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This Issue in Brief

Corrections Goes Public (and Private) in California.—Authors Dale K. Sechrest and David Shichor report on a preliminary study of two types of community correctional facilities in California: facilities operated by private for profit corporations and facilities operated by municipal governments for profit. The authors compare the cost effectiveness and quality of service of these two types of organizations.

Mandatory Minimums and the Betrayal of Sentencing Reform: A Legislative Dr. Jekyll and Mr. Hyde.—According to author Henry Scott Wallace, mandatory minimums are "worse than useless." In an article reprinted from the Federal Bar News & Journal, he puts mandatory minimums in historical perspective, explains how they fall short of alleviating sentencing disparity, and offers some suggestions for correcting what he describes as a Jekyll-and-Hyde approach to sentencing reform.

Juvenile Detention Programming.—Author David W. Roush focuses on programming as a critical part of successful juvenile detention. He defines juvenile detention and programming; explains why programs are necessary; and discusses objectives of programs, what makes good programs, and necessary program components. Obstacles to successful programming are also addressed.

Legal and Policy Issues From the Supreme Court's Decision on Smoking in Prisons.—In Helling v. McKinney, the Supreme Court held that inmates may have a constitutional right to be free from unreasonable risks to future health problems from exposure to environmental tobacco smoke. Authors Michael S. Vaughn and Rolando V. del Carmen discuss the legal and policy issues raised in McKinney, focusing on correctional facilities in which smoking or no-smoking policies have been a concern. They also discuss litigation in the lower courts before McKinney and how this case might shape future lower court decisions.

Community Corrections and the Fourth Amendment.—The increased use of community corrections programs has affected the special conditions of probation and parole imposed on offenders. Author Stephen J. Rackmill focuses on one such condition—that proba-

tioners submit to searches at the direction of their probation officers. Explaining the importance of the Supreme Court's decision in *Griffin* v. *Wisconsin*, the author assesses the case law before and after *Griffin* regarding searches and points out that policy regarding searches is still inconsistent.

A Study of Attitudinal Change Among Boot Camp Participants.—Authors Velmer S. Burton, Jr., James W. Marquart, Steven J. Cuvelier, Leanne Fiftal Alarid, and Robert J. Hunter report on whether participation in the CRIPP (Courts Regimented Intensive Probation Program) boot camp program in Harris County, Texas, influenced young felony offenders' attitudes. The authors measured attitudinal change in

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Juvenile Detention Programming*

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Introduction

UVENILE DETENTION is an often overlooked, often maligned, and often misunderstood component of the juvenile justice system. However, current juvenile justice policy issues are bringing increased attention to juvenile detention (Schwartz, 1992). Detention is seen as an important component of various reform strategies, even though many practitioners have mixed reactions to the national limelight. While any attention to the concerns of juvenile detention is significant to the overall improvement of the profession, juvenile justice policy analysts also identify, reveal, scrutinize, and condemn many of the shortcomings and negative aspects of detention with little regard for the origin of the problems or constructive solutions (Frazier, 1989). Practitioners are quick to acknowledge the inadequacies of juvenile detention, but the intensity of the criticisms levied by reformers frequently generates defensive responses by practitioners, aggravated by the commonplace absence of any practitioner input into the understanding of detention by the majority of policy analysts.

Until recently, practitioners have not had a forum to address these concerns or the substantive errors in some of the influential policy research publications. National practitioner groups, such as the American Correctional Association (ACA) and the National Juvenile Detention Association (NJDA), have established national forums and training institutes with the assistance of the Office of Juvenile Justice and Delinquency Prevention (OJJDP) where national policy analysts have had the opportunity to interact with the profession in a constructive and forthright manner. Thus, current efforts to rethink juvenile justice have drawn juvenile detention into the reform process and have produced change issues that are grounded in detention practice (Flintrop, 1991; Schwartz, 1992).

The problems associated with juvenile detention and the old policy research and reform efforts are twofold. In addition to the lack of constructive ideas about how to remediate the problems of detention, the traditions of knowledge about detention were also overlooked in policy efforts and foundation projects. Before this reasoning becomes tautological, a word of

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explanation is in order. Detention practitioners have not done a good job of recording the history of detention or assembling a catalogue of effective practices. Therefore, the general absences of historical and constructive content in substantive analyses of juvenile detention can be blamed, in large part, on this profession's failures in publication and dissemination. Yet, as the following attests, there is ample information available about juvenile detention, the majority of which is not fugitive literature. This article represents one attempt to organize detention knowledge around one important topic and to find an appropriate form of dissemination so that future policy and reform efforts will be fully able to consider the traditions contained herein.

Detention Programming

A critical issue in successful detention is programming. The principles of effective programming were first discussed by Healey and Bronner (1926) and Warner (1933), but the emergence of a body of programming knowledge is associated with Sherwood Norman (1961). As a former detention practitioner and as the juvenile detention consultant to the National Council on Crime and Delinquency (NCCD), Norman conducted a national study of juvenile detention centers in 1946 and elaborated the tradition of helpful programs as derived from his national assessment of effective detention practices. The culmination of his works is the NCCD Standards and Guides to the Detention of Children and Youth, published in 1958 and updated for a second edition in 1961. Other works have superseded it regarding contemporary issues and current perspectives on institutional management, standards compliance, and liability, but even after three decades, it remains the seminal piece for understanding juvenile detention, having generated a series of works that explore and expand the helpful programs concept.

The approach taken in this review of daily programming is based on the perspectives of a wide range of practitioners. Specifically, discussions about daily programming are built upon the essential program elements outlined in the ACA Standards for Juvenile Detention Facilities (2nd edition) and elaborated by recent efforts of the ACA Juvenile Detention Committee (Smith, Roush, & Kelley, 1990). These programming ideas and standards are directly linked to the influence and philosophy of Sherwood Norman through the involvement of Donald Hammergren,

James Jordan, and Richard Kelley (each an adherent to Norman's helpful programs philosophy) on the ACA Standards Committee during the mid-1970's and through the effective leadership of each in NJDA. Over 40 years ago, Norman (Norman & Norman, 1946) described detention programming with such clarity and accuracy that very little has changed since then. As a practitioner, Norman spoke with the authority of direct experience. Contemporary writers/practitioners. guided and influenced by the support of Hammergren and Jordan, have refined and developed many of Norman's concepts (Brown, 1983; Carbone, 1984; Hammergren, 1984; Hughes, 1971; Jordan, 1968; Mead, 1980: Roberts, 1989, pp. 30-33; Roush, 1984; Roush & Steelman, 1982; Stepanik, 1986), and this discussion of detention programming focuses on their works.

