

FEATURE ARTICLES

The Evolution of Forensic Social Work in the United States: Implications for 21st Century Practice

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This article maps the evolution of forensic social work in the United States in light of its past history and future possibilities. It begins with English Poor Laws of 1601 and Colonial Era and the establishment of forensic policy in the North American colonies, then focuses on the late 19th and early 20th century creation and establishment of the social work profession and its forensic aspects, and finally to the contemporary expression of forensic social workers to carry out or change those policies. Throughout American history, social justice and in later years, global and universal human rights were at the core of the theory and practice of forensic social work. Social workers understood that government, as author and institutor of policy, can and should be an arena for reform. Our foremothers and forefathers saw that advocating for their “clients” meant advocating for systemic reform, as they used an integrated two-pronged approach to social welfare in order to enhance human and community well being and to combat injustice. Their collective efforts set a high standard for contemporary social workers to surpass. For 21st century problems, forensic social workers are particularly well equipped to assume a leadership position and ongoing efforts in the pursuit of individual and social reform. The potential for the next century of forensic social workers is one of high anticipation. Our collective efforts of today are perhaps destined for tomorrow’s next history chapter. And together we also can make it a most memorable one.

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We may smother the divine fire of youth or we may feed it. We may either stand stupidly staring as it sinks into a murky fire of crime and flares into intermittent blaze of folly or we may tend it into a lambent flame with power to make clean and bright our dingy city streets.

– Jane Addams, social worker and advocate for the establishment founder of the juvenile court system, writing about responding to delinquent youth (Addams, 1972, pp. 161–162)

As a collective, social workers have remained an enduring and dynamic force working for the betterment of individuals, families, and communities across the globe. Since the birth of the profession, social workers have advocated for improved social conditions and legal protections for often neglected populations, such as women with children, immigrants and refugees, and child and adult victims and offenders. It is quite fitting then that social work is often referred to as a human rights profession (United Nations, 1994). Fundamental organizing principles and practices of the profession are consistent with a human rights philosophy, such as honoring the “intrinsic value of *every* person,” and its use of individual and collective action to promote “equitable social structures that provide people security and development while upholding their dignity” (International Federation of Social Work, 1988, p. 1).

In fact, the Council on Social Work Education’s (CSWE) 2008 Educational Policy (2.1.5) expects social workers to be competent in advancing human rights and social and economic justice, which is consistent with forensic social work aims. This policy states:

Each person, regardless of position in society, has basic human rights, such as freedom, safety, privacy, an adequate standard of living, health care, and education. Social workers recognize the global interconnections of oppression and are knowledgeable about theories of justice and strategies to promote human and civil rights. Social work incorporates social justice practices in organizations, institutions, and society to ensure that these basic human rights are distributed equitably and without prejudice. Social workers understand the forms and mechanisms of oppression and discrimination; advocate for human rights and social and economic justice; and engage in practices that advance social and economic justice. (p. 15)

This growing trend in social work thought from one of a needs orientation (e.g., needing housing or education) to one of a rights affirmation (i.e., the right to housing and education) positions forensic social workers to assume a pivotal leadership role maneuvering change in the legal system (National Organization of Forensic Social Workers [NOFSW], 1997). The collective efforts of forensic social workers across diverse fields of practice from child welfare and juvenile and criminal justice to mental health, education,

and social services comprise a central practice artery to enhance well-being, human rights, and social justice outcomes by helping the individuals, families, and communities to navigate the legal system and to advocate for policy reform and legal protection (Maschi, Bradley, & Ward, 2009).

The roots of forensic social work are embedded in the early 20th-century efforts of friendly visitors to the poor. Since the early 1900s, the profession has transformed from an informal group of volunteers to an internationally recognized profession charged with providing social welfare services and advocating for the underserved populations, such as children and minorities (Ehrenreich, 1985). The efforts of early social work leaders to achieve this goal varied from individual to community-level interventions. On the one hand, Mary Richmond was an instrumental force in developing casework services for the poor and needy. She improved standards of practice through the establishment of professional social work education (Ehrenreich, 1985; Richmond, 1917). On the other hand, Jane Addams was instrumental in developing community and societal level interventions. She played an important part in the development of the settlement house movement that often served urban immigrant families. She advocated for social and political change, such as the establishment of legal protections and rights, including women's suffrage (right to vote) and child labor laws, a separate juvenile court system for delinquent youth, and international peace (Addams, 1910; Ehrenreich, 1985).

As illustrated in the example of these two foremothers of social work, social work intervention successes consistently comprised a two-pronged approach to facilitating change that was co-occurring and/or in collaboration (i.e., social workers engaging in interventions that targeted individual and social/political level change). Historically, social workers have assisted individuals and families to improve their psychosocial functioning through casework and clinical practice. Additionally, they have combated unjust and unfair societal conditions through legal and policy advocacy (Bartlett, 1958). This dual approach is underscored in the NASW Code of Ethics (1999a) mission statement. It states, "the mission of social work is to enhance human well being . . . with particular attention to the needs and empowerment of people who are vulnerable, oppressed, and living in society" (p. 1).

In a complex global society fraught with social and political unrest, contemporary social work once again is summoned to wake its collective giant and foster in a new era of personal and societal transformation. Global statistics reveal increasing numbers of people living in poverty and violent war torn communities (United Nations, 2010). The ongoing violation of civil and legal rights leaves women and children vulnerable to human trafficking, undocumented immigrants without access to services or civil liberties, and lesbians and gays without fundamental civil rights (Jou & Lazzarro, 2009; Maschi et al., 2009). It is not only imperative to be of service, but also to ensure ongoing professional currency of putting action behind our rhetoric. As Robert Madden (2003) asserted, "If the social work profession is to be in

control of its future, it must become committed to the role of exerting influence on the legal system through education, advocacy and proactive legal policy development” (pp. 3–4). This commitment involving personal, social, and legal interventions is consistent with forensic social work.

WHAT DOES FORENSIC SOCIAL WORK MEAN TODAY?

Evolution in Definition and Meaning

The term *forensic social work* can be understood by the sum of its parts. Most definitions of social work emphasize the use of the person-in-environment perspective. According to the most recent definition of the Council on Social Work Education (2008):

The purpose of the social work profession is to promote human and community well being. Guided by a person and environment construct, a global perspective, respect for human diversity, and knowledge based on scientific inquiry, social work’s purpose is actualized through its quest for social and economic justice, the prevention of conditions that limit human rights, the elimination of poverty, and the enhancement of the quality of life for all. (p. 5)

The addition of the term *forensic* to social work makes explicit the intersection of the social and legal systems. In fact, the word *forensic* is an adjective referring to “belonging to, used in or suitable to courts of judicature or to public discussion and debate” and “relating to or dealing with the application of scientific knowledge to legal problems” (Merriam-Webster, 2007, p. 490). The increased emphasis on the legal or justice aspects of practice is a distinguishing factor that sets forensic social work apart from social work practice as usual.

Social work scholars have advanced different views and definitions of what constitutes forensic social work. These definitions vary from narrow to broad views of the populations, the practice setting (or intersection), and policies, roles, and practices used. For example, Roberts and Brownell (1999) used a narrow description of forensic social work to refer to the “policies, practices, and social work roles with juvenile and adult offenders and victims of crime” (p. 360). In contrast, Green, Thorpe, and Traupmann (2005) more broadly described forensic social work as “practice, which in any manner may be related to legal issues and litigation, both criminal and civil” (p. 1).

Other scholars have described forensic social work in a context of existing at the intersection of social work practice with the law or legal system. For example, Hughes and O’Neal (1983) viewed forensic social work as positioned at the intersection of mental health and the law. According to Hughes and O’Neal, forensic social workers conduct their practice and “function in

this space in which mental health concepts and the law form a gestalt” (p. 393). In contrast, Barker and Branson (2003) more broadly described the forensic social work and its practice to include the intersection of the legal and human and social service sectors of care. Forensic social work, according to Barker and Branson, is a “professional specialty that focuses on the interface between society’s legal and human service systems” (p. 3).

More comprehensive definitions of forensic social work that include the types of legal issues, practice settings and intersections, and practices have been advanced (Barker, 2003; NOFSW, 1997). For example, Barker defined forensic social work as:

The practice specialty in social work that focuses on the law, legal issues, and litigation, both criminal and civil, including issues in child welfare, custody of children, divorce, juvenile delinquency, nonsupport, relatives’ responsibility, welfare rights, mandated treatment, and legal competency. Forensic social work helps social workers in expert witness preparation. It also seeks to educate law professionals about social welfare issues and social workers about the law. (p. 166)

Similarly, the NOFSW (1997) described the broad reach of forensic social work.

