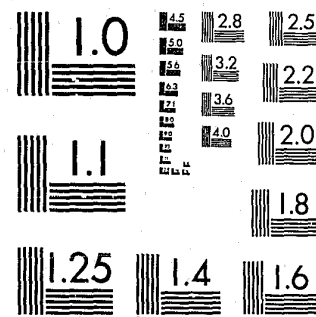


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A SPECIAL ISSUE—PART II

The Rights of Children

DAVID KIRP
MARIAN WRIGHT EDELMAN
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additional reviews

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Radical Correctional Reform: A Case Study of the Massachusetts Youth Correctional System*

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The authors raise three principal questions. First, what part should traditional training schools play in providing treatment for youthful offenders? Second, what is the relative effectiveness of community based in comparison to institutional treatment services for juvenile delinquents? Third, what problems arise in undertaking a radical change in policy and program from institution to community based services? To answer these questions, the Center for Criminal Justice at the Harvard Law School is evaluating the reforms undertaken by the Massachusetts Department of Youth Services since 1969. This article offers a preliminary report

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Radical Correctional Reform
OHLIN, COATES AND MILLER

and description of the problems and progress of these reforms through three phases: the emergence of a mandate for reform, the reform of institutional treatment, and the move from institutions to community corrections. Interviews with staff and youth so far indicate a positive response of youth to the new programs.

The most fundamental assumptions in the field of youth corrections are under attack. The Massachusetts Department of Youth Services has become the most visible national symbol of a new philosophy of corrections through its repudiation of the public training school approach and its advocacy of therapeutic communities and alternative community-based services.

The radical symbolism of the Massachusetts reforms is heightened by the fact that the first public training school for boys in the United States was established at Westboro, Massachusetts, in 1846, and the first public training school for girls at Lancaster, Massachusetts, in 1854. Since then the public training school has become the last resort for dealing with delinquent youth, though a small number may face adult criminal court and confinement in adult prisons.

A key organizing principle of traditional training schools is punishment. There are efforts at vocational and general education in the training schools, but the institutions are basically custodial and authoritarian. Resocialization efforts are commonly reduced to instruments for creating conformity, deference to adult authority, and obedience to rules. Regimented marching formations, shaved heads and close haircuts, omnipresent officials, and punitive disciplinary measures have been the authoritative marks of the training school, along with the manipulation of privileges, such as cigarette smoking, T.V. watching, home visits, or release to reward compliance.

Criticism of the traditional training school comes from three major sources. For many years the documentation of high rates of recidivism among training school graduates has created pressure for new solutions. For example, the pioneering studies of Sheldon and Eleanor Glueck offered painstakingly assembled evidence of the high rates of arrest and conviction of new offenses among those exposed to training school experiences.¹ The classical studies by Shaw and McKay in the Chicago area project and the Illinois Institute of Juvenile Research documented the role of traditional training schools as agencies for socializing young people into adult criminal careers.² They showed how exposure to these institu-

¹ Sheldon Glueck and Eleanor Glueck, *Criminal Careers in Retrospect* (New York: Commonwealth Fund, 1943).

² Clifford R. Shaw, *The Jack Roller, A Delinquent Boy's Own Story* (Chicago: University of Chi-

tions labeled young people as "delinquent" or "criminal," and how family, school, neighborhood, job market, and criminal justice agencies reinforced the stigma, resulting in high rates of recidivism.³ These early studies have been supported by more recent work.⁴

A second source of criticism comes from the development of new ideologies of treatment in the human services. These approaches argue that individual and group counseling and therapy will lead to personal insight and better social adjustment. They urge that the problems of youth offenders be considered in the context of family and communal relations where preparation for law-abiding adulthood ordinarily occurs.⁵ This search for community based treatment resources has derived support from research studies that document the pervasiveness of delinquent conduct throughout all social classes.⁶ These studies have underscored the bias involved in employing public training schools as a principal means of control and treatment for primarily lower class offenders.⁷ Practitioners have accordingly begun to stress the efficacy of benign non-intervention, diversion to non-criminal justice treatment programs, or privately purchased services for the poor as more constructive and less stigmatizing solutions to the authority problems of lower class youthful offenders, and more nearly equivalent to solutions employed extensively in the middle class for similar problems.⁸

A third major source of challenge to the traditional training school has come from those concerned with protecting the civil rights of children. The U.S. Su-

preme Court decision *in re Gault* in 1967 stimulated test cases exploring the constitutionally protected rights of children.⁹ These cases are beginning to focus on what due process means for children and to raise issues relating to a "right to treatment" as well as a "right to be let alone."¹⁰ They have called greater attention to whether treatment programs adequately take account of the best interests of the child. Given this new critical exploration of the rights of children, it is understandable that the concepts and practices of the traditional training school have come under increasing attack.

These challenges to training schools have posed problems for Massachusetts and many other states. What new system of services or intervention criteria should replace the existing system? How is it possible to change the system into one which relies primarily on community based treatment? What programs should be created? How should resources be re-allocated, staff developed, and appropriate distributions of private and public responsibilities for service be arranged? Finally, how can we be sure that the new system produces better results than the one it supplants?

The response in Massachusetts to these questions is discussed in the following account. It draws freely on a variety of evaluation studies of the Massachusetts Department of Youth Services conducted by the Center for Criminal Justice at the Harvard Law School over the past three and one half years.¹¹ It is a preliminary report. A final appraisal must await more complete analysis, but the widespread interest in the Massachusetts experiment justifies at this time a review of the reform effort and some of the problems it encountered.

Phase I: Emergence of a Mandate for Reform

A series of crises in youth correctional services in Massachusetts culminated in March, 1969, with the resignation of the Director of Youth Services and prepared

icago Press, 1930); Clifford R. Shaw *et al.*, *Social Factors in Juvenile Delinquency, A Study for the National Commission on Law Observance and Enforcement*, Vol. 2, No. 13 (Washington, D. C.: U. S. Government Printing Office, 1931).