Definitions

Juvenile Detention

There are numerous definitions of juvenile detention, but until recently no single definition had achieved consensus. Without such a definition, juvenile detention had become all things to all segments of the juvenile justice system (Hammergren, 1984). On October 31, 1989, the board of directors of NJDA unanimously adopted the following definition of juvenile detention:

Juvenile detention is the temporary and safe custody of juveniles who are accused of conduct subject to the jurisdiction of the court who require a restricted environment for their own or the community's protection while pending legal action.

Further, juvenile detention provides a wide range of helpful services that support the juvenile's physical, emotional, and social development.

Helpful services minimally include: education; visitation; communication; counseling; continuous supervision; medical and health care services; nutrition; recreation; and reading.

Juvenile detention includes or provides for a system of clinical observation and assessment that complements the helpful services and reports findings.

This definition was developed from the seven definitional themes for juvenile detention identified by the ACA Juvenile Detention Committee (Smith, Roush, & Kelley, 1990). These themes are defined as follows:

Temporary Custody: Of all the methods of incarceration within the criminal justice system, only juvenile detention stresses its temporary nature. Detention should be as short as possible.

Safe Custody: This concept implies freedom from fear and freedom from harm for both the juvenile and the community. This definitional theme refers to a safe and humane environment with programming and staffing to insure the physical and psychological safety of detained juveniles.

Restricted Environment: The nature or degree of restrictiveness of the environment is generally associated with the traditional classifications of maximum, medium or minimum security or custody.

Community Protection: In addition to the factors listed above, the court has a legitimate right to detain juveniles for the purpose of preventing further serious and/or violent delinquent behavior.

Pending Legal Action: This theme includes the time spent awaiting a hearing, pending disposition, awaiting a placement, or pending a return to a previous placement.

Helpful Services: Programs are available to detained juveniles that will help resolve a host of problems commonly facing detained juveniles. Because detention has the potential of creating a tremendously negative impact on some juveniles, it is important that programming have the depth of services required to meet the needs of a wide range of juvenile problems.

Clinical Observation and Assessment: Most juvenile codes specifically refer to this theme as a purpose for detention. The controlled environment of juvenile detention is often a time of intense observation and assessment in order to enhance decision-making capabilities. Competent clinical services are provided by properly credentialed individuals who coordinate and conduct the observation and assessment process. (This service may be provided by staff or through contract.)

The NJDA definition incorporates those program elements outlined by ACA standards. The collaboration between ACA and NJDA has generated a definition statement grounded in consensus or professional agreement.

Programming

There are two constructs that guide our understanding of detention programs. First, a clear definition is needed of the word "program," and second, the process of programming requires some further explanation.

Program represents a plan or procedure for dealing with something. As described above, a program would be required to implement each of the nine helpful services identified in the NJDA definition of juvenile detention. If each of these services warrants a program, a detention center would have separate plans and procedures for implementing education, visiting, communication, counseling, etc. Each plan would define the range of services offered and would contain a logical sequence of the operations to be performed as spelled out in policies and procedures, and the knowledge of where and when to begin the plan for each juvenile calls special attention to the need for competent assessment procedures.

Detention programs become fragmented and disjointed if there is no overall plan or strategy that unifies them. Edwards (1975) described this phenomenon accordingly:

It is a seeming paradox that many institutions have fine programs, but no program. There may be a modern school building with excellent facilities, a good social services staff with great organization, a cottage-life department with regular inservice training, but no overall, coordinating set of objectives that comprise a program. (p. 52)

For this reason, programs imply a program philosophy. It is the function of the philosophy to set mutually acceptable goals for all programs. These goals can be

translated into performance objectives that serve to increase consistency between programs. The philosophy also sets the tone for how all programs will be implemented. It is the combination of a specific plan and an overall philosophy that defines a program.

Programming is the process of building programs. As a process, programming is an ongoing characteristic of the successful detention facility. Programming is contingent upon the ability to acquire reliable information about programs. Effective programming must take into consideration the nature of the environment, the juvenile offenders, the staff, the resources, and the facility history. This information affects program decisions.

Next, programming calls for feedback data on all programs. The requirement for such data presumes a system to measure and collect outcomes. Evaluative feedback then becomes new information about the nature of programs, and it changes and reinforms the decisions about those programs. These decisions are ongoing, and they concern basic program modifications that will increase outcome effectiveness. Programming is the essence of good detention. Successful programming is not an event or an accomplishment, rather it is a process that virtually occurs all the time.

Why Programs?

Four reasons are given in response to the question of why have programs. First, the empowering statute or legislation that creates juvenile detention usually includes an expectation or requirement for programs and services. Many state statutes are becoming more explicit, and an increasing number of states has created licensing standards or administrative rules that define the nature and scope of detention programs. Second, and expanding on the notion that programs are required by law, Bell (1992) notes that programs are required by the U.S. Supreme Court as a method of meeting the constitutional rights of detained juveniles. Third, the traditions of juvenile justice (Taylor, 1992) and its professional associations, such as ACA and NJDA, identify a wide range of programs as one of the essential distinctions between adult and juvenile detention. Fourth, and finally, practitioners report that programs make the job easier, more effective, and more enjoyable. When taken together, these rationales present a very compelling argument for programming, so compelling that the most direct and simple answer to the question of "why programs" is because "you have to provide programs."

Since the concepts of programs and programming are a key part of juvenile detention, it is important for line workers to understand why these concepts are of such significance. It is easier for staff to support and implement detention programming when they understand the rationales for its existence. Furthermore, these rationales can be tied to general program objectives that further explain the anticipated outcomes for detention programs. When staffs understand these issues, programming becomes a more meaningful part of their daily job responsibilities.

Rationales

Four general categories of rationales are discussed in the helpful services literature:

1. Systems Rationale. This category includes a set of four general rationales that are linked to the goals of the juvenile justice system. First, one of the primary purposes of the juvenile justice system is the protection of society. Since it is impossible to keep a juvenile offender locked up for his/her entire lifetime, the one way to fulfill an obligation to the protection of society is by changing the juvenile. This change process implies goals, objectives, resources, and systems for intervention. In other words, change implies action, action implies a plan, and plans imply helpful programs.