Forensic social work is the application of social work to questions and issues relating to law and legal systems. This specialty of our profession goes far beyond clinics and psychiatric hospitals for criminal defendants being evaluated and treated on issues of competency and responsibility. A broader definition includes social work practice which in any way is related to legal issues and litigation, both criminal and civil. Child custody issues involving separation, divorce, neglect, termination of parental rights, the implications of child and spouse abuse, juvenile and adult justice services, corrections, and mandated treatment all fall under this definition. (p. 1)

An Integrative Definition

Consistent with NOFSW (1997), we defined forensic social work broadly as a subspecialty of social work that applies an integrative approach (i.e., generalist, specialized, and collaborative) to social work practice with diverse populations impacted by legal issues both civil and/or criminal. Forensic social work combines social work and specialized legal and policy skills to target social functioning and socio-legal conditions. The use of the term *forensic* underscores the infusion of social justice and human rights principles. It also underscores the collaborative nature of effective forensic social work, which includes collaboration with clients, professionals, and other stakeholders within and across formal and informal systems.

We propose that social workers across practice settings (such as child welfare, mental health, social services, education, health, substance abuse, and juvenile and criminal justice) are serving individuals, families, and communities that are impacted to some extent by policies and legal issues. Examples of legal issues that impact social workers include a child welfare worker who provides expert testimony for cases of child victims of abuse, a social worker in family services whose client is going through a divorce and custody battle for her children, a social worker in a hospice setting whose dying client has no will, or a social worker in a mental health agency whose adult client was arrested for disorderly conduct. These are just a few examples of how most practicing social workers often are faced with the psychosocial issues and legal issues of their clients.

The application of a broad definition of forensic social work has advantages because it underscores the influence of law and legal issues across populations and practice settings. Common fields of social work practice that intersect with the legal system (civil and/or criminal law) include community-based child and family services, medical (e.g., hospitals), education, child welfare, mental health, substance abuse, social services, juvenile justice, and criminal justice sectors of care. This broad approach does not preclude forensic social work subspecialties in practice settings in which legal issues are most salient, such as criminal justice or child welfare. What the broad approach does is open up the possibility for social workers in other practice settings to recognize legal issues, such as a violation of legal protections when a mental health consumer is fired from a job after the employer finds out about his mental illness. Without intervention this individual may be unable to obtain employment due to the stigma of mental illness, which may place the individual at risk for other adverse consequences, including criminal justice involvement.

Effective forensic social work requires an integrated yet two-pronged approach that addresses well-being (psychosocial) and justice (law and policy) to help individuals, families, and communities. It involves intervening with individuals on a personal level to address individual and family well being, such as a referral to mental health counseling, and/or at the legal level or policy level, such as representing a youth in court as a child advocate or participating in lobbying efforts to advocate for legislation that addresses special populations' rights. This type of integrated and two pronged approach to practice can be traced throughout the rise of forensic social work in the United States.

HISTORY OF FORENSIC SOCIAL WORK IN THE UNITED STATES

Forensic social work history teaches us that when our dual and complimentary approaches of enhancing well-being and combating injustice are

implemented, great strides can be made toward reaching our goal of a human rights-based society in which the intrinsic value of every person is honored and fairness and justice are equally experienced. The dawn of the twenty-first century can serve as a point for collective reflection to take stock of two centuries of efforts of social work foremothers and forefathers and what that means for our future endeavors.

Forensic social work is as old as social work itself. Social workers historically have worked to change the system for the individuals, families, and communities they serve. Moreover, social workers have always responded to individuals affected by state and federal laws and have worked to change the laws themselves, including advocating for those accused or convicted of a crime; standing up for victims; responding to youth in juvenile justice system; testifying in court on behalf of both litigants and defendants; supporting and working alongside law enforcement professionals; and working to improve or change the processes and policies of the U.S. justice system and international political systems.

In fact, it is quite fitting that social work is present in so many practice arenas. Our profession revolves around social justice and human rights. Throughout U.S. history, social justice, and in later years, global and universal human rights have been the core of the values, theory, and practice of social work. Social workers stand for those who cannot; speak for those who have been silenced; and seek to create conditions of empowerment for individuals, families, and communities.

Because of this persistent pursuit of justice, the history of forensic social work is hard to separate from the history of the social work. In fact, one of social work's first professional societies was the National Conference of Charities and Corrections, formed in 1879, of which pioneer social worker Mary Richmond became the leader of in 1909. This suggests the importance given to corrections both in the conceptualizations of social services over a century ago and the understandings of the proper venues for social workers as actors and advocates. To trace the history of forensic social work, we first need to look first at the history of forensic policy in the North American colonies and then at the creation of social work and the introduction of social workers to carry out or change those policies (Day, 2008; Killian & Maschi, 2009).

The 15th Century: From English Poor Laws to American Colonies

The English Poor Laws of 1601 are a central policy initiative and of relevance to forensic social work history. One reason they are significant is because they represent a merging of law and social policy, a codification of society's responses to individuals in distress with an emphasis on government as the entity in charge of those responses. The laws responded to people in poverty, by using three distinct categories. People were considered either: (a) deserving, (b) undeserving, or (c) children (Day, 2008). The Poor Laws are also

significant for forensic social work because they signify one of the first opportunities for intervention by community members of what would later become social work: advocacy for those on the receiving end of the law.

After their migration to America, early English colonists continued to be influenced by the laws and systems of mother England. The legal implications were that these colonists used codified responses to the impoverished members of their settlements. Individuals in poverty were divided up and then either shuffled to almshouses (for those who could not work) or workhouses (for the able-bodied). Perhaps as a reaction to a monarch perceived to be overly rigid and tyrannical, the colonists were resistant to use government as the appropriate and responsible institution for maintaining law and order. As a result, early police forces in early American colonies were made up of men patrolling neighborhood streets, first at night, and later during the daytime as well (Blakely & Bumphus, 1999). Treatment was punishment and often physical in nature. If a “criminal” was caught, the colonists sought swift punishment, usually corporal (Poppo & Leighninger, 2007).

Perhaps the use of a punitive approach was popular because moral concepts of right and wrong and views of human nature at the time did not suggest that criminals would benefit from rehabilitation or that their victims needed support and advocacy. The first institutions associated with violation of the law and crime and punishment were jails. In the colonies, jails were simple holding cells for individuals, both children and adults, awaiting trial or punishment. This practice of mixing children and adults was well before professions, such as psychology, helped to define children as developmentally different from adults.

The 16th and 17th Centuries: Revolution and Rationality

The eventual political split from England in 1776 and the concomitant development of enlightenment philosophies popularized the value of rationality, which in many ways survives today. “Rational man” was thought to be changeable if shown the error of his ways. When the idea of rationality was extrapolated to corrections, it gave rise to the idea and practice of proportional punishments rather than punitive ones and to the concept of rehabilitation. Following the American Revolutionary War (1776), the first U.S. prison was established; the “Walnut Street Jail” in Philadelphia in 1790 (Poppo & Leighninger, 2007).

Because the belief at the time viewed crime as a result of irrationality and disorder, prison staff practice included imposing strict discipline, rigid schedules, and order upon those individuals incarcerated. This philosophy and associated practices were often carried over to the almshouses and workhouses. By definition, almshouses and workhouses were not correctional institutions, but in operation they were often indistinguishable from prisons. With this increasingly grim treatment, more opportunities emerged

for a profession, such as social work, to rise and intervene on behalf of these maltreated individuals (Day, 2008; Popple & Leighninger, 2007).

The 19th Century: Philosophical Shift and Rise of Social Reform

In the 1800s, a heavy handed approach of these new punitive-focused legal and correctional policies was applied. By mid-century (1850s), however, many were questioning if the philosophy was effective. Shifting thought of the time suggested that if prisoners were sentenced to a fixed length of time, and if they were going to be incarcerated until their sentence was completed, regardless of their behavior, there appeared to be not much incentive for them to participate in the rigors of rehabilitative programs. Thus, the concept of early release or parole as a reward for good behavior was created. As a result, incarcerated persons deemed to have good behavior began to be released early under parole. The first paroled person was set free from the Elmira Reformatory in New York in 1876 (Brownell & Roberts, 2002).

In the mid 1800s, notable social reform efforts had begun. For example, John Augustus, a wealthy shoe manufacturer in Boston, began social reform in the early 1840s when he started the practice of interviewing adults awaiting the time to begin their sentences, personally posting their bail, and taking responsibility for their reformation. This pattern of supervised community release was later instituted by Massachusetts as the process of probation. By 1920, the practice of probation spread to two-thirds of states (Popple & Leighninger, 2007).