³ Henry D. McKay, "Report on the Criminal Careers of Male Delinquents in Chicago," in President's Commission on Law Enforcement and Administration of Justice, *Task Force on Juvenile Delinquency Report: Juvenile Delinquency and Youth Crime* (Washington, D.C.: U. S. Government Printing Office, 1967).

⁴ Paul Lerman, "Evaluative Studies of Institutions for Delinquents: Implications for Research and Social Policy," *Social Work*, 13 (July 1968), 55-64.

⁵ President's Commission on Law Enforcement and Administration of Justice, *Task Force on Juvenile Delinquency, Report*, Ch. 2.

⁶ James F. Short, Jr., and F. Ivan Nye, "Extent of Unrecorded Delinquency, Tentative Conclusions," *Journal of Criminal Law, Criminology and Police Science*, 49 (November-December 1958), pp. 296-302; Ronald L. Akers, "Socio-Economic Status and Delinquent Behavior: A Retest," *Journal of Research in Crime and Delinquency*, 1 (January 1964), pp. 38-46.

⁷ President's Commission on Law Enforcement and Administration of Justice, *Task Force on Juvenile Delinquency Report: Juvenile Delinquency and Youth Crime* (Washington, D.C.: U.S. Government Printing Office, 1967).

⁸ Elizabeth Vorenberg and James Vorenberg, "Early Diversion from the Criminal Justice System: Practice in Search of a Theory," in Lloyd E. Ohlin, ed., *Prisoners in America* (Englewood Cliffs, N. J.: Prentice-Hall, 1973).

⁹ Sanford J. Fox, *Cases and Materials in Modern Juvenile Justice* (St. Paul, Minn.: West Publishing, 1972).

¹⁰ Ted Rubin, *Law as an Agent of Delinquency Prevention* (Washington, D.C.: U.S. Department of Health, Education and Welfare, Social and Rehabilitation Service, Youth Development and Delinquency Prevention Administration, 1971).

¹¹ We will not attempt to describe here the nature of these studies or the methodology employed. For those wishing a more complete account of the methodology, copies of a descriptive statement entitled "Evaluation of the Effects of Alternatives to Incarceration of Juvenile Offenders," unpublished document dated August, 1973, are available from the National Institute on Law Enforcement and Administration of Justice, Law Enforcement Assistance Administration U.S. Department of Justice, Washington, D.C.

the way for reform. Prior to 1948 Massachusetts judges committed children directly to individual institutions for the care of delinquent boys and girls. New legislation in 1948 and 1952 created a Youth Service Board and a Division of Youth Services (DYS) nominally within the Department of Education but administratively autonomous. The Youth Service Board, whose chairman was also director of DYS, made decisions concerning the placement of youth within the institutions, their transfer, parole, and discharge.

The Director from 1952 to 1969, Dr. John D. Coughlin, was an articulate and vigorous advocate of the philosophy of youth training schools. Over these years the rhetoric of rehabilitation and conspicuous successes in such programs as the forestry camp and other helpful enterprises obscured the basically custodial and authoritarian grounding of this system. The available results of earlier studies are fragmentary but the rates of recidivism varied from 40 to 70 percent depending upon the age group, length of follow-up, and criteria of recidivism employed.¹² At the time of Coughlin's resignation in 1969 the DYS included a unit for delinquency prevention, an office for the supervision of parole for boys and one for girls, and ten institutions including four detention and reception centers, a forestry camp, a school for pre-adolescent boys at Oakdale, a school for younger male adolescents at Lyman, an industrial school for older boys at Shirley, the Institution for Juvenile Guidance for troublesome and emotionally disturbed boys at Bridgewater, and an industrial school for girls at Lancaster.

From 1965 to 1968 the DYS was the subject of six major critical studies. The initial investigations were stimulated by reports of brutal and punitive treatment of youth at the Institution for Juvenile Guidance at Bridgewater. The publicity attending these charges led Governor John A. Volpe to request a study and recommendations from technical experts in the Children's Bureau of the U.S. Department of Health, Education and Welfare.

The HEW study found many deficiencies in the Massachusetts system.¹³ It pointed to the dominance of custodial goals and practices over those of treatment, the lack of effective centralized supervision and direction of child care, the absence of an adequate diagnostic and classification system, the failure to develop flexible and professional personnel practices, and the ineffectiveness of parole supervision. These findings were confirmed by a blue ribbon committee of local

¹² Estimates provided in interviews with DYS officials and former DYS officials.

¹³ U.S. Department of Health, Education and Welfare, Welfare Administration, Children's Bureau, "A Study of the Division of Youth Service and Youth Service Board, Commonwealth of Massachusetts" (Washington, D.C.: U.S. Government Printing Office, 1966).

experts appointed by Governor Volpe in 1967 under the sponsorship of Dr. Martha Elliot, Chairman of the Massachusetts Committee on Children and Youth and former Director of the Children's Bureau in HEW. The criticisms developed in these studies and their recommendations were supported by further investigations initiated by the Attorney General and by Senate Committees. These investigations crystallized the formation of a coalition of civic and professional groups in support of major reforms. Periodic crises in the DYS became increasingly the focus of newspaper attention and mobilized a critical audience in the general public.¹⁴

The liberal coalition led by the Massachusetts Committee on Children and Youth introduced reform legislation in 1968, but passage was deferred until the following year. In the interim a new major crisis developed at the Institute for Juvenile Guidance at Bridgewater. Staff factions developed within the institution around clinical as opposed to punitive treatment of youth behavior problems and this conflict was documented in the public press. A local community group, the Committee for Youth in Trouble, organized to support the clinical services faction. It joined with the Massachusetts Committee on Children and Youth to broaden the attack on the goals and policies of the DYS and the ability of the Director and his staff to administer an effective treatment program.¹⁵

In January, 1969, Governor Francis Sargent was inaugurated to complete the unexpired term of Governor Volpe. Governor Sargent expressed his strong support for the reform legislation. He secured the resignation of the Director, appointed an interim Director and a blue ribbon committee to undertake a national search for a new commissioner, signed into law new legislation reorganizing the DYS in September, 1969, and appointed Dr. Jerome Miller as Commissioner of the reorganized Department of Youth Services in October, 1969, on the recommendation of the search committee.

