



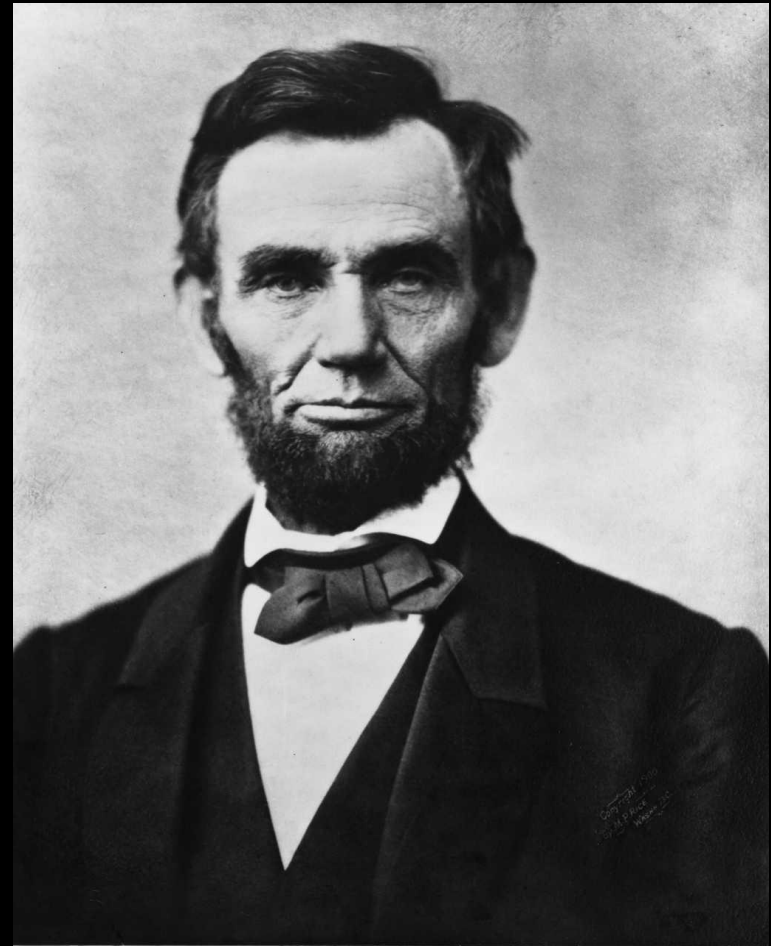
## **Trial & Error in Criminal Justice Reform: Learning from Failure**

Center for Court Innovation

# Failure

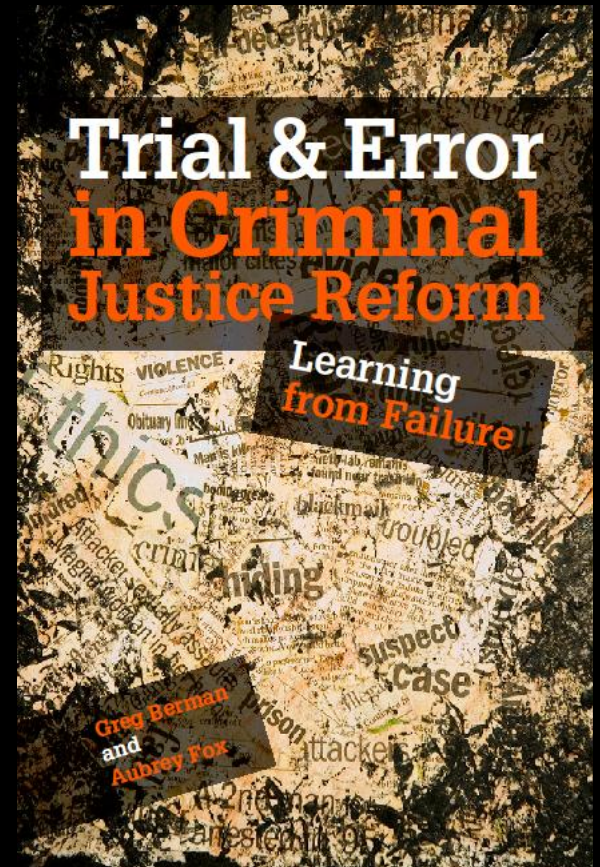
*Men are greedy to publish the successes of [their] efforts, but meanly shy as to publishing the failures of men. Men are ruined by this one sided practice of concealment of blunders and failures.*

-- Abraham Lincoln



# Research

- Dozens of interviews with leading scholars and practitioners
- Roundtable
- Literature review
- Site visits
- Detailed case studies



# Different Fields Handle Failure Differently

## Science:

*“I have not failed 5,000 times. I have successfully discovered 5,000 ways that do not work and I do not need to try them again.”*

-- Thomas Edison



## Criminal justice:

*“Very seldom do police chiefs say, ‘We had a great idea that just didn’t work. We’re going back to the drawing board to do it differently.’ That’s what a scientist would say without batting an eye, but a police chief often doesn’t feel that he or she has that kind of latitude.”*

-- Michael Scott, former police chief/law professor at U. of Wisconsin



# Failure Is in the Eye of the Beholder

- **DARE** – drug prevention program that researchers say doesn't reduce drug use, but...
- The program is still active in 75 percent of American school districts
- Lesson: crime reduction isn't the only thing that matters; the line between success and failure can be blurry



# Harlem Reentry Court

<b><i>Three Year Outcomes</i></b> <b><i>(N=526)</i></b>	Harlem Reentry Court	Comparison Group
Reconvicted	43%	52%
Revoked, Technical Violations	15%	8%

**Source:** Do Reentry Courts Reduce Recidivism?: Results from the Harlem Parole Reentry Court (March, 2010)

# Things Fall Apart

- **Operation Ceasefire** – the “Boston miracle” reduced teen homicide by 63%, but...
- *“Fame started getting into people’s heads. A decade ago, a young man in Dorchester told me, “You adults are the real gang members, easy to feel slighted, fighting petty beefs, vying for attention and credit.” It is the beefs on the streets that get the headlines. But the beefs in the offices and the agencies are now equally to blame for what is happening.”*  
– Boston outreach worker
- Lesson: The challenge of managing egos and politics, leadership transitions



# Context Matters

- **Drug Court** – has been shown to reduce both substance abuse and recidivism, but...
- Not all drug courts have been successful – e.g. Denver and Minneapolis
- “Context is the most likely saboteur of innovations. The biggest mistake is thinking that because a program is wonderful, the surroundings won’t destroy it when you plunk it down in a new place.” – *Lisbeth Schorr*
- “You can borrow ideas, but you can’t borrow situations.” – *Billy Bragg*
- Lesson: the importance of “street-level bureaucrats,” marketing your program





# Managing Expectations

**The Goal:** “As required by the Second Chance Act, demonstration projects must have as a goal the reduction of recidivism by 50 percent within a five-year period.”



**The Reality:** *There is nothing in our history of over 100 years of reform that says that we know how to reduce recidivism by more than 15 or 20 percent. And to achieve those rather modest outcomes, you have to get everything right: the right staff, delivering the right program, at the right time in the offender’s life, and in a supportive community environment. We just have to be more honest about that...We’ve assumed that we would not win public support with modest results.*

-- Joan Petersilia, Stanford University

# Encouraging Trial and Error

*I missed more than 9,000 shots in my career. I've lost almost 300 games. Twenty-six times I've been trusted to take the game-winning shot... and missed. I've failed over and over and over again in my life.*

*And that is why I succeed.*

-- Michael Jordan/Nike