Second, changing the juvenile offender is also a pragmatic or rational strategy for protecting the child from himself. Educational and therapeutic programs can provide the necessary skills to enable a youngster to stop those self-defeating behaviors that have precipitated juvenile court intervention.

Third, the juvenile justice system was developed to help solve the problems of children and families. Juvenile delinquency is often viewed as proof of either family problems, social problems, or educational problems. In each instance, the ability of the juvenile justice system to solve these problems is contingent upon the development of effective programs. Programs help the juvenile justice system to achieve its mission.

Fourth, within the juvenile justice system there is the pervasive and inherent notion that helpful programs are the ultimate goal of an effective system. Both juvenile court officers and detention workers agree that as the juvenile justice system moves toward an ideal definition, it includes a greater number of helpful and therapeutic programs (Mulvey & Reppucci, 1984).

2. Restoration Rationale. The NJDA definition of detention stresses the importance of restoring the juvenile to a productive role in the community. No other concept more directly evokes a call for programs than does restoration. The fundamental mission of the juvenile justice system is the restoration of the juvenile offender to a successful life upon returning home (Norman, 1951, p. 339). This is commonly translated by juvenile detention to mean assisting a youth's growth in personal responsibility and self-esteem.

Restoration implies change. This perspective requires programming. As opposed to providing individual programs, restoration is associated with an overriding positive philosophy that unifies each program component. This philosophy targets the successful reintegration of a juvenile to the home community. Care is taken here to avoid the notion of equating restoration with rehabilitation. Many in the human services are quick to ask, "How can we rehabilitate someone who has never been habilitated?" The issue for detention programming is not the process of habilitating again (re-habilitating). Instead, the purpose of helpful programs is derived from one of the dictionary definitions of "rehabilitate" which is "to restore." Hence, the central question of the restoration rationale is: What is to be restored? The answer is simple and defines the essence of all helpful programs. It is human worth and self-esteem that are restored.

3. First-Aid Rationale. In 1951, Sherwood Norman introduced the "New Concept of Detention" that incorporated such therapeutic program components as individual and group counseling. The reluctance of both the juvenile court and detention administrators to make detention more conducive to therapeutic programs is what Norman (1957) called a "national disgrace." While the debate continues around the competing paradigms of detention as therapeutic or preventive, Norman's first-aid rationale is a central concept of helpful programs.

First-aid programs create an image of a large and complex hospital, fully equipped to handle a wide range of health problems. Let the hospital itself represent the juvenile justice system. Within this context, various specialists and generalists work in harmony to return the patient to a healthy lifestyle. The majority of patients enter through the main entrance, referred or diagnosed for some specific intervention. Others enter through the emergency room. Their problems are such that they require immediate attention. The purpose of this type of intervention is to repair minor damage or serve as the first step in a longer and more complex healing process.

Juvenile detention is the emergency room. First-aid programs imply that detention is the place where restoration begins. Like the emergency room, juvenile detention is not meant to be an end in itself, rather it is a means to an end (Brown, 1983). Stepanik (1986) expressed the first-aid rationale as follows:

Progressive detention professionals have no desire to completely habilitate or rehabilitate youth. Rather, they understand the need to begin the process as comprehensively and as soon as possible, and thus serve a more meaningful role as part of the system at large. (p. 2)

There is, also, a larger issue that employs the logic of the first-aid rationale. As a secure institution, it must be assumed that incarceration in a juvenile detention facility is punishment. Furthermore, detention has been described as a negative and potentially harmful experience (Frazier, 1989). Within the first 25 years of its existence, detention was characterized as possessing inherent dangers for youth (Healey & Bronner, 1926). Many of these dangers stem from the trauma induced through the loss of freedom, the separation from home and family, the involuntary exposure to new people and procedures, and the complete uncertainty of the detention experience. Although these factors apply to all correctional institutions, the impact is greatly amplified when applied to children. A further intensification of this effect results from the preadjudicatory status of youth where stress and anxiety increase prior to a youth's court hearing. Many youths characterize daily detention life as a condition of constant waiting and uncertainty. When combined with the unfamiliar circumstances inherent in this new and unusual environment, tension and anxiety often become manifest through hostile passivity or hostile aggression. Juvenile detention is the time of greatest need for helpful programs.

A subtle distinction exists at this point. The first rationale for first-aid programs presents a scenario where juvenile detention is the place or point at which restoration begins. That is, detention serves as the first leg of a planned journey. The second implication of the first-aid rationale is quite different. It calls attention to the fact that the detention experience itself generates a host of new problems for juveniles. In some cases, these problems are related to the behaviors that precipitated court involvement.

However, this does not necessarily have to be the case. In the final analysis, the question at hand concerns the responsibility of the juvenile detention facility to resolve those secondary problems that it creates. The helpful programming philosophy is quite straightforward: "You break it; you fix it."

4. Inevitability Rationale. Norman (1951, p. 344) maintained that each and every staff-resident interaction has the potential for therapeutic change. Thus, behavior change within this context becomes inevitable and is a "given" in every juvenile detention facility. While some interactions between staff and residents are characterized as punishing, most detention practitioners describe each interaction with youth as an opportunity for positive change.

The inevitability rationale is taken one step further when applied to the institutional concepts of discipline and social climate (Roush, 1984). The nature of juvenile detention guarantees that these two factors will be ever present. First, some strategy will be employed jointly or individually by staff to control behavior. This strategy is commonly referred to as a system of disci-

pline. Second, detention constitutes a total institution and reflects its own social climate. The nature of helpful programming rests upon the use of a program philosophy that coordinates discipline and the social climate. The value that a detention facility or juvenile justice system places on the dignity of juveniles is expressed most directly by the manner in which program development shapes or affects discipline and the social climate. When discipline becomes punitive and the social climate reinforces the predominance of control, program development is stifled. In most instances, the relationship between helpful programs and punishment is inversely proportional. That is, as helpful program development expands, the emphasis on and the need for punishment decreases.

The inevitability rationale is very important. This argument implies that change is inevitable through the interactions of staff and residents. However, the direction of that change is a function of the programming philosophy of the detention facility. Without a strong helpful programs orientation, juvenile detention facilities run the risk that the inherent punishers within the system will expand to the point that discipline and the social climate will exert a negative influence on youth.