Commissioner Miller took charge of the new Department with a mandate from the legislative and executive branches of the state government and the liberal reform groups to initiate more progressive policies and treatment of delinquent youth. Though some specific recommendations for change in the goals of the Department had been proposed in the earlier investigations, primarily

¹⁴ The exploitation of crises for the formation of coalitions of criticism and defense of public agencies in the process of reform is described more fully in Lloyd E. Ohlin, "Organizational Reform in Correctional Agencies" in Daniel Glaser, ed., *A Handbook on Criminology* (New York: Rand McNally, 1974).

¹⁵ For a more detailed statement of these events see Yitzhak Bakal, ed., *Closing Correctional Institutions* (Lexington, Mass.: D. C. Heath, 1973), pp. 151-180.

in the direction of more effective clinical and diagnostic services and community supervision, the mandate was in the main broad and undefined.

Phase II: Reforming Institutional Treatment

Commissioner Miller had earned his doctoral degree in social work while in military service, and subsequently had organized a new institution for the disturbed or delinquent children of American Air Force personnel in England. For a brief period following his service discharge he served as training officer in the Department of Youth Corrections in Maryland. He then taught in the School of Social Work at Ohio State University where he helped develop training and treatment programs in both the juvenile and adult correctional services in Ohio.

The search committee was especially impressed with Miller's deep concern for youth in trouble and his sense of urgency, as well as confidence, that better ways could be developed to help them. He expressed special attraction to a post as commissioner where a commitment to reform had already been made. He thought that the effectiveness of institutional services for youth could be greatly increased by applying the treatment principles developed in therapeutic communities for adults by Maxwell Jones in England and Scotland.¹⁰ These strengths overcame the search committee's two major reservations about Miller's administrative and political competence. First, his professional career had not tested his capacity to administer a human service agency of this size and scope. Second, he had not had experience dealing with the political considerations that deeply penetrate the organization and operation of state bureaus in Massachusetts.

During the first two years of his administration, Miller sought to humanize services for delinquent children, and to build a more therapeutic climate within the institutions. Throughout this period his efforts were severely hampered by financial and personnel constraints. First, it was almost a year before he obtained appropriations to staff the new positions and services authorized by the reform legislation. Appropriations were still allocated within the line budget of the DYS to particular institutions, staff positions, and services. To reallocate funds was a very cumbersome and lengthy process that wound its way through the state Administration and Finance Office and the legislative appropriations committee. Second, the rigidity of the civil service system made it virtually impossible to transfer personnel between institutions and services except on a voluntary basis.

¹⁰ Maxwell Jones *et al.*, *The Therapeutic Community* (New York: Basic Books, 1953).

Massachusetts personnel practices mix political patronage with civil service procedures for recruiting and protecting employees in the positions to which they are certified. With few staff vacancies and without new or transferable funds the prospects of effecting major reforms during the first year appeared remote indeed. Even with additional funds during the second year the pervasive wait-and-see attitude of entrenched staff promised little change. The challenge confronting Miller was to mobilize and release energy for change.

Articulation of Goals

Shortly after his appointment the new Commissioner began to define the goals of his administration. He stated to the staff, the press, and civic, professional, and religious groups that he intended to humanize the treatment of offenders and to build therapeutic communities within existing institutional facilities. This model of treatment would require a democratic relationship between staff and youth in small units. A social climate had to be created in which both staff and youth were encouraged to express their feelings and concerns freely and honestly. Decisions relating to housekeeping problems, discipline, privileges, home visits, and release were to be made openly in cottage meetings after full discussion.

This treatment model challenged the basic features of the traditional training school system. Little change could be expected until the differences in philosophy, goals, staff and youth roles, and the processes of decision-making could be dramatized, justified, and enforced.

One of the first directives, issued by the new Commissioner in November, 1969, ordered that henceforth youth in the institutions would be allowed to wear their hair as they chose. The "haircut edict" raised a storm of protest and cries of permissiveness among staff long accustomed to shaving boys' heads on admission, regulating length, and using haircuts as punishment. It is doubtful that Miller fully recognized at first the sensitivity of this issue. In the emerging youth style of the times thirty-eight year-old Miller wore his own hair longer than most state officials. Hair style and length were hotly contested in many families, schools, and business establishments as a visible symbol of youth revolt against adult regulations. Miller vigorously defended the edict to dramatize the new administration's desire to accord committed youth greater freedom and shrugged off derogatory staff references to the "hippy commissioner." The resonance of this issue with a large number of moral issues relating to authority, allocation of discretion, responsibility, initiative, and self-expression gave the directive a symbolic value of great importance. It clearly cast Miller as a youth advocate in

opposition to traditional expectations and established the basic issues and roles of future dramas.

As the protest simmered down, other directives followed. It was ordered that youth should be allowed to wear their own street clothes rather than institutional garments. The practice of marching in silent formation from one activity to another was discontinued. Staff protested: greater freedom of movement made running away easier and street clothes made committed youth more difficult to identify if they had run away. The edicts signified to staff that custodial concerns would increasingly be subordinated to treatment objectives.

Miller became convinced that he could not successfully establish the therapeutic community model until he had removed the basic supports of the traditional system. He looked especially to the fear of greater punishment, deprivation, or personal degradation that constituted the keystone of the authority system throughout the institutions. He immediately turned, then, to the Institute for Juvenile Guidance at Bridgewater and Cottage #9 at Shirley, reserved for those youngsters seen as most disturbed or rebellious. These institutions represented the final sanctions in a graduated set of possible control measures to induce conformity by restrictions on freedom of movement, denial of privileges, physical abuse, enforced idleness, silence, and gestures of deference toward adult authorities. Miller initiated measures to humanize both sites. A general order forbade any staff member to strike or physically abuse youth. Other directives tried to eliminate the stultifying routines of enforced idleness and silence in the punishment units and the use of strip cells and other measures of extreme isolation. An effort was made to introduce more constructive activities. Greater controls were imposed on screening and assignment to these units and the duration of stay. Frequent, unannounced inspection visits were used to discourage evasions of the new directives. Even these measures did not seem sufficient. By mid-summer of 1970 the Commissioner had paroled or transferred the youth committed to Bridgewater and he then closed the Institution. Cottage #9 at Shirley remained in some measure a symbol of the old system until in the winter of 1971-72 it, too, was closed.