Philosophically, probation extended the concept of rehabilitation as opposed to punishment. At the time, common thought was that those individuals committing crimes could change their ways, either through discipline and participation in programs in prison that could lead to early release or through the use of strict supervision and reform that could prevent incarceration completely. Though the social work profession cannot claim Augustus as a social worker, his actions were consistent with forensic social work pioneers. His work also helped solidify approaches to human nature that emphasized a person's ability to change and grow. These views about the potential for rehabilitation would soon spread to those in other legal institutions, such as almshouses and workhouses during the late 19th century and early 20th century, around the time of the birth of social work (Brownell & Roberts, 2002; Popple & Leighninger, 2007).

The 20th Century: Birth of a Profession in a Century of Change

The beginning of the 20th century was a time of significant change. America had declared independence from England, fought two wars with Britain and one war, the Civil War, amongst its own citizens, and lived through many social upheavals. As a result, the United States was grappling with a myriad

of social and political issues, including struggles related to war and peace, individuals and families living in poverty, the maltreatment of children (such as in the case of the child, Mary Ellen Wilson, who was severely maltreated by her caretakers), juvenile and adult crime, and the large influx of immigrants to this country (Maschi et al., 2009).

THE BIRTH OF A PROFESSION

In this climate fraught with social ills, social work as a profession began to develop. The first social work training school opened in 1898. Earlier, in 1879, the National Conference of Charities and Corrections (formerly the Conference of Boards of Public Charities) was created, becoming the National Conference of Social Work in 1917, and joining a collaborative to become the National Association of Social Workers in 1955 (Zenderland, 1998). Trailblazing social workers were concerned with social reform, and law and justice issues were a primary focus (Barker & Branson, 2003; Roberts & Brownell, 1999). The plight of the poor was a major concern of Mary Richmond, a pioneer in social work and the founding mother of casework (Colcard & Mann, 1930). The systems and policies that affected the poor were targeted by Jane Addams, a Nobel Prize-winning social work pioneer and founder of settlement houses (Day, 2008).

THE ESTABLISHMENT OF A SEPARATE COURT FOR JUVENILE OFFENDERS

A key accomplishment of early social workers and the child saving movement was to change the policy regarding young persons charged with criminal offenses (Platt, 1969, 1977). Julia Lathrop, Jane Addams, and Lucy Flower pushed to get children out of penal institutions, where youth as young as five years old were incarcerated amongst adults. Their efforts led to the birth of the juvenile justice system (Center on Juvenile & Criminal Justice, 1999). The new system saw several innovations. The Juvenile Psychopathic Institute, founded as a result of advocacy by several residents of Hull House, including Florence Kelley, Alice Hamilton, Julia Lathrop, Ellen Gates Starr, Sophia Breckinridge, and Grace and Edith Abbott, began to conduct psychosocial assessments of children in the justice system (Harvard University Library Open Collections Program, n.d.). Again, many collaborators came together this time to create separate juvenile courts, the first seated in Illinois in 1899. By 1925, 46 states and the District of Columbia had created juvenile courts, where hearings considered delinquency as well as the needs of abused and neglected children. The Society for Prevention of Cruelty to Children (NYSPCC), founded in New York in 1875 and modeled after the early Societies for Prevention of Cruelty to Animals, presaged these later juvenile justice reforms (NYSPCC, n.d.).

These institutional changes were both fueled by and gave birth to new theories of human nature and childhood. Mary Richmond's efforts, first in Baltimore's Charity Organization Society and later as the director of the Russell Sage Foundation, went toward the creation of private social work practice and of a system of social work education for "recognizing human differences and adjusting our systems of . . . law, of reformation and of industry to those differences" (Colcard & Mann, 1930, p. 5).

Jane Adams's efforts called for structuring policies that saw children not as "mini-adults" but as developmentally different—young individuals needing guidance and care who could not be expected to see the world or make decisions as adults do (Maschi, Violette, Scotto Rosato, & Ristow, 2009). Children were thus afforded closed hearings and, eventually, confidentiality of their court records and limitations of the records' availability in their adulthood (Center on Juvenile and Criminal Justice, 1999; Roberts, 2004). Still, Platt's (1977) seminal work critiqued these reforms as ultimately hurting youth, pathologizing them, and institutionalizing their subservient social position.

COLLABORATIVE REFORMS IN ADULT COURTS

At the same time that juvenile courts were being created, U.S. policies regarding the larger criminal justice system were also in flux. With the creation of parole in the mid- to late 1800s and the creation of juvenile courts at the end of the century, reformers gained a renewed commitment to rehabilitation, a concept that had found itself on shaky ground prior to these changes. Prisons were renamed "penitentiaries," and their goals included repentance (hence the name) and reform of the individual (Blakely & Bumphus, 1999). These goals fit well with the dual aims of social work: changing social systems and changing the individuals who have strayed from those systems. For the latter, social casework was the proper response and individuals in penitentiaries were appropriate recipients. With the creation of the American Association of Social Workers in 1921 (forerunner to the NASW), casework became the central focus and services focused on offenders by "correctional treatment specialists," or social workers (Roberts & Brownell, 1999; Roberts & Springer, 2008).

20th Century: Social Change on a Pendulum

SOCIAL WORKERS CALL FOR SOCIAL CHANGE

In the 20th century, social work swung back to an emphasis on social change when the Great Depression began in 1929. Providing services for the "new poor" (i.e., individuals in poverty who were formerly working and middle class) helped social workers realize that policy change was often the proper arena for their profession. Social workers testified before Congressional

committees calling for policy revisions, and many New Deal programs were influenced by their expertise. Frances Perkins, who had been trained by Mary Richmond, was instrumental as Secretary of Labor in creating reforms including regulations ensuring safe conditions for American workers and the design and establishment of social security (Day, 2008; Frances Perkins Center, 2008). Social worker Harry Hopkins, appointed by President Hoover and later by President Franklin Roosevelt, oversaw new youth-focused initiatives in the Works Projects Administration, forerunners of today's delinquency prevention programs (Roberts & Brownell, 1999).

In the early 1920s, "police social workers" were common: women who provided social work advocacy as members of groups called Women's Bureaus, official segments of local police departments. These positions were cut following the Great Depression but returned to prominence in the 1940s. Youth gangs grew in number, and hundreds of child guidance clinics opened that employed social workers as court liaisons. Community-based councils and delinquency-prevention programs were created, and they focused on supporting and intervening with individuals, including children who had dropped out of school and members of what the courts labeled "problem families" (Roberts & Brownell, 1999).

FROM WORLD WAR TO UNIVERSAL HUMAN RIGHTS (1914 TO 1960)

The profession also continued to develop amidst a world struggling with war, peace, and human rights. At that time, World War I (1914–1918) was quickly followed by the rise of Adolf Hitler and the Nazi regime and Japanese Imperialism over which World War II was fought (1939–1945). In fact, for three decades of the 20th century the world was emblazoned with two of the most destructive and wide scale wars fought by mankind. The inhumane and cruel treatment inflicted by humans on other humans particularly during WWII seemed unfathomable. This treatment included the attempted extermination of Jews and other groups, such as homosexuals and persons with disabilities. The dropping of the atom bomb on the cities of Nagasaki and Hiroshima in Japan transformed a seemingly harmless mushroom cloud, into an unprecedented weapon of mass destruction that could wipe out large cities and its inhabitants in a matter of minutes (Gilbert, 2004; Strachan, 2003).

Yet, from the ashes of war, most world citizens and their leaders were ready for a new approach to human rights, where dignity and respect for all humans were honored. World leaders sought a new way to address world problems, which included the establishment of the United Nations in 1945. With Eleanor Roosevelt at the helm and the United Nations Commission on Human Rights, the Universal Declaration of Human Rights (UDHR) was crafted and then ratified on December 10, 1948. The initial proclamation in the UDHR preamble continue to resound: "We the peoples of the United Nations [are] determined to reaffirm faith in fundamental human rights, in

the dignity and worth of the human person, in the equal rights of men and women and of nations large and small” (United Nations, 1948, p. 1).