Some specific effects of punitive programs are prevalent among correctional officers and are relevant to direct care staff in juvenile detention (Cressey, 1982). First, without a strong rationale for helpful programs. direct care workers often ignore residents and assume that there is no obligation to be helpful. Second, a punitive philosophy fosters an atmosphere where staff members may be tempted to look away when one resident is being physically punished by another or other residents. Since staff members cannot legally administer corporal punishment, they can refuse to intervene when residents take disciplinary measures into their own hands. Third, resident conflicts create divisiveness and tensions between youths that reduce the threat of a significant loss of staff control. That is, when groups of residents expend their energies in conflicts with each other, they are less likely to plan and execute staff assaults or escape attempts. Fourth, direct care workers have an incentive to retreat to the control room and allow residents to run their own system.

While many veteran staff members may disavow the existence of these issues, new staff members facing the problems of surviving the shift may be more inclined to use one or more of these strategies. The ongoing criticism of inadequate staff training creates a situation where detention staff members are frequently placed in a position of responsibility without adequate skills and resources. Two solutions to these problems involve the creation and implementation of a positive

program philosophy and a competent staff training program.

Program Objectives

After detailing the rationales for helpful detention programs, it is equally important to explain in general terms the objectives of these programs. Listed below are six common objectives that are based on the helpful programming experiences of Vince Carbone (1984) while at the Polk County (Iowa) Detention Center.

1. Social Order. Every institution has a social order. The social order is the set of formal and informal rules and regulations that govern social interaction. Included in the social order is the system of discipline. As stated earlier, these two institutional components are directly affected by program development. This objective locks at the relationship between detention programming and the social order.

The relationship between detention programming and the social order can be explained in simple terms. An unstructured environment leads to high levels of uncertainty among detention residents. Uncertainty also produces anxiety that is tied to acting-out behaviors in juveniles. These situations threaten the psychological and physical safety within the detention facility. Because of the wide range of problems associated with detained youth, a juvenile detention facility can easily become a chaotic social environment. Under these conditions, disruptive behaviors commonly occur. Typical reactions by staff are to increase punishment and surveillance methods. It is not unusual to find high levels of inconsistency between staff practices during periods when the social environment is chaotic. Conversely, strong program development creates structure that reduces uncertainty and anxiety. Structure helps to create a safe and secure environment.

Experience in numerous detention facilities indicates that the gradual implementation of systematic and helpful programs creates a more appropriate social order. Staff members become more positive in their interactions with youth while residents demonstrate an increased amount of socially appropriate behavior. It is the structure of helpful programs that provides and maintains a sense of control within the institutional setting. Without this control, psychological and physical safety and security are difficult to attain.

2. Behavior Change. This objective calls to mind the familiar training adage, "When you're up to your elbows in alligators, it's difficult to remember that your primary objective was to drain the swamp." Without the ability to establish minimally acceptable levels of appropriate behavior, behavior change efforts will receive an inadequate amount of attention. Too much time will be spent resolving petty misbehaviors, and behavior change programs will become the first fatality. Programs provide both the structure and opportunities for personal choice (Norman, 1951) which help youth change specific misbehaviors.

Programming also creates a positive environment that can increase the effectiveness of behavior change programs and educational programs. Successful detention education programs incorporate a complementary behavior management program (Roush, 1983). In conjunction, these two program elements (a positive atmosphere and competent behavior change strategies) create an environment that accelerates social and academic learning.

From a social learning perspective, behavior change is associated with the development of social skills (Goldstein & Glick, 1987). In particular, social skills programs have been widely used in postdispositional settings or training schools. These social skills reeducation programs have resulted in the successful development of alternative appropriate behaviors that substitute for verbal and physical aggression, drug abuse, and criminal behavior (LeCroy, 1983). Improved social skills also result in enhanced interpersonal relationships with family members, probation officers, school personnel, and peers. Beyond the limited focus of specific behavior change strategies, Rubenstein (1991) used a social skills approach as the basis for an integrated strategy to improve program and staff effectiveness at a large state training school. A study designed to measure results revealed significant positive behavior changes in the students, increased staff competence and confidence, and an increase in morale and feelings of teamwork among staff. Rubenstein's experience serves as an excellent example of how a positive program philosophy can change all elements of the institutional environment.

Juvenile detention administrators have been slow to adopt a program philosophy using a social skills model. Isolated examples exist where specific studies have demonstrated the potential of a social skills strategy. For example, Vince Carbone and associates (1983) showed that social skills training could be used with juvenile offenders in detention facilities to produce more desirable dispositions from the juvenile court. Until recently, a social skills program has not been the basis for an integrated program strategy in a juvenile detention facility. Through a public-private partnership, the W. K. Kellogg Foundation has combined efforts with a juvenile detention facility to implement a comprehensive approach to providing helpful programs to detained youth that is grounded in a social skills education philosophy (Roush & Roush, 1993). It is the development of positive and socially appropriate response patterns throughout the institution that generates the cooperation necessary for therapeutic and educational interventions.

3. Staff Training. The goals and objectives of a systematic and helpful set of programs also define the goals and objectives of staff training. All direct care workers in juvenile detention need to be taught the requisite skills to implement a program successfully. A commitment to programming implies a commitment to staff training. Numerous benefits are derived from a staff training program based on systematic and helpful programs. For example, training programs will address a complete and comprehensive description of adolescent behavior, juvenile delinquency, and abnormal behavior. Program skills can be objectifiable, observable, and measurable. Therefore, training becomes clearer to direct care staff.

Clarity in programs also permits the delineation of appropriate juvenile behaviors in observable and measurable terms for a variety of settings. Well written and easily understandable training manuals and program manuals can be developed which include these behavioral components. Most importantly, clear program goals provide a procedure for gathering data to evaluate resident performance, staff performance, and institutional performance.

4. Reduction of Punishment. Both Sherwood Norman and Vince Carbone make two important observations about the relationship between helpful programs and punishment. Norman addresses the theoretical incompatibility between helpful programs and the use of punishment. When helpful programs incorporate clinical diagnosis and observation, competent information can be supplied to the court regarding an appropriate course of action to return the juvenile to a productive role in the community. When this information comes from trained professionals in a helpful program, the information going to the court will emphasize alternatives to punishment. From Norman's perspective, the most effective way to reduce the use of punishment in a detention facility is to control the diagnostic and clinical information that goes to the court.