The difficulty the Commissioner encountered in changing procedures in these facilities testified to the tenacity of the principles of punishment and enforced adult authority. Cottage and program staff over the years had come to accept them as indispensable to preserving order and inducing conformity. Other methods of establishing adult authority through superior knowledge, mutual trust and respect, admiration, emulation, and affection were also occasionally evident.

The new administration sought to encourage these more difficult and demanding forms of authority relationships with youth. However, to achieve this, they felt convenient resort to traditional punishment measures had to be removed or made much more difficult.

The new administration took other steps to alter the control system. For example, a new directive authorized youth eligible to smoke to carry their own cigarettes. Previously, youth surrendered their cigarettes to staff members who issued them as a reward for doing chores or withheld them as punishment. Doling out cigarettes or denying access to them constituted for staff a simple but very useful control measure for enforcing authority. Like the "haircut edict," the "cigarette edict" both dramatized a change in goals and altered control alternatives available to staff.

All of these administrative actions led to strong protests by line staff members to institution superintendents and friends in the legislature. For a time resistant staff members or their friends appeared regularly when Miller gave speeches to community groups to raise questions about the loss of control and the threat of mass runaways to local communities. To the extent that staff capacity to control youth relied on these traditional control measures, their complaints were indeed justified. It was not clear when these directives were issued whether the administration could retrain staff in the uses of authority.

New Treatment Programs and Policies

The new administration sought to demonstrate the value and feasibility of new models of treatment. As funds became available staff was recruited and assigned to the newly created bureaus of institutions, education, clinical services, and after-care. Assistant commissioners were appointed to direct each of the four bureaus. By the end of Miller's first year, his central office staff exercised a more definitive role in the development of programs to implement the new philosophy of treatment. Despite the hostility of conservative staff members, many youth and especially younger professional staff members expressed a desire to experiment with a therapeutic community model. However, no one except Miller seemed to know how such a treatment program should be operated and what it would require of staff and youth.

To help answer some of these questions the Commissioner persuaded Dr. Maxwell Jones, whose methods he had observed in England, to lead a three-day conference of staff and youth at the Shirley Institution. Jones explained the principles of a therapeutic community and directed a series of demonstrations involv-

ing youth and staff. The demonstration groups created an open climate for staff and youth to express feelings and concerns and to direct them toward constructive ends. Jones' personal skill and warmth during these demonstrations drew applause from most staff and youth, but it was clear that for many staff members the shift from traditional staff roles would not only be very difficult and slow but in many cases impossible to achieve.

The conference, however, reinforced the new policy of decentralization at Shirley so that not only cottage life experiences but also educational, vocational, and other forms of counseling or therapy would be self-contained within each cottage unit. The pressure from the new Boston Office administrators to adopt the new group treatment policies spread from Shirley to Lyman and Lancaster during the next year and a half, reinforced by dramatic changes in staff assignments, described below. Many cottages continued to operate in the traditional manner, but others experimented, sometimes with remarkable success, in establishing a therapeutic community.

In the summer and fall of 1971 the Center for Criminal Justice at Harvard University conducted studies in cottages at Shirley, Lyman, Lancaster, and Topsfield. These studies compared the attitudes of staff and youth in traditional cottages to those trying the therapeutic model. Table 1 shows differences in youth reactions to the social climate of experimental and traditional cottages just prior to the closing of the major institutions in the late fall of 1971 and early 1972. These, and results of related studies, demonstrate consistently that decentralized cottage treatment and group therapy could lead to remarkably better reactions and experiences even for youth within the same institution. The reactions of the youth reveal significant differences between the therapeutic community and the traditional custodial model. The idea of the therapeutic community is to restructure the authority system of the cottage, with youth taking new responsibilities for decisions affecting themselves and each other, on matters ranging from privileges in the cottage to home visits and ultimately release on parole. It seeks to cultivate a sense of group cohesiveness to offset the usual tendency for the cottage to splinter into "tough," "punk," "good kid" and staff cliques, that achieve control by allowing the toughest youth to dominate the others.

Several attempts were made to create programs for girls and boys in the same institution and even the same cottage. The first such program set up a cottage for girls transferred from Lancaster at the Lyman School for Boys. A cottage was also created at Lancaster for young boys from Oakdale for whom home placements were difficult to find. This made it possible to train older girls in the care

*Ship
rehabilitated
and managed*

TABLE 1
Youth Response to Social Climate Items in Experimental and Traditional Cottages.

Social Climate Item*	Cottage Type	
	Experimental (Percent)	Traditional (Percent)
If the kids really want to, they can share in decisions about how this cottage is run.	94	85
Kids in the cottage will help a new kid get along.	91	65
Kids in this cottage usually tell someone when they think he's done something wrong.	89	77
I feel very much that I fit here.	82	52
The cottage staff deals fairly and squarely with everyone	80	57
If a kid messes up, the staff will punish her/him.	66	81
Most kids here are just interested in doing their time.	65	81
If a kid does well, other kids will tell him so personally.	61	34
Other kids will reward a kid for good behavior.	60	37
Other kids here give you a bad name if you insist on being different.	38	61
The kids in this cottage have their own set of rules on how to behave that are different from those of the staff.	36	57
There are a few kids here who run everything.	35	59
There are too many kids here who push other kids around.	33	62
This cottage is more concerned with keeping kids under control than with helping them with their problems.	30	61
Real friends are hard to find in this cottage.	25	44
This cottage is pretty much split into two different groups, with staff in one and kids in the other.	19	55

*The items in this table differentiate between the Experimental and Traditional cottages more strongly than one would expect to be the case by chance at the .05 level. In the Experimental cottages, the number of youth responding to each question varies from 85-89; and in the Traditional cottages, from 82-86.

and management of younger children. After a serious fire at the girls detention and reception center in Boston, girls were housed in the same building as boys in Boston and later at a new detention and reception cottage for girls at Lyman. Coed cottages were established on the grounds of the Shirley Institution and later at Lancaster and Topsfield.