The UDHR authors crafted the declaration to be a relatively short, inspirational, and energizing document usable by common people. The UDHR consists of 30 articles that are often described by three generation of rights. The *first generation of rights* (articles 2–21) are referred to as negative rights, both civil and political. These are generally rights to standards of good behavior by governments or protection of the rule of law including the right to life; to freedom from torture; to own property; and to limiting where government may intrude. The *second generation of rights* (articles 22–27) are often referred to as positive rights, which are economic, social, and cultural rights. These rights include the right to social security, the right to work, and the right to freely participate in cultural life. *Third generation rights* (articles 28–30) are collective or solidarity rights, such as everyone is entitled to a social and international order (Reichert, 2003; United Nations, 1948; Wronka, 2008).

The philosophy and actions of human rights are consistent with social work, especially forensic social work aims. Respect for human rights is becoming a universal principle associated with good government practice. According to Wronka (2008), “at the heart of social work, human rights are a set of guiding principles that are interdependent and have implications for macro, mezzo, and micro policy and practice” (p. 426).

AN ERA OF SOCIAL REFORM (1960S TO 1970S)

As great social change unfolded in the United States in this latter half of the 20th century, changes in policies and approaches to criminal justice also evolved. In the 1960s an increased emphasis on social reform and social responsibility spread throughout the nation (Sullivan, 2007). Large social movements, such as civil rights for racial ethnic minorities and women, as well as the War on Poverty, were prominent (Day, 2008). Presidents Kennedy and Johnson expanded federal policy and funding aimed at preventing or addressing juvenile delinquency. The prototype initiative was the New York City Mobilization for Youth: Created by a federal grant to the Columbia University School of Social Work, it laid the groundwork for a multitude of similar programs that followed (Sullivan, 2007).

Forensic social workers also increased their role in juvenile and adult probation services. The executive director of the National Council on Crime and Delinquency was social worker Milton Rector, who felt that probation officers should hold MSWs. At the same time, federal dollars were allocated for treatment programs in corrections for adults, pre-trial diversion programs, and 262 youth service bureaus. During this decade, social workers worked in police departments, psychiatric settings, juvenile justice programs, and probation offices (Roberts & Brownell, 1999).

In the early 1970s, forensic social workers and child welfare reformers collaborated to highlight the incidence of child maltreatment and create programmatic responses, first at the state level and later at the federal level. This led to the passage of the Child Abuse Prevention and Treatment Act (1974), which appropriated funds for child abuse assessment and treatment teams, which were usually led by medical social workers (Day, 2008). At the same time, Massachusetts social worker Jerome Miller created the soon-copied policy of moving youth in juvenile justice systems from institutions to smaller, community-based group homes. In 1974, the passage of the federal Juvenile Justice and Delinquency Prevention Act intensified the focus on deinstitutionalization (Nelson, 1984).

Also during this era, the first shelter for women battered by their husbands opened in Arizona in 1973. Later in the 1970s, shelters for female victims and services for male perpetrators of family violence begin to proliferate. Thus, the focus on social responsibility that grew in the 1960s in the United States led to an institutionalization of certain initial reforms at the federal government level around the rights of women and children. These initiatives brought a renewed focus on victims' needs and rights to the forensic social work arena (Killian & Maschi, 2009).

THE PENDULUM SHIFTS FROM SOCIAL REFORM TO INDIVIDUAL RESPONSIBILITY (1980S)

In the 1980s, there was a notable conservative shift, particularly in relationship to criminal offenders and victims. In particular, the field of corrections in particular went through many notable policy reforms, particularly "get tough on crime" initiatives. As a result stricter sentencing laws, such as "Three Strikes You're Out," prison populations grew rapidly and program dollars were stretched thin (Haney & Zimbardo, 1998). Many correctional administrators spent the majority of their budgets on maintaining order and security in their institutions, leaving little funding for rehabilitation and other services. Around the same time, feminists brought the impact of crime on survivors of domestic violence and rape to the national spotlight, highlighted by the landmark Victims of Crime Act (1984). With continued proliferation of violence, the American public no longer seemed convinced that prisons were meeting the goal of reforming individuals, and the public debate grew about what to do about violent crime.

Some scholars have called the reaction of what followed as a "rage to punish." The result of this tough on crime approach was the proliferation of harsher sentences and mandatory sentencing laws, especially for serious and violent offenders. As for services, the correctional goal of rehabilitation for incarcerated persons began to wane and although some treatment services for perpetrators of domestic violence continued to be available, they mostly were available in outpatient settings (Haney & Zimbardo, 1998).

As for forensic social work in the 1980s, the field of corrections evidenced a reduction in social workers and correctional counselors when punishment and mandatory sentencing policy reform replaced the earlier emphasis on rehabilitation (Gumz, 2004). The seemingly winning philosophy of punishment over rehabilitation created an almost paradoxical situation for social workers in correctional counseling. The environment shifted to cognitive interventions designed to purge the criminal mind of faulty thinking, and less emphasis was placed on linking prisoners to rehabilitative services, such as job training and education while incarcerated, to reduce the risk of recidivism upon release (Seperson, 1994; van Wormer, 2004, 2009).

During this 1980s era, America seemed to be struggling with the effectiveness of corrections toward reducing or eradicating crime. A public debate ensued about the philosophy behind and the goal for correctional work with questions, such as the following (Gebelein, 2000): Was correctional intervention truly “correctional”? In other words, “did prison ‘correct’ or ‘fix’ the offenders?” Or maybe that wasn’t the goal of correctional interventions, such as prison. Perhaps the goal of corrections was really public safety. That is, was the point of prison and removing offenders from the community really to protect the public from the violent offenders locked inside? Or perhaps there was a deterrence motive to corrections. Were prisons really there to deter those who might otherwise commit violent crimes? Or perhaps the goal of correction was to satisfy the public’s desire to deliver just desserts to law violators. With that thought in mind, was the point of prison simply for members of society to feel better because the “bad guys” were punished?

In the midst of this punitive pendulum swing, faith in the possibility of rehabilitation waned. The rehabilitative strain of corrections was dealt a severe blow with the publication—and some would say the misinterpretation—of Robert Martinson’s (1974) evaluation of reform programs, “What Works?”. Martinson was one of three researchers, the last to join the project. He published the results early and without his colleagues, stating that little proof exists to suggest that rehabilitative programs were successful (Martinson, 1974; Wilks, 2004). When the full article was published, the conclusions were not as dramatic, suggesting that some efforts were effective under some conditions with some subsets of incarcerated persons (Lipton, Martinson, & Wilks, 1975). However, it was the initial publication and the shadow of doubt it cast upon the impact of correctional intervention that has had the strongest and longest lasting message.

In this punitive climate for offenders, support for victims’ rights grew in magnitude. In fact, many forensic social work opportunities shifted from prison-based rehabilitation to community-based victim/witness assistance programs, where it is estimated approximately one-third of the staff are social workers (Barker & Branson, 2003; Roberts & Brownell, 1999).

Additionally, community-based corrections initiatives, such as half-way programs and community courts, also turned to social workers for expertise.

In the mid-1980s, federal monies were appropriated for the RESTTA initiative: Restitution Education, Specialized Training, and Technical Assistance. This program of the Federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) offered local probation departments and courts the resources to hold juvenile offenders accountable, either through monetary compensation, community service, or direct victim services (Roberts & Brownell, 1999). Currently such programs can be found in OJJDP Juvenile Accountability Block Grants. Related to these approaches are the youth-focused “boot camp” or “tough love” projects that seek accountability by mandating early intervention for high-risk young offenders. The success of these programs is unclear, and some high profile failures have affected their support. For a famous example, consider the case of 14-year-old Martin Anderson, who died in custody in a “boot camp” in Florida in 2006 (Ober, 2006). See <http://www.MartinLeeAnderson.com> for a detailed chronology of the Martin Anderson case.

