

## **The Clark in the Courts**

By Ronna Tulgan Ostheimer

In 1997 Massachusetts, like many states, separated the juvenile justice system from the adult justice system. Throughout the state, new juvenile courts were built and judges were appointed to serve as juvenile court judges. With this separation came a paradigm shift in sentencing from a punishment model to an educational model. Juvenile court judges worked with local institutions to develop educational programs that could serve as alternative sentences for youth in trouble with the law. Typical programs included employment counseling, job skills training, anger management and substance abuse treatment.

In Berkshire County, known for its multitude of fine and performing arts institutions, the judges pride themselves in thinking “outside the box.” They have gone beyond the educational model to an approach that could be considered an enhancement model by working with local cultural institutions to develop programs that could serve as alternative sentences.

This creative effort began six years ago when Judge Paul Perachi began working with Shakespeare and Company and developed a program known as Shakespeare in the Courts. The program won the national Standing Up Taller Award in 2006. The courts have also developed alternative sentences such as a hip hop program with a local dance troupe and a playwriting program with another theater group. The program at the Sterling and Francine Clark Art Institute is the newest alternative sentence, and as far as we know, the Clark is the only fine arts museum in the country involved with such an initiative.

Our program began about four years ago through a casual conversation I had with a local juvenile court judge, Judith Locke, on the sideline of our daughters’ soccer game. Even before she was appointed to the bench, Locke and I had talked for years about how great it would be if the population she

worked with could spend time at the Clark. The Clark is a personally special place for Locke; it is where she had her swearing-in ceremony to become a judge. At the soccer game, the judge told me about the alternative sentencing efforts and the Shakespeare and Company program. She suggested we develop a similar program allowing disadvantaged groups to benefit from spending time at the Clark.

I brought the sideline discussion back to the Clark and proposed to the “powers that be” that we consider creating a program. My proposal was met with mixed reactions. While everybody liked the idea in theory, some of my colleagues were—quite reasonably—concerned that this group might be more challenging than teenagers visiting the museum for a school field trip. Furthermore, the state of Massachusetts would not assume responsibility should there be any damage to the art; the program was a Clark program and the risk was going to be all ours. Nonetheless the Clark’s institutional values include innovation and collaboration, and our director really believes in the power of art to transform lives. I got the green light to develop a program.

While I loved the idea and believed in the importance of the program, the reality of bringing a bunch of young criminals into the museum was a little daunting. I had nightmares of losing my job. I decided to call the educators at Shakespeare and Company for a little advice since they’d been running such a successful program. When I asked for any words of wisdom, they actually laughed. They shared four thoughts: fasten your seatbelt, it’s going to be a bumpy ride; these are very difficult kids from very difficult backgrounds have no expectations; and finally (a kernel of hope), do what you do best.

It was not a terribly comforting call but it did give me a starting place. I knew what we try to do best: help our visitors “engage with art.” In all of our educational materials and programs we try to encourage visitors to look carefully,

to think about what they see and how it relates to their own experience—what they know, think and feel. Encouraging visitors to engage with the art is different from teaching them about art or developing their level of art appreciation (though we know that these may happen as a result). If we consider “art” to be an expression of human experience, then engaging with art is a way to connect with larger-than-self human experience. Engaging with art requires critical thinking and validates both objective and subjective ways of knowing; it can expand our sense of humanity including our sense of self. More simply, engaging with art presents an opportunity for personal growth. Keeping these things in mind, we developed a program that would give the kids experience with:

- learning to look at art and feeling competent doing so
- using works of art as a vehicle for thinking, talking and writing about human experience
- considering their own connection to the larger human world in more constructive ways

We also wanted the kids to see the Clark, or any art museum, as a place where they belonged. We developed a five-session program and decided that we could afford to offer it twice a year. We wanted a name that would express what the program is about with a positive connotation. We came up with the acronym RAISE, Responding to Art Involves Self Expression.

We worked with the courts to determine the logistics of who would be appropriate for the group, such as the ages of participants (13–17); the types of crimes committed (we felt we couldn’t work with anyone with severe mental illness or kids who were prone to unpredictably violent behavior); whether the groups should be single-sex or mixed (we decided mixed); time of day (3:00–5:00 p.m. because most of the kids are still in school); and the size of the group (eight seems to be the ideal number).