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institution and even the same cottage. The first such program set up a cottage for girls transferred from Lancaster at the Lyman School for Boys. A cottage was also created at Lancaster for young boys from Oakdale for whom home placements were difficult to find. This made it possible to train older girls in the care and management of younger children. After a serious fire at the girls' detention and reception center in Boston, girls were housed in the same building as boys there and later at a new detention and reception cottage for girls at Lyman. Coed cottages were established on the grounds of the Shirley Institution and later at Lancaster and Topsfield. It was expected that if boys and girls shared the same institution or the same cottage, their demeanor, grooming, speech, and conduct would improve. Stereotypic sex role beliefs and attitudes on the part of both boys and girls might be changed. Comparative data on youth reactions in coed and non-coed settings are not yet available but staff reports suggest that many of these expectations were realized and a high level of staff acceptance emerged despite initial fears of sexual promiscuity and lack of discipline.

When Miller came into office the average length of stay for youth in the institutions was eight months. Since he had become convinced that the traditional training school programs ordinarily did more harm than good, he began to encourage a more rapid turnover. By the end of the first year, the more liberal parole policies had begun to create tension with the courts, probation, and police departments in a number of communities, especially urban ones. Many staff members in these agencies felt that confinement for less than nine months was too short to realize the benefits of reeducation or community protection for which commitment had been ordered. To deal with these concerns, while the new treatment programs were being developed, the Commissioner ordered that committed youth be kept in the institutions a minimum of three months before becoming eligible for parole, except in unusual cases. Youth and staff rather quickly interpreted the three month minimum as a maximum, and so the normal institutional confinement dropped to around three months.

The more rapid turnover meant that educational and vocational training programs patterned on an academic year had to be redefined and reorganized. The emphasis shifted to tutorial programs involving community volunteers and paid professionals. The former vocational training programs that continued were used for basic maintenance services within the institution or for the occupation of idle time.

The STEP program illustrates the effect of changing policies on the organi-

zation of retraining programs. STEP (Student Tutor Educational Program) used trained tutors for small group programs to create an interest in learning among imprisoned offenders and a desire to pursue higher levels of education. The program had been developed in adult correctional institutions but was introduced for youth at Shirley in 1970. Subject matter included both formal and informal instruction in such subjects as English, arithmetic, social problems, photography, and auto mechanics. Reading and arithmetic skills were taught in the context of auto mechanics, which interested many boys.

As the new administration policies shifted from centralized institutional programs to decentralized cottage programs, the STEP instructors confined their tutorial activities to particular cottages. They began to integrate their work into the counseling and therapy programs of the cottages. The shorter periods of confinements shifted emphasis from the assimilation of organized learning materials to the redirection of attitudes, motivation, and training in social interaction. The STEP instructors gradually became full-time cottage treatment staff members and STEP as a special institutional program was discontinued.

The new Commissioner urged staff members throughout DYS to suggest and implement ideas for better treatment programs. While some staff members enjoyed the new freedom to try out their ideas, they complained, sometimes bitterly, that their efforts were not sufficiently supported by the administration. For example, the STEP tutors complained on several occasions about the lack of adequate support for their program and particularly the lack of direction or a "broad master-plan."

The Commissioner firmly believed the traditional training school practices would not be tolerated if they were fully exposed to public view. He therefore encouraged community visitors and volunteers to help run the programs in the institutions, advocated a much more active use of local community facilities and programs suitable for young offenders, and used people from universities and civic groups throughout the state in volunteer programs. In addition, youth left institution grounds for various educational and recreational field trips. In general, these efforts to involve the community were not promoted vigorously by institutional staff. Perhaps one of the most successful programs was developed between the Westfield Reception and Detention Center and the School of Education at the University of Massachusetts. The Westfield institution was becoming severely overcrowded, and the staff saw community programs as a means of relief. The use of student and faculty volunteers as teachers and counselors was

incorporated into the curriculum of the School of Education with students receiving academic credit for their work at Westfield.

The Problem of Staff Development

The new program ideas could not be realized without the help of staff committed to the new philosophy of treatment and competent to develop programs to implement it. Miller's problem of recruiting or retraining staff for this purpose was formidable. The civil service system in Massachusetts was grafted onto a system of political patronage grounded in an ethnically based structure of political power. The legal requirement to give absolute preference to veterans, in addition to the tradition of political sponsorship, had served on the whole to subordinate merit as a qualification for state employment. Once past the probationary period, employees obtained virtually absolute security in their civil service positions. Miller could not bring in many new staff members unless he secured new funds and created new positions or unless voluntary retirement and resignation became widespread.

Miller's options were limited. He could fill job vacancies with new staff members of his own choosing while searching for loyal adherents of the new philosophy within the existing staff; he could reassign authority and responsibility without regard to civil service classification; or, he could retrain and educate older staff members to the new philosophies of treatment. He pursued all three options, tentatively during the first year, and more vigorously during the second year as new funds became available.

A survey of staff members of the Department of Youth Services during the summer of 1970 showed that many of them, especially those in academic, clinical, or Boston Office assignments, wanted to give the new policies and philosophy of treatment a chance. Table 2 shows the percentage among various staff groups and committed youth who strongly approved of new or proposed policies and programs in the Department. The vocational staff was least approving, followed by general staff (i.e., cottage parents or supervisors) and field administrators of the institutions. The parole staff members usually had little contact with the institutions. Predictably, therefore, they favored reorganization in general, since it pointed to institutional reforms primarily, but did not approve of cottage groups making decisions, especially about release on parole, furlough, or work in the community, which would affect the normal range of the parole officer's responsibilities. Youth responses were most enthusiastic about policies allowing personal discretion about hair style, clothing, smoking, and coeducational programs.