21st Century: The Century of Possibilities

POST 9–11

Almost on the dawn of the 21st century, a horrific crime occurred in the United States. On September 11, 2001, terrorists hijacked two jumbo jets full of innocent civilians and flew them into the two twin towers of the World Trade Center in New York City. The myriad of local, state, and federal law and justice policies that have followed are creating a new chapter in forensic policy and changing social workers' roles. President George W. Bush's “War on Terror” has led to many new laws, perhaps the most significant of which was the Patriot Act: Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism, passed on October 26, 2001, and revised and reauthorized in March 2006. The act heightens the role of government intervention to anticipate and prevent specific crimes and alters the protections provided for those accused. Although much of the act focuses on international security concerns, domestic policies have shifted in its wake, often adversely affecting immigrants and those seeking refuge or asylum (Cleaveland, 2009; Jou & Lazarro, 2009). In this unfolding practice arena, forensic social workers again face a continuum of tasks and challenges, from individual casework and intervention to policy advocacy and social change

A VISION AND FRAME FOR THE FUTURE

Conceptualizing the Social Justice System

As 21st century forensic social workers forge their legacy in this new century of possibilities. We propose to more actively envision our work in the context of a social and justice environment and what we refer to as a *social justice*

systems (SJS) approach. Contemporary social work often views practice within a social environment, which has been described as conditions, circumstances, and human interactions among people (Zastrow & Kirst-Ashman, 2009). Yet, in theory and practice, the justice environment is equally as present for social workers (especially forensic social workers) who often address issues of fairness, equity, and oppression experienced by the individuals, families, and communities they service. The justice environment may consist of justice situations (e.g., being denied employment because of a disability) or settings (e.g., juvenile court, jail, or prison) and justice-oriented interactions (e.g., being a victim of a crime or losing one's home to eminent domain). The justice environment also consists of the laws and policies (or the lack thereof) and the legal system (Saltzman & Furman, 1999; Schroeder, 1997). Consistent with SJS approach is the human rights and social justice based movement in social work in which "all members of a society have the same rights, protection, opportunities, obligations, and social benefits" (Barker, 2003; p. 404). Forensic social workers are in a key position at the intersection of social work and the legal system to use an integrated and two-pronged approach (i.e., micro to macro interventions) to practice. That is, forensic social workers often are skilled to intervene with psychosocial issues as well as legal issues, the legal process, and legal institutions.

A perspective central to the SJS approach is social systems theory, which focuses on the relationship between individuals, systems, and subsystems (DuBois & Miley, 2010). In social systems theory, within each larger system are nested subsystems in which a change in one part of the system effects change in other parts of the system (Johnson & Yanca, 2009). Forensic social workers commonly work in communities in which there are service systems that include children and family, healthcare, education, social services, and political and legal systems. In an ideal world, individuals in the systems as well as these social systems would be functioning at their optimum potential. In ideal conditions (as proposed by social justice), families would be able to care for the physical, emotional, and social development of their young and elderly family members.

For example, if health and mental health services were needed by individuals and families, health and mental health systems would be well equipped to assist all individuals in achieving and maintaining optimal physical, mental, emotional, and spiritual well-being. Educational institutions would be able to provide equal educational opportunities so that all students would obtain the knowledge and skills to reach their fullest intellectual potential. Social service systems would be able to help all individuals with basic needs, such as food, clothing, and shelter. The political and legal system would provide protection and safety to all individuals and families by developing or enforcing laws and maintaining order.

However, the sober reality of our global society falls short of this ideal. The functioning of individual service systems is often less than adequate and

the coordination between service systems, such as mental health and criminal justice, are fragmented at best. In fact, interaction among service systems is oftentimes conflictual due to service barriers, missed opportunities, oppression, and other social injustices (Maschi et al., 2009). Evidence on the effectiveness of multidisciplinary collaboration efforts also have yet to be firmly established, such as the Wraparound Process Model (e.g., Burns & Goldman, 1999; Garland, Hough, Landsverk, & Brown, 2004). In an SJS approach, individuals' needs and rights would be important to consider in the context of larger systems because of these divergent environmental demands (Johnson & Yanca, 2009).

Using the SJS Approach

How does the 21st century forensic social worker apply an SJS approach? An SJS approach emphasizes forensic practice integrating knowledge and skills in policy and practice, surrounding forensic or legal issues, interdisciplinary collaboration, case management, and specialized areas of social work, such as clinical and community practice. The SJS approach helps forensic social workers frame their efforts in pursuing individual and societal level change, especially for vulnerable and oppressed populations impacted by systemic issues such as poverty, discrimination, and other social injustices.

Consistent with the NASW Code of Ethics (1999a), assessing for social and justice outcomes can “ensure access to needed information, services, and resources; equality of opportunity; and meaningful participation in decision making for all people” (p. 1). Thus, the jurisprudent social worker who is policy- and legal-savvy can more confidently and competently engage in multilevel intervention strategies that include “direct practice, community organizing, supervision, consultation, administration, advocacy, social and political action, policy development and implementation, education, and research and evaluation” (NASW, 1999a, p. 1).

We suggest that when applying an SJS framework, forensic social workers should use a type of double vision to examine the interaction between individuals and their environment. Because social workers “strive to ensure access to needed information, services, and resources” (NASW, 1999a, p. 1), a forensic social worker might apply a two-pronged approach to practice and provide the family with needed linkages to public assistance and employment services, as well as advocate for the establishment of transportation services for social service recipients who experience transportation barriers.

Twenty-first century forensic social workers might best be served by thinking beyond mono system thinking and practices. Contemporary individuals and families are often involved in multiple service systems concurrently or sequentially (Garland et al., 2004). For example, a child with emotional and behavioral problems may simultaneously be involved in special education services, community mental health services, and probation. In contrast,

another child may have initially entered services through the child welfare system and then later through the juvenile justice system. The forensic social worker will have the types of skills to identify obstacles, make resource linkages, advocate for resources or rights, and collaborate with other professionals across these different systems areas of care (Finn & Jacobson, 2007).

THERAPEUTIC JURISPRUDENCE

An important aspect of practice is the incorporation of the principle of therapeutic jurisprudence, which views law as an intervention. This principle is derived from the therapeutic jurisprudence literature, which examines the therapeutic (i.e., positive) and antitherapeutic (i.e., negative) consequences that result from legal rules, procedures, and actions (Madden & Wayne, 2003). According to Madden and Wayne (2003), "At the heart of therapeutic jurisprudence is the concept that law, consistent with justice, due process, and other relevant normative values, can and should function as a therapeutic agent" (p. 339).

Thus, the impact of the law on a client can potentially have positive or negative effects. For example, an individual with disabilities may win a court case for job discrimination based on legal protections inherent in the Americans with Disabilities Act. This example is an example of how this law provided positive protections for this individual. In contrast, a single mother being released from prison on a controlled dangerous substance offense is denied public assistance based on legislative law that denies benefits to individuals with prior drug charges. This is an example of how the law provided negative or anti-therapeutic effects on this mother's ability to receive needed services for herself and her family. Therefore, social workers must evaluate the intervention effects of the legal process and outcomes on individuals, families, and communities.

Social workers who adopt principles of therapeutic jurisprudence also are in the position to create conditions that empower clients or influence the development of laws and ways that current laws and policies can be applied most beneficially. For social workers in interdisciplinary settings working with professionals such as medical providers, psychologists, psychiatrists, police officers, probation officers, or attorneys, therapeutic jurisprudence is a useful and often shared perspective.

COLLABORATION

An important practice area to build competencies in is collaboration. Historically, social workers have practiced in a variety of "host" agency settings, such as hospitals, schools, industries, psychiatric clinics, police departments, and court and criminal justice settings (Brownell & Roberts, 2002; Jansson & Simmons, 1986). This often involves social workers having to assume dual or multiple roles that entail counseling, advocacy, and/or interdisciplinary

collaboration (Maschi et al., 2009). With the increasing intricacies of social problems and dwindling resources, social workers' involvement in interdisciplinary collaboration within and across agencies is often unavoidable and even necessary (Bronstein, 2003; Graham & Barter, 1999; Guin, Noble, & Merrill, 2003). Effective forensic social work often consists of social workers well versed in interdisciplinary team practice, collaborating with other professionals (e.g., attorneys, doctors and nurses, victim advocates), law enforcement personnel, clients, family members, and other stakeholders. Common characteristics of interdisciplinary team practice consists of a common purpose: the integration of various professional perspectives in decision making, interdependence, coordination and interaction, communication, and role division based on expertise (Abramson & Rosenthal, 1995).

The ability of forensic social workers to work interdependently with others is critical to achieving successful outcomes as an effort toward models of collaboration. As Bronstein (2003) noted, interdisciplinary collaboration is an "effective interpersonal process that facilitates the achievement of goals that cannot be reached when individual professionals act on their own" (p. 299). Social workers that incorporate interdisciplinary collaboration into forensic practice are able to address both psychosocial and legal issues with the help of a variety of professionals in a group problem solving process, which makes it much more possible to examine the problem from all angles (Abramson & Rosenthal, 1995).

Examples of contemporary collaboration and/or multi-level intervention models, particularly for youth with child welfare, mental health and/or juvenile justice involvement, include the Wraparound Process Model (Burns & Goldman, 1999), Systems of Care Model (National Resource Network for Child and Family Mental Health Services at the Washington Business Group on Health, 1999), and Multisystemic Therapy (Henggeler, Schoenwald, Borduin, Rowland, & Cunningham, 1998). Collaboration and/or multisystemic models for adults include new models of collaboration, particularly those that target individuals with both criminal justice and mental health concerns or serious and violent offenders (Morrissey, Fagan, & Cocozza, 2009; Winterfield; Lindquist, & Brumbaugh, 2007).

