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The Emancipation of
Juvenile Justice

Richard J. Margolis

"What we all really demand is an immunity from fear. Is the incessant insistence upon more severe punishment a result of a state of panic which inhibits our intelligence?"

Jane Addams,
Second Twenty Years at Hull-House (1930)

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PREFACE

Crime is a discouraging subject. It seldom engenders feelings of hope or optimism. But this publication brings a refreshing perspective to the usually gloomy discussion of juvenile delinquency. The author does not talk about the need for tougher sentences or more prisons for convicted offenders. He illuminates how states can deal with their delinquent youth in ways that we would hope our own children might be treated if they were to run afoul of the law.

A decade and a half ago, in Massachusetts, the massive, punitive training schools were closed. Since then, the state's resources have been used instead to support a range of community-based programs. For those juveniles who have to be confined, the state established small, secure facilities where lengths of stay are well below the national average. Moreover, few serious juvenile offenders are still being sent to adult prisons.

What began as an experiment is now an established practice. It has weathered the assaults of its most severe critics. This has been accomplished without jeopardizing public safety; juvenile crime in Massachusetts has declined.

In this document, Richard J. Margolis examines the ideologies that have led us to punish our children at an enormous rate: each year, about 450,000 youngsters are consigned to juvenile detention centers and training schools, while another 300,000 spend some time in adult jails. He reviews the findings of recent research in states—notably Massachusetts and Utah—that are using alternatives to training schools for youthful offenders, and reports on how these programs are working. His conclusions are encouraging.

We can all learn from the ways in which Massachusetts, Utah, and a few other states are dealing with wayward children, deterring them from future crime, and building them into responsible adults. We may discover that transforming our juvenile justice system is the best defense against America's staggering rate of crime.

Kenneth F. Schoen
Director, Program for Justice

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This work owes much to the kindness of scholars and practitioners. Still more, perhaps, it is indebted to the many troubled young people we interviewed along the way. Most of them, like us, were struggling to make sense of a new kind of juvenile justice system, one that held offenders both accountable and redeemable. Those youths, alas, cannot be named—but they will be remembered.

Robin Robinson-Sorkin, a research associate at the National Institute for Sentencing Alternatives (NISA), has been a valued colleague throughout. The text has benefited from her research and her insights. Thanks are also due to Mark D. Corrigan, NISA's director, for bringing Robin into the picture.

Several key players in the deinstitutional drama were more than generous in sharing their time and their knowledge. Jerome Miller, the movement's unofficial founder and historian, devoted many a patient hour to our instruction. Additional tutelage came from Barry Krisberg, director of the National Council on Crime and Delinquency; from Mark I. Soler, director of the Youth Law Center; and from Ira M. Schwartz, director of the Center for the Study of Youth Policy at the University of Michigan.

Our first-hand observations of alternative programs in Massachusetts and Utah, and of traditional programs in Maryland, would not have been possible without the guidance of many dedicated professionals. In Maryland we spent an enlightening day with Lorna L. Mattern, who works for the Juvenile Services Agency there. We also learned a great deal regarding the pitfalls of deinstitutionalization from Linda Rossi, the agency's director.

In Massachusetts we allotted considerably more time and relied on considerably more help. We especially wish to thank Commissioner Edward J. Loughran, who directs the Commonwealth's Department of Youth Services (DYS), for smoothing our path. DYS staffers Joan Kilday and Daniel Sullivan also provided timely assistance.

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Needless to say, none of the people cited here should be held responsible for any errors that may be found in the text. Those, as always, must be ascribed solely to the author.

Richard J. Margolis
New Haven, Connecticut

PROLOGUE:

THE TWO FACES

OF

JUVENILE JUSTICE

Juvenile justice has never lacked for reformers. Here we call attention to two—Theodore Lyman, a pre-Civil War Boston philanthropist, and Jerome Miller, a latter-day Boston activist. Their stories have entered the profession's folklore. They reflect the two faces of juvenile justice in America.

Lyman founded the country's first publicly-administered training school for delinquent children and thereby helped transform the American juvenile penal system. Miller has dedicated his career to a counter-reformation. He is known for his efforts to dismantle the institutions that Lyman spent a lifetime building.

The problem in Lyman's day was not unlike our own: a heightened public fear of juvenile crime and its depredations; and like many another who has pondered this question, Lyman was certain he had the answer. The big mistake, he said, had been in mixing delinquent youths with hardened adult criminals. Accordingly, he urged state officials to erect a large "reform school" designed exclusively for wayward boys, where they could receive "wholesome instruction and the sure means of improvement in virtue and knowledge. . . ." Other states, he predicted in a letter to the Massachusetts senate, would "be induced to establish schools similar both in plan and principle."

Lyman donated \$22,500 to the cause, and in his will bequeathed an additional \$50,000. His pet project opened in 1847 at Westborough, Massachusetts, becoming the nation's first state-administered training school for "the instruction, employment, and reformation of juvenile offenders" ("An Act to Establish the State Reform School," *Massachusetts Acts and Resolves*, 1847).

The Lyman model has proven surprisingly hardy but by no means universal. If his emphasis on juvenile incarceration has largely triumphed, his more benevolent vision—that of separating offending children from criminal adults—remains only partly fulfilled. To this day, 300,000 or more children each year (100,000 in California alone) are incarcerated for some length of time in *adult* prisons and lockups. About 50,000 more are committed to Lyman-like training schools, while another 400,000 spend time in jail-like juvenile detention centers (Youth Law Center "Program Description," 1988).

In 1985, the U.S. Bureau of Justice Statistics enumerated 253 public reform schools and 428 public detention centers for young offenders. Together they

accounted for about five-sixths of all children detained or committed that year by the juvenile justice system. On any given day, some 25,000 children were locked up in "long-term closed juvenile facilities," i.e., reformatories, and an additional 16,000 were held in short-term juvenile jails ("Public Juvenile Facilities, 1985," Bureau of Justice Statistics *Bulletin*).

It seems fair to say that many of those children posed less danger to society than society posed to them. As the Youth Law Center reminds us, "The great majority . . . are charged with property crimes [theft or vandalism], or with 'status offenses' such as truancy, running away from home or being 'beyond the control' of their parents." Fewer than one-fifth are held for crimes of violence (Bureau of Justice Statistics, 1985).

But we are getting ahead of our story. Jerome Miller shut down the Lyman training school on January 17, 1972. He had come to Massachusetts in 1969 (after a stint at Ohio State University teaching social work) to direct the state's Department of Youth Services (DYS), where Lyman's legacy was alive and well. The DHS by then was presiding over five training schools that housed more than 1,200 youngsters, some of them not yet in their teens.

As Miller soon learned, however, a funny thing had happened to juvenile justice on its way to perfection: far from being the practical solution Lyman had envisioned, the reformatories were now part of the problem. "Our institutions were awful," Miller has recalled. "I mean they were really brutal places." Parents and independent investigators alike charged that the children there suffered cruel and unusual punishments. Many were routinely beaten; some were consigned for days, even weeks, to dark, cramped isolation cells. The schools were also faulted for their lockstep mentalities: youngsters marched from class to class in tight formation; their heads were shaved; in some institutions they wore striped uniforms.

Miller plainly had his work cut out for him — but in the beginning he entertained no big plans. As he told a reporter for *Corrections Magazine*, "I had in mind [only] a general direction, very general, around decent, individualized care for the kids" ("Jerome Miller: Does He Have The Answers for Juvenile Corrections?" November/December 1975). Three years later, having failed utterly to reform the reformatories, Miller made history by closing them.

A journalist has described the final abandonment of the Lyman school as "a spectacular event, in which a caravan of cars and motorcycles descended on the institution, picked up the thirty-nine remaining youngsters, and sped off . . ." (*Corrections Magazine*, November/December 1975). Miller's caravan has been speeding along — some would say *lurching* along — ever since. Where it is headed, and what meaning the journey holds for the future practice of juvenile justice, make up the main business of this report.

INTRODUCTION

The idea that took shape in Massachusetts can be said to have come of age in Utah, which closed its one reformatory in 1983, producing in its stead a varied menu of therapeutic enterprises. Now the decentralizing impulse appears to be gaining ground in at least a dozen more jurisdictions, including Maryland, Florida, North Dakota, Georgia, Pennsylvania, Oklahoma, Louisiana, and Colorado. Some say the trend runs deeper still. Ira Schwartz, who keeps tabs on such matters as director of the Center for the Study of Youth Policy at the University of Michigan, reports that at least half the states are leaning toward Massachusetts-like transformations.

What is struggling to be born, according to Schwartz and like-minded observers, is a modern reform movement at least as ambitious as Lyman's and (with the advantage of hindsight) one considerably more promising in its potential impact on the lives of young offenders. The post-Lymanites aspire to a thorough overhaul of our custodial arrangements—first, by ridding the country of its reformatories, then by substituting fresher, more imaginative methods of caring for children who either break the law or offend the social order.

In professional parlance, the new movement goes by the name of "deinstitutionalization," a jawbreaker of a word that says less than it means. A better term might be "diversification," for what the reformers have in mind transcends the mere dismantling of large penal facilities. In the best of all possible worlds, diversification entails the invention of as many programs as there are juveniles in need, each program custom-made and individually applied.

Not children alone but all Americans have a stake in these proceedings and their outcomes. In Jane Addams' terms, today's diversifiers are asking us to renounce our "incessant insistence on more severe punishment" and to risk instead a less panicky, more intelligent response. It is a heady mandate, especially where violence-prone children are concerned. Indeed, the movement's major boast is precisely the one traditionalists consider most suspect—namely, its promise to produce a more humane brand of justice without compromising the public's safety. One of our efforts here will be to dispel traditionalist misgivings. We intend to examine the nature of deinstitutional care, its sundry applications (easy to identify) as well as its often positive consequences (harder to pin down). In particular, we hope to show how well reform has fared in Massachusetts and Utah, where it has been given a reasonable chance to prove itself.

The study's format is simple enough. What follow here are two brief "backgrounders": one outlines the deinstitutional canon and identifies its reigning beliefs; the other examines the movement's current status and speculates on its prospects.

Between the Introduction and a brief Epilogue are sandwiched three additional sections, devoted in turn to history, to research, and to practice. Section I, "Rehearsals," traces some of the arguments and contradictions that have beset the system over 160 years of trial and error. In its historical context, the present drive for diversification emerges less as an original movement than as a revival of certain well-rehearsed ideas, which a divided profession and an ambivalent society have never wholly accepted or wholly discarded.

In "Sifting the Evidence" (Section II) we opt for acceptance, and we draw on two kinds of supporting evidence—documentary and scientific. Testimonies from attorneys and independent investigators, along with some first-hand observations, serve to document the failure of our reformatories; data from a growing store of social science research serve to underline the relative success of alternative programs.

Those programs receive our full attention in a third section, called "Pictures at Some Non-Institutions." The aim here is to give the reader some idea of the feeling, the energy, and the care that can go into deinstitutional enterprises. No attempt has been made to evaluate the various techniques employed or the different assumptions about human nature implied, only to demonstrate the programs' variety and inventiveness. At bottom, deinstitutional reform turns out to be a kind of improvisation: it is constantly being created anew in the crucible of daily practice.

The Deinstitutional Canon

Not every deinstitutionalist idea is freshly minted. Today's reformers have borrowed heavily from Lyman and others in their reliance on "wholesome instruction" and in their sweeping goal of character reformation for all juveniles in their care. By and large, though, the new movement espouses a point of view in vivid contrast to aims and beliefs that have sustained the reformatory system for more than a century.

Call those the three R's: Restraint, Regimentation, and Retribution. In their place reformers would promote such qualities as individualism, independence, and self-actualization. These are values held paramount by the so-called "helping professions"—chiefly social work and psychological counseling—whose practitioners have played so critical a role in shaping the movement's content.

Diversifiers do not insist that the punishment fit the crime; rather, they recommend that the therapy fit the child. To be sure, violent and chronic offenders usually need to be locked up, but not, in most instances, for lengthy periods and certainly not in large institutions. One-on-one counseling in small "secure facilities" is the diversifiers' initial prescription for children deemed dangerous to society. The follow-up prescription demands an even more watch-

ful eye and steadfast heart: it places youths back in the community, where they are given intensive social care.

In general, then, deinstitutionalization relies on fewer traditional constraints and on more open-door techniques. It envisions detention centers without locks, secure facilities without cells, halfway houses without guards and, ultimately, communities without fear.