TABLE 2
Percentage in Each Interest Group "Strongly Approving" Reforms.

Item	Interest Group								
	General Staff	Academics	Clinicians	Vocational	Parole	Field Administrators	Boston Office	Committed Youth	Other
Reorganization of the Department by the legislature in 1969.	12	16	32	16	33	22	33	-	6
Decision to transfer or parole boys (girls) up to the staff of the institution (instead of Boston Office)	24	48	48	20	0	28	21	17	28
Allowing cottage groups of staff and boys (girls) to make decisions about:									
Discipline	18	33	53	4	19	17	35	20	20
Release	8	22	38	8	5	12	21	22	13
Furlough and home visits	12	33	41	4	5	12	32	28	19
Assignments to work details	15	33	48	4	10	12	27	13	19
Permitting boys (girls) to make individual decisions about:									
Hair styles	11	44	59	4	35	11	38	49	15
Clothes	7	44	56	4	25	11	38	50	13
Smoking	5	26	34	0	14	0	29	45	13
Elimination of severe disciplinary measures such as long confinement in isolation, physical punishment, and hard labor.	35	67	77	28	57	59	67	-	45
Boston Office program developments to create a "therapeutic community".	12	41	41	4	20	12	29	13	19
Expanding the Outward Bound program and forestry camps.	26	41	37	20	40	28	49	16	34
Introducing STEP type of educational programs such as the one at Shirley.	7	22	26	12	43	12	29	8	11
The following three plans suggested for development of Topsfield as:									
A staff training center	18	37	34	16	29	33	53	-	21
A special drug treatment center	32	52	28	20	33	22	38	-	30
An experimental center for group therapy programs	20	48	32	4	24	17	50	-	21
Expansion of use of volunteers in institutional program activities.	26	41	44	8	14	22	44	18	19
Closing Bridgewater and allowing each institution to deal with its own security problems.	20	26	22	8	14	19	47	21	15
Making some institutions coeducational	15	26	55	4	19	12	59	52	13
Number	76	27	31	25	21	18	34	166	53

These responses sensitively reflect the new directions of DYS and the resulting internal distributions of power, responsibility, and reward.¹⁷ Later, for ex-

¹⁷ For the theoretical analysis relating the new goals of the Department and the internal distribu-

ample, one institution's barber reminisced about the days he taught his trade to a few boys well enough so they could obtain certification, because they stayed long enough to learn and short hair styles were mandatory. A printing shop instructor felt the same way. The general staff and field administrators also sensed the emerging challenge to their authority by program innovators from the Boston Office and the greater familiarity that academic and clinical staff seemed to have with the new cottage-based treatment programs. Parole staff were reluctant to share decision making with youth—an essential requirement for negotiating successful placements in new community-based programs. Most of the parole staff defined themselves as much like juvenile bureau police officers: their job was to keep paroled youth out of trouble by advice, surveillance, and threats of official sanctions. The new image of the parole officer as a youth advocate and organizer of community services and opportunities for youth represented a radical and threatening change.

The Commissioner relied on members of the existing staff able to relate to the new philosophy of treatment. At the same time he recruited new top aides among youth workers in Ohio and in Massachusetts who had both professional credentials and enthusiasm for the job. As appropriated funds became available in the second year Miller appointed these aides to posts with program and policy development responsibilities.

The Commissioner circumvented civil service constraints by assigning authority and responsibility without regard to formal civil service rank. This caused insecurity and administrative confusion when job titles and pay assignments bore little relationship to effective responsibility. At one point a new administrator functioning in effect as Superintendent of the Industrial School for Boys at Shirley was in fact assigned and paid from the job category of maintenance worker.

The third tactic, retraining and reeducating the staff, met with relatively little success despite considerable staff interest. The three-day conference with Maxwell Jones, which gave staff for the first time a clear inkling of what Miller had in mind, was followed in September, 1970, with a training session run by Dr. Harry Vorrath, Superintendent of the Red Wing Reformatory in Minnesota. At this point some staff members had accepted the inevitability of training and were responsive to the mixture of control and treatment ideology which Dr. Vorrath espoused. An effort to routinize staff retraining at a new training center at Tops-

tion of power responsibility and reward, see Alden D. Miller, Lloyd E. Ohlin, and Robert B. Coates, "A Theoretical Synthesis for Promoting Change in Social Service Systems." (Unpublished paper, Center for Criminal Justice, Harvard Law School, October, 1973).

field faltered when community resistance to this new Topsfield facility, acquired by DYS shortly before Miller's appointment, prevented its full use. These difficulties led to a gradual phasing out of this retraining effort. It demonstrated, however, that retraining would be at best a very gradual process. It would be financially costly and divisive since it would involve the articulation and resolution of fundamental differences in attitudes, values, and beliefs about the reeducation of youth in trouble. It would also have to be undertaken within each institution for all staff members to have lasting effect.

The Development of Fiscal Resources

Money was a constant problem. Unless funds could be freed from the support of traditional institutional programs, practices, and facilities, the chance to develop alternative treatment measures would be severely limited. The appropriation process in Massachusetts for all state agencies relies on supplemental and deficiency budgets to pick up and support commitments not adequately covered in the initial appropriation. This process is deeply immersed in political considerations and bargaining; whether a state Department or subunit gets the funds it wants rests on its own capacity to influence the legislative process. For a newcomer like Miller, despite public support from the Governor and his staff, acquiring these skills took time.