DIVERSITY AND MULTICULTURAL COMPETENCE

Another important practice concern is the achievement of diversity in practice. As the world becomes more globally connected and America becomes increasingly multicultural, in order to build upon the work of our professional ancestors, forensic social workers must move beyond rhetoric to results in diversity and multicultural competence at the individual and organizational level. Culturally competent practice includes culturally sensitive practice with minorities, immigrant and refugees, older adults, individuals with disabilities, and from other diverse backgrounds (Beckett & Johnson, 2003; Logan, 2003).

What do we mean by diversity? The *Social Work Dictionary* defines *diversity* as “variety, or the opposite of homogeneity” (Barker, 2003, p. 126). Moreover, diversity practice within social organizations commonly refers to the “range of personnel who more accurately represent minority populations and people from varied backgrounds, cultures, ethnicities, and viewpoints” (Barker, 2003, p. 126). Therefore, this translates into achieving diversity practice at the individual and systemic levels.

For example, a glaring and persistent example is the role of privilege and race in the American justice system as found in the overrepresentation of persons of color and persons from communities in poverty among the incarcerated population. James (2000) provided a good overview of some of these issues, citing rates of arrest for working class versus typical “white-collar” crime; the use of those in prison as a source of labor; the overrepresentation of African American men in justice system “supervision” (e.g., arrest, probation, incarceration, or parole); uneven statistics for lengths of sentences and state executions; and inconsistencies between the U.S. justice system and some provisions of international human rights. James (2000) also noted that when state justice systems deny political rights (including, at times, the right to vote) to those who are or have been incarcerated; this disproportionately affects people of color and the poor (p. 483).

How can 21st century forensic social workers develop a “way to be” that is affirming and inclusive of diversity? In fact, many of the professions that address criminal justice issues are struggling with this question. In law, attorneys speak of “anti-oppressive legal practice” and the activation of “privilege and disadvantage” (Kafele, 2005). In psychiatry, a leading text reminds the reader that cultural considerations should be paramount; for example, when offering expert assessment in areas such as competency to stand trial, the presence of mental illness, or the use of psychological testing across cultures (Tseng, Matthews, & Elwyn, 2004).

Diversity and forensic social work practice encompasses several overlapping mandates. At the micro end of the spectrum, recruitment and retention of personnel throughout service and justice systems should reflect the diversity of the communities in which those systems operate. Those systems must also accommodate all individuals who are participating, whether accused, aggrieved, or employed, in order to respond to their diverse characteristics and abilities.

Forensic social workers are ethically bound to develop practice skills grounded in an understanding of clients in their contextual identities and lives. In the mezzo section of the spectrum, social service programs and services must be vigilant regarding unintended structural biases that favor or accommodate individuals with certain backgrounds or characteristics over others. This extends to governmental agencies as well, whose policies and procedures may rise to the level of regulation or law and thus have even more impact on individuals’ and families’ lives. Finally, at the macro end

of this continuum, the intersection of forensic social work with considerations of diversity calls for working for the improvement of human rights conditions throughout all nations. Wherever a forensic social work practitioner finds her- or himself on this continuum, the remaining segments cannot be ignored.

The Georgetown University Center for Cultural Competence (GU-CCC) provides invaluable resources that address building knowledge values and skills surrounding cultural competence at the individual practitioner and organizational levels. They have a host of useful resources, available at <http://www11.georgetown.edu/research/gucchd/nccc/index.html>. For organizations that want to assess their cultural competence, the Organizational Cultural Competence Self Assessment Survey is available for use (AUCD, 2004). The survey can be downloaded for no cost at: http://www.aucd.org/docs/councils/mcc/cultural_competence_assmt2004.pdf. Organizational Cultural Competence Self Assessment Survey is available for use (AUCD, 2004). It can be downloaded for no cost at: http://www.aucd.org/docs/councils/mcc/cultural_competency_assmt2004.pdf.

In mental health treatment, the United States Department of Health and Human Services Substance Abuse and Mental Health Services Administration (2001) published extensive guidelines in 2001 mandating that practice areas, particularly correctional settings, create comprehensive plans for addressing cultural practice in their settings. These guidelines are available at <http://mentalhealth.samhsa.gov/publications/allpubs/sma00&-3457/ch2.asp>. In medicine and health-care delivery, practitioners discuss the importance of “providing care within a framework of cultural meaning,” expecting all colleagues to do so as standard practice (Hufft & Kite, 2003). And in social work, the core of our ethics mandates cultural competence, even when correctional institutions may not seem responsive to such concepts. In fact, the NASW have standards for multicultural competence that address individual to organization levels and are available for download at <http://www.naswdc.org/practice/standards/NASWCulturalStandards.pdf>.

Forensic Social Work and Human Rights

For 21st century practice, forensic social workers can choose to play an instrumental leadership role in advancing human rights forward in our country and abroad. So where do we go from here? A good place to start is with the essential document, the Universal Declaration of Human Rights (UDHR; United Nations, 1948). Ratified by the United Nations in 1948 it continues to project a life-affirming message to citizens of the world and is a universally accepted legal mandate by most world governments to fulfill human rights. Eleanor Roosevelt’s hope that the UDHR would become the International Magna Carta for all nations appears to have come to fruition. Following the UDHR, additional international human rights agreements (e.g., covenants and treaties)

were adopted by many countries. In 1976, these documents included the International Covenant on Civil and Political Rights. Today the UDHR, along with these covenants, comprise the International Bill of Rights (Wronka, 2007).

Despite progress in human rights over the past 50 years, 21st century practitioners still have remaining gaps to fill. First of all, the United States continues to lag behind in support for human rights. Since the signing of the UDHR, the United States has signed and ratified major parts of International Covenant on Civil and Political Rights (1966), which recognizes civil and political human rights (e.g., the right to life and liberty and rights to freedom of expression). Additionally, President Carter in 1978 signed the International Covenant on Economic, Social and Cultural Rights (1966) that recognizes economic, social, and cultural rights (e.g., the rights to food, clothing, housing, and health care). However, as of 2010, the United States has made some strides, such as the election of the first African American president and a bill proposing universal healthcare for all Americans; the U.S. government has not yet ratified this Covenant (Reichert, 2003; Wronka, 2007, 2008).

The United States has ratified only a small number of other human rights international documents and lags far behind many other nations in their legal commitment to human rights. The few documents ratified by the United States include the Convention on the Prevention and Punishment of the Crime of Genocide (1948), International Convention on the Elimination of Racial Discrimination (1965), and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984). Other important international treaties and documents remain unsigned or un-ratified by the United States. For example, the United States and Somalia are the only world nations who have of yet not ratified the Convention on the Rights of the Child (1989). The United States also has not ratified the Convention to Eliminate Discrimination against Women (1979), which guarantees the equality of women to men, although U.S. grassroots support for it is growing (Wronka, 2007).

Forensic social workers have practice specialty areas where they can concentrate their individual and collective efforts toward advancing human rights. These areas include practice and systems reform in juvenile justice, criminal justice, healthcare, immigration, mental health, victims' rights, and civil rights for racial/ethnic and homosexual minorities. For example, forensic social workers whose efforts are focused on juvenile and criminal justice human rights reform can advocate for the rights of offenders of all ages detained in penal institutions, the rights of minorities disproportionately involved in the criminal justice system, the rights of criminal offenders to rehabilitation and training, the rights of children born to women prisoners, the rights of juvenile prisoners, the rights of political prisoners, the rights of probationers', and the rights of those sentenced to capital punishment. There also is the potential to greatly improve the dehumanizing aspects of prison, including improving prison conditions themselves, and improving community conditions, such as living in poverty and crime-ridden neighborhoods,

that place people at risk of engaging in criminal offenses (United Nations, 1994; Wronka, 2008).

Some relevant United Nations documents with direct implications for 21st century forensic social work for juvenile and criminal justice reform (listed in chronological order) include the Universal Declaration of Human Rights (1948); the Standard Minimum Rules for the Treatment of Prisoners (1955); the International Covenants on Economic, Social and Cultural Rights (1966); the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (1984); the Safeguards guaranteeing protection of the rights of those facing the death penalty (1984); the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (1985); the Basic Principles on the Independence of the Judiciary (1985); and the Convention of the Rights of the Child (1989). Forensic social workers can familiarize themselves with the documents and the United Nations committees designated to address the issues that are most relevant to their practice issue and/or population (United Nations, 1994).