In an evaluation of a juvenile detention facility, Carbone and Lynch (1983) discovered an inordinately high frequency of punishing consequences (room confinements and reprimands) which were directly linked to aggressive misbehaviors by youth. Further investigation into this situation revealed that the staff members were increasing the frequency and magnitude of punishments. In the absence of a positive program philosophy, staff members chose to ignore appropriate behavior and to punish misbehavior harshly. This produced a highly volatile situation and contributed to the high frequency of behavioral disturbances within the detention facility. In effect, punishment produces changes, but not necessarily positive ones.

In addition to the immediate problems caused by a reliance upon punishment, Carbone raised other legal and ethical issues. Because detention facilities are especially susceptible to the abuses of punishment, advocates for the legal and ethical rights of children have shown a particular interest in monitoring the punishment procedures in juvenile institutions. Cases alleging child abuse and violations of constitutional rights are especially strong when there are no systematic and helpful programs intended to reduce the need for punishment. Consequently, a good faith effort to develop helpful programs within a positive program philosophy may be one of the best alternatives available to detention administrators to reduce the risk of liability. This is particularly relevant to the use of isolation, a form of institutional punishment most vulnerable to abuse and litigation (Mitchell & Varley, 1991).

5. Evaluation. When you don't know where you're going, any road will get you there. No matter where you go, there you are. These aphorisms describe succinctly the importance of a plan for program implementation. The plan implies a beginning, based on the diagnostic and assessment components of a helpful program. Next, the plan includes an intervention based on the information supplied by the initial assessment. Finally, the program has a definite end, a point where target or end behaviors can be identified. By specifying, objectifying, and measuring these constructs, feedback is incorporated into each component of the program to aid in its effectiveness. The most important part of successful programs is an evaluation component.

Effective juvenile detention facilities use evaluation information that guides decisions regarding program outcomes, staff effectiveness, and institutional effectiveness. In the absence of a systematic program, an evaluation component is not possible. When detention practices are not clearly defined and are not consistently applied, it is difficult to make statements regarding the effectiveness of one approach versus another. Under these circumstances, changes in the daily program are typically prompted by a significant behavioral disruption or by administrative whim. In these situations, many effective practices may go undetected.

6. Accountability. Information generated by an evaluation plan must be applied to a system of accountability for staff, residents, and the institution. It should be noted, however, that accountability carries with it the notion of both positive and negative sanctions. It is equally as important to reinforce appropriate behavior as it is to correct inappropriate behavior. This applies to individual staff behavior, resident behaviors, and institutional program philosophy. Without reliable outcome information, staff, residents, and programs may drift aimlessly.

Successful programs set high but reasonable and attainable goals for staff. These goals and their behavioral performance objectives create a benchmark against which staff performance can be evaluated. When staff

behavior is clearly inadequate, successful programs provide a vehicle for employee assistance. If these remedial efforts are unsuccessful, marginal and inadequate job performance leads to termination. Just as successful programs attract and develop good people, they also get rid of those individuals who present a threat to residents and programs. Program integrity is a function of positive program philosophy that is actually implemented by staff. Accountability implies that when staff performance deviates to the extent that residents and programs are in jeopardy, decisive action is taken to rid the institution of that particular staff member.

What Is a Good Detention Program?

The rationales and objectives for detention programming serve as methods to explain the programming process to line workers. The assumption is made that this information will enable staff to support the creation or maintenance of helpful programs. However, this information does not explain or describe the key elements of an effective detention program.

Three elements of successful programs are important. First, there is a commitment to programs by administration. When programs are endorsed as valuable and important, all staff members are oriented toward seeking programming alternatives. Second, successful programs consistently exhibit six identifiable characteristics. Third, the list of program components named in the NJDA definition statement serves as an important checklist for minimally acceptable programming.

Necessary Program Characteristics

1. Primacy of Staff. Good programs adhere to a staff primacy concept (Brendtro & Ness, 1983). This means that there are adequate numbers of staff with proper qualifications. As opposed to some institutional emphases on hardware, security equipment, and physical plant, the staff primacy characteristic places the relationship between the juvenile and the staff member at a very high level of importance. Lenz (1942) first described the relationship between staff and disruptive behaviors by maintaining that:

If we do not wish to depend on bars and locks, we must buildup a staff on whose skills we can rely to prevent more than occasional incidents of this sort. (p. 22)

John Sheridan stresses the importance of staff when he claims that with an adequate number of properly trained staff, he could operate a training school using only tents. Although staffing ratios are of critical importance, the key component of a good program is a good staff.

Staff primacy requires good staff training programs. When in-service training pinpoints the critical knowledge, skills, and abilities required for helpful pro-

grams, consistency improves. As one of the most revealing indicators of an effective program, consistency is a mark of a good detention staff. This long-standing element of successful detention practice promotes increased communications among staff. Information exchange is vitally important in fulfilling the diagnostic functions of juvenile detention. An organizational strategy for increasing information and consistency is teamwork. In addition to these benefits, a team approach can increase job satisfaction and perceptions of professional skill development (Roush & Steelman, 1981).

2. Safety. A second characteristic of a good program is its concern for safety. In addition to the more obvious factors of physical safety, helpful programs pay particular attention to the psychological safety of detained juveniles. Emphasis on psychological safety very simply stresses the reduction, removal, or control of those persons or factors that create fear and anxiety. As was earlier discussed, secure programs frequently assume responsibility for these issues. In juvenile detention facilities, the risk of a resident suicide creates an environment that is extremely security conscious. When taken to its logical conclusion, security can mean elaborate auditory and visual surveillance devices for monitoring youth. However, the hardware and procedures are only part of the solution. A critical variable again looks at staff. Norman (1951) summarized this situation when he said, "Whatever the physical setting, the fundamental basis for security lies in the relationship between the child and his supervisors" (p. 343). Norman's observation applies equally to both physical and psychological security.

3. Activities. The range of activities constitutes the third characteristic of successful programs. The functions of activities are many. In addition to providing a diversion from the monotony inherent in institutional life, activities represent ways of teaching social skills and problem-solving skills. When these learning components are tied to a positive program philosophy, activities acquire a therapeutic value.