The delicate responsibility for program creation and management, moreover, is not to be restricted to government bureaucracies. A hallmark of the movement-in-practice has been its willingness to tap energies further afield, mainly through bargains struck between public agencies and nonprofit groups in the private sector. Ideally, in making a "request for a proposal" (R.F.P), the public agency insists on individualized programming — that is, on a unique regimen of care for each and every child held in custody. To borrow Miller's shorthand language, deinstitutionalists believe "it is possible to R.F.P. every kid." If the programs that spring from such tenets do not always break new ground (some bear a striking resemblance to standard reformatory fare), in concert they do manage to reflect something hopeful on the penitential horizon, something more caring and less fatalistic than people have come to expect from traditional training school approaches.

Here, to better define the process, we list ten underlying truths that most deinstitutionalists hold self-evident. The accompanying quotations have been taken from interviews with people who work in diversified systems.

1. "Children need love most when they deserve it least." Each child in custody merits a sympathetically managed rehabilitation program tailored to his or her special needs.

2. "We never say what you did is OK. We say we're sorry about your past but from here on we're dealing with your future." All children, even those generally considered "incorrigible," can be redeemed.

3. "If you put a kid in a cage, he will come out an animal." Only the most violent and chronic offenders should be housed in locked facilities, and their stays there should be measured in months rather than years. All other children in custody can live at home or in community-based residences, at no added risk to the public's safety.

4. "Some of these kids shouldn't be here. They've committed no crime." States have no business locking up so-called "status offenders," e.g., truants, runaways, children who have been abandoned or children regarded as unmanageable.

5. "Sooner or later a big institution will eat the kid alive." Troubled children respond best to care given in small, family-type settings close to home; they and their parents frequently need heavy doses of personal counseling.

6. "Beware of too much administrative peace." In selecting program sponsors, the state should bear in mind that many are better than few, diversity is more helpful than uniformity, and private, nonprofit organizations are often more creative than public agencies.

7. "If a kid freaks out, we hold him down for as long as it takes to get him quiet." Even with the most difficult child, use of mechanical restraints such as handcuffs is an admission of failure.

8. "We beat them over the head with success. If they get nine wrong answers out of ten, we play up the one they got right." Troubled children don't have much respect for themselves. A good program works to build their confidence.

9. "We use the kids to help the kids." For better or for worse, children follow each other's example.

10. "Until they grow up, don't let them out of your sight." Most youngsters finally outgrow their delinquent ways; in the meantime, society should do all it can to keep them out of trouble with the law.

An eleventh, overarching axiom might run as follows: Society stands to benefit from deinstitutional endeavors, which on the whole have been shown to cost no more than reformatories, to be less cruel, and to produce lower rates of recidivism. (See Section II, "Sifting the Evidence.")

The Movement's Status

It is becoming more difficult these days to find professionals ready to speak out in praise of old-fashioned training schools. The high incidence of cruelty in many such places has been well documented, as has the repeated criminality of those who get discharged. Increasingly, juvenile training schools are being asked to justify their existence in light of a widely suspect track record.

Many of the old-line facilities, moreover, have been sinking into disrepair, causing expensive maintenance headaches and confronting taxpayers with the scary possibility of having to build brand new institutions. Meanwhile, at least a dozen state administrations have been taken to court by groups bent on shutting down the reformatories. For juvenile justice systems bogged down in costly litigation, the price of orthodoxy keeps rising.

All this has lent a certain appeal to deinstitutionalization's claims to efficiency, and has inspired in state politicians an unaccustomed taste for experimentation. In Colorado, for instance, building specialists estimated it would cost at least \$31 million to remodel the state's overcrowded and decaying reformatories. Instead, officials opted for diversification.

Yet the revolution glimpsed in such tidings is by no means assured. In fact, a counter-revolution has already set in. "We are witnessing an intense ideological

debate among proponents of the old and the new agendas for juvenile justice reform," concede four spokespersons for the new agenda. In an article called "The Watershed of Juvenile Justice," they point to "the excessive use of detention" in juvenile cases, and to "a sharp increase in the number and proportion of minority youth confined in secure detention centers." "National juvenile justice trends," the authors unhappily conclude, "reveal a system growing more formal, restrictive and punitive" (Barry Krisberg, Ira M. Schwartz, Paul Litsky and James Austin, *Crime & Delinquency*, January 1986).

In short, not even its partisans can certify deinstitutionalization's ultimate triumph. As Krisberg, director of the National Council on Crime and Delinquency (NCCD), noted in a recent interview, "Many states are attracted but few are deeply committed. It could go either way. I think we've reached a very critical point here."

Even the seemingly upbeat Colorado story has its down side. After two years of alleged reform, the training school population there has declined by only 19 percent, from 374 to 306, and the number of children served by community-based programs has barely changed, inching up from 57 to 89. (For details on Colorado and four other states, see John Blackmore, Marci Brown, and Barry Krisberg, "Juvenile Justice Reform: The Bellwether States," National Council on Crime & Delinquency, 1988.)

Colorado's hesitations in the face of its own economic interests suggest to what extent barbed wire can deflect the winds of change. One bristling strand displays the familiar tendency of large institutions to survive beyond all evidence of their efficacy. Another reflects the public's understandable nervousness about juvenile law-breakers, and its consequent quarrel with any program that does not keep young offenders locked up, out of sight, and at a seemingly safe remove. Finally, deinstitutional proposals can seem oddly far-fetched to bureaucrats accustomed to solid brick facilities and their time-honored routines. Officials may have trouble making the kind of imaginative leap that would allow them even to picture, much less to embrace, so unfamiliar an enterprise. "We were told you couldn't put carpets on the floor of a juvenile facility," says C. Ronald Stromberg, who heads Utah's Division of Youth Corrections, "because the kids would tear them up and pee on them." He was recalling the many misgivings that beset the state's deinstitutional effort a decade ago. "Well, we put carpets on the floor and they're still in good shape."

Not surprisingly, the questions asked by officers from old-line institutions on visits to Utah or Massachusetts tend to be loaded with skepticism: Does deinstitutionalization really work? Is it a genuine option or just a form of organized anarchy? "These are good, solid professionals," Stromberg says. "They really want to do right by the kids in their states. One guy, after he'd spent two

days seeing our programs, said to me, 'I always dreamed of finding a better way, but until this moment I never thought it was possible.' "

David Rothman has enlarged upon a parallel theme in his masterful history of American institutions (*The Discovery of the Asylum*, Little, Brown and Company, 1971). "Despite a personal revulsion" for reformatories and similar institutions, he writes, "we think of them as always having been with us, and therefore as always to be with us. We tend to forget that they were the invention of one generation to serve very special needs, not the only possible reaction to social problems. . . . We need not remain trapped in inherited answers. . . ."

The hope behind this report is that it will help release us from the trap of inherited answers, allowing us to expand our sense of possibilities and thus to convert improbable dreams into practical realities. We turn now to an account of how we got into this fix in the first place.

I.

REHEARSALS

"At the core of the child-reformers' optimism was a faith completely shared by colleagues promoting other caretaker institutions: that a daily routine of strict and steady discipline would transform inmates' character."

David Rothman,
The Discovery of the Asylum (1971)

"Asylum life is a bad preparation for practical life. The child . . . needs individual care and sympathy."

Charles Loring Brace
The Dangerous Classes (1872)

One way to view the history of juvenile justice in America is as an ongoing struggle for the souls of wayward children. If the chief upshot has been to brutalize their psyches, the main intent has been to reform their moral characters. Another way is to see the past as a contest for the souls of adults—that is, for the possession of our collective civic conscience. Here, in fact, is where we intend to focus, for in that struggle can be found many of the contradictions that define the current debate between deinstitutionalists and their reformatory-minded colleagues.

We begin and end this limited history with Jane Addams, who perhaps better than anyone understood the American crime-and-punishment dilemma. It was already a century old when she rediscovered it. "I think," Addams wrote in her 1930 autobiography,

. . . that it is possible to trace in all our courts at the present moment, what has been called "dual philosophies in the treatment of crime." Acting upon one theory, the crime itself is punished, according to a well-established code, so many years in the penitentiary for this crime, and so many for that. On the other hand there is a growing tendency to individualize punishment, to find out what is fitted to a given criminal in order to deter him from further crimes and if possible to reeducate him. There is much evidence that we are caught at this moment between these two theories . . . (*Second Twenty Years at Hull-House*).

For practitioners of juvenile justice, those "dual philosophies" had long been juxtaposed. As Addams suggested, one theory enshrined punitive meas-

ures, with emphasis on strict discipline and blind obedience; the other favored education, family-type affection, and diverse forms of individual care.

Behind the contrasting approaches could be detected fundamentally opposing opinions about the nature of delinquent children. The disciplinists saw them as dangerously corrupted and therefore in need of drastic purification rites; the diversifiers, to cite the historian Barbara M. Brenzel, professed "a strong faith in the inherent innocence of children"; they "would save all wayward children by giving them the environment in which to reform and flourish" (*Daughters of the State*, MIT Press, 1983). "Flourish" is the key word here. Its analogue in disciplinist circles might be "submit" or "obey."

In one guise or another, then, the two schools of thought have been present from the beginning. The purifiers can usually be found occupying center stage, while the diversifiers are generally sniping from the wings, sometimes winning a battle but, at least to date, never winning the war. Worse, almost every deinstitutional success has at some later point been spoiled by the creation of bigger, more draconian institutions.

The refuge movement of the 1820s and the state reformatory movement that followed set the pattern. Together they institutionalized punishment, militarized instruction, and made obedience training a virtual signature of the juvenile justice system. A new vocabulary emerged to fit the new circumstances. Words like "training" and "correction" replaced softer terms like "education" and "development." The very idea of "reform" changed meaning: now it referred to the correction of juvenile behavior rather than to the promotion of social progress.

All this, to be sure, began with the best of intentions. "The flurry of activity" occurring in the 1820s, notes the historian Robert H. Bremner, "resulted from the belief that the prevailing system of criminal justice treated delinquent children cruelly and corrected them unsatisfactorily." As Lyman would do two decades later, reformers in the Jacksonian era deplored the mingling of incarcerated children "with older culprits" who taught them "the most artful methods of perpetrating crime" (*Children and Youth in America: A Documentary History*, Vol. I, Harvard University Press, 1970).

The solution was to establish private "refuges" for delinquent children, where they could learn proper habits of work and rectitude. As David Rothman has pointed out, the refuges were supposed to expunge the tandem evils of parental neglect and social vice. "The importance of family discipline in a community pervaded with vice," Rothman writes, "characterized practically every statement of philanthropists and reformers on delinquency . . ." (*The Discovery of the Asylum*, 1971).

To nullify the effects of so wicked a world demanded the sternest of insti-

tutional purgatives. In Bremner's words, "The founders of the first training schools . . . conceded that childhood diminished responsibility for crime; nevertheless, pity and sympathy for the young were secondary considerations in their institutional plans." What the philanthropists strove for was "a root and branch operation which implied that these youths needed a long period of confinement in order that respectable values might be inculcated in them."

Typically, the children were consigned to large reformatory workshops, where they worked eight or more hours a day in the service of local entrepreneurs, making brass nails, shoes, cane chairs, and the like. Sometimes they were apprenticed out to nearby artisans and farmers, or bound out as housemaids. "Those who rebelled against the authority of their foster family," Bremner says, "were either returned to the refuge or sent to jail."

By mid-century, with the encouragement of Lyman and others, many states and municipalities had opened their own reformatories for delinquent boys and girls. In each instance, comments Rothman, "The asylum's primary task was to teach an absolute respect for authority through the establishment and enforcement of a rigorous and orderly routine. Obedience would bring reform. . . ."

To anyone who has visited a modern-day reformatory, Rothman's early examples of "successful" corrective measures, taken from official New York State reform-school documents, will have a familiar ring.

For one typical delinquent, the "discipline of the House was all that was requisite to make him obedient." For another, "it was found necessary to apply severe and continued punishments in order to break the obstinacy of his spirit." Ultimately success came: "The discipline enforced had a most happy effect. He became submissive and obedient."

The self-congratulatory note struck in these "House" reports was not unusual. A smug certitude, both in the rightness of their cause and in the deftness of their techniques, characterized the early institution-builders and their minions. "There is no class of institutions in our country, connected with the repression and prevention of crime," the managers of the Philadelphia House of Refuge assured readers of their 1851 annual report, "that will bear a moment's comparison with [juvenile reformatories]. . . . Almost every one of them might be pronounced a model institution of its kind." Such "hyperbolic rhetoric," says Rothman, was all but ubiquitous among reform-school advocates. Its effect was to "eliminate . . . the search for other solutions that might have been less susceptible to abuse."