Forensic social workers as collaborators for human rights also can engage in targeted intervention strategies. The United Nations (1994) has 10 recommended intervention strategies to help advance human rights that forensic social workers can adapt. These intervention strategies include to (a) work with local, regional, and national organizations to promote, develop, and implement needed changes in policy, planning, and programming on human rights issues; (b) recognize and adapt existing services to maximize effectiveness; (c) develop and involve appropriate and qualified leaders from the community to identify, plan, and implement needed services and advocacy efforts; (d) develop self capacities of those disadvantaged in their human rights; (e) organize previously unorganized disadvantaged groups for self help; (f) form alliances with liked-minded social and political movements; (g) develop mechanisms to enhance awareness local and global awareness, including the use of mass media; (h) fundraise for the cause; (i) assess the impact of actions undertaken in collaboration with persons and groups affected and associated groups and organizations; (j) document and disseminate information on human rights abuses; and (k) promote legislation that benefits disadvantaged groups. If forensic social workers individually and collectively engage in one or more of these strategies in their local communities, these incremental efforts can make a significant difference as evidenced in the history of forensic social work reviewed.

SUMMARY AND CONCLUSION

In summary, this article examined forensic social work in light of its past history and future possibilities. A review of forensic social work history shows that well over 100 years ago, social workers understood that government, as

author and institutor of policy, can and should be an arena for reform. Our foremothers and forefathers view was that advocating for their “clients” meant advocating for systemic legal and policy reform. As such, these pioneers used their legal savvy, advocacy, and collaborative skills to apply an integrated and two-pronged approach to social welfare to target individual and social change. Their relentless efforts in the justice system have set a high standard for forensic social workers of today to surpass.

Perhaps Eleanor Roosevelt (1958) in her speech to the United Nations Commission on Human Rights at the United Nations in New York on March 27, 1958 suggests where and how we might approach our next steps. She eloquently responded to her own question:

Where, after all, do universal human rights begin? In small places, close to home—so close and so small that they cannot be seen on any maps of the world. Yet they are the world of the individual person; the neighborhood he lives in; the school or college he attends; the factory, farm, or office where he works. Such are the places where every man, woman, and child seeks equal justice, equal opportunity, equal dignity without discrimination. Unless these rights have meaning there, they have little meaning anywhere. Without concerted citizen action to uphold them close to home, we shall look in vain for progress in the larger world.

Eleanor Roosevelt’s words are just as applicable today as they were almost a half a century ago. We have the opportunity to revel in past achievements and take the lessons learned forward to shape best practices for the 21st century. Forensic social work history suggests the most effective efforts were when individual and social level action converged. In the 21st century, advancing the mission of forensic social work involves equipping practitioners with a collective vision as well as the knowledge and skills to effectively navigate the legal system. The potential for the next century of forensic social workers is one of high anticipation. Our collective efforts of today will soon become tomorrow’s newest history chapter. And together we can make it a most memorable one.

REFERENCES

- Abramson, J. S., & Rosenthal, B. S. (1995). Interdisciplinary and interorganizational collaboration. In R. L. Edwards (Ed.), *Encyclopedia of social work* (19th ed., pp. 1479–1489). Washington, DC: NASW Press.
- Addams, J. (1910). *Twenty years at Hull house*. New York: The Macmillan Company.
- Addams, J. (1972). *The spirit of youth and the city streets*. Urbana: University of Illinois Press.
- Association of University Centers on Disabilities [AUCD]. (2004). Assessment of Organizational Cultural Competence. Retrieved February 11, 2010, from http://www.aucd.org/docs/councils/mcc/cultural_competency_assmt2004.pdf

- Barker, R. L. (2003). *The social work dictionary* (2nd ed.). Washington, DC: NASW Press.
- Barker, R. L., & Branson, D. M. (2003). *Forensic social work: Legal aspects of professional practice* (2nd ed.). Binghamton, NY: Haworth Press.
- Bartlett, H. M. (1958). Working definition of social work practice. *Social Work*, 3(2), 5–8.
- Beckett, J. O., & Johnson, H. C. (1995). Human development. In R. L. Edwards & J. G. Hopps (Eds.), *Encyclopedia of social work* (pp. 1385–1405). Washington, DC: National Association of Social Workers Press.
- Blakely, C. R., & Bumphus, V. W. (1999). American criminal justice philosophy: What's old—what's new? *Federal Probation: A Journal of Correctional Philosophy and Practice*, 63(1), 62–66.
- Bronstein, L. R. (2003). A model for interdisciplinary collaboration. *Social Work*, 48(3), 296–306.
- Brownell, P., & Roberts, A. L. (2002). A century of social work in criminal justice and correctional settings. *Journal of Offender Rehabilitation*, 35(2), 1–17.
- Burns, B. J., & Goldman, S. K. (Eds.). (1999). Promising practices in wraparound for children with serious emotional disturbance and their families. In *Systems of care: Promising practices in children's mental health, 1998 Series: Vol. 4*. Washington, DC: Center for Effective Collaboration and Practice, American Institutes for Research.
- Center on Juvenile & Criminal Justice. (1999). *Second chances: Giving kids a chance to make a better choice*. Retrieved on July 27, 2007, from <http://www.cjcj.org/pubs/archive.php>
- Cleaveland, C. (2009). Calling some “Illegal:” Practice considerations in work with undocumented immigrants. In T. Maschi, C. Bradley, & K. Ward (Eds.), *Forensic social work: Psychosocial and legal issues across diverse practice settings* (pp. 373–393). New York: Springer Publishing Company.
- Colcard, J. C., & Mann, R. Z. S. (Eds.) (1930). *The long view: Papers and addresses of Mary E. Richmond*. New York: Russell Sage Foundation.
- Council on Social Work Education. (2008). *2008 Educational policy and accreditation standards*. Retrieved May 1, 2008, from http://www.cswe.org/accreditation/EPAS/EPAS_start.htm
- Day, P. J. (2008). *A new history of social welfare* (6th ed.). New York: Allyn & Bacon.
- DuBois, B., & Miley, K. K. (2010). *Social work: An empowering profession* (7th ed.). Boston: Allyn and Bacon.
- Ehrenreich, J. H. (1985). *The altruistic imagination: A history of social work and social policy in the United States*. Ithaca, NY: Cornell University Press.
- Finn, H. L., & Jacobson, M. (2007). *Just practice: A social justice approach to social work* (2nd ed.). Peosta, IA: Eddie Bowers Publishing Co.
- Frances Perkins Center. (2008). *Homepage*. Retrieved September 2, 2008, at <http://www.francesperkinscenter.org/history.html>
- Garland, A. F., Hough, R. L., Landsverk, J. A., & Brown, S. A. (2001). Multi-sector complexity of systems of care for youth with mental health needs. *Children's Services: Social Policy, Research, and Practice*, 4(3), 123–140.
- Gebelein, R. S. (2000). The rebirth of rehabilitation: Promise and perils of drug courts. *Sentencing and Corrections: Issues for the 21st century*. Washington, DC: National Institute of Justice.