The Commissioner did not rely exclusively on the state but requested federal support. He secured grants from the Federal Law Enforcement Assistance Administration in the U.S. Department of Justice both directly and through the Massachusetts Governor's Committee on Law Enforcement and Administration of Justice, from Title I of the Federal Education Act, and Title IV of the Office of Manpower Development and Training in the U.S. Department of Labor. This federal funding permitted Miller to bring in top staff committed to his philosophy, without the restrictions of the civil service system and to establish new types of community based treatment services and supportive summertime educational, recreational, and training services in the institution. The new funds underwrote a planning unit directed by a vigorous advocate of community based treatment for youth. This unit grew rapidly as a cadre of sensitive and dedicated people. In the Spring of 1971, it worked with the key departmental administrators to produce a seven point plan setting out the direction of reform. It called for a) regionalization; b) community based treatment centers; c) expansion of the forestry program; d) relocation of detention; e) increased placement alternatives; f) grants-in-aid to cities and towns; and g) an intensive care security unit. These be-

came the chief goals of DYS during the third year of the new administration. The planning unit and the top staff dealt with constant crises in the progress toward those goals. They also carried major responsibility for procuring new federal funds. Without this articulate infusion of new thought and ideas, the funds they procured and the crises they helped to solve, the rapid transition from the training school structure to noninstitutional alternatives would have been most difficult to achieve.

The Results of Phase II

The first two years of the new administration was a period of constant crisis, confrontation, and confusion. The Commissioner possessed neither a blueprint, nor the staff and financial resources to impose a new model of treatment services. The only stable guidelines were the broad goals of the new system, i.e., that confinement of children should be as humane as possible and their treatment as therapeutic and responsive as staff could devise. The needs of children rather than administrative orderliness or staff prerogatives and preferences were to be given top priority.

The Commissioner regarded most of the existing administrative rules and staff protections as major obstacles to change and believed the new philosophy of treatment could not be effectively established until the punitive aspects of the older system had been fully exposed and the system for distributing responsibility, authority, and rewards reconstituted. For twenty years under the previous administration, staff had acquired a set of beliefs about delinquent youth, conceptions of appropriate staff and youth relationships, and career expectations consistent with the traditional training school philosophy. Many felt rejected and threatened by the new philosophy of treatment and responded with hostility, acts of sabotage, passivity, or apathetic compliance. They magnified the confusion resulting from many of the new directives, passively endured or even encouraged runaways, and complained constantly of permissiveness and loss of authority. Although some older staff members were excited by the new philosophy and joined in with the new recruits, the first two years of the new administration were characterized by a progressive intensification of conflict and polarization of views. During the first year the new Commissioner was largely dependent on converts to his philosophy among older staff members to implement his directives. The fiscal and civil service constraints gradually produced a chaotic pattern for the assignment of administrative responsibility and authority. Former administrators placed on leave status were replaced in effective authority

by adherents to the new philosophy without much regard for rank or civil service status. A fluid pattern of staff assignment developed. Staff from the Boston Office and from the institutions were reassigned to new positions as crises developed. The frequent shift of staff members to new administrative positions undermined expectations and created insecurity about career advancement based on traditional criteria of promotion.

Deposed and alienated adherents of the older philosophy were not without resources for fighting back. Most of them had long periods of service in the DYS, relatives or friends in the legislature, and influential associations in the small towns in which they resided close to the institutions. They also had long established working relationships with many judges, probation officers, and public officials who shared their views about the function and operation of training schools. Stories about policies and case decisions that documented the permissive and chaotic state of administrative practices were magnified and circulated. Many judges, probation officers, and police officials, even those initially sympathetic to the idea of reform, began to oppose the new administration. And by the fall of 1971, two legislative investigations of DYS were underway.

The results of this phase of the reform movement are difficult to assess apart from a longer range evaluation of the total movement toward community based treatment services. It is clear, however, that the concept of small group therapeutic communities had some success. This experiment showed that traditional training school environments based on a cottage system could be decentralized. One could organize within some cottages a group therapy approach creating for both youth and staff a new set of rules, expectations, and practices. The data revealed reactions from youth and staff that justifies such efforts elsewhere and are consistent with previous studies in other settings.

Whether the favorable responses of youth to the group therapy approach is translated into better adjustment in the home, school, or neighborhood cannot yet be determined. The data on recidivism rates and community adjustment of youth in these different programs are still being assembled.

Phase III: From Institutions to Community Corrections

The new administration found itself unable to change staff attitudes and beliefs or to impose a therapeutic community in all of the cottages. Table 3 provides some evidence of this; it shows a consistent pattern of differences in staff response to the items on custody and treatment as one moves from the most traditional

TABLE 3
Staff Selection of Statements They Feel Best Reflect The Purposes of The Institutions

Tools of Institutions	Custody-Oriented Cottages				Treatment-Oriented Cottages			
	Cottage Nine	Cottage Eight	Elms Cottage	Westview Cottage	Sunset Cottage	Shirley Cottage	Tops-Field	I Belong
Percent of staff choosing three custodial purposes	47	33	32	37	13	21	15	9
		34				16		
Percent of staff choosing three treatment purposes	42	50	58	52	80	67	69	81
		51				72		
N	(27)	(15)	(40)	(29)	(15)	(16)	(15)	(8)

Source: Barry Feld, *Subcultures of Selected Boys' Cottages in Massachusetts Department of Youth Services Institutions in 1971*, Center for Criminal Justice, Harvard Law School, October, 1972. Staff were asked to choose three from a list of eleven statements of possible goals commonly associated with institutions for delinquents.

to the most treatment oriented cottages. Miller was aware of the entrenched resistance thus reflected in many traditional cottages, and was impatient with the slow pace of change. He suggested late in 1970 that, despite the storminess of the preceding year and the feeling of traditional staff that DYS was being turned completely upside down, there had really been little or no fundamental change. He felt the same way a year later, even after some of the therapeutic community oriented cottages began to achieve conspicuous success.

Miller finally concluded that therapeutic communities could be run successfully in only a few cottages within the institutions. However, he felt they might be much more successful outside the existing institutions. In community settings greater professional resources would be available to provide volunteer and purchased services in relation to which traditional expectations about juvenile prisons might no longer have force. The successful treatment cottages could then be redefined as staging cottages which would later be moved off the institutional grounds to become community-based facilities.

