenges of daily living. These cognitive and social changes are considerably more valuable for youth, who are far more impressionable and therefore capable of restoration. The benefits to a community are compounded when restorative practices are successfully applied in juvenile settings.

In addition to positive behavioral changes, arts participation correlates strongly with expanded cognitive and communication skills. Important for a justice setting, arts participation also increases empathy. The areas of growth that result from arts participation are the same skills that contribute to successful restorative practices. Therefore, the arts provide a robust channel for an individual to process the positive pro-social changes of restorative justice. As evidence of the power of the arts in juvenile justice settings, multiple organizations throughout the United States are successfully engaging in these types of partnerships to improve the quality of their communities.

Regardless of its specific palette of programs, an LAA is always dedicated to addressing community needs. An LAA has a responsibility to improve the quality of life

in its community because of its mission and because healthier communities are more willing to participate in the arts. Furthermore, LAAs are well equipped to do so because of the positive impact of art on a community and the frequency with which LAAs engage in partnerships to address community needs. It is the responsibility of the LAA to serve as an agent of change and lead the charge for social and artistic progress in its service area.

Partnership models combine human and physical resources to increase capacity while mitigating weaknesses. Further, arts organizations such as LAAs stand to gain additional financial resources by integrating the arts into a cause-based portfolio of programs that will appeal to a budding generation of philanthropists. As a result, the arts-and-justice partnership model is administratively and financially viable.

Implications

Justice reform is among the most commonly debated subjects in the United States, providing an opportunity for arts organizations to create solutions. Local arts agencies are adept at creating positive changes in their communities and are ethically and intellectually responsible to do so. With respect for the great community work currently being led by LAAs in the United States, establishing partnerships between arts and justice organizations is an option that is often overlooked. Arts-based justice programs can strengthen communities by effectively restoring offenders as productive, prosocial citizens. With these conclusions in mind, it is clear that a local arts agency can fulfill its responsibility to improve the quality of life in its community by facilitating partnerships that integrate the arts into restorative juvenile justice settings.

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