- Georgetown University National Center for Cultural Competence. (n.d.). *Assessment of organizational cultural competence*. Retrieved July 3, 2007 from http://www.aucd.org/docs/councils/mcc/cultural_competency_asmt2004.pdf
- Gilbert, M. (2004). *The Second World War: A complete history*. New York: Holt Paperbacks.
- Graham, J. R., & Barter, K. (1999). Collaboration: A social work practice method. *Families in Society, 80*(1), 6–13.
- Green, G., Thorpe, J., & Traupmann, M. (2005). The sprawling thicket: Knowledge and specialization in forensic social work. *Australian Social Work, 58*(2), 142–153.
- Guin, C. C., Noble, D. N., & Merrill, T. S. (2003). From misery to mission: Forensic social workers on multidisciplinary mitigation teams. *Social Work, 48*, 362–371.
- Gumz, E. (2004). American social work, corrections and restorative justice: An appraisal. *International Journal of Offender Therapy and Comparative Criminology, 48*, 449–460.
- Haney, C., & Zimbardo, P. (1998). The past and future of U.S. prison policy: Twenty-five years after the Stanford Prison Experiment. *American Psychologist, 53*, 709–727.
- Harvard University Library Open Collections Program. (n.d.). *Working women: Jane Addams*. Retrieved September 2, 2008, at http://ocp.hul.harvard.edu/ww/people_addams.html
- Henggeler, S. W., Schoenwald, S. K., Borduin, C. M., Rowland, M. D., & Cunningham, P. B. (1998). *Multisystemic treatment of antisocial behavior in children and adolescents*. New York: Guilford Press.
- Hufft, A., & Kite, M. M. (2003). Vulnerable and cultural perspectives for nursing care in correctional systems. *Journal of Multicultural Nursing & Health, 9*, 18–26.
- Hughes, D. S., & O'Neal, B. C. (1983). A survey of current forensic social work. *Social Work, 32*, 393–394.
- International Federation of Social Work. (1988). *International policy paper*. Retrieved May 9, 2007, from <http://www.ifsw.org/en/p38000208.html>
- James, J. (2000). The dysfunctional and the disappearing: Democracy, race and imprisonment. *Social Identities, 6*, 483–492.
- Jansson, B. S., & Simmons, J. (1986). The survival of social work units in host organizations. *Social Work, 35*, 339–343.
- Johnson, L. C., & Yanca, S. J. (2009). *Social work practice: A generalist approach* (10th ed.). Boston: Pearson Education.
- Jou, M. K., & Lazzaro, L. (2009). Collaborative forensic social work with immigrants and refugees. In T. Maschi, C. Bradley, & K. Ward (Eds.), *Forensic social work: Psychosocial and legal issues across diverse practice settings* (pp. 374–394). New York: Springer Publishing Company.
- Kafele, K. (2005, March 3). *Understanding cultural competence. Fourth colloquium on the legal profession*. Retrieved from August 10, 2008, from <http://www.lsuc.on.ca/media/fourthcolloquiumkafele.pdf>
- Killian, M. L., & Maschi, T. (2009). A history of forensic social work in the United States. In T. Maschi, C. Bradley, & K. Ward (Eds.), *Forensic social work: Psychosocial and legal issues across diverse practice settings* (pp. 11–21). New York: Springer Publishing Company.
- Lipton, D., Martinson, R., & Wilks, J. (1975). *The effectiveness of correctional treatment: A survey of treatment evaluation studies*. New York: Praeger.

- Logan, S. M. L. (2003). Issues of multiculturalism: Multicultural practice, cultural diversity, and competency. In R. A. English (Ed.), *Encyclopedia of social work* (19th ed., 2003 supplement; pp. 95–105). Washington, DC: NASW Press.
- Madden, R. G. (2003). *Essential law for social workers*. New York: Columbia University Press.
- Madden, R., & Wayne, R. H. (2003). Social work and the law: A therapeutic jurisprudence perspective. *Social Work, 48*, 338–347.
- Martinson, R. (1974). What works? Questions and answers about prison reform. *Public Interest, 35*, 22–54.
- Maschi, T., Bradley, C., & Ward, K. (Eds.) (2009). *Forensic social work: Psychosocial and legal issues in diverse practice settings*. New York: Springer Publishing Company.
- Maschi, T., Violette, N., Scotto Rosato, N., & Ristow, J. (2009). Juvenile justice and social work. In T. Maschi, C. Bradley, & K. Ward (Eds.), *Forensic social work: Psychosocial and legal issues across diverse practice settings* (pp. 231–254). New York: Springer Publishing Company.
- Merriam-Webster. (2007). *Merriam Webster's collegiate dictionary* (11th ed.). Springfield, MA: Author.
- Morrissey, J. P., Fagan, J. A., & Coccozza, J. J. (2009). New models of collaboration between criminal justice and mental health systems. *American Journal of Psychiatry, 166*, 1211–1214.
- National Association of Social Workers. (1999a). *Code of ethics of the National Association of Social Workers*. Washington, DC: NASW Press.
- National Organization of Forensic Social Work. (1997). *What is forensic social work?* Retrieved on May 9, 2007, from <http://www.nofsw.org/>
- National Resource Network for Child and Family Mental Health Services at the Washington Business Group on Health (Ed.). (1999). *A compilation of lessons learned from the 22 grantees of the 1997 Comprehensive Community Mental Health Services for Children and Their Families Program. Systems of Care: Promising Practices in Children's Mental Health, 1998 Series* (Vol. 7). Washington, DC: Center for Effective Collaboration and Practice, American Institutes for Research.
- Nelson, B. J. (1984). *Making an issue of child abuse: Political agenda setting for social problems*. Chicago: University of Chicago Press.
- Ober, M. A. (2006). *Death of Martin Anderson*. Retrieved June 1, 2007, from <http://media.tbo.com/tbo/1128lee3.pdf>
- Platt, A. M. (1969). The rise of the child-saving movement: A study in social policy and correctional reform. *Annals of the American Academy of Political & Social Science, 381*, 21–38
- Platt, A. M. (1977). *The child savers: The invention of delinquency* (2nd ed.). Chicago: University of Chicago Press.
- Popple, P. R., & Leighninger, L. (2007). *Social work, social welfare, and American society* (7th ed.). Boston: Allyn & Bacon.
- Reichert, E. (2003). *Social work and human rights: A foundation for policy and practice*. New York: Columbia University Press.
- Richmond, M. (1917). *Social diagnosis*. Philadelphia: Russell Sage Foundation.
- Roberts, A. R. (Ed.). (2004). *Juvenile justice sourcebook: Past, present, and future*. New York: Oxford University Press.

- Roberts, A. R., & Brownell, P. (1999). A century of forensic social work: Bridging the past to the present. *Social Work, 44*, 359–369.
- Roberts, A. R., & Springer, D. W. (2008). *Social work in juvenile justice and criminal justice settings* (3rd ed.). Springfield, IL: Charles C. Thomas.
- Roosevelt, E. (1958). *Eleanor Roosevelt*. Retrieved July 4, 2007, from <http://www.udhr.org/history/Biographies/bioer.htm>
- Saltzman, A., & Furman, R. (1999). *Law in social work practice* (2nd ed.). Belmont, CA: Wadsworth Publishers.
- Schroeder, L. O. (1997). *The legal environment of social work* (2nd ed.). Washington, DC: NASW Press.
- Strachan, H. (2003). *The first world war: Vol. I. To arms*. New York: Oxford University Press.
- Sullivan, P. (2007). A selected history of juvenile justice facilities. Retrieved on September 2, 2007, from http://www.aia.org/SiteObjects/files/caj_a_20070323_juvenile_history.pdf
- Tseng, W.-S., Matthews, D., & Elwyn, T. S. (2004). *Cultural competence in forensic mental health*. New York: Brunner-Routledge.
- United Nations. (1948). *Universal declaration of human rights*. New York: Author. Retrieved June 1, 2006, from <http://www.un.org/en/documents/udhr/>
- United Nations. (1994). *Human rights and social work: A manual for schools of social work and the social work profession*. Geneva, Switzerland: United Nations Centre for Human Rights.
- United Nations. (2010). *Programme of work: United Nations Statistical Division*. Retrieved January 5, 2010, from <http://unstats.un.org/unsd/default.htm>
- United States Department of Health and Human Services Substance Abuse and Mental Health Services Administration. (2001). *Cultural competence standards in managed care mental health services: Four underserved/underrepresented racial/ethnic groups*. Retrieved May 4, 2007, from <http://mentalhealth.samhsa.gov/publications/allpubs/sma00-3457/ch2.asp>
- van Wormer, K. (2004). *Confronting oppression, restoring justice: From policy analysis to social action*. Alexandria, VA: CSWE.
- van Wormer, K. (2009). Restorative justice. In T. Maschi, C. Bradley, & K. Ward (Eds.), *Forensic social work: Psychosocial and legal issues across diverse practice settings* (pp. 11–21). New York: Springer Publishing Company.
- Wilks, J. (2004). Revisiting Martinson: Has corrections made progress in the past 30 years? *Corrections Today, 66*(6), 108–111.
- Winterfield, L., Lindquist, C., & Brumbaugh, S. (2007). *The multi-site evaluation of the Serious and Violent Offender Reentry Initiative*. Washington, DC: Urban Institute. Retrieved July 5, 2008, from http://www.svori-evaluation.org/%5Cdocuments%5Creports%5CCRRIA_2007_Adult_Sustainability.pdf
- Wronka, J. (2007). *Human rights and social justice: Social action and service for the helping and health professions*. Thousand Oaks, CA: Sage Publications.
- Wronka, J. (2008). Human rights. In T. Mizrahi & L. E. Davis (Eds.), *Encyclopedia of social work* (pp. 425–429). Washington, DC: National Association of Social Workers.
- Zastrow, C. H., & Kirst-Ashman, K. K. (2009). *Understanding human behavior and the social environment* (8th ed.). Belmont, CA: Brooks/Cole-Thompson Learning.
- Zenderland, L. (1998). *Measuring minds*. New York: Cambridge University Press.