Closing the institutions raised the problems of building a new structure of services more closely integrated with community life. This would be the challenge of the third phase of reform. It came to involve the decentralization or regionalization of services into seven regions; the development of new court liaison staff working with juvenile judges and probation personnel to coordinate detention, diagnostic and referral policies, and individual case decisions; a new

network of community services including residential and non-residential placements for individuals and small groups; some centralized services for the institutional treatment of dangerous and disturbed offenders; ways to monitor the quality of the services increasingly purchased from private agencies; and staff development programs to reassign, retrain, or discharge former staff members in ways minimizing personal hardship and injustice.

Deinstitutionalization

In the winter of 1971-72 DYS closed two major institutions, Shirley and Lyman. Lancaster was converted partly to privately run programs on the institutional grounds later in 1972. Oakdale, originally an institution for very young boys, and then a reception center, was finally closed in late 1972. No strong public reaction immediately appeared in response to the closing of the institutions. The Commissioner had succeeded in exposing these facilities as brutalizing environments for youth and staff alike. When Shirley closed, the press featured stories and pictures of Miller, members of the legislature, staff, and youth formerly confined at Shirley sledge hammering the bars and locks of the segregation cells of Cottage #9. The Commissioner emerged as an advocate in the public eye of new opportunities for youth, his opponents as advocates of punishment and repression. The staff and supporters of the now "evil" institutions reacted with stunned disbelief and feelings of betrayal for their years of work. The radical shift in correctional philosophy seemed too swift and uncompromising to accord them their due. How could the new approach suddenly be so right and the older one, in which they had staked their careers and future, so wrong?

Closing the institutions involved finding alternative placements for the youth and reassignment for the staff. The University of Massachusetts Conference was organized to transfer a large number of youth out of the institutions into the community quickly enough to avoid excessive disruption and to get the job done before crippling opposition could develop.¹⁸ Ninety-nine boys and girls from Lyman, Lancaster, and two detention centers were taken to the University of Massachusetts for a month in January and February, 1972. College students served as advocates for the DYS youth while placements for them were worked out at the Conference. The college students were selected from three colleges and universities in the area by members of the Juvenile Opportunities Extension, a Uni-

¹⁸ For a fuller discussion of this Conference see, Robert B. Coates, Alden D. Miller, and Lloyd E. Ohlin, "A Strategic Innovation in the Process of Deinstitutionalization: The University of Massachusetts Conference," in Bakal, *Closing Correctional Institutions*, pp. 127-148.

versity of Massachusetts student organization that had been participating extensively in the program at the Westfield institution. Arrangements for future placement of youth, e.g., sending the youth home, placing youth in a foster home or in a group home, were worked out in a collaborative manner between the DYS staff, the advocate, and the youth themselves by considering the range of program alternatives and the needs of specific youth.

The move was accomplished with much fanfare involving a caravan of cars from Lyman to the University of Massachusetts at Amherst. The Governor appeared later at the Conference to lend his support. The Conference, through the student advocates, succeeded in placing sixty-five youth in other than institutional settings. Approximately equal proportions of those remaining were placed in other institutions, ran away, or remained unplaced.

The drama of the Conference as a way of quickly closing institutions is suggested by reactions of staff members at the Lyman Institution. Staff there had been told months before that the institution would be closed but simply could not believe it. A cottage which had burned was painstakingly rebuilt by staff who were standing at the door waiting for youth to be assigned the day the motorcade to Amherst virtually emptied the institution in a matter of hours. A few weeks later staff members were exchanging rumors of mass escapes, chaos, and widespread sexual misconduct at the Conference, which would soon result in the youth being brought back to the institution. In contrast, one university official, after the Conference, remarked that the DYS youth had actually been less trouble to the university than a convention of the American Legion.

Recidivism data obtained from the central probation office records after an eleven month follow-up period yielded an overall official court appearance rate after the Conference of 48 percent with most of the appearances (79 percent) occurring during the first four months. While calculations on the rates of reappearance in court on new charges are not yet completed for the various samples of youth in the research study, the recidivism rates reported here for youth in the Conference are probably somewhat lower than court appearance recidivism rates characterizing youth from the traditional training school programs.

The youths relocated and the staff reassigned, the grounds and buildings of the large institutions which have been closed still remain with the haunting possibility that they may be used again as a primary treatment resource. Planners and administrators in DYS are convinced that DYS must divest itself of these institutions to consolidate the new policies. In addition, the Lancaster Training School is still in use although over half of the population there is in programs privately administered. The actual use of this institution probably constitutes a

more serious threat to the stability of reform than the mere continuing existence of other facilities.

Regionalization

The shift from a custodial to treatment orientation had already abridged institutional autonomy, lodging greater control in the central office; with the movement toward highly decentralized community based services, control had to be reallocated to the new regional offices.

Each of these regional units consists of a small suite of business offices to serve the administrative need to coordinate and implement services for youth in each region. Unlike an institution, a regional office cannot house youth in the premises. Youth must be referred quickly to appropriate residential or non-residential programs.

With support from the Boston Office, the seven regional offices have developed placement opportunities for youth referred or sentenced to the DYS by the courts. They make contractual arrangements, usually within the region, for these services. They also handle detention, so that a youth's contact with DYS now is always at least nominally through some regional office. DYS is also trying to organize the budget by regions, somewhat as it was organized around the institutions in the past, but with less stringent controls over intradepartmental transfers.

For the youth in the DYS, regionalization has immeasurably improved service since regional offices know more about possible placements in the communities, where the youth are, and how they are doing. This now makes successive trial placements feasible, if necessary, so that ultimately youth can hope to get the best possible placement. For example, a youth might be placed in one or more foster homes before assignment to a group home, perhaps with a program of group therapy better suited to his needs. Sometimes a trial period in a particular program is explicitly agreed on by the youth and the staff with the option of trying something else if it does not work out. In other cases, evidence of poor adjustment such as a recurrent tendency to run away or persistent defiance of authority, signals the need for a change. Most staff members in interviews expressed their belief that regionalization provides new opportunities to work more effectively with youth—ways that simply did not seem available under the old system. For planners and administrators, