

Advocacy Initiatives for Vulnerable Juveniles: Two Behavior Science Reports from the Field

Richard F. Rakos

rfrakos@csuohio.edu

Cleveland State University

Deborah A. Napolitano

Daemen University

Short Report

Keywords: advocacy, justice-involved juveniles, residential foster care, limited secure placement, youth bindover

Posted Date: September 10th, 2026

DOI: <https://doi.org/10.21203/rs.3.rs-10852972/v1>

License:  This work is licensed under a Creative Commons Attribution 4.0 International License.

[Read Full License](#)

Additional Declarations: No competing interests reported.

Advocacy Initiatives for Vulnerable Juveniles

Advocacy Initiatives for Vulnerable Juveniles: Two Behavior Science Reports from the Field

Authors notes: Please address all correspondence to

This Activism and Advocacy Note weaves two Notes together to highlight differing advocacy roles that behavior scientists can adopt; therefore, it is longer than the typical AAA Note. We thank the Editor for her flexibility.

Advocacy Initiatives for Vulnerable Juveniles

Advocacy Initiatives for Vulnerable Juveniles: Two Behavior Science Reports from the Field

Authors note: Please address all correspondence to

Advocacy Initiatives for Vulnerable Juveniles: Two Behavior Science Reports from the Field

Abstract

Expanding one's professional focus likely presents risks but also can set the stage for exciting and potentially fulfilling challenges that may make an impact in these new areas of practice – they become behavior cusps that offer a range of new possibilities to interact with and change the environment. This Note describes two such cusps encountered by behavior scientists who ventured into new activities by participating in advocacy initiatives within systems serving vulnerable juveniles at increased risk of exploitation, neglect, or other systemic failures. We discuss our involvement as advocates, identify lessons we derived from our experiences, and suggest that (a) behavior scientists can reap significant rewards if they take advantage of “cusp opportunities” to expand their activities into advocacy on behalf of ill-protected persons and (b) positive systemic changes can be achieved by approaching problems of societal importance from a collaborative lens while contributing behavior science skills to the initiative

Key words: advocacy, justice-involved juveniles, residential foster care, limited secure placement, youth bindover

"A failure is not always a mistake, it may simply be the best one can do under the circumstances. The real mistake is to stop trying." B.F. Skinner (1971, p. 156)

Introduction

Behavior scientists who want to share their expertise in areas outside their scope of training and experience likely take a risk (cf., Hill et al., 2021) – they may encounter thin schedules of intermittent reinforcement or possibly even punishment. However, engaging in a series of novel behaviors may also contact new contingencies that result in a risk-justifying generative expansion of adaptive response repertoires. When this happens, these experiences become behavior cusps that offer a smorgasbord of new opportunities to interact with and change the environment. Although early work described behavior cusps as interactions that impacted subsequent repertoires (Rosales-Ruiz & Baer, 1996), more recently Becker et al. (2024) suggested that cusps may interact with other behavioral contingencies to allow for broad repertoire changes. Cusps, therefore, may expand the range of opportunities for behavior scientists to contribute to their field and to society at large.

One such behavior cusp that may generate benefits for both the field and society is to engage in an “advocacy” initiative. Advocacy work identifies a specific social goal for change that is grounded in values-based activism (Ardila Sanchez et al., 2020). Unfortunately, advocacy skills are not routinely included in behavior science training, even though behavior scientists often have the technical expertise to contribute to advocacy initiatives. While advocacy work has begun to garner increased attention from the discipline (e.g., Busch et al., 2026; Mattaini et al., 2020), detailed examples of how behavior scientists can shift their professional skills to the public sphere may provide ideas – and prompts for action – to others in the field.

Advocacy Initiatives for Vulnerable Juveniles

Examples of advocacy can be very helpful because the work of systems change is complex and nonlinear (Mattaini et al, 2020) – activist behaviors are on a very thin variable ratio schedule of reinforcement and the irregularly attained reinforcers that maintain “long game” advocacy efforts often are small and distal from the terminal reinforcer (cf., Roose et al., 2026). It can be extremely difficult to maintain momentum and persevere in the face of slow progress or repeated efforts that may be perceived as failures. But, echoing Skinner, the mistake here would be to stop trying! In that spirit, we offer a story about two separate and very different advocacy efforts that created impacts strong enough to be institutionalized in “the system.” Both examples concern highly vulnerable adolescents with minimal ability to assert for themselves: youth with intellectual and developmental disabilities in a partially secure juvenile justice facility and youngsters who are found (or plead) guilty to serious crimes and are bound over to the punitive-oriented adult justice system rather than remaining in the rehabilitation-focused juvenile justice system. The former highlights advocacy work as a professional behavior scientist (XXX) while the latter illustrates advocacy action by a behavior scientist who is a concerned citizen (YYY).