In addition, a full activities program requires a schedule. In the institution, a schedule of daily activities and events provides structure. The use of structure constitutes a very important part of teaching responsibility. Beyond the creation of rules for behavior, a systematic schedule provides a sense of control in the lives of adolescents who sometimes wonder if they are ever in control of themselves. At a very minimum, activities extend beyond ping-pong, basketball, and television.

4. Leadership. Successful and helpful institutional programs are traditionally associated with one or more strong leaders. Within the area of programming, leaders provide direction and guidance regarding pro-

gram implementation issues. Most importantly, strong leaders serve as the guardian of the positive program philosophy. By coordinating and directing staff efforts in concert with the program philosophy, consistency can be achieved. Even the newest detention workers agree that consistency in program implementation is one of the most important characteristics of a successful program.

Leaders must be knowledgeable about programs, institutions, and juvenile offenders. Knowledge and expertise combine to provide direct care staff with the confidence and certainty that the program is effective. Knowledgeable leadership is not inherited. With regard to juvenile detention, leaders are developed through experience in institutional settings with juvenile offenders.

5. Education. Successful program development is not a function of trial and error. Successful program leaders do not "shoot-from-the-hip" or make up the program as they go along. Unfortunately, too many judges and corrections experts believe that almost anyone can develop programs for juvenile detention. Ironically, if this were the case, there would be a greater number of successful, helpful, and exemplary programs for juvenile detention.

To build a successful program, staff must be educated about detention programs. The juvenile justice literature contains an adequate amount of information to enable detention staff to make wise and educated decisions about program development. All that is needed to find this valuable information is a little research and reading. To educate administrators and line workers about detention programs, ACA received a grant from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to identify four juvenile detention facilities as national resource centers (Roush, 1987). These resource centers supplied information and on-site training about effective detention operations. Even though each resource center represented a successful detention program, there was great diversity in the way each center designed and implemented its particular program. This diversity supplied the detention community with a range of examples that could be applied to various detention settings. Even though funding lapsed several years ago, a treasure of relevant information was distributed by the resource centers, and many practitioners have requested a renewal of the resource center con-

Successful programs are smart programs. A wealth of programming information is available to detention personnel.

6. Evaluation. The final characteristic of successful programs is a strong evaluation component. The evaluation process was described above, but it is worth

reiterating that successful programs are continuously in search of and responsive to feedback and information about program outcomes.

Necessary Program Components

Various opinions exist on what specific program components should be included within the helpful services provided by the detention facility. Others agree on the range of program components, but they disagree about which component should take the highest priority. Therefore, the following represents a list of program components traditionally associated with successful programs. Only basic descriptions are presented.

The best resources for understanding the range of program components are the ACA standards and the NJDA definition statement:

- 1. Education. A successful detention program contains a strong education component (Roush, 1983). Staffed by fully and appropriately certified teachers, the education component is the core of the programming strategy. Education should include instruction in math, reading, GED preparation and information, vocational awareness and training, survival skills, general academic programming, physical education, and arts and crafts. Class sizes should be kept at a minimum to promote individualized instruction. And education should increase self-esteem and should serve to motivate youth to continue their education upon release. Finally, teacher salaries should be competitive with those of local public schools. Without financial parity, juvenile detention education programs will be unable to attract quality personnel.
- 2. Visiting. Successful programs recognize and exploit the juvenile's link to the community since most youth in detention facilities soon return to their home environment. It is important to provide ample and ongoing opportunities for juveniles to visit with family members and appropriate persons from the community to assist the reintegration process.
- 3. Communication. Successful programs recognize and promote the legal rights of juveniles. Nowhere is this more evident than in the area of private communications, particularly mail. Case law is very clear in this area. Correspondence may be opened in the presence of the juvenile and inspected for contraband, but it should not be read unless convincing reasons exist. When staff members treat a juvenile's rights with respect and dignity, a positive relationship builds between the resident and the institutional staff. There are numerous small ways to build trust and confidence in detention programs. One very effective method is to respect the legal rights of juveniles.
- 4. Counseling. More than just active listening, counseling is a process where a trained counselor

forms a therapeutic relationship with a juvenile offender for the purposes of helping the juvenile to solve personal, social, and educational problems. Counseling also includes the teaching of personal problemsolving techniques and normally takes the form of individual or group sessions that should be made available to all detention residents. Detention represents a highly unsettling time in the life of a juvenile. Competent and professional helping services are a characteristic component of successful programs.

- 5. Continuous supervision. Successful programs have policies, procedures, and training programs that underscore the importance of continuous supervision. This means that staff members are always present during waking or program hours. During nonwaking hours, staff members continually supervise juveniles through periodic visual observations and continuous auditory monitoring. Continuous supervision provides valuable information about juveniles while simultaneously increasing safety and security.
- 6. Medical and health care. As an area of extremely high liability, the ACA standards emphasize medical and health care services for incarcerated juveniles as the section with the highest concentration of mandatory standards. The best guidelines and standards for medical and health care services have been developed by the National Commission on Correctional Health Care (NCCHC). These standards are quite comprehensive and call for a significant commitment of resources on the part of the parent agency.

While a successful program conveys its concern for the best interest of juveniles through a variety of methods, the emphasis on medical and health care services is a direct result of recent prisoners' rights litigation. Applied equally to juvenile offenders, these decisions establish medical and health care services as a basic constitutional right and create a target for litigation for all of juvenile corrections. Therefore, comprehensive services in this area are important for two reasons. First, a competent and thorough excression of concern for juveniles' medical health and wellbeing reinforces a positive program philosophy. Second, an acceptable medical and health care program will reduce the probability of litigation that can destroy other programs through its drain on staff time and institutional resources.

7. Nutrition. A well-balanced and nutritious diet is an important factor in maintaining good health. Because of the high concentration of people in a confined space, health concerns become a central part of successful programs.

Attractive and tasteful meals are essential. Food is a universal symbol of love, and it is a mistake to underestimate the positive effects derived from it. For example, meals should offer a nutritious variety of food selections in generous quantities. Detention is not a time when juveniles should be hungry, and positive programs do not use food as a negative sanction. Great meals have positive impacts on juveniles.

8. Recreation. Well-organized and well-supervised recreational activities are a key component to successful programs. As mentioned earlier, these events and activities have the potential for program learning. Staff members are presented with an ongoing opportunity to model appropriate behaviors. Additionally, juveniles are placed in a reinforcing situation that addresses those types of social interactions that will be present when the juveniles return to the community.