Given the rather remote location of the Clark, transportation was also an issue. The custodial adults had to agree to get the kids to and from the program (although it is often the probation officers who help). One time, a participant rode his bike more than eight miles through freezing rain to get here. The custodial adults also had to agree to attend the fifth session as a condition of the sentence.

We offered the first RAISE program three years ago. We communicate a great deal about the program and the kids with the court officers as the program evolves. One probation officer in particular, Nancy Macauley, has taken an interest in the program and has served as a liaison between the court and the Clark. Having an involved party act as a guardian of the program is critical to its success.

Local writer Amy Herring was also at the soccer game when the RAISE program was conceived and she asked to be involved from the beginning. The Clark hired her to help run the program. She and I provide a good balance for the kids; her gentler nature helps the kids express themselves, while I keep the whole program moving.

We aimed to give this group the kind of respect they may not have encountered elsewhere in the belief that they would behave accordingly in return. When we are not in the galleries we meet in the same room that our board of trustees uses when they come here: the penthouse, the best room in the building with an impressive table and a panoramic view of the Berkshire Hills. We serve a nutritious snack (they are hungry when they get here) and we discuss how their weeks are going at home and at school at the beginning of each session. We also share the agenda of the afternoon before we begin. The first week we hand out moleskin journals and mechanical pencils that we store at the Clark during the program (with the promise that we will never look at them) and the kids take them home at the end.

The first session is called “Looking at Art and Personal Strengths,” an introduction that sets the tone of the program. We begin straight off with a gallery talk that introduces the collection, helps the kids feel competent looking at art, and encourages them to tune into the pictures and respond to them in personally meaningful ways. Then we go back upstairs to the penthouse and together make a list of all the ways they were good at looking at art. We continue with other self awareness activities focusing on their strengths. We prepare about five hours of activities for each session because we never know what’s going to fly on any particular day.

The second session is framed with the title “That which is most personal is most universal,” a quote from 20<sup>th</sup>-century American psychologist Carl Rogers. The goal is for the kids to see that at the core we all have similar experiences of being human. We begin in the penthouse and distribute images from other museums that express intense human situations and feelings. We ask the kids to really study the picture and then write about it as if they were the subject, to consider what is happening, what the subject is thinking, feeling, about to do, etc. We give them about 15 minutes of looking and writing time, and then we ask each kid to share what she’s written.

Finally we go to the galleries and ask them to do the same thing with a picture from our collection. The Clark pictures tend to be a bit more subtle, so the kids need to exercise their developing skills of engaging with art. We encourage them to really look at the pictures for contextual information and then sit down and write, again, as if they were the subject. After about 20 minutes of alone time, we go around to each picture as a group and each kid reads what he has written about it. Of course, not all of them like to write and some are barely literate, so they just talk us through the picture. There are probably also some who just say what they think we want to hear, but at least they are still engaged with the art.

Here is an excerpt from a student's piece about the painting *Chrysanthemums* by James Tissot:

*"Alone I am lost and scared. When I am in the garden I feel love and have passion. I feel as though the mums and me are one. Delicate and beautiful, flowing with the breeze for the world to see. As I sit relaxed, you come out of nowhere and interrupt the serenity around me. You say the doctor's coming and that I need to come at once. My medicine, my health, lies within the mums. You say I am disturbed yet you disturbed me. Leave me to be free with the mums for the world to see."*

This was written by a 17-year-old girl, Didi, who is addicted to drugs and alcohol. She has a court record that's three pages long. At the beginning of the program, Didi celebrated eight months of sobriety. Her father died suddenly between the second and third sessions of the RAISE program. She needed to be convinced to attend his wake instead of coming to the third class.

The third session is called "What you see may or may not be what you get" and focuses on our physical presentation and how our appearances influence our sense of self. We begin in the penthouse with some writing exercises focusing on how the kids think they look and assumptions that people may make based on their appearance. Then we go into the galleries for a related talk on portraits. We return to the penthouse, where a studio art professor from Williams College leads a self-portrait drawing class. He is an excellent teacher, and the kids draw some pretty good likenesses of themselves. They are usually surprised at their talent—another area of competency they didn't expect to discover in themselves.