Advocating for Change as a Behavior Scientist-Consultant

An opportunity to build a new set of professional skills originated from a visit to a residential foster care program serving individuals with Intellectual and Developmental Disabilities (I/DD) that was prompted by a request to provide consultation in the wake of a safety crisis. The unfortunate reality of the common saying in advocacy work to never let a

Advocacy Initiatives for Vulnerable Juveniles

“crisis go to waste” is rooted in the idea that urgency generates opportunity, though at times it can be associated with unimaginable sorrow, as in the case of serious harm to an individual.

Building Collaborative Relationships from Consultation

The purpose of this consultation was to provide an outside expert perspective on the facility's services for individuals with I/DD, a population for which the programs were not designed. The program lacked expertise in supporting such youth, particularly those who displayed harmful behaviors. Behavior scientists were not part of the clinical support team for these residents, but after an incident led to serious harm to an individual, state system administrators deemed it important to bring in such expertise for a review of the program. Despite the long history of providing support services to individuals with I/DD, the consultant had never been exposed to the needs of youth with I/DD outside of the common, established systems of care for such individuals. This consultation exposed the needs and systemic failures facing some of our most vulnerable youth – those with I/DD served in the child welfare system. It exposed the general lack of expertise in supporting individuals with I/DD throughout the Child Welfare System - inclusive of the role a behavioral scientist could play as part of interprofessional teams working with individuals with very complex needs.

A critical goal of this consultation was to identify the gaps in services that lead to negative outcomes and to do so in a way that offered constructive and supportive feedback. The recommendations that were provided were realistic and achievable, building on the clinical expertise already present in the facility and effectively describing how the gaps could be addressed. This approach led to an appreciation from the state system administrators

Advocacy Initiatives for Vulnerable Juveniles

of the need to place a focus on closing the service gaps identified locally throughout the child welfare system.

The collaborative consultation also revealed that the successful transitions from foster care to home or less restrictive educational placements are difficult, and youth with I/DD often end up involved with the justice system. A primary reason for this is the insufficient supports available in the foster care system and when transitioning back to family care. This leads to a lack of expertise in working with youth displaying interfering behavior, and they often end up being exploited by others (e.g., gang involvement) and/or having conflictual interactions with police, resulting in adjudication. While poor screening and documentation make it difficult to quantify the number of these justice-involved youngsters, national estimates suggest that the range is 10% to 30%. (Simon et al., 2025). This does not account for the youth who are incarcerated but have lacked appropriate diagnosis and treatment prior to entering the system. Often these youth have fallen through the large cracks in the educational, medical, and other support networks and have gone undiagnosed. This results in the lack of appropriate services that could have been preventative (Tedeschi & Junewicz, 2018). Further, even when I/DD is identified for a youth, judicial systems typically have little to no understanding of how to support these youth (Drapela, 2022).

The initial consultation was well received by state-level agency stakeholders responsible for governing the child welfare and juvenile justice systems. This led to further requests for consultation, and allowing relationships and networks to be built. One positive outcome was the demonstration of the value a behavior analyst could bring to an interprofessional team. Behaviors that were essential in moving consultation and the development of sustained

Advocacy Initiatives for Vulnerable Juveniles

clinical relationships forward were taking the time to *listen*, make *suggestions* and listening again to feedback, *communicating* behavior analytic concepts in a manner that is understandable to the entire team, and *demonstrating* the impact that a behavioral approach can have as part of a team. These, paired with cultural humility, sharing frameworks, and ensuring equitable team practices helped to solidify the value of having a behavior analyst on the team (Napolitano et al., 2026).

Sustaining Efforts

As the saying suggests, *patience is a virtue* and one that, in this case, allowed the experience to act as a behavioral cusp that altered the clinical behavior of the consultant. For instance, the consultant took advantage of every opportunity to make small scale change for individuals with I/DD in the child welfare system through applying for grants, reaching out and consulting to teams that were struggling and welcomed the support, and continuing to build interprofessional skills within the child welfare system. Over time, decision makers within the system increasingly reached out to the consultant proactively rather than reactively for support. Through this work, both paid consultation and pro-bono support (offered as a resource), across approximately fifteen years, resulted in the state-level stakeholders placing value on the contributions that the science of behavior can make in working with youth with I/DD in child welfare and juvenile justice systems. This sustained collaborative work, when the right group of professionals within the juvenile justice system who shared a vision and commitment to change were in place, was essential to advance meaningful systemic intervention for persons with I/DD in the system.