Not everyone, however, expressed delight with reform-school methods. The deinstitutionalists were already raising strong objections and recommending

more humane approaches. Among other things, they condemned contract labor and the cruel "congregate workshops" that came to dominate reformatory life after the Civil War. The workshops were controlled by private manufacturers, and "instances of exploitation and brutality were not uncommon" (Bremner, Volume II). "I have seen boys punished for not completing their tasks, so that blood ran down into their boots," reported a former employee of the New York House of Refuge in 1871.

A leading critic of reform-school doctrine was Charles Loring Brace, author of an influential book called *The Dangerous Classes* (1872) and a founder of the New York Children's Aid Society. Brace's quarrel with early reformatories was both far-reaching and prophetic. He declared their prison-like atmospheres to be anything but accidental; they were, he insisted, an inevitable consequence of the punitive practices, the large dormitories, the rigid schedules—in short, of institutionalization.

Brace urged any of his readers who might have "a little fellow given to mischief" to "imagine him suddenly put into an 'institution' for reform, henceforth designated as 'D' of 'Class 43,' . . . to bed at the stroke of the bell . . . treated thus altogether as a little machine, or as one of a regiment." The results of such treatment could not be doubted: "the longer he is in the Asylum, the less likely he is to do well in outside life."

Brace's position, notes Rothman, "was by no means idiosyncratic. Something of a school formed about him. . . ." Unfortunately, it was mainly a school for beginners. In place of large institutions, the new crusaders pushed for an agrarian-type therapy to reform youngsters polluted by urban vice. "The best of all asylums," Brace rhapsodized, "[is] . . . *the farmer's home*." His Children's Aid Society "distributed children to individual farms where they supposedly were reformed by receiving affectionate familial care and by learning the agrarian routine" (Bremner, 1970). As with the Indian boarding school movement, which flourished during the same period, little thought was given to the effects of removing children from their families and communities.

Bremner adds that at least two public institutions, the Massachusetts State Industrial School for Girls and the Ohio Reform School, "internalized the ideal of family placement by dividing their inmates into physically separated 'cottage families.'" Those were early examples of institutional adjustments meant to silence new criticisms while perpetuating old disciplinary habits. By the turn of the century, cottages had become all the rage in reformatories from coast to coast, yet nothing had really changed. In all matters that counted—the militarism, the corporal punishment, the total lack of family feeling—cottages were just smaller facsimiles of dormitories.

In general, then, little came of Brace's crusade other than some early proof

of the reformatories' cussed viability — and much more evidence was in the offing. On the other hand, the refuge and reformatory movements did accomplish a few useful things on their own. Wrongheaded as they were, they at least introduced into the proceedings a notion of redemption, the idea that even the most obstreperous children could be saved. And they institutionalized that idea by separating children from adults.

A vital division that neither the Lyman nor the Braces took into account, however, was the one between genuine delinquents — children who had committed real crimes — and mere status offenders — children guilty of nothing more than skipping classes or running away from home. Reformers of all stripes tended to mix the two categories indiscriminately, with the result that training schools became refuges of last resort for thousands of rejected children.

Then as now, an attractive feature of institutionalization was its knack for sequestering lower-class youngsters whom society either could not handle or could not be bothered with. Rothman states it clearly:

[I]nstitutionalization had an appeal beyond rehabilitation. Inmates in this period were typically lower class, foreign-born, and the children of foreign-born — a group that local officials and citizens found convenient to incarcerate. Like other caretaker institutions, the refuge began as an attempt to eliminate delinquency and ended up as a practical method of getting rid of delinquents. The overwhelming majority of reformatory children came from the bottom layers of the social structure — from families of common laborers and semi-skilled workers . . .

In her "Social Portrait" of the State Industrial School for Girls in Lancaster, Massachusetts, Brenzel points out that most of the girls sent there "had been accused of moral rather than criminal offenses. In fact, 68 percent of the inmates in the opening year [1856] were accused of 'crimes against morality' — vagrancy, beggary, stubbornness, deceitfulness, idle and vicious behavior, wanton and lewd conduct, and running away . . ."

More often than not a girl's only crime was poverty. "Parents and outside observers," writes Brenzel, "frequently agreed that the best interests of the girls lay in taking them away from home, that in view of the cruelty of a pauper's existence a better life could be found within the confines of Lancaster." One of Brenzel's chapter headings tells the story: "Lancaster, an Academy for the Poor" (*Daughters of the State*, 1983).

Such problems seemed of little concern to the diversifiers, who kept busy devising privately-financed alternatives, most of which turned out to be nearly as institutional in climate and structure as the training schools they were meant

to improve on. New York State led the way. Reformers there established "model" havens for delinquents, such as the Burnham Industrial Farm in the Berkshire Mountains of Massachusetts (1883) and the George Junior Republic in Freeville, New York (1895). The latter was named for its founder, William R. "Daddy" George, a prosperous exporter who believed that delinquent children could teach themselves the rudiments of good citizenship and self-support. Similar Junior Republics sprang up throughout the United States.

Between experiments, the philanthropists did what they could to reform the reformatories. In New York State, for instance, they induced the legislature to outlaw contract labor and to replace that odious practice with vocational education. Still and all, as Bremner has remarked, "Improved reform schools . . . developed slowly or often not at all. . . ." He speaks of "the mood of futility" that afflicted reformers of the late nineteenth century, a feeling that large institutions, by their very nature, were incapable of meaningful reform.

That mood swung sharply upward with the arrival of the Progressive Era and its many alterations of juvenile justice, beginning in 1899 with the establishment in Illinois of a special court devoted exclusively to adjudicating juvenile cases. The first of its kind in the nation, the Illinois juvenile court was an idea whose time had come. By 1912, 22 states had passed similar legislation; within two more decades the movement had triumphed in every state except Maine and Wyoming. Many states, in fact, had taken the process a step further by inaugurating family or domestic relations courts to deal with cases of non-support or desertion.

From a deinstitutionalist perspective, those long overdue reforms were most welcome. The juvenile and family courts underlined the essential innocence of children. They bespoke society's intent to treat delinquent youths as "special cases," to separate them from convicted adults and to view their difficulties within a family and community context.

With the new system, moreover, came the idea of probation for juvenile offenders, and that in time gave rise to a veritable army of probation officers, social workers, and counselors, all focusing their attention on individuals rather than on groups or categories. It seems fair to say that the modern deinstitutionalist movement could not have begun in earnest without the igniting spark supplied by juvenile courts.

Indeed, allowing for prose style fashions, some of the language contained in Illinois' pioneering statute—"An act to regulate the treatment and control of dependent, neglected and delinquent children"—could have been written by Jerome Miller. The act stated as its purpose:

That the care, custody and discipline of a child shall approximate as nearly as may be that which should be given by its parents, and in all

cases where it can properly be done, the child be placed in an improved family home and become a member of the family by legal adoption or otherwise.

Yet the revolution implicit in such language was never fulfilled. For all their deinstitutionalist rhetoric, the new courts ultimately helped to swell "the expanding bureaucracy of juvenile justice" (Bremner), producing bigger training schools, more juvenile detention centers and, in the final analysis, deeper public distrust. Due process was not the courts' strong suit. Bremner notes that immigrant and minority groups sometimes viewed them "as wolves in sheep's clothing . . . designed to steal their children under the rationale of *parens patriae*." A sociologist of the period, Thomas D. Eliot, complained that the courts had become "a sort of 'department of maladjusted children'" (*The Juvenile Court and the Community*, 1914).

The reformatories, meanwhile, had no trouble adjusting to the new set of circumstances. They simply built more cottages and opened more classrooms; they even altered their language. At the St. Charles Reformatory in Illinois, cottage superintendents were called "Mom" and "Dad." But the warmhearted titles did nothing to inhibit staff members from regularly beating their young charges. As one of the inmates there commented, "An ounce of reformation can sometimes cause a ton of deformation." (See Clifford Shaw, *The Natural History of a Juvenile Delinquent*, University of Chicago Press, 1931.)

Once again, what the deinstitutionalists were contending with was the reformatories' time-tested talent for adapting and surviving. The more things changed, the more they remained the same — and the more reformers would become frustrated. Here is Jane Addams, in 1930, condemning the new system's obstinate tendencies: "[A] boy who has been brought before the Juvenile Court, studied by a psychiatrist, and at last sent to a correctional institution, may be there subjected to a brutality of punishment which is unbelievable and typical of the old regime."

Her conclusions echoed Brace's and foreshadowed Miller's: "That our present methods are ineffective is obvious since all the surveys show a large number of repeaters in the penal institution. . . . If our legal procedure cannot do better than that in dealing with criminals we certainly have a right to challenge the whole process, for there is rank failure somewhere. . . ."

The failure persists to this day. But something new has been added, namely, a diversifying effort more determined, more sophisticated, and more successful than any that has gone before. In the following section, we examine both sides of the juvenile justice coin — the continuing futility of institutionalization and the fresh hope that alternative programs can sometimes occasion.

II.

SIFTING

THE

EVIDENCE

"The conditions that a state tolerates in its prisons have long been considered a fundamental index of the moral quality of its civilization."

Steve Lerner

Bodily Harm, Commonweal Research Institute (1986)

". . . [The] imposition of appropriate community-based controls on highly active, serious and chronic juvenile offenders does not compromise public protection."

"The Impact of Juvenile Court Sanctions" (1988)

Our Closet Institutions

A riddle of large institutions is their essential invisibility to those who administer them. Often it takes an outsider's eyes to reveal their true meaning.

In the summer of 1987, a consulting team called in by the state of Maryland got ready to issue its report on conditions in the state's juvenile justice system. It would pay special attention to Maryland's two reformatories, the Montrose School and the Hickey School, both of which had long been targets of press and citizen censure. (The consultants had been brought together by the Center for the Study of Youth Policy, then a part of the University of Minnesota's Hubert Humphrey Institute, now housed at the University of Michigan's School of Social Work. Edward J. Loughran, Commissioner of the Massachusetts Department of Youth Services, was team chairman.)

State officials were understandably edgy about the pending document. They already faced a major lawsuit, instigated a year before by the University of Maryland Law Clinic, which among other things accused Montrose of "producing preventable suicides." The only remedy, insisted the plaintiffs, was to shut down the school and transfer all the children to community-based programs.

In the event, the report confirmed most of the lawsuit's allegations and discovered a few more for good measure. The authors found Maryland's justice system in disarray. They deplored as "inordinately high" the number of children (1300) who each year were deprived of *juvenile* justice and instead were diverted to the adult system.

Echoing Thomas D. Eliot's complaint a century ago, the investigators noted that Maryland's Juvenile Services Administration (JSA) had become "a child welfare system" rather than "an agency which responds to juveniles who have broken the law. . . ." The JSA, they said, was locking up children who had committed either minor offenses or none at all.

The consulting team reserved its bluntest criticisms for Maryland's two reform schools, both of which were condemned as overcrowded and in poor physical condition. Montrose had become a repository for "victimized, homeless, addicted, mentally ill, educationally handicapped, developmentally disabled children." Hickey was an administrative nightmare: the staff had ceded much of its authority, "allowing youths to discipline other youths." Instead of "interacting" with the inmates, staff members fed them "psychotropic drugs" and "anti-depressive medication."

One incident in particular alerted consultants to the problem: on the day they visited Hickey, a young man was curled in the corner of an isolation cell, sucking his thumb. He had been taken off his medication, Ritalin, to see how he would react . . . ("Report on the State of Maryland Juvenile Services Agency," Humphrey Institute Center for Youth Policy, July 1987).

Soon after the report came out, Linda Rossi, the state's new JSA director, spent a day at Montrose with Governor William Donald Schaefer, a man not known for softness on criminals. "The Governor saw plenty," Rossi recalls: "the dirt, the holes in the wall, the ugly dormitories with their narrow cots. It wasn't exactly the right kind of atmosphere for someone's developmental years."

According to Rossi, when they got back into the car, Schaefer turned to her and said, "It's awful. Can we fix it?"

"No," Rossi answered.

"Then close it," he told her. "You got three months to do it."

It took a little longer, but by year's end Montrose had been emptied and shut down.

Jim Marchel, a reform-minded entrepreneur, runs the Wasatch Youth Support Systems in Salt Lake City. His group gets money from Utah's Division of Youth Corrections to manage programs and short-term residences for delinquent children. Marchel believes that small is beautiful and big is brutal. "There's something about a large institution," he says, "that is basically, generically corrupt. Sooner or later it starts hiding its mistakes. Everything digresses to the staff's convenience."

Marchel is in a position to know. He was once director of research for the

state's juvenile courts, and in 1977 a judge empowered him to investigate certain disturbing allegations that had been brought against Utah's only reformatory, the State Industrial School (known also as the Youth Development Center, or YDC). Among other things, a class-action suit initiated by parents of some of the inmates charged that the 350-bed facility was overcrowded and understaffed. The guards, they said, were unable to cope with the children; discipline was unpredictable, vacillating between total tyranny and total laxity.

"I found it was all true," Marchel recalls. "In fact, things were much worse than anyone thought. The basic problem was fear. When you put a lot of troubled kids together, lock 'em all up in one constricted place, there's no telling what will occur. In this case there weren't enough staff people to keep the peace. There never are.

"So what happened was classic: they started to depend on certain kids, the big tough ones, to enforce discipline. Those were called 'the dukers.' Their job was to beat up kids for the staff. A guard wouldn't have to spell it out. He'd only have to say to the duker, 'Take that guy in the closet and talk to him.' The duker would know what to do."

The closet, says Marchel, was an ingenious choice of locales. Not only did it conceal the beating, it supplied the perfect weapon. "The duker beat the kid with a board, actually with a shelf in the linen closet. When he was finished, he just put the board back and it became a harmless shelf again. Nobody would ever suspect."

There were other "incredible abuses." A teenage girl had been kept naked in a tiny isolation cell for 30 days; a boy had been made deaf from frequent beatings around the ears. Children set fire to one another, raped their cellmates, poured boiling water on their adversaries. In sum, Marchel discovered several circles of hell at the YDC, and he came to the same conclusion Dante had come to: "All hope abandon, ye who enter here!"

The staff's nervousness, meanwhile, produced wild swings in discipline. For instance, Marchel learned that certain privileged inmates "were allowed to come and go pretty much as they pleased. Some were going AWOL every week or so. Can you guess why? They were committing *burglaries* out there."

The class-action suit and the revelations it produced led in time to the near-total deinstitutionalization of Utah's juvenile justice system. In place of the old, 350-bed reformatory, the state has now built two 30-bed "secure facilities," each one designed as a kind of campus with bars. (The circles they form in no way resemble Dante's: in the center are classrooms, a library and recreation lounges; bedrooms and offices comprise an outer rim.)

Although Utah's old-style detention centers house some 100 children at any one time, most of those in state custody—between 500 and 600 youngsters each

year — end up living at home or in small-group residences. As C. Ronald Stromberg reminded a Congressional committee not long ago, "The emphasis in every program is on *individualized treatment* in the least restrictive setting . . ." (Testimony to House Subcommittee on Human Resources, June 1986).

The Utah and Maryland stories are unusual only in the responses leaders made to social catastrophes largely of their states' own making. The catastrophes themselves were commonplace. Institutional torment remains endemic to the nation's juvenile justice system; it seems a curse that comes with the territory, or with the barbed wire that encircles it.

As in Utah before it saw the light, the problems nationwide often begin with too many kids and too little space. "Get tough" policies in many states have stiffened penalties and lengthened sentences, putting still greater strain on already overburdened institutions and their staffs. "The most obvious impact of the 'get tough' approach," writes NCCD's Barry Krisberg, "has been an ever upward spiraling of the length of time juveniles are incarcerated." A second consequence has been "a sharp increase in the number of incarcerated minority youths" ("Preventing and Controlling Violent Youth Crime: The State of the Art," in *Violent Juvenile Crime*, Center for the Study of Youth Policy, January 1987).

Bureau of Justice computations indicate that almost half of all imprisoned juveniles (45 percent) live in "facilities with more residents than they were designed to hold" — that is, in overcrowded prisons. The bigger the institution, the less adequate it is likely to be. In 1985, institutions with at least 100 beds accounted for only six percent of all juvenile facilities but for 36 percent of all juvenile residents (*Bulletin*, 1985).

The nation's 400-plus public juvenile detention centers, some of which bear a remarkable resemblance to conventional jails, also contribute to the misery. According to at least one study, 47 of those facilities — 13 in Florida alone — "were chronically overcrowded" in 1982. The figure is probably higher today, thanks to the "ever upward spiraling" of juvenile detention terms. Again, as the study's authors point out, "It is generally acknowledged that overcrowding is a major cause of warehousing, disciplinary problems, tensions among staff members, low staff morale, and violence among juveniles and between juveniles and staff" (Ira M. Schwartz, Gideon Fishman, Radene Rawson Hatfield, Barry A. Krisberg, Zvi Eiskovits, "Juvenile Detention: The Hidden Closets Revisited," *Justice Quarterly*, June 1987).

We know how to calculate the extent of overcrowding in reformatories and detention centers, but we have not yet learned how to compute the consequences. There are no tables of abuse, no "path analyses" of violence and its variables. Instead we continue to rely on old-fashioned story-telling, and on a

few clear-voiced troubadours who venture inside our institutions and bring us back the news, much of it bad.

The Youth Law Center (YLC) is one of those useful messengers. Headquartered in San Francisco, it sees itself as "a public interest law office dedicated to the protection of the rights of minors nationwide" — a role that takes staff members into places darker and more remote than any the rest of us might be inclined to explore. Here are a few of their findings, as reported by Mark I. Soler, the organization's executive director, to a Congressional committee in Washington.

We have seen children hogtied in state juvenile training schools in Florida — wrists handcuffed, then placed stomach down on the floor and wrists and ankles joined together behind their backs.

In the training school in Oregon children were put in filthy, roach-infested isolation cells for weeks at a time. In the Idaho training school, children were punished by being put in strait-jackets, and being hung, upside down, by their ankles.

We have seen children in an Arizona juvenile detention center tied hand and foot to their beds, and a Washington state facility in which two children were held for days at a time in a cell with only 25 square feet of floor space.

My colleagues and I have represented a 15-year-old girl, ordered into an Ohio jail for five days for running away from home, who was raped by a deputy jailer; children held in an Idaho jail where a 17-year-old was incarcerated for not paying \$73 in traffic fines, then was beaten to death over a 14-hour period by other inmates; and parents in Kentucky and California whose children committed suicide in jail.

Soler has described one of those suicides, which occurred on February 14, 1986, at the San Francisco Youth Guidance Center, a detention facility:

. . . A 17-year-old boy named Robert committed suicide by hanging himself with a noose fashioned from a sweatshirt. He had been in the facility 30 days. More than two weeks before the boy's death, social workers at the facility became aware that Robert was having "bizarre" thoughts, and referred the matter to the staff psychiatrist. The psychiatrist never saw him.

. . . On February 13, Robert was put in his cell for disrupting the breakfast meal. He was confined there all day, overnight, and during the morning of the 14th. After lunch, he banged on his door for

several minutes, calling for the senior counselor to ask how long he would have to stay in his room. The senior counselor was busy and never talked with Robert. Between ten and twenty minutes later, another counselor found Robert hanging from the wall.

The tragedy did not end there. Five days later Robert's cell had not yet been cleaned up of bodily wastes, so a staff member selected two boys in the facility, ages 12 and 14, to clean up the room. The odor was so intense that the staff member covered his face with a bandanna and the two boys plugged their nostrils with cotton . . . (Testimony before the House Select Committee on Children, Youth and Families, Sept. 25, 1986).

Dramatic as they are, Soler's examples appear all too representative of our closet institutions. The Youth Law Center's docket of lawsuits is replete with institutional crimes committed against children in the name of their salvation. Reading these cases, one reluctantly concludes that in too many states the strongest incentive for deinstitutionalization has been litigation. For what the lawsuits frequently reveal is a corrections system frozen in time and philosophy, one helpless to correct itself voluntarily.

Consider Oregon's MacLaren School for Boys, the state's maximum security institution for delinquent children. In 1984, the Youth Law Center challenged "the conditions of confinement and the adequacy of treatment programs" for inmates there. A U.S. District Court judge subsequently ruled that the reformatory's isolation practices were unconstitutional. According to a YLC case summary, the judge "found that an excessive number of juveniles were placed in isolation for unnecessarily long periods." He also ruled that "inmates in the isolation units . . . suffered from unsanitary living conditions, inadequate heat and ventilation, punitive disciplinary measures, poor diet, and an absence of educational and recreational programming."

Consider, too, the detention center in Walla Walla, Washington, where children had been stuffed for 24 hours a day into cramped, rat-infested cells. Such confinements ceased only after local officials were brought to federal trial in a civil action. At the trial, experts in child psychiatry, adolescent medicine, and environmental engineering and architecture all testified to the grave damage conditions at the facility could cause incarcerated children.

The picture one gets from such reports, especially from those concerning reformatories in our Western states, is of an oddly Victorian mind-set that is somehow reluctant to enter the modern era. Plain old institutional stubbornness may be one of the reasons; a genuine belief in the efficacy of "get tough" measures is certainly another.

The morality that characterized training schools in the nineteenth century — the reverence for punitive discipline, the preference for humiliating remedies — endures as today's *modus vivendi* in places like MacLaren and Walla Walla. And its partisans remain as certain in their beliefs as were their doctrinal forebears a century ago.

But now there is a difference: today's disciplinists hold to such opinions in the face of a cumulative reality that attests to their failure, a reality the Lymanites could not have predicted. For nothing has occurred across the generations to support a conclusion that reform schools work, or that getting tough with delinquents will either reduce recidivism or safeguard society. To this day, as Krisberg emphasizes, "we possess no compelling evidence that either enhanced prosecution or stiffer penalties can prevent or control violent and serious youth crime." Indeed, "the research indicates that . . . traditional large congregate training schools cannot cure and may actually worsen the problems of youth violence" (January 1987).

On the other hand, there is new evidence to suggest that carefully diversified, community-based programs can in fact contribute both to a child's rehabilitation and to the public's safety. True, the documentation remains skimpy, and sometimes equivocal, but the emergent message seems clear enough — and it is hopeful. What follow are selected highlights from some of those recent research efforts.

The Quantification of Hope

From the diversifiers' point of view, the quest for scientific legitimacy began on a disheartening note. In 1975, only three years after Massachusetts had shut down its training schools, Lloyd Ohlin and his co-researchers at Harvard University's Center for Criminal Justice issued preliminary findings from a massive, \$400,000 study-in-progress. The study, which focused on recidivism in Massachusetts, compared two juvenile groups: one group had spent time in reformatories; the other had gone through new community-based programs.

For diversifiers anxiously awaiting the results, it stood to reason that the "alternative" group, the one that had been exposed to the advantages of deinstitutionalization, would show a lower rate of recidivism. It didn't. As *Corrections Magazine* noted at the time, "The latest Harvard report . . . indicates that the overall recidivism rate for the new system . . . is about the same as it was under the old system . . ." ("Harvard Recidivism Study," November/December 1975).

Ohlin's "washout" tabulations added several new wrinkles to the ongoing debate between the Millerites and the Lymanites. For the many who subscribed to neither theory, it became accepted wisdom to invoke a plague on both houses. Indeed, the most conspicuous banner of the period bore the most discouraging

of legends: "Nothing works." The deinstitutionalists offered an interesting rebuttal. The fault, they said, was not in the programs but in the study. "Nothing works" was thus revised to read, "Nothing in the research works."

As it happened, the deinstitutionalists had a point. Ohlin and his two colleagues, Robert Coates and Alden Miller, had themselves warned that their findings were "subject to misinterpretation," and they had told a writer for *Corrections Magazine* that the figures "are not as discouraging as they seem on the surface."

For one thing, they said, there were sharp differences in comparative recidivism rates among the state's seven regions. Region II in particular (the Worcester area) showed impressive reductions among boys who had been through community-based programs. Within a year after discharge, only 43 percent got into trouble again (as measured by court-ordered commitments); for juveniles who had spent time in reformatories, the comparable recidivism rate in the Worcester area was 67 percent.

The discrepancies among regions seemed to imply a more fundamental discrepancy. Could it be that the alternative programs themselves varied in ways that might profoundly affect recidivism rates? Perhaps it wasn't enough simply to assess "deinstitutionalization" and its generalized impact. Perhaps those diversified programs had to be examined one by one.

Ohlin, who seemed as disappointed as anyone with the preliminary results of his labors, cited yet another glitch: the earlier, or reform-school, group had been studied during a period of economic prosperity, whereas the later, community-based group had been studied in a time of high unemployment. In consequence, Ohlin said, there was "a heavy increase in crime, especially among juveniles. The pressures that would produce higher crime would also increase recidivism" (*Corrections*, November/December 1975).

Finally, a growing number of diversifiers began to question the very ways that researchers defined and measured recidivism. After all, there seemed little agreement among social scientists. The Harvard study identified as key variables a juvenile's court reappearances or convictions; some other studies focused on rearrests.

More troubling still, the extent of recidivism as it pertained to any particular juvenile was not being measured at all; it was simply being identified on an either-or basis—something like pregnancy—rather than calculated on a continuum. Nobody was making distinctions between, say, one arrest or 100, or even between misdemeanors and felonies. The upshot, said critics, was an abundance of black-and-white findings and a shortage of grays. No one could tell from the research whether a youth discharged from a community-based program got arrested fewer times or committed less violent types of crimes than a youth

who'd graduated from a reform school. Not surprisingly, the word "simplistic" was much in vogue back then among the deinstitutionalists.

The Harvard scholars' own final words on the subject were published in 1985 in a book called *Delinquency and Community* (Miller and Ohlin, Sage Publications). Once again they examined the data, and once again the message was mixed. On the one hand, "we discover that recidivism statewide was higher after the reform than before." On the other, recidivism was markedly lower in "the regions that pursued the reforms most aggressively" — that is, wherever officials strove to provide "a large number of diverse program options, so that the special needs of each youth could be more nearly met."

In short, the greater the choices, the happier the consequences. Miller and Ohlin shrewdly underscored the point by turning it upside-down. It was no accident, they said, that the one region to have "hardly changed at all from the traditional approach" (Region V) was also the one to have shown "an exceptionally large increase" in recidivism.

Thanks to Harvard's pioneering effort, subsequent research on the effects of diversification have grown more sophisticated in their methodology and, for that very reason, more encouraging in their results. We shall focus our discussion here on two of those undertakings—a study of delinquents in Illinois, conducted by Charles Murray and Louis Cox (*Beyond Probation*, Sage, 1979), and a recent NCCD study of Utah's juvenile justice system, called "The Impact of Juvenile Court Sanctions: A Court that Works" (1988). In addition, a quick preview of a new study conducted by NCCD in Massachusetts will bring the story up-to-date.

Like Ohlin and his associates, Murray and Cox compared recidivism rates for deinstitutional clients with rates for delinquents who had been placed in more conventional settings, either in reformatories or on probation. But unlike their predecessors, the Illinois researchers differentiated among alternative programs. For instance, such programs could be weak or intensive, disorganized or well managed.

As it happened, Murray was a traditionalist, and from his data he extracted evidence that supported his beliefs. But many readers came to a different conclusion. In the view of deinstitutionalists, the study's helpful distinctions among programs seemed to yield findings that favored alternative approaches over conventional ones.

To borrow from Krisberg's later summary of the Illinois study (January 1987), "Murray and Cox reported large declines in the rate of offending for youth placed in *well-managed and intensive* community-based programs" (italics added). He goes on to note that "The successful community-based models . . . were less costly than traditional incarceration and permitted youths to better maintain their family ties."

The task of transforming young criminals into young productive citizens turned out to be tougher and more complicated than anyone had suspected. There were no "quick fixes." The key to it all seemed to be exhaustive care, or what Krisberg has called "sufficiently intensive interventions." The programs that worked best, according to Murray and Cox, were those that brandished both the carrot and the stick. As they explained it:

We suggest that recidivism was reduced for the simplest reasons of all: Society credibly changed the short-term payoffs of delinquency. Society did what was necessary to get delinquents' attention and gave them some good reasons why they should not do these things anymore. Some of these reasons were negative — "You can't do that anymore, because some very unpleasant things will happen if you do." Some reasons were positive — "You shouldn't do that anymore, because you have better options."

In the last analysis, then, Murray and Cox's study gave deinstitutionalists something to cheer about. Not only did its numbers seem more heartening than Harvard's, its methods seemed more discriminating. By zeroing in on individual programs, the Illinois researchers were able to avoid some of the pitfalls of Ohlin's more generalized approach, and thus to elicit totals that dramatically accented the uses of diversification.

NCCD's recent research efforts in Utah and Massachusetts have refined the quantification process still further. Although the Utah study's complicated design doesn't help the lay reader, both its resourcefulness and its auspicious findings merit close attention.

The Utah study's chief contribution to deinstitutional reform resides in the ways it measures recidivism, treating it less as a single on-and-off light switch than as a multi-power rheostat ranging from dim to glaring. To use the language of the NCCD report, the study "focused not on the absolute cessation of delinquency [a la Harvard], but rather, on the reduction in the frequency of delinquent behavior." To help them quantify those reductions, researchers used a device called "the suppression effect," a negatively expressed number that represented the extent to which juvenile crime was diminished. The higher the suppression effect, the lower the recidivism.

The designers of the study did not make things easy for themselves (or for us). They chose to follow the juvenile crime careers of no less than six different groups. In three groups the youths had committed only minor offenses before embarking upon various types of court-mandated probation paths. The remaining three categories were reserved for the heavy hitters, that is, "for youth with extensive criminal histories of repetitive and serious property crimes, numerous

probation placements and violent behavior."

The study labelled this second category of offenders the "Youth Corrections" group, because their crimes landed them in the custody of the state's Division of Youth Corrections (DYC). The DYC could respond in any of three ways: it could lock up the offender in a "secure facility"; it could enroll him or her in a community-based program; or, in the more perplexing cases, it could send the youth to a diagnostic center.

Whatever the choice, as the report points out, "these youth received much more intensive supervision and control than probationers." Upon paroled release, moreover, the secure facility inmates almost invariably found themselves in post-discharge, community-based programs.

The before-and-after results of all this, as summarized by the NCCD report, seem cause for hope: "Although a large proportion of Youth Corrections offenders continued to be arrested, there were *large declines* in the rate of offending for all three Youth Corrections . . . categories" (italics added). The report continues:

The 247 Youth Corrections offenders . . . accounted for 1,765 arrests in the 12 months previous to their commitment to the [DYC]. Once released into the community, these same youth accumulated 593 new arrests. . . .

If one considers the total number of charges involved in these arrests, the results are even more impressive. These . . . youth were charged with 3,215 offenses in the year prior to their court adjudications, as compared to 884 offenses in the post-adjudication period.

Overall, the Youth Corrections group's "suppression effects" were calculated at minus 66 percent for "number of arrests" and at minus 72 percent for "number of offenses." The totals proved conspicuously superior to those of the probationers, who registered reductions of 33 and 44 percent, respectively.

The crimes committed by the Youth Corrections group in their post-custody period, moreover, tended to be less serious than those for which they had originally been arrested. For example, only six percent of those youths deemed most dangerous to society — i.e., the ones whom the state had locked up in secure facilities — were subsequently charged with commissions of violent crimes.

Given the findings, it seems hard to deny NCCD's modest conclusion, namely, that "the imposition of appropriate community-based controls on highly active, serious and chronic juvenile offenders does not compromise public protection." As the researchers concede, society might have been still safer if the juveniles partaking of community-based programs had simply been locked up for the duration of the study-period. However:

While this argument is correct in the abstract, in practice it would have required massive additional expenditures for capital construction and for the operations budget of Youth Corrections. Considering that the vast majority of subsequent offenses committed by the Youth Corrections offenders were minor property crimes, these extravagant public expenditures do not seem warranted.

Finally, the study suggests that short periods of confinement in secure facilities are at least as effective as long periods. That, too, is good news for the budget-watchers, because lockups of all kinds—whether they are called secure facilities, detention centers or training schools—generally cost more to maintain and administer than do community-based programs. In Utah, the difference per resident can run as high as \$10,000 a year.

Preliminary results of NCCD's Massachusetts study appear to confirm the Utah findings. The researchers note "a large drop in the incidence of recidivism" among all juveniles exposed to diversified care by the Department of Youth Services (DYS). The declines are immediate and are "sustained throughout the entire [four-year] follow-up period."

More telling, the Massachusetts study indicates that diversification, far from jeopardizing the public's safety, may actually reenforce it. NCCD investigators observed a marked decline in the *severity* of offenses committed by DYS children, "particularly for the violent offenders."

Here, as in Utah, we have a straightforward answer to those who automatically equate reformatories with citizen protection and community-based programs with citizen peril. The Massachusetts findings imply just the opposite. They suggest that in the right circumstances, diversification begets less danger. In short, the public may have more to fear from delinquents who have been subjected to traditional forms of punishment than it does from those who have been deinstitutionalized.

To sum up, then: researchers have come a long way in a relatively short time. Indeed, between the Harvard study and the NCCD studies lie quite a few shattered illusions, including the following: that all deinstitutional programs are similarly effective; that diversification can instantly transform delinquents into law-abiding citizens; that recidivism must be viewed as an absolute standard rather than as a relative measure of programmatic merit; and, at bottom, that empirical arithmetic can provide fool-proof answers to questions that have vexed and perplexed us for the greater part of two centuries.

On the other hand, amid all the detritus—perhaps *because* of all the detritus—it is possible to detect a number of enduring achievements, not least, a solid and expanding core of evidence that diversification actually works: that it offers a humane alternative to reformatories and detention centers; that even in the

short run it costs no more, and sometimes less, than brutality; that it protects the public day-to-day and ultimately reduces the threat of violent crime; and, withal, that it is a social movement still struggling, still experimenting, still pursuing the right blend of care, solicitude, diligence, and intensity.

For such are the distinctive qualities, the virtual emblems, of the modern deinstitutional process. In one admixture or another, they can be found in all of the programs we are about to glimpse.

III.

PICTURES

AT SOME

NON-INSTITUTIONS

"Deinstitutionalization is working just great!"

Nancy Mongeau,
director of Shelter Care

No one associated with juvenile delinquents has claimed they are easy to live with. Even in the best of circumstances, adolescence is widely recognized to be a painfully problematic condition, the only certain cure for which is time. "The imagination of a [small] boy is healthy," said Keats, "and the mature imagination of a man is healthy. But there is a space of life between, in which the soul is in a ferment, the character undecided, the way of life uncertain, the ambition thick-sighted. . . ."

Not only thick-sighted, but too often cold-blooded as well. "My salad days," reminisces Marc Antony (via Shakespeare), "when I was green in judgment: cold in blood." Even the tolerant Jane Addams could be shocked by adolescent pathology. "What startles me many times about these boys," she confessed in her autobiography, "is their amazing lack of moral feeling. . . ."

But Addams did make allowances, especially for juvenile drug-users, who were a problem in her day no less than in ours. She forgave them their trespasses. "The desire to jump out of the humdrum experience of life," she asserted in an earlier work, "also induces boys to experiment with drinks and drugs. . . . May we not assume that this love of excitement, this desire for adventure, is basic, and will be evinced by each generation of city boys as a challenge to their elders?" ("Adolescence," *The Spirit of Youth and the City Streets*, 1909).

Addams' arguments were instinctual, but over time they have found a measure of clinical support. For instance, Erik H. Erikson, the century's premier theorizer on children's psyches, takes it for granted that one's adolescent years constitute an often unhappy "moratorium" bounded by childhood and adulthood ("a space of life between"). Society, in Erikson's view, is obliged to apply a different standard of behavior to its adolescent members. "Many a sick or desperate late adolescent," he has written, "if faced with continuing conflict, would rather be nobody or somebody totally bad . . . than be not-quite-somebody" (*Identity: Youth and Crisis*, 1968). Consequently, Erikson treats the exist-

ence of delinquents as "a sign that we have failed them — and if we fail to recognize this fact, we lose them." (Quoted in Paul Roazen, *Erik H. Erikson*, 1976.)

The English legal scholar and children's advocate, Andrew Rutherford, takes up where Erikson leaves off. His stinging critiques of British juvenile justice, and his insistence on the family as a first line of defense against delinquency, have influenced deinstitutional thinking in America. Adopting what he calls "the developmental approach," Rutherford attributes juvenile crime to something very like natural causes; that is, to the adolescent condition and its sundry discontents.

In Rutherford's words, "The developmental approach regards crime and other misbehavior by young people as a transient and integral part of growing up. . . . If there is to be a self-fulfilling prophecy" concerning juvenile delinquency, "it is that sooner rather than later matters will be worked out. As with other childish things, misbehavior eventually will be put away" (*Growing Out of Crime*, Pelican Books, 1986).

For Rutherford, it follows that under the right conditions "most young people mature out of crime." Those conditions "are found not in prison cells and corridors, but in the settings where most young people grow up," most commonly the home and the school, which Rutherford has labelled "developmental institutions." "Only in the most exceptional cases," he cautions, "should formal intervention separate a young person from developmental institutions, and any period of separation should be kept to the minimum. . . ."

Of course, Rutherford realizes that it is not always possible, or even desirable, to keep an adolescent at home; there are times when the state must reluctantly intervene. Accordingly, he has borrowed a useful concept from the Dutch social commentator Louk Hulsman — the idea of "intermediate institutions." In a scholarly essay published in 1981, Hulsman declared:

Very little attention is paid to the basic elements of society, namely intermediate institutions; that is to say, small local groups in which face to face contact between the members is possible. . . . [T]he State must provide support to intermediate institutions, and the control of conflict and of mediation must be left to them as much as possible ("Penal Reform in the Netherlands — Bringing the Criminal Justice System Under Control," *Howard Journal*, pp. 150-59).

With Hulsman and Rutherford, then, we are getting helpfully close to the ideas that have fueled deinstitutionalization and its many programs. For what the process accomplishes at its best is a proliferation of "small local groups in

which face to face contact between members is possible." Furthermore, at least in the cases of Utah and Massachusetts, the state is doing precisely what Hulsman recommends: it is giving support to those community-based endeavors.

In Massachusetts and Utah, about four-fifths of all the children who end up in state custody manage to stay out of large institutions. Instead they are consigned to the putatively tender care of a family — not always their own — and/or to one or more programs among a great variety of deinstitutional offerings. Most of the programs are administered by private nonprofit organizations holding state contracts.

Even the secure facilities and detention centers in those states frequently bear marks of diversification. For instance: some detention centers are without locks or bars; many secure facilities offer their residents such potentially useful services as counseling, recreation, and schooling; and, most important, all such institutions have been kept small. Utah's two secure facilities accommodate 30 inmates each; Massachusetts' largest "Secure Treatment Center" has just 18 beds.

Still, much of the deinstitutional action occurs elsewhere, mainly in small-group residences and at neighborhood youth centers, where counselors and therapists must look for new ways to deal with some very old problems. The programs they have created carry names that rarely do justice to their actual contents, e.g.: "Group Care," "Outreach," "Tracking" and "Tracking Plus," "Shelter Care," "Youth Service," "Medical/Diagnostic," "Vocational," "Proctor Care." Yet these are the enterprises that keep redefining the deinstitutional process.

The vignettes that follow introduce six different programs or facilities, each one representing a common deinstitutional endeavor. They are presented here in roughly the order that a troubled young person might encounter them, beginning with an interim haven for runaways and other status offenders; the idea of the haven is to get the children back home and keep them out of the courts.

After that, we consider those juveniles already in official custody. Typically, they are exposed over time to many different formats and remedies, including short-term detention, "observation and assessment," and an assortment of community-based efforts. A Massachusetts "outreach and tracking" program will serve as the penultimate step in this makeshift chronology, to be followed by what, with sufficient luck and courage, can become the final port-of-call in an adolescent's voyage through the system: a post-discharge proctoring program (in Salt Lake City).

1. 'Ungovernable' Youth

For the most part, Utah has stopped locking up children whose only offense has been their unmanageability. The juvenile court, in fact, no longer has a say in

deciding how to deal with such cases. Now the state pays certain agencies, both public and private, to work with the children and their families in ways the courts and the jails cannot.

The Youth Services Center (YSC), a county-sponsored shelter located just outside Salt Lake City, is one of those agencies. Its official purpose is "to divert runaway and ungovernable youth from the juvenile justice system and prevent the escalation of delinquency and deterioration of personal and family functioning during . . . crises."

Lamar Eyre, who directs the center's parent agency—the County Division of Youth Services—calls the program "a front-end diversion effort." But its day-to-day function, he says, can be stated more simply: "It's to get that parent in here."

The scenario seldom varies from case to case—at least not at the start. A policeman finds a runaway child sleeping in an empty lot, or in somebody's garage, and brings her to the center (often in handcuffs). The child is allowed to stay at the center's "interim shelter" for 48 hours, while the staff tries to persuade the parent(s)—two are unusual—to come in and talk about the problem.

"They nearly always come in," Eyre says, "but not at first. You see, they've really had it with the kid. 'Do whatever you want with her,' they say. 'Just leave us out of it.' So what we do, we wait an hour and call back. We make up to three calls. By that time a parent usually gets the message." Sue Williams, the shelter's director, has a succinct explanation of the parents' dilemma: "Children need love most when they deserve it least."

The center never closes and never sleeps. On average, it serves as a temporary harbor for 12 children per night, or some 4,000 each year. "If we get swamped some nights," says Williams, "we have plenty of couches and benches to go around. Nobody ever gets turned away." The children's ages range from eight to 18. In most cases—96 percent, Eyre says—the runaways are persuaded to give home another try, and "after 12 months 86 percent of those returnees are still successfully at home."

The reconciliations do not generally occur overnight. For children reluctant to go home, the center has recruited scores of "host families" with whom the fugitives can stay for up to 60 days. The hosts are paid \$10.20 a day for their hospitality. Meanwhile, both the children and their families keep coming to the center for heavy doses of counseling. Among other things, the parents get what amounts to a crash course in child-rearing, called STEP, or Systematic Training for Effective Parenting.

Such measures are often useful, but as the counselors know, the going can be painfully slow. Here is one representative "case" taken from the YSC's bulging files.

Jane's parents were divorced when she was eight years old. "In many ways," notes her case report, "she is typical of teenagers seen at the center. She has moved back and forth between parents several times. Both parents have remarried. Her mother, with whom she now lives, is separated from her third husband." Jane is 16 now. Recently she "has had serious school problems, problems with lying and stealing and sneaking out at night — and fighting with her mother."

The report continues:

Two months ago Jane ran away from home. She had been gone for a couple of weeks when the police picked her up and brought her to the Youth Services Center. Initially she did not want to go home, did not even want to talk to her mother. Her mother, meanwhile, was not at all sure she wanted Jane back. Jane's father was out of town at the time, so his home was not an option. YSC provided safety and time out in a host home, and counseling for both Jane and her mother began in earnest.

Jane went home after two weeks, but both she and her mother kept attending weekly sessions at the center. Among other things, the mother's "parenting" classes taught her the uses of silence: to listen rather than to shout, to be quick to empathize and reluctant to blame. In time she began to master the mysteries of mothering. She was able to fortify her daughter's sense of self-esteem; the two showed signs of trusting each other.

Jane, meanwhile, was learning a parallel set of skills — call them the talents of "daughtering" — through a teenage discussion group she had joined. The two-hour sessions were meant to make her a shrewder, more distant observer of herself. In effect, they held up a mirror by means of which she could inspect her behavior and then, sometimes, make appropriate corrections. As with most teenagers, self-examination was not Jane's strongest point. Still, she got the message; like her mother, she grew more reflective as the counseling progressed. In all, mother and daughter attended ten learning sessions each.

Months later, around Halloween time, Jane came back to the center, but only for a visit. She had brought along a gift, a pumpkin stuffed with cookies, candy, and a hand-written note: "To the wonderful staff at YSC — *Thanks for everything.*"

2. Detention Without Locks

"He was arrested for breaking and entering. His family won't take him home, and he has nowhere else to go. He's scared and alone. He's 13-years-old." Thus begins a promotional description of Shelter Care, "an unlocked, staff-secure

detention unit for male offenders between the ages of seven and seventeen."

The shelter is one of a score of programs invented and managed by the Northeastern Family Institute (NFI), a nonprofit organization in Massachusetts. More than most, NFI exemplifies the deinstitutional impulse. "No one is untreatable," Yitzak Bakal tells us. "The more violent a kid is, the more you have to individualize the services to him."

Bakal is the Northeast Family Institute's director and founder. His choice of an organizational name was no accident: Bakal believes that kids fare best in family-type groups, where order is maintained through affections and loyalties rather than through force and discipline. "You can develop controls via human relationships," he says. "You don't need locks and bars."

In NFI's descriptive brochure, the last words are reserved for a former juvenile delinquent who spent time in NFI programs. "If I think back a moment to the original days of [my] depression," he writes, "I am satisfied to be struggling with life's tasks. I don't think any of us can make it on our own, so let's be a family."

"Go visit our detention shelter in Middleton," Bakal urges us, "and you'll see what that fellow meant."

It is a rambling, white clapboard building on the grounds of Danvers State Hospital, some 30 miles northeast of Boston. The front door is unlocked. We enter a big room with high ceilings, tall windows, and a fieldstone fireplace. To our left is an open kitchen, where boys in white hats are preparing soup, sandwiches, and lemonade. A banner over the counter identifies the spot: "Shelter Country Kitchen."

Nancy Mongeau, Shelter Care's director and earth mother, invites us into her office, which feels damp and chilly this December noon. "We shut off the heat in the administrative offices," she explains, "so we could put more in the dorms." A staffer brings us some hot soup, and while we sip, Mongeau talks.

"Deinstitutionalization is working just great," she begins. "This place opened ten years ago; I've been here almost from the start. There are 23 boys here right now, which I think is about five boys too many. We have enough space but not enough staff. Budget cutbacks and miserable salaries — those are the big problems. We're down by six staff people since two years ago."

She is warming to her subject: "You don't need a degree to be hired here. All we require is that you genuinely care for the boys and have concern. NFI trains new staff from the bottom up, especially philosophically. We're on the kids' side. We advocate on their behalf with the courts and DYS [Department of Youth Services]. That's our job."

The boys at Shelter Care, she says, have been charged with all manner of offenses, ranging from car theft to assault and battery. They are here awaiting

trial or the working out of probation arrangements. Most stay for just a few nights, but some whose cases are more complicated stay on for weeks, even months. Among the many photographs on Mongeau's desk, she singles out that of a smiling little boy—"a nine-year-old kid from Rhode Island," she says. "He was arrested for stealing a next-door neighbor's bicycle while visiting his step-father in Boston. That boy was with us about 60 days. The courts didn't know what to do with him. They finally sent him back to Rhode Island."

Unfair as they seem, there is something to be said for the longer detentions, at least at a place like Shelter Care. For one thing, the shelter provides decent schooling; the longer a boy attends classes here, the more he is likely to learn. For another, the "long-termers" make it possible for a "shelter culture"—Bakal's words—to take root, a special way of life that can be passed along to newcomers. Shelter Care's culture is the glue that holds everything together; it is Bakal's substitute for "locks and bars."

Still, we find ourselves wondering about the shelter's astonishing openness. Doesn't the absence of locks tempt boys to run? "That was true in the beginning," Mongeau answers. "It isn't true any more." In 1977, the shelter's first year, 177 boys fled the premises. The hemorrhage continued for several more years (150 runaways in 1980), eroding morale inside Shelter Care and causing considerable criticism from without. NFI's democratic and familial techniques, their bedrock tenets, were plainly in jeopardy.

At that juncture, the staff took matters in hand. "We put it on the kids," Mongeau remembers. "We told them if Shelter Care closed down, they'd all have to go somewhere else, to places not half so pleasant or friendly as this one. The older ones understood, and they saw to it that the others got the point, too. It was a case of positive peer pressure."

The peer pressure paid off: "When we got to 30 straight days without a run, we threw a party to celebrate. That's become a tradition now; every runless month we have a pizza party for the boys and the staff. Our all-time record is 380 days without a run. Right now we're back up to 143. There's a chart you can look at on the wall out there."

The walls, in fact, are covered with charts and scorecards, each one a different kind of incentive for the residents. After lunch, we return to the big room and watch some of those incentives at work. The counselors and the boys are adding up the points each child earned the day before. The scoring categories include behavior, participation, attitude, and classroom activities. "You start every day with zero points," one of the boys explains to us. "You can get points all the way up to a hundred percent."

Today there are quite a few hundred-percenters. "Let's hear it for Jimmy," booms a counselor. "He's really trying now. He's doing great." Loud cheers and

applause. Jimmy, a slight young man with a moustache, who is here because he was caught stealing a car, looks down at the floor and tries not to smile. But when the applause keeps up, Jimmy capitulates. He shows us a wide, radiant, gap-toothed grin.

3. Getting to Know Them

For a juvenile in trouble with the law in Utah, the Region II Observation and Assessment Center (O&A), administered by the Division of Youth Corrections, can be a brief but critical waystop. There the teenager—usually someone “who has committed more than one serious offense”—will spend up to 90 days being tested and scrutinized. He (or she) also gets some immediate help in the form of high school instruction, individual counseling, and group therapy. Two psychologists and eight “treatment counselors” work there full-time, assisted by 15 part-time counselors. The main idea, however, is not treatment but appraisal: the youth’s psyche is probed; her talents are measured; and, ultimately, her future within the correctional system is decreed.

Despite its clinical function, the center can be considered an “intermediate institution” in the classic mold. To begin with, it serves “small local groups in which face to face contact between members is possible.” Its ample quarters (there are carpeted lounges, television rooms, and individual bedrooms) accommodate only 16 residents at any one time.

Like Shelter Care, moreover, O&A relies on staff members rather than locks to keep the children from fleeing. “We do have our runs,” concedes Robert Heffernan, the center’s director, “but they’re not a major problem. The kids realize we’re on their side—we’re trying to get them into decent programs. Besides, where would they run to? Most of the families are what we call dysfunctional. Quite a few of the parents have criminal records or histories of drug abuse. The bottom line is that they don’t know how to raise kids.”

The children who come to the center, says Heffernan, tend to be both street-wise and institution-wise. They’ve learned to get by in both settings. “We call them ‘PIA kids’—pains in the ass. For starters, they’ve been using drugs or alcohol, or both. Second, they’ve had long histories of trouble in school. They’re supposed to be taking high school courses, but their math and reading skills often test out at grade-school levels.

“And third, they’ve had even longer histories of trouble at home. Some of them have been beaten up pretty bad, and what the experts say is true—brutality brutalizes. We had a teenager in here who was arrested for kidnapping two little kids and keeping them locked up in a garage for two days. He told me later he didn’t think what he’d done was so bad. And he had a point. After all, this kid’s step-father had once punished him by hanging him on a meat hook. Another

time the step-father had chopped up a living cat in the child's presence. Once you've been victimized like that, your standards for what's good or bad are likely to be . . . well, *relative*."

Withal, the center does manage to rescue some of its children. Only about ten percent of those who get observed and assessed end up in a secure facility. The rest are either sent home or else to some kind of small-group residence. "The longer you can keep them out of big institutions," Heffernan says, "the better off they are. We do our best to find them a job or to get them into a vocational program. The kids aren't dumb by a long shot. In fact, I think delinquents tend to be smarter than most of us. It's just that they haven't got it together yet."

The Observation and Assessment Center may have helped one 16-year-old girl—we'll call her Nancy—begin to get it together. Her story, as summarized in an O&A memorandum, seems typical of many. Nancy was referred to the center "with a long history of aggressive and violent behavior, as well as . . . drug and alcohol abuse. She had been in several residential facilities; in fact, she had spent much of her life in institutions."

At O&A Nancy took a battery of vocational tests and was found to have "some skills related to graphic design or drafting. She had shown little interest in any vocation, but began to explore these options when her test data were reviewed with her."

When Nancy left the center, she was sent to live in a private home with a "proctor," someone the state pays to keep watch over a troubled adolescent's comings and goings. For additional insurance, she was also placed in a "tracking" program, whereby her activities were diligently monitored by paid professionals. As the O&A report quaintly phrases it, "trackers were set in place." (For more on tracking, see below.)

Eventually, Nancy won acceptance into a public vocational rehabilitation program, where she is now studying graphics. She is "currently four months into the eight-month training program," concludes the memo. "Upon graduation she will have a 90 percent chance of finding employment as a draftsperson. . . ."

4. All in the Family

"It's not just the kids who have problems," says David Keeman, the assistant director at Pilgrim Center. "It's the whole family." We are sitting at a long table in the center's sleek conference room, chatting with members of the staff. Pilgrim Center is a group-residence in Braintree, Massachusetts, sponsored by the Roman Catholic Archdiocese of Boston. Actually, it is two separate residences, one old and one new, situated a few blocks from each other. Both are in middle-

class residential neighborhoods. The center's main building is impressively modern inside, with lots of polished wood, skylights, and soaring ceilings.

Most of the 40 boys who live here have committed grave crimes against society, including assault and battery, armed robbery, rape, and murder. The center offers them the usual institutional fare—schooling, counseling, recreation—plus a caring climate that strikes the visitor as distinctly deinstitutional. “We’re really an extended family here,” says Thomas O’Malley, the program’s executive director. “The caseworkers and the social workers are a very stable element in the boys’ lives.”

And in some of the parents’ lives as well. Many live within easy traveling distance of Pilgrim Center. They come here not just to see their kids but to participate in family therapy sessions. “One key indicator we look for in taking boys into the program,” says O’Malley, “is the family’s willingness to participate in the boy’s treatment. You could say that all these kids come from dysfunctional families, but what does that really mean? The question is: at what point is the family hopeless?”

Rutherford’s “developmental institutions” receive all due honor at Pilgrim. As Keeman says, “Our goal is to send kids home to their parents. There really is a double-edge sword, you know. The kids have let the parents down by doing poorly in school, using drugs, getting in trouble with the police, whatever. But in almost every case the parents have let the kids down, too.”

From the moment a boy arrives at Pilgrim, he is working for passes to go home for day visits, then overnights, then long weekends. Passes are earned in the time-honored way—by working hard, by not breaking any rules. Indeed, it can be said that Pilgrim Center operates along remarkably traditional lines. Obedience looms large here, as do religious worship and competitive sport. (The center has a chapel, a swimming pool, and a basketball court.) But the product of those old-fashioned values is something relatively new: a program for violent offenders that is both community-based and open-doored.

Keeman elaborates: “The only locks we have around here are on the desk drawers. Once in a rare while somebody does run away, but when the goal is to send kids home to their families, you have to take risks. Last summer we had an incident. A kid stole a neighbor’s car and took off. That’s the only incident we’ve had in 15 years, so what can you say? We held a meeting with the people who live around here. I think they understood that such things can happen occasionally.”

There is an easier way to escape from Pilgrim Center. A resident’s good behavior will usually get him out of here in less than a year. The boy’s long-awaited release is treated in a ritual manner. There is a “graduation” ceremony to mark the occasion, attended by staff members, classmates, and parents.

Sometimes the graduate makes a short speech expressing gratitude to the staff and promising a life of earnest rectitude. An excerpt from one such farewell — entitled “So Long Pilgrim Center!” — appeared recently in the organization’s bimonthly newsletter:

This place has helped me a lot. Now that I’ve been here for fourteen months, I know that I can get along without getting in trouble in school and on the street.

The school has helped me get good grades and understand my work a lot better than before. Especially my Math and English.

The Pilgrim Center staff really cares and can help you with things that get you down. . . . I am thankful to God for everyone that helped me here. . . .

After the ceremony, for better or for worse, the graduate is allowed to go home.

5. Tracking

Saturday nights are the hardest. “The kids get spastic on weekends,” a caseworker explains. “They’re really tough to keep track of.”

We are visiting an “outreach and tracking center” near downtown Springfield, Massachusetts. The little house belongs to the KEY Program, a statewide nonprofit group formed 15 years ago in response to Miller’s call for diversification. By deinstitutional standards, KEY is no small enterprise. It gets over \$8 million a year from state agencies; \$4.3 million of that comes from the Department of Youth Services, which relies on KEY to keep tabs on the state’s far-flung collection of juvenile clients. Many of those clients are approximately halfway to freedom: they are out of detention but still in custody.

More than 50 percent of KEY’s annual budget, therefore, goes into outreach and tracking — a Herculean and often thankless task that the organization’s official tract describes in the blandest of terms: “Clients are monitored through a pre-arranged schedule in order that the staff knows their activities and whereabouts, both day and night.”

Wesley Cotter, KEY’s regional director in central Massachusetts, puts it another way. “Most of these kids,” he says, “are going to outgrow their delinquency. In the meantime, it’s up to us to keep them out of trouble. We have to watch them not just once a week or even once a day, but *all the time*. The idea is to get them through adolescence in one piece.”

There is yet another way to describe the job caseworkers at KEY are asked to perform: they must become surrogate parents. Indeed, the responsibilities

they assume — keeping track of kids around the clock — are ones that most parents would consider all in a night's work. The big difference is in the number of kids who need watching, and in their erratic histories.

Checking the whereabouts of some 70 adolescents, each one in trouble with the courts, is the name of the game here in Springfield. It is five o'clock, and the staff doesn't yet know where its children are. Four young caseworkers and two supervisors sit at a table examining tonight's roster. The sheets display last names only—Rivera, Buckley, Hammer, Pebley—but the caseworkers recognize them all on a first-name basis.

Where will Ben be tonight? "Ben better be home. He's grounded this weekend; he skipped school Thursday and Friday." How about Casey? "Casey's upstairs. He got in a fight with his mom so I brought him back for the night." There are several beds upstairs for kids who need a night or two away from home. Provision of overnight care and counseling is called "Tracking Plus."

The recitation continues: Collin "went to the orthodontist — he broke his braces." Tiajuana is going to a dance: "She's supposed to call in by ten." Ronnie "is a real pain in the ass — wants rides everywhere." Joanna "promised to be home before eight. If she gives her mother a hard time let her have it, 'cause I already talked to her about that." Lonnie's working tonight at Stop & Shop. "He gets out at nine and he's supposed to go straight home. No hanging around Hamburger Heaven."

By quarter past six the rundown is finished. In theory, every youth has been accounted for. Now comes the hard part—making sure the kids are where they're supposed to be. The caseworkers disperse. They will be driving around Springfield till the wee hours of the morning, searching for kids on their lists, hoping there will be no big surprises.

"I got a surprise a few weeks ago," one of the caseworkers, Ellen Gallman, tells us on our way to the parking lot. "There was this 15-year-old who'd been convicted of armed robbery — not one of your easier kids. He wasn't home when he was supposed to be, so I went to look for him. I found him, too. He was driving a stolen auto.

"We stared at each other through our car windows. Then I got out and called the police. When something like that happens, you have to call the police right away. Anyway, they arrested him later that night and handcuffed him. But while they were all standing around, the kid ran into the woods and vanished.

"That's one that literally got away from us. We haven't seen him since. But one of these days I'm sure he'll show up again in the neighborhood. The thing about these kids is they always come home."

Ellen will be our guide tonight. Like her fellow caseworkers, she is in her

mid-twenties and full of energy. In 16 months on the job, Ellen has logged 34,000 miles. Tonight, she says, "we're going to see about 20 kids. They're all over town. One or two live way out in the boonies."

We go first to a black neighborhood, corner of Sycamore and Acorn. Ellen parks near a tavern with a United Way sign out front — "We're All In This Together" — and runs to the house next door. "Two teenage kids living here with foster parents," she explains as she runs. "Hurry up! Time's a-wasting."

The foster mother is a large woman wearing a stained apron. "Buddy," she calls, "the KEY people wanna talk to you." Buddy comes downstairs. He informs Ellen that his roommate William isn't there. "He went out to a party somewhere." "If he comes back," says Ellen, "tell him I want to see him pronto. He wasn't supposed to go out tonight. He's grounded."

We rush back to the car. There are quite a few more kids to visit in the neighborhood and we spend the next hour tracking them. They turn out to be all present and accounted for, all at home, all in front of TV sets. Salvia, who is 14 years old and pregnant, is sixth on our list. She is watching a "Dallas" rerun. "How you feeling?" Ellen asks her. Salvia doesn't look up. "Bored," she says. "Real bored."

It's past eight now, and dark. Ellen doesn't want to leave the neighborhood until she's found William. "He's a pretty good kid," she says, "but he gets into a lot of fights. He's on probation for assault and battery. Just another brawl in a bar." She drives back to Acorn Street and slowly cruises the block. "We're looking for little kids to ask, because little kids don't know enough to lie for somebody." In the next block, she finds four small boys bouncing on a torn mattress someone has dumped near curbside.

Ellen gets out of the car. Kneeling on the mattress, she asks, "Do any of you know William? Have you seen William tonight?" "Nope," they answer — but then one changes his mind. "I seen him," he tells Ellen. "He in a house some place."

We drive to another neighborhood, where the houses are bigger and stand farther apart. "You're going to meet Benjamin," Ellen announces. "I saw him yesterday morning. I see Benjamin just about every morning, 'cause he's got a truancy problem. He'd rather sleep in than go to school, so I roust him out of bed at seven, rain or shine. His mother is used to me. She just opens the door and points me towards Benjamin's bedroom."

Benjamin is supposed to be doing homework tonight. There's an algebra book lying on the kitchen table, but it's closed. Benjamin is in the livingroom watching TV. "Did you do your homework yet?" asks Ellen. Benjamin says "Uh huh."

"Does that mean yes or no?"

"It means 'sort of.'" They both laugh.

We drive to the suburbs, pulling up in front of the Stop & Shop supermarket where Lonnie is supposed to be bagging groceries. (Saturday's child works for a living.) But Lonnie, we learn, is not there. "He left early tonight," the manager tells us. "Said he had to get home for something."

"Oh oh," Ellen mutters. "I smell trouble."

On our way to "the boonies," Ellen talks about her job. "I never thought I could work so hard," she says, "but I love it. The kids can drive you nuts, of course. We make them account for every moment of their lives. Sometimes I see the same kid four different times in one day. I get him up in the morning. I take him to his job after school. I take him home after work. And then I make sure he gets to bed by curfew time, which on school nights is ten. Some kids resent all that supervision, especially at first. Later they begin to understand that if they live up to their contracts, they get rewarded. The ultimate reward is that we get off their backs."