Session Four is called "What a Wonderful Life." Here, we do something that may sound morbid, but usually ends up being quite uplifting and profound—we ask the kids to write their own obituaries. We do some preliminary writing

activities in which students make lists of what they are good at, what they like to do, their positive qualities and what they care about. We ask them to think about their strengths and their futures, and how they would integrate their strengths into what they might do in their adult life. We ask them to imagine their lives through adulthood, into old age and, finally, death.

Before we introduce the writing activity, we talk in general about obituaries. We ask if they know what an obituary is, why it's written and by whom. We share some obituaries of famous people that they might be interested in (e.g., Kurt Cobain) and then we ask them to write their own. The kids tend to really like this exercise. For me, it is poignant to hear their dreams and to realize they're just like those of my own kids—becoming a forensic scientist, a famous film director, a loving spouse and parent. For them, their obituaries end up being like a life plan. They tend to write in chronologically, thereby setting a series of steps that need to be taken to make their dreams come true. Next we go into the galleries, and similar to week two, we ask the kids to pick a picture with a person in it. We ask them to use their skills at engaging with art and their imaginations to write either an obituary or a life-and-death story about their subject.

The fifth and last session of the program is called "Success at the Clark," which the custodial adults are required to attend. The judge, probation officers and often the chief of probation also come. The custodial adults and the court personnel have coffee together. I can imagine that this is not the most comfortable half hour for many of them. The kids, Amy and I go up to the penthouse for a half hour of closure activities; this is the last time that we meet together, alone, as a group. Then we go downstairs and the kids take their adults and the court personnel around the galleries. It is an amazing sight. They walk around like they own the place and they have a surprising ability to talk about the art. Even the kids who were incredibly hostile and who seemed inattentive show total command in hosting the adults and talking about the art.

After a half hour or so in the galleries, we all go to the penthouse for a graduation ceremony. The court hands out certificates of completion and we read a letter about each student, highlighting the success and the personal strengths that we saw in each of them. For most, this is a joy, but for some, writing an authentic positive letter feels like a herculean effort. But we do it and we have been told that for many, it is the first time they have been publicly recognized in a positive way. We ask the parents and the kids to fill out evaluations, and then the program is over.

Here is a sample of feedback from one of the parents: *“This program was beneficial to my son as an alternative for several reasons. First of all, it gave him the opportunity to experience the Clark in a way that he could understand the art and its significance. He was treated with respect, and instead of a humiliating, demeaning experience that focused on the negative, his strengths and positive features were the focus. He never complained about participating, instead, he voiced his satisfaction and overall thought it was a fun experience.”*

From the Clark’s perspective, the RAISE program has been a tremendous success. We see the program as an opportunity for us to reach kids who would probably not come to the Clark otherwise and as an evolution of our relationship with other social institutions in the community. Based on the kids’ behavior, their feedback and reports from other involved adults, we definitely meet our programmatic goals: to help the kids learn to look at art and feel competent doing so; to use art as a vehicle for thinking, talking and writing about human experience; and to consider their own connection to the larger social world in more constructive ways. From the court’s perspective, the program is also successful. The juvenile court justices really believe in the value of showing the kids other possibilities for their lives even though the effects are not easily measured. Their primary criterion is attendance, and the attendance record of participants is almost 100 percent.

The success of the program is due to many of the same qualities that make any educational program successful—a strong curriculum, careful planning and preparation, and clear and honest communication among those overseeing it. However, a new program that requires people to think about and do their jobs a little differently depends on some other dynamics as well. People with decision-making power need to be sincerely on board from the very beginning. Those involved with the program need to really believe in what they are doing. It's not "just a job"; there is a lot of heart and soul involved. Many of the discussions that fueled the genesis of the program occurred outside the formal work schedule. The key players are inclined to talk about their work in their personal lives and have a core value system that weds their private and professional lives. Perhaps most of all, though, starting a creative new program requires a lot of courage and a lot of faith!

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