Recreation also provides for an opportunity to learn teamwork. Most successful programs that emphasize the teaching of responsibility will address the concept of mutual cooperation. From this perspective, recreation can be a powerful learning tool.

Recreation and vigorous physical activity provide a release for physical and emotional tension. Because the detention environment is associated with an increase in tension, recreation becomes even that much more important. When combined with good food in abundant quantities, recreation also provides a means of burning off calories. Both food and activity combine to reduce the tendency toward acting-out behaviors.

9. Reading. Successful programs contain a special emphasis on reading. This reading component takes two forms. First, reading materials are available to residents in all areas of the detention facility. These materials are age-appropriate and of high interest. Detention staff members are fortunate to have available an incredibly wide array of books and magazines that are oriented toward teenagers. Reading materials must be everywhere.

Second, reading must be incorporated into special programs. Many successful programs have a Chapter I remedial reading program that operates as a part of the detention education program. This type of program specifically addresses reading deficits and stresses skill development. As more and more detainees qualify for special education programs, the importance of special reading programs continues to increase.

The combination of materials and programs serves to communicate directly to juveniles that reading is fundamentally important. Once this message becomes a part of the program or social order, efforts to improve reading skills, regardless of one's status, become an acceptable task and responsibility. In one detention center, residents and staff take a 30-minute rest period following the evening meal. Residents may be in their rooms or in the day room. Everyone, residents and staff alike, must make some form of reading

material the source of their attention for that 30-minute period. If a juvenile wishes to work on instructional material from a reading class, this is appropriate. If a juvenile wishes to read a newspaper or magazine, this is appropriate. If a juvenile wishes to look at a book of pictures, this, too, is appropriate. Successful programs elevate reading to a priority status.

Obstacles to Successful Programming

Even with a thorough understanding of program rationales, objectives, characteristics, and components, there are no guarantees that a successful detention program will be accomplished. The creation and maintenance of helpful programs are a function of these factors occurring in conjunction with a favorable political climate. Philosophies of juvenile justice may change to such an extent that programs and services are no longer supported by the public, legislative bodies, funding sources, or juvenile court judges. When this occurs, financial resources may become scarce, and programs and staff are put to the test. Changes in philosophy may also represent changes in attitudes. In these situations, decisionmaking groups and public officials must be persuaded that programs are an important part of juvenile detention. Public education about the importance of programs remains a serious failing of most juvenile detention facilities and underscores the fragile nature of programming effort in politically volatile jurisdictions.

In light of this general warning about the fragile relationship between programs and politics, Carbone (1984) identified eight general barriers to effective detention programming.

Detention Criteria

Even the most well conceived detention programs are frequently under tremendous pressure to accept juveniles who vary widely in terms of age, referring problems, histories of previous treatments, and social maturity. It is the responsibility of juvenile detention to participate in the creation of admission criteria so as to limit detention to only those juveniles who are truly in need of incarceration and for whom no other appropriate services exist (Norman, 1951). Juvenile court judges should consider the Institute of Justice Administration/American Bar Association (LJA/ABA) standards for detention admission or the detention criteria set forth by the National Advisory Council. Within these limited definitions for appropriate detention, programming can be developed for a specific population of juvenile offenders. In the absence of detention criteria, detention runs a greater risk of fulfilling Hammergren's warning about detention becoming all things to all segments of the juvenile justice system.

Overcrowding

When a detention facility accepts juveniles beyond its rated capacity, overcrowding becomes one of the most powerfully negative forces within the institution, capable of negating the positive effects associated with such effective program strategies as ACA accreditation. In addition to the problems associated with limited physical space and resources, the social environment dramatically suffers under crowded conditions (Roush, 1989). Staff supervision and general behavior management practices are typically affected adversely. Consequently, even the well-trained staff with effective behavior management skills will begin changing policy and procedure to find shortcuts when the detention center is overcrowded (Cosgrove, 1985). These shortcuts invariably include an increased amount of punishment, for even the uninformed soon realize the power of effective punishment to suppress even the most irritating forms of inappropriate behavior. Increased uses of punishment usually mean increased frequencies of restrictions, confinements, and restraints with the concomitant increased risks of abuse and litigation. It is the responsibility of the juvenile court judge in court-operated detention facilities or the detention administrator in county or stateoperated facilities to ensure that overcrowding does not occur.

Detention as a Disposition

Even when clear and precise criteria for detention exist, there is still a temptation on the part of the juvenile court to use detention as an additional dispositional alternative. This practice has been around for many years and has taken various forms. As examples, juveniles on probation may be detained for only a few days (generally on the weekend) for a relatively minor offense or a probation violation, and the probation officer has no intention of pursuing the infraction to adjudication since the purpose of the short stay is that the youth takes probation seriously. This has become more popular as a practice in rural jurisdictions as a result of misguided applications of the "Scared Straight" approach. Moreover, many youths are released from detention at the dispositional hearing, effectively imposing an informal detention disposition for the period of time between the adjudicatory and dispositional hearings. Detention practitioners understand this informal use of detention as a disposition.

Several state legislatures have boldly formalized detention as a disposition by placing postdispositional sentencing options in the juvenile code, permitting the postdispositional placement of youth in traditionally

(and in some cases statutorily defined) preadjudicatory detention facilities for periods of confinement of up to 180 days. Despite the excessive burdens placed on staff and programs under this arrangement, the sentencing option may be seen by the juvenile court as the only feasible alternative. Most jurisdictions do not have a range of detention alternatives at their disposal. Rather than make a costly commitment to the state for more appropriate services, juvenile court officials choose the less costly alternative (detention as a disposition), reasoning that (a) detention does provide some help and treatment and (b) a sentence to secure detention is viewed as "one last shot" at getting a youth's attention before lowering the boom, i. e., training school or waiver to adult court. According to the Annie E. Casey Foundation, this practice reflects the belief that juvenile offenders can be shocked into better behavior and that a stay in detention will give them "a taste of the system" (Flintrop, 1991). This action also presents a "get tough" image by the court, an important consideration in any reelection strategy for most juvenile court judges.

Both of these strategies create chaos for detention programs and staff due to the increases in offense seriousness, lengths of stay, and age of offenders (Cosgrove, 1985). Detention programs are typically not designed for a population of juvenile offenders that is older and more aggressively disruptive. In addition to a wholesale change in the characteristics of the detention population, detention as a disposition challenges the temporary element in the definition of detention by increasing the length of stay. For these and many other reasons, the National Juvenile Detention Association and the American Correctional Association have formally voiced their opposition to the use of juvenile detention as a disposition.