Advocacy Initiatives for Vulnerable Juveniles

The collaboration resulted in the establishment of a unit within a partially secure detention facility called the Thrive Unit. The name, although not an acronym, was chosen as aspirational - a setting where youth with I/DD could succeed. The purpose of the unit was to close service gaps experienced by youth with I/DD due to previous inadequate assessment and treatment, including the absence of explicit preparation of the youth for successful discharge to less restrictive settings. This goal required a focus on real systemic change, with the unit structure bringing together an interprofessional team of clinicians, including social work, mental health, and psychology professionals, a consulting behavior analyst, administrators, staff, and youth with a goal of providing the best treatment opportunities possible within the setting. Extensive planning ensured that appropriate staff, teachers, and others were in place to achieve success. The support and vision of clinical and administrative leaders within the state system was critical in making this happen.

The team now includes two unit-level licensed therapists, a psychiatric nurse practitioner, a lead clinician/administrator who provides oversight of all programming for youth with I/DD within the juvenile justice system, administrators at the facility, the youth themselves, the unit administrators and direct support staff, as well as two skilled doctorally-trained professionals – a school psychologist and a behavior analyst. The behavior analyst and school psychologist created synergy in guiding the implementation of a Positive Behavior Intervention and Supports (PBIS) strategy, which fit well with the behaviorally-based state treatment model, called the NY Model, already in place. The compatibility of the NY Model and PBIS also offered a unique opportunity to exemplify a collaborative approach to programming. There is much work to be done when creating something new within an already

Advocacy Initiatives for Vulnerable Juveniles

established system, but the key to success is continued patience, perseverance, problem solving and identifying reinforcers to maintain the efforts of the entire team.

Three Key Lessons Learned

The behavior scientist advocacy actions described above reflect the power of behavior cusps to increase activism and its spheres of influence. Each connection the behavior scientist made created access to new professional contingencies, interprofessional relationships, and systems-level opportunities. As discussed below, these actions provided a roadmap of sorts that can be used to create meaningful systemic change.

1. Establish yourself as a valued team member by getting buy-in from both administrators and direct support professionals. Say yes when asked for help and demonstrate your value through collaboration and modeling of skills. Start in “your lane” from the perception of others - I/DD (in this case) and then demonstrate “these things are good for everyone”. Increase the value the teams place on the interprofessional work. Demonstrate the value of collaborative consultation to outside evaluators (e.g., state program reviewers). Look for ways to learn terminology and how the “lingo” can be interpreted from a behavior-analytic perspective. For example, what does “safety” mean? What does “trust” mean? Behaviorally, how are such concepts operationalized by the facility? If they are not already operationalized, then it is imperative to work with staff to help them understand the importance of consistent behavioral descriptions in developing successful intervention. Sometimes you WILL face the “anti-ABA crowd”. Listen, and let your behavior do the work. Discuss, ask for trust and time to demonstrate the benefits of behavior science contributions. Most will come around - those that don’t or won’t weren’t in a place to change.

Advocacy Initiatives for Vulnerable Juveniles

2. Professional advocacy (i.e., NY licensure issues) and professional/personal advocacy areas can intersect with each other when targeting significant problems such as those faced by individuals with I/DD who are receiving services in the foster care and juvenile justice systems. For example, a relationship developed with lawmakers through advocacy for the profession can be expanded to demonstrate your passion for advocacy for the individuals with whom you are working, especially focusing on issues not directly related to your profession (e.g., the lack of data on numbers of youth with I/DD in child welfare systems). This establishes you as a compassionate advocate and may increase your influence when advocating for your profession as well. Your efforts will be more efficient and effective if you join advocacy groups while pushing forward with your clinical agenda of helping others. For example, there was a long pause in the consultative work due to time constraints and contracting concerns. When the need for systemic reform was acute, however, the previous collaborations within the state juvenile justice service system resulted in renewed contact and contract development to move forward on previously generated recommendations.

3. Listen, suggest, communicate, and demonstrate. Each of these behaviors contributes to the forward trend of advocacy efforts and systemic change.

- a. Active listening is required to understand the needs of the consumers and decision makers that must be addressed to promote sustained behavior change.
- b. Make suggestions - you never know when one will be actionable. But suggestions should not be demands or requirements. Be cognizant that administrative behavior change for most decision-makers means participating in a shaping process. Small wins

(approximations) toward the goal is behavior headed in the right direction (cf., Roose et al., 2026). This takes time and persistence.

c. Effective communication, in ways that all stakeholders can understand, is critical to obtaining collaboration and buy-in. This is not an easy skill to master. It requires significant expertise in the science of behavior in order to ensure there is understanding and collaboration, while also avoiding drift in the science. Importantly, when behavioral concepts are employed as underlying recommendations for change to individuals, families or direct support professionals, they should be translated into user-friendly language and formed through the lens of cultural humility. This means respect for the others values, choices, history, and avoidance of assumptions. Of utmost importance is the connection through compassion and understanding. The translation of behavioral concepts to clinicians and administrators who are not familiar with this framework for intervention is just as critical. It requires listening and learning about the theoretical frameworks from which the other team members are experts and then identifying points of connection or potential differences in terminology, but where there is similarity in practice and shared values.

Advocating for Change as a Behavior Scientist-Citizen

Behavior scientists also can advocate for change by using their disciplinary knowledge to strengthen a social movement that is challenging an unjust cultural or political system. Such an opportunity emerged with Cuyahoga County's excessive and biased use of youth bindover – the

Advocacy Initiatives for Vulnerable Juveniles

transfer of a youngster's criminal case from juvenile court to adult court.¹ This occurs in Cuyahoga County at a per capita rate about four times greater than the other four large metropolitan areas in Ohio. Alarming, African American kids account for over 90% of the County's bindovers.

The County's use of bindovers that significantly disproportionately affected individuals of color raises an important issue of social inequity, particularly since bindovers do not enhance community safety as proponents claim, but do have numerous serious aversive consequences: kids lose access to remedial, educational, and behavioral health resources and instead mature in, and learn to cope with, a hierarchical, violent environment that models antisocial behavior (Children's Law Center, n.d.). Though 92% of these youth have had at least one traumatic experience, 84% have had multiple ones, and the majority have current behavioral health issues that need treatment; bound-over children in the adult system, however, do not receive the therapy they need. The psychological wounds that fester in these kids from their aversive childhood experiences (ACES) are exacerbated by more trauma in the adult system: compared to adult prisoners, juveniles are five times more likely to be sexually assaulted and twice as likely to be beaten by staff. Not surprisingly, bound-over kids are 34% more likely to commit new felonies and eight times more likely to die by suicide than youth who remain in the juvenile justice system (Greater Cleveland Congregations [GCC], 2026).

¹ In Ohio, the prosecutor can opt to file a bindover motion, based only on the very low standard of probable cause, for a child 14 years or older; bindovers can be either mandatory or discretionary, depending on the age of the youth and the specifics of the offense (Greater Cleveland Congregations, 2026).

Advocacy Initiatives for Vulnerable Juveniles

GCC, a social justice organization of over 40 faith institutions in the metropolitan area, identified this issue of bindovers as a target to address in May 2021.² A 16-person Youth Bindover (BO) Team representing clergy, psychology/behavior analysis, law, education, social work, and more was formed from members of GCC's already existing Juvenile Justice Committee.³ But the continued involvement and guidance of the GCC leadership was essential to help the team collect and then use the data effectively to pressure the system; that is, organization, mobilization, tactical sophistication, and solidarity were all necessary (cf. Cihon et al., 2025; Roose et al., 2026).

Assessment

Data on the use of bindovers were acquired in several ways. A Court Watch Team of about 30 GCC members observed over 140 juvenile court hearings (GCC, 2026) and recorded the data on a form developed by the team. Lengthy interviews were conducted by GCC team members with the system's key participants: the Prosecutor, the seven Juvenile Court judges and their staff, the public defender and his legal staff, the State Public Defender, the State Public Defender (PD) Commission co-chairs, the County PD Commission, the Public Defenders in the four other large metropolitan Ohio counties, the Cuyahoga County Executive, and the

² GCC functions democratically; leader and member discussion and votes determine targets on which to focus.

³ YYY, as a member of the Team, contributed behavioral knowledge in such facets as observation and recording, data analysis, interviewing, motivational enhancement, and identifying the change target.

Cuyahoga County Council.⁴ Public records, such as assignment of counsel and payment of counsel reimbursements, were reviewed.

Data

The key findings are the following:

1. The County prosecutor relied on the very low bar of “probable cause” to choose to routinely overcharge accused youth, seemingly seeking as many charges as possible that were as serious as possible. This resulted in frequent plea bargains and the high outlier number of bindovers. The prosecutor defended his aggressive policy as necessary for community safety and presented as hostile, condescending, and untruthful in direct exchanges. For these reasons he was not considered to be a viable target for intervention.
2. The judges didn’t follow the law in assigning BO cases to the PD vs assigned counsel per Ohio Administrative Code [OAC] 120-1-10 (A) (H) (J) (N6) (N7).⁵ They did not require that assigned counsel be qualified to handle BO cases and they distributed the large majority of the cases to a handful of attorneys who were eager to handle these kinds of cases. With the judges marked underuse of the PD, this resulted in most BO cases being assigned to a select few non-qualified attorneys. GCC’s review of court documents

⁴ Notably, only the psychologist at the Juvenile Court Assessment Clinic, which evaluates juvenile offenders’ rehabilitation potential for their discretionary bindover “amenability hearing,” declined to meet with the Team.

⁵ “To qualify for reimbursement, attorneys and the systems used to appoint attorneys must meet the requirements of this rule.” Attorneys wishing to be assigned BO cases must complete a fairly simple application to the Juvenile Court, which then must formally recognize them as “qualified” by, among other criteria, recent experience in felony trials and relevant continuing education credits. The judges are mandated to assign BO cases to qualified attorneys in an unbiased and egalitarian manner.

revealed that three of the 67 assigned attorneys in August 2023 were each given over 100 cases, representing 31% of the 1155 total cases. No other attorney had more than 74 cases. This finding was not an aberration: The Marshall project found that two thirds of the bindover cases in 2023 were assigned to only 10 attorneys (Livingston & Dissell, 2024). Clearly, the judges did not distribute cases to assigned counsel on a rotating and equitable basis as the law requires.⁶ In the other four large counties, Juvenile Court judges assigned most or all cases to the PD, who determined when to use assigned counsel (e.g., conflict of interest, lack of capacity) and how to use them equitably (in terms of caseload). In Cuyahoga, the PD's office was given only 30% of the BO cases with assigned counsel selected by the judges handling the reminder.

3. The PD's office could handle 30% more cases than they were currently seeing without additional staff and, as discussed below, had a much better outcome in BO cases than assigned private counsel in terms of keeping the youngster in the juvenile system; PDs, compared to assigned counsel, were more knowledgeable regarding the needs of the youth, and offered comprehensive advocacy (e.g., social workers) and greater ongoing support (e.g., frequent meetings with legal counsel).
4. The State PD also failed to adhere to the law when reimbursing the County for 85% of the assigned counsel costs: OAC] 120-1-10 specifies that such reimbursement requires that assigned counsel "meet the requirements of this rule" by being formally qualified to handle BO cases.

⁶ The judges defended their practice by asserting there are few attorneys who are both qualified for and interested in bindover cases; this rationale of course doesn't address the underuse of the PD office.

Advocacy Initiatives for Vulnerable Juveniles

5. The County PD Commission rubber stamped the PD office actions and were not interested in advocating for utilizing them more frequently.

Data Interpretation and Advocacy Target Identification

The feasible target for intervention emerged very clearly: both the Juvenile Court judges and the State PD were, in fact, not complying with Ohio law, and consequently, were facilitating the use of youth bindovers and exacerbating the harm such transfer typically causes.

Intervention

Public Advocacy

GCC sponsored two public programs (a discussion panel, a forum between Prosecutor candidates for an upcoming primary election where the incumbent was a no-show), each of which attracted hundreds of community members and parents of bound-over kids and educating them to become active advocates for change. Team members testified at one or more regularly scheduled meetings of the State Public Defender's Office and the County Council that the judges' failed to follow the law when assigning outside counsel and then the State PD also did not adhere to the law and was inappropriately reimbursing the County for 85% of those (mis)assigned counsel costs.

An interfaith prayer vigil was held before a meeting of the State PD Commission held in Cleveland. GCC members testified at multiple Commission hearings and also at two County Council meetings.

Media Galvanization

Media, including mainstream, alternative, and social outlets, were contacted regularly via press releases and by individual reach-outs to reporters and press known to be sympathetic to social justice initiatives. In the midst of this GCC campaign, the local newspaper published in print and online a 6-week, 30-part series called “Delinquent” that highlighted and humanized the uphill stories of boundover youth⁷ (cleveland.com, 2024). *Signal*, an alternative online local media outlet, covered many of GCC’s protest actions⁸ and the issues raised, as did WKSU, the local NPR station.⁹

Alliance Generation

Finally, organizational allies were developed, primarily by reaching out to known resources, including the Schubert Center for Child Studies (<https://case.edu/schubertcenter/>) and the Children's Law Center (<https://www.childrenslawky.org/>), both of which provided research data and advice regarding the maturational and legal issues relevant to youth bindovers. The Team also contacted The Marshall Project -- Cleveland

⁷ “We ain’t choose the streets. The streets chose us” (Tucker & Durbin, 2024).

⁸ In the 14 months between December 2023 and February 2025, *Signal* published at least ten articles on youth bindover issues and controversies; see: https://signalcleveland.org/?utm_term=signal%20cleveland&utm_campaign=Signal%2BCleveland%2BHomepage%2Bv2%2B20260416&utm_source=adwords&utm_medium=ppc&hsa_acc=8739927982&hsa_cam=23761701563&hsa_grp=194311467094&hsa_ad=805641974308&hsa_src=g&hsa_tgt=kwd-2369078918852&hsa_kw=signal%20cleveland&hsa_mt=b&hsa_net=adwords&hsa_ver=3&gad_source=1&gad_campaignid=23761701563&gbraid=0AAAAAo9skbzKrkSgLcKPTdohikLfHsFgl&gclid=Cj0KCQjwjb3SBhDgARIsAMKiWzgvrNs_KFbXoX0_WpuzPtpWkmPj47HBmKO0TBoAfc5YpoxWalxwswUaAlmNEALw_wcB&s=bindover

⁹ WKSU aired 6 youth bindover stories between April 2022 and March 2024; see:

<https://www.ideastream.org/site-search#gsc.tab=0&gsc.q=bindover&gsc.sort=date>

(<https://www.themarshallproject.org/cleveland>) and they, along with The Wren Collective¹⁰ (<https://wrencollective.org/>), dug into the data and published articles and reports that put pressure on the judges and State Public Defender to adhere to the law. For example, The Marshall Project found that since 2020, over 1200 youngsters in Cuyahoga County had court-appointed counsel that did not have the minimum qualifications mandated by State law and that assigned counsel were not chosen by the judges in a rotating manner as specified in the law (Livingston & Dissell, 2024). The Wren Collective documented that this Court-fomented lawlessness had serious consequences for the accused youths: for mandatory bindovers hearings, PD's had a 54% success rate keeping youth in the juvenile system compared to assigned counsel's 26% and private counsel's 25% rates, while for discretionary bindovers, the PD was successful 87% of the time compared to 74% and 40% for assigned and private counsel, respectively (The Wren Collective, 2023). Wren suggests the superior PD outcomes likely are due to the appropriate qualifications and greater resources, experience, and investment of time provided by the Public Defender's Office as well as its use of "vertical representation," in which the same attorney represents and advises the youth in both juvenile court and adult court.

Systemic Outcomes

As of this writing:

¹⁰ WKSU aired 6 youth bindover stories between April 2022 and March 2024; see: <https://www.ideastream.org/site-search#gsc.tab=0&gsc.q=bindover&gsc.sort=date>

Advocacy Initiatives for Vulnerable Juveniles

1. The Juvenile Court judges agreed to assign more cases to PD, initially 40% and then with more pressure, 50%. They agreed to transparency in bindover hearings via outside observers and developed plans for training and qualifying attorneys as assigned counsel.
2. The Public Defender developed a budget projection for the funds needed to reduce the use of assigned counsel once the PD's case capacity is reached. They too developed plans for training and qualifying attorneys as assigned counsel.
3. The County Executive shifted significant funds from the budget line for Judicial Assigned Counsel funds to the PD Office's budget, but the PD declined it, claiming they don't need it yet (further documenting the underuse of the PD) – but also probably to avoid conflict with the judges, prosecutor, and County Council. Advocacy jostled the smoothly running but unjust machinery.
4. The County Council formed a Juvenile Court Advisory Subcommittee that issued a report echoing the GCC concerns and proposed solutions (Cuyahoga County Council, 2025; Durbin, 2025).
5. The State Public Defender made reimbursement of costs for assigned counsel contingent upon Juvenile Court judges submitting a report to her in six months that detailed their progress in complying with the legal requirements attendant to using assigned counsel.
6. A "Youth Justice Collaborative - A Vision for Systems Change" was formed by the Juvenile Court administration, judges, and community behavioral health NGOs;¹¹ It

¹¹ Co-chairs were the Deputy Court Administrator of the Juvenile Court, one Juvenile Court judge, and the CEOs of two nonprofits serving troubled youth (Project LIFT Services, Positive Education Program).

presented its inaugural session in June 2025 at a well-attended civic forum and has since held bimonthly meetings with a wide range of interested professionals and citizens.

Three Key Lessons Learned

As with the clinical consultant illustration earlier, the behavior scientist advocating for more general goals also contacted behavior cusps that provided opportunities to learn new skills, develop new and rewarding personal relationships, and emit new value-consistent activist responses. Exposure to the cusps also taught valuable lessons, including the following:

1. Social justice advocacy efforts, like nonviolent resistance actions, involve playing the long game (cf., Roose et al., 2026). This means that patience, perseverance, creativity, assertiveness, emotional control, and thick skins are all helpful and at times necessary over the course of the initiative. Behaviorally, motivating operations (MOs) must be maintained even as delay discounting exerts its toll on distal goals. Succeeding in the long game also requires that a committed, multi-talented team with diverse skills and knowledge is assembled and then guided by experienced community organizers.
2. A foundation for positive advocacy outcomes is identifying the appropriate change target, as suggested by a culturo-behavior science matrix analysis (Cihon, 2023). Ideally, the change target will be a "feasible" one that achieves a meaningful desired impact given the specifics of the issue (e.g., potential "pressure points" and their potency) and the resources available for the advocacy effort. In the present initiative, for example, the discovery of the unlawful process used by the Juvenile Court judges to distribute

cases to assigned counsel and by the State PD to reimburse expenses for (mis)assigned counsel provided a genuine “pressure point” gift of clear relevance and high potency.

3. Allies are critical: they may have the knowledge, experiences, infrastructure, contacts, etc. that make success more likely or certainly easier; reinventing the wheel is wasted energy. In particular, the reinforcement provided by solidarity with allies and by positive publicity maintains the advocacy team’s behavioral momentum and can promote openness to change by the target institution, bureaucracy, or government entity.

Final Thoughts

The commonalities in the lessons we derived from our endeavors as *behavior scientist-clinician advocate* and *behavior scientist-citizen advocate* are more numerous than the differences. Here are our three key synthetic takeaways:

1. Aim for small wins by selecting “feasible” targets. This will maintain MOs and provide social, tangible, and value-based reinforcements. Organizers understand that broad, multilayered, general *problems* must be approached by “cutting” a specific, achievable *issue* as the change target (e.g., Schutz & Sandy, 2011).
2. Build, prepare, and nurture your team to play the long game that most advocacy campaigns entail. This will establish new MOs and maintain ongoing ones despite the inevitable delay discounting that typically occurs.
3. Develop alliances. This will increase the resources and knowledge available to the advocacy initiative, setting the stage for reinvigorated MOs, greater efficiency, and enhanced impact.

4. Sustain advocacy efforts past the accomplishment of small wins. This will increase the odds that the positive changes will not be dependent on having the right people in place but in having the right system in place. The goal is to continue advocacy in order to maintain, generalize, and expand the achieved impact and continue to move forward. Accomplishing a small win is not the end of advocacy – *there is always more to do!* Even problems as complex as super wicked problems (Levin et al., 2012) have a plethora of discrete issues that can be addressed when conditions suggest a reasonable feasibility of success. These smaller, intermittent, accomplishments can be critical in maintaining the momentum of advocacy towards larger goals.

We offer a striking final observation: each of these distilled takeaways involves, at least partly, the essential task of maintaining, increasing, or establishing new MOs related to advocacy efforts. This is not surprising: the grind of the long game is weighed down with stubborn barriers and infrequent wins that undermine the motivation to endure. Indeed, mobilization of nonparticipants is a far easier task than organizing the mobilized to stay mobilized (Roose et al., 2026). In this context, Talmudic wisdom (Sanhedrin 37a) may frame the advocacy MOs in their clearest, simplest iteration:

“Whoever saves a life, it is considered as if they saved an entire world”

References

- Ardila Sánchez, J. G., Richling, S. M., Benson, M. L., & Rakos, R.F. (2020). Activism, advocacy, and accompaniment. In Cihon, T. M., & A. Mattaini, M. A. (eds.), *Behavior science perspectives on culture and community*, (pp. 413-436). Springer. https://doi.org/10.1007/978-3-030-45421-0_17
- Becker, A. M., Kuhn, R. M., & Pinkelman, S. E. (2024). Advancing and integrating the cusp concept to understand behavioral repertoire dynamics. *Perspectives on Behavior Science*, 47(1), 29-54.
- Behavior Analyst Certification Board. (2020). *Recommendations for respecializing in a new ABA practice area*. Littleton, CO: Author.
- Busch, L., Julie, K., Ben, R., Santana, J., & Cauci, J. (2026). Advocacy in practice: An evidence-informed primer for behavior analysts. *Behavior and Social Issues*. <https://doi.org/10.1007/s42822-026-00260-w>
- Busch, L., Thomson, K., Powless-Lynes, M.Y., Ng., O., & Spiker, (2026). Towards ethical spaces of engagement in behavior analysis. *Behavior and Social Issues*, 35(1), 438–458 (2026). <https://doi.org/10.1007/s42822-024-00194-1>
- Children’s Law Center (n.d.). *Ending automatic youth transfers to adult court: Replacing Ohio's mandatory bindover law with individualized youth determinations*. <https://www.childrenslawky.org/youth-justice> [see: “Transfer to Adult Court: OHIO: Ending Mandatory Bindover Policy Brief”]
- Cihon, T. M. (2023). Advancing research and practice in Culturo-Behavior Science: A call to action. *Behavior and Social Issues*, 32(2), 339 - 359. <https://doi.org/10.1007/s42822-023-00146-1>
- Cihon, T. M., Rakos, R. F., & Mattaini, M. A. (2025). Editorial: Building a movement. *Behavior and Social Issues*, 34(2), 233-243. <https://doi.org/10.1007/s42822-025-00235-3>
- Cleveland.com (2024). *Delinquent: Our system, our kids - 30 stories of life inside Cuyahoga County's juvenile justice system*. <https://www.cleveland.com/news/2024/06/delinquent-our-system-our-kids-30-stories-of-life-inside-cuyahoga-countys-jvenile-justice-system.html>
- Cuyahoga County Council (2025, May 30). *Final report of the Cuyahoga County Council Juvenile Court Advisory Subcommittee*. <https://cuyahogacounty.gov/council/about-us/council-committees/juvenile-court-advisory-subcommittee>
- Durbin, K. (2025, June 3). How can Cuyahoga County reduce juvenile crime? New report makes 9 recommendations. Cleveland.com. <https://www.cleveland.com/news/2025/06/how-can-cuyahoga-county-reduce-juvenile-crime-new-report-makes-9-recommendations.html>

Advocacy Initiatives for Vulnerable Juveniles

Drapela, L. A. (2022). Incorporating neurodiversity into therapeutic jurisprudence: exploring the policy diffusion potential of Pennsylvania's autism training law for juvenile court judges. *Justice Policy Journal*, 19(1), 1-23.

Greater Cleveland Congregations, (2026). *Criminal justice reform report: Youth bindover*. <https://greaterclevelandcongregations.org/focus-areas/criminal-justice/>

Hill, R., Yin, Y., Stein, C., Wang, X., Wang, D., & Jones, B. F. (2024). Adaptability and the pivot penalty in science and technology (version 2). arXiv. <https://doi.org/10.48550/arXiv.2107.06476>

Levin, K., Cashore, B., Bernstein, S., Auld, G. (2012). Overcoming the tragedy of super wicked problems: Constraining our future selves to ameliorate global climate change. *Policy Sciences*, 45(2), 123–152 (2012). <https://doi.org/10.1007/s11077-012-9151-0>

Livingston, D., & Dissell, R. (2024). Not ‘Mini-Adult Court’: Lawyers lacking qualifications defended 1,200 Cuyahoga County Kids. *The Marshall Project*. <https://www.themarshallproject.org/2024/09/12/cuyahoga-juvenile-courts-appointed-public-defender>

Mattaini, M.A., Esquierdo-Leal, J. L., Ardila Sánchez, J. G., Richling, S. M., & Ethridge, A. N. (2020). Public policy advocacy in Culturo-Behavior Science. In Cihon, T. M., & A. Mattaini, M. A. (eds.), *Behavior science perspectives on culture and community*, (pp. 385-412). Springer. https://doi.org/10.1007/978-3-030-45421-0_16

Napolitano, D. A., Jennings, A.M., Crosland, K., Busch, L., Rosenberg, T., and Brown, H. (2026). Interprofessional collaboration and practice in behavior science: Toward ethical, sustainable, and effective practice. *Behavior and Social Issues*, 35(1), 275-283. <https://doi.org/10.1007/s42822-026-00259-3>

Roose, K., Rakos, R. F., Malkin, A., & Cihon, T. M. (2026). Editorial: Playing the long game: What behavior science brings to the resistance. *Behavior and Social Issues*, 35(1), 1-21. <https://doi.org/10.1007/s42822-026-00258-4>

Rosales-Ruiz, J., & Baer, D. M. (1997). Behavioral cusps: A developmental and pragmatic concept for behavior analysis. *Journal of Applied Behavior Analysis*, 30(3), 533-544. <https://doi.org/10.1901/jaba.1997.30-533>

Simon, E., Smith, T. J., & Dillahun-Aspillaga, C. (2025). Interactions of juveniles with intellectual and developmental disabilities in the criminal justice system: A systematized review. *Journal of Vocational Rehabilitation*, 62(2), 128-140. <https://doi.org/10.1177/10522263241310062>

Skinner, B. F. (1971). *Beyond freedom and dignity* . Knopf.

Advocacy Initiatives for Vulnerable Juveniles

Schutz, A. & Sandy, M. (2011). *Collective action for social change: An introduction to community organizing*. Palgrave Macmillan. DOI:10.1057/9780230118539

Tedeschi, F., & Junewicz, A. (2018). Intellectual disabilities in juvenile justice: the case for screening. *Journal of the American Academy of Child & Adolescent Psychiatry*, 57(12), 909-910. <https://doi.org/10.1016/j.jaac.2018.07.878>

Tucker, J. H. & Durbin, K. (2024, May 24). *Delinquent: Will, caught up in the streets from young age, needed adult prison to reform, he says*. [Cleveland.com](https://www.cleveland.com/news/2024/05/delinquent-will-caught-up-in-the-streets-from-a-young-age-needed-adult-prison-to-reform-he-says.html).
<https://www.cleveland.com/news/2024/05/delinquent-will-caught-up-in-the-streets-from-a-young-age-needed-adult-prison-to-reform-he-says.html>

The Wren Collective. (2023). *Gideon at sixty: Advancing the right to counsel for kids in Cuyahoga County*. <https://wrencollective.org/gideon-cuyahoga-counsel-full-report/> (for PDF, see: <https://wrencollective.org/gideon-turns-60-advancing-the-right-to-counsel-for-kids-in-cuyahoga-county/>)