She says this weekend of work is typical of all her weekends. "I got only four hours of sleep last night and I'll probably get about the same tonight. Sunday mornings the caseworkers don't have to come in till ten. We do special things with the kids on Sundays—take them to museums or to the arcade, or play football with them, things like that. It's part of the give-and-take: the kids who have misbehaved don't get to go on these weekly outings."

She is interrupted by the sound of her beeper. "That means somebody has called the office and left a message for me. I have to find a phone." She finds one at an Exxon station. "It was Lonnie," she says when she comes back. "He's in deep trouble. Called to say he'd be home late because he had to work overtime at Stop & Shop. Truth is not Lonnie's strong suit."

Around 10:30 we stop on a dark country road across from a little shack without lights. We get out and climb the rickety porch. Ellen finds a note wedged in the door. It says, "Gone to see movie. Hello Again. Rick." "That's OK," she says, "if he really went to a movie. Tomorrow I'll ask him to tell me the plot."

We seem to have finished our Saturday night tracking now, except for a couple of loose ends named Lonnie and William. So back we go to find them. At Lonnie's house, no one answers the doorbell that Ellen keeps leaning on. "Aren't you afraid of waking up the family?" we ask.

"That's what *I want*," she says. "The family is supposed to care enough to answer the bell."

We wish to know what Ellen will do with Lonnie when she finds him. She is not entirely sure. "Probably I'll take him back to the office," she says, "and make him stay the night. Tomorrow maybe I'll tell him to write an essay for me, on a subject like 'Why It Doesn't Pay to Lie.' Or I may have him write the same

thing 50 times in a notebook, such as: 'I will not forget to leave a message, I will not forget to leave a message. . . .' We make a lot of writing assignments like that. They're called 'Consequences.'"

At William's place, the foster mother is still in her apron and still ignorant of William's whereabouts. But now Buddy is missing, too. "He left a long time ago. Didn't say where he was goin'."

"I'll try again in an hour or two," Ellen tells her. "They'll have to come home sooner or later."

"That's right," the woman agrees. "They always do come back. They good boys."

6. Papa Proctor

Steve is a handsome 18-year-old who wears his hair long and his jeans short. A former cocaine user, he spent time at Lake Decker, one of Utah's two secure facilities for serious juvenile offenders, serving time for his part in a series of armed robberies. Decker, he says, was "OK if you don't mind hanging out in a seven-by-ten room for eight months." He was assigned to work in the library there, "but nobody ever came in. I read 250 pages a day—mostly novels."

Now Steve is on probation. His mother and step-father didn't want him back in their house—they'd kicked him out once before—and that was all right with Steve. So for the past ten months he has been living with his "proctor," Chris Peper, a hospital administrator who works in Salt Lake. Peper has a modest, seven-room house in a suburb west of the city.

Randy, a more recent Decker alumnus, is also living with Peper. Randy is smaller than Steve, and hairier. His beard and his moustache are the color of a Utah peach. For a time in high school, Randy was doing just fine. He was an honor student and a trumpet-player in the school band. Then he started sniffing coke and drinking lots of beer. "I just got mean," he says.

At Decker he became "sort of a high-profile case. I was the guy who'd been convicted on 17 assault counts." One of those assaults was a stabbing in which the victim almost died. Decker paid Randy for mopping floors, and the money he accumulated—\$2300—went as restitution to the stabbing victim. Randy also found time to build a dollhouse, which the crafts supervisor at Decker was able to sell for \$300 at a fund-raiser. The victim got that money, too.

Relations between the two boys and their proctor are friendly but complicated. Peper is supposed to keep an eye on their comings and goings. The curfew, for instance—ten on weeknights and midnight on weekends—is something Peper takes very seriously. Likewise his ironclad house rules: no smoking, no drinking, no drugs.

"You have to be the heavy in your own home," he tells us. "I'm willing to

be their friend, but I'm not going to let them walk on me. Whether they believe it or not, I care about them."

Peper is also expected to give the boys fatherly advice whenever he thinks they need it, which seems to be most of the time. "When a new boy comes here," Peper says, "I start out by getting him to talk. We'll play chess, or I'll take him out to dinner — whatever it takes. If they want more from me, I'm there to help."

The state of Utah pays Peper \$13 a day for his proctor services, plus a fee for his attending monthly training sessions. It adds up to about \$450 a month — not a powerful cash incentive, Peper says: "You have to do this because you like kids, not because you like money."

The boys treat Peper with respect, and also with a certain amount of ironic affection. They call him "Papa Proctor." They pretend to have suckered him into a symbiotic association in which he must play host to two adolescent parasites. "I would definitely not let a kid like me live here," Steve assures him.

In addition to Peper, the boys must deal with their counselor, or "tracker/advocate," whose name is Gary Burton. Burton works for Intermountain Youth Care (IYC), one of those nonprofit groups that specialize in managing deinstitutional programs for Utah's Division of Youth Corrections.

A counselor's job is no piece of cake. According to an IYC personnel description, a counselor "spends time with a youth wherever it's most beneficial, whether on the streets, in the youth's home, through activities, or in an agency setting. . . ." Burton says his caseload at any given time runs between five and eight clients. "I see each one at least three times a week and usually on a daily basis. The work never lets up. I go seven days a week and I'm on call 24 hours a day." Peper has Burton's telephone number. He can call Burton any time he wants, day or night.

One of Burton's big responsibilities is to work out a long-range "treatment plan" for each boy in his charge. The plan becomes a "contract" that the boy signs and is expected to pursue with all deliberate speed. The proctor also understands the terms of the contract; he becomes the boy's chief nag and encourager.

In effect, the treatment plan both tests and epitomizes that disparate collection of ideas we have come to call "deinstitutionalization." What is at stake here is the efficacy of the process no less than the life of the youth in question. Everything depends upon the plan's outcome. For the young man or woman, the payoff can be a new life of independence and freedom, one unimpeded by courts, counselors, or proctors. For society, it can be something just as valuable — a salvaged citizen and thus a safer world.

Steve's treatment plan is an interesting case in point. He and Burton ham-

mered it out, with some helpful kibitzing from Peper, soon after Steve got out of Decker. Among other things, the plan obligated Steve to: (1) earn a high school diploma, (2) pay his fines and reimburse his robbery victims, (3) stay drug-free, (4) attend a "support group" program, and (5) participate in family therapy sessions.

Over the next ten months, with only occasional backslidings, Steve was as good as his word. At Granite High School's Youth-in-Custody program, he earned enough credits for a degree. Thanks to Peper, he got a part-time job as a hospital orderly, and portions of his weekly wages have gone towards paying off his legal and moral debts. He confesses to having had "a beer or two," but random urine tests have shown him to be drug-free. Finally, the support and therapy sessions appear to be helping. He is getting along better with his mother; he even talks once in awhile to his step-father.

Steve remains in state custody, but now he can glimpse a light down the road. Next month he will leave "Papa Proctor" and take up residence a few blocks away in his own rented apartment. The official term for this step is "Independent Living." Of all the chapters in deinstitutionalization's protean text, Independent Living is the very last and the very best.

"I am now a success story," Steve tells us with a smile. "I'm going to be on my own for the first time in two years." Then, reflecting on his many crimes and punishments, Steve gives us something more to think about. "Considering all the things I did," he marvels, "I guess I'm lucky to be in Utah."

EPILOGUE:

THE EMANCIPATION OF

JUVENILE JUSTICE

*We beg delinquents for our life,
behind each bush, perhaps a knife. . . .*

Robert Lowell,
"Central Park" (1962)

Fear does not take reason into account, and for the better part of two centuries our juvenile justice policies have largely been written in adrenalin. It was more fear than hope that built the nation's reformatories, strung the barbed wire, secured the bars, and turned the locks. Those things were done in the name of the public's safety, yet few of us have felt any safer for the doing. Neither the children's fury nor our own consequent anxiety seems to have abated: *behind each bush, perhaps a knife.*

In our innocence, we entertained the illusion that loveless bureaucracies could "correct" our wayward youth, that immense training schools in isolated locales could somehow succeed where smaller, more mainstream establishments — family, school, church, neighborhood — had failed. Because that intimate center did not hold, we placed our trust and our troublesome children in remote and impersonal facilities. The solution contained its own bad seed. For all our kind intentions, we did not understand the contrary nature of large institutions, their peculiar unresponsiveness, their tendency to routinize and aggrandize at the expense of the inmates.

That we persist in these methods despite all signs of their futility — that we continue to rely on lengthy incarcerations in ungovernable institutions — testifies to the terror within us. For only a society immobilized by fright or anger could behave in ways so inimical to its own interests.

It is as if our inner consciousness has forged locks and bars to match the real ones without. Those mental impediments allow us remarkably little leeway in the making of social policy, or little room to invent, to experiment, to empathize. In effect, we have become psychological prisoners of our own prisons.

The lesson of diversification is that we have a chance to be free at last. If the new mode cannot yet offer us a sure-fire blueprint for progress, it can at least deliver us from the bondage of our institutional addictions. Diversifiers wish to return to square one, to those shaky, home-based enterprises that the

Lymanites long ago abandoned. Today's reformers tend to dream big dreams but to cultivate small gardens. They believe in the redemptive possibilities of community, in the human reclamation that can occur through family-like experiences and individual care.

Those beliefs run counter to values routinely espoused by the "get tough" school of juvenile justice, whose partisans have been known to accuse the diversifiers of being soft on crime. Yet the diversifiers seem anything but soft. It takes political courage to depart from conventional wisdom (even when that wisdom has proven itself bankrupt); and it requires a tough-mindedness of one's own to subdue deeply entrenched fears of the violent in our midst—that is, to have the spunk to treat each delinquent youth as a human being worthy of rescue.

In truth, the advocates of reformatories impress one as considerably "softer" than the diversifiers—not in their treatment of children, to be sure, but in their political hesitations, in their reluctance to give success a hearing.

There is, furthermore, something all too easy, all too intellectually negligent, about training school formulas: they tend to diagnose and deal with children en masse rather than one at a time; and their efforts at rehabilitation occur "out of this world," with little thought given to how a youth will fare in the real world to which he or she must sooner or later return.

It is true that some reform schools are better than others. Yet all suffer in some measure from the same institutional deficiencies. Discipline in such places is achieved mainly by imposing restraints from without and not by developing consciences from within. The result is an oddly unreflective climate: neither the administrators nor the inmates bother to take a good look at themselves or at their modes of conduct. The fact is that the insights to be enjoyed from introspection are totally missing from most reformatory agendas. In their place we find, on the one hand, administrative inertia and complacency, and on the other, prisoner coercion and conformity. Everyone, in short, goes by the book, but the book itself contains few answers.

The ability to introspect happens to be another sign of tough-mindedness (and its absence of soft-headedness). But in the context of diversification it represents much more. With Socrates, diversifiers hold that "The life which is unexamined is not worth living." The ultimate aim of all that counseling, tracking, proctoring, and just plain caring is to put a youth in a position to learn the truth about himself, which usually means seeing himself through a glass darkly. Only then can the chronic juvenile offender begin to change for the better.

These are not the sentimental hunches of an outside observer; they are the hard-headed postulates of practitioners and administrators in states like Utah and Massachusetts, where the deinstitutional canon is being tested every day in

scores of programs that are influencing the course of thousands of young lives.

Not surprisingly, the public in those states has put its juvenile justice professionals on perpetual probation: they are held strictly accountable for the consequences of their acts, and when they apply deinstitutional principles, they put their own jobs on the line. Thus the clearest evidence to date that community-based programs pose no untoward threat to the populace can be found in their widespread acceptance by understandably worried and watchful citizens.

Still, it does seem odd that the burden of proof should fall to the diversifiers and not to the traditionalists. The latter, after all, have had some 140 years to make their case, and they have failed to make it. The total collapse of Lyman's dream is an open secret—widely recognized but conveniently ignored. Surely now both common sense and decency require us to risk a fresh approach, to find a better way.

As we have seen, moreover, the twin risks of rationality and compassion turn out to be not all that daunting. Neither the people's safety nor their purse strings seem unduly jeopardized by diversification. On the contrary, a growing accumulation of evidence suggests that alternative programs can produce a safer world at no extra cost to the taxpayer—less crime, in other words, for the same buck. The real danger lies in our doing nothing, in failing to come both to our children's rescue and to our own. As usual in such cases, we have met the enemy and it is us.

The sociologist Clifford Shaw told us long ago who was accountable and what was at stake. "In the final analysis," he concluded in *The Natural History of a Juvenile Delinquent* (1931), "the problem of delinquency and crime is a community responsibility . . . Only by wholehearted and intelligent cooperation of the citizens . . . can the tragedies of childhood . . . be averted." And, he might have added, only through a happy blend of pluck and politics can our ancient bonds of fear be finally snapped.

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