Length of Stay

According to the NJDA definition, juvenile detention should be a temporary phenomenon. Of all the methods of incarceration within the criminal justice system, only juvenile detention stresses this temporary nature: it is a hallmark characteristic of juvenile detention. Nowhere is this more evident than in Cook County, Illinois. Located in Chicago, the Audey Home for Children is the Nation's first public detention facility, established in 1907. In 1971 the county-administered juvenile detention operations were moved into a new and spacious facility designed to detain just under 500 juveniles. Due to the leadership and perseverance of superintendent James Jordan, the name was changed to the Cook County Temporary Juvenile Detention Center (emphasis added). In his explanation for the name change, Jordan forthrightly admitted that he wanted to stress the temporary nature of juvenile detention. The best strategy was to have the

word "temporary" officially placed in the name, on the letterhead, and carved above the entrances. In essence, detention should be a short as possible.

Jordan (1985) also warned that when lengths of stay exceed this definition, all programs feel the strain, and it becomes increasingly difficult to meet the needs of troubled youth when they are forced to spend prolonged periods of time in a locked facility that is designed and programmed for temporary care. Ironically, overcrowding due largely to the detention of "automatic transfers" (youth held in juvenile detention while awaiting trial in adult court) has placed tremendous burdens on the operation of the Cook County Temporary Juvenile Detention Center, where the average length of stay for 1992 exceeded 100 days care. Most juvenile justice experts agree that the majority of juvenile offenders have limited social repertoires, require some form of special attention, and probably could benefit from a short stay in a good detention facility. However, as the stay in detention lengthens, the risks of overcrowding increase, and most of the helpful services (education, counseling, and clinical services) are quickly exhausted. A comprehensive range of indepth and sustainable helpful services is simply unavailable within the current system of juvenile detention. Consequently, juveniles may well end a lengthy detention with an even greater need for services.

Staff Training

It is imperative that detention workers receive extensive and well-planned staff training. Because successful programs are defined in terms of the interactions between and among the staff and residents, comprehensive training that includes performance feedback is required to ensure that interactions are of a helpful nature. As the problems facing youth continue to become more complex, greater skills are needed on the part of detention workers. It can no longer be assumed that anyone who can walk and chew gum is qualified to work with troubled youth. Acceptable training programs, as defined in ACA standards, begin with a requirement of a minimum of 40 hours of preservice orientation, 80 hours of specialized training during the first year of employment, and an additional 40 hours of planned training each year thereafter. In every assessment of why juvenile detention succeeds or fails, staff training is a top priority.

Security

While security is a necessary cond tion of any detention program, an overemphasis on the physical security of the detention facility can become a barrier to effective programming. There appears to be an inverse relationship between security hardware and the development of a positive social climate. In other words, as the mechanical and electronic methods to control behavior become more comprehensive and effective,

the staff may retreat to the control room, and the perception is reinforced that there is no longer a need to create a social environment or program that enhances appropriate and desirable behavior. While control is the objective of both approaches, only a well-designed program based on interpersonal relationships between residents and staff can generate the type of social climate that will be able to help juveniles. Detention administrators should be warned that physical security is a means to an end, not an end in itself. The best way to achieve a detention environment that is physically and psychologically safe and secure requires a greater emphasis on "staff secure" versus "hardware secure."

Understaffing

Although most states have set standards that define an acceptable staffing ratio, understaffing continues to be a proble in juvenile detention. Staff absences. resignations, and overcrowding frequently cause a detention program to be understaffed. Without entering into the definitional debate about staff sufficiency. it is important to note that once an effective staffing pattern has been established, problems will occur when this pattern is reduced by a level of only one direct care worker per shift. The result of this reduction in staff is an immediate increase in the use of punishment to control resident behavior. Other studies demonstrate that reduced staffing levels contribute to direct care staff burnout and to a shift in program philosophy from helpful programming to custodial programming.

Punishment-Oriented Legal Systems

It is unlikely that a juvenile detention program will be successful if the underlying philosophy of the juvenile court within that jurisdiction is punishment-oriented. When the general attitude of the court emphasizes the notion that juvenile detention is a form of punishment, the result is an ineffectual program plagued with misbehavior. It is incumbent upon detention programmers to use positive information, outcome data, anecdotal incidents, and case histories to persuade the juvenile court that helpful programs are in the best interest of juveniles, the court, and the public.

Summary

Helpful programming reflects two important concerns for juvenile detention. These concerns are ideological and pragmatic. When helpful programs incorporate both concerns, the best interest of juveniles is safeguarded.

Programs make an ideological statement. First, the nature and quality of those programs described above

reinforce the idea that children are different from adults. Helpful programs maintain a clear distinction between adult and juvenile offenders and are the logical outcomes of a comprehensive program or strategy for working with troubled youth (Edwards, 1975). This is an underlying rationale for the establishment of the juvenile justice system.

Also, as a part of a human services network, the goal of juvenile detention is to help young people. The most effective and efficient way of protecting society is to solve or resolve the problems of troubled youth before the youth return home (Richards, 1968). Helpful programs are the best vehicle to reach these goals. A 1973 membership recruitment poster from the Michigan Juvenile Detention Association still adorns the office of Kirk Blackwood. The poster contains Sherwood Norman's quote about the importance of helpful programs, "When detention lowers a juvenile delinquent's self-esteem, it destroys the basis for his rehabilitation." While the statement is an excellent summary of helpful programs, it has a foreboding element. Norman predicted that when the very first of the powerful and restrictive interventions in the juvenile justice process (juvenile detention) lowers a juvenile's selfesteem, then the entire process is tainted.

Helpful programs are also pragmatic. As they become systematic and objective, programs help institutional staff members to increase their effectiveness through an increase in consistency. A pragmatic approach also uses programming to create an institutional resistance to liability. Finally, pragmatic programming systematically reduces the reliance upon restrictive consequences, such as punishment.

There are many reasons why some juvenile detention programs are successful and others are not. The key elements of a successful program have been outlined above. For the most part, these successful programs are ideological, systematic, and pragmatic. But above all else, they are helpful, and, as Sherwood Norman clearly understood, programs that express a genuine concern for the best interest of juveniles are remarkably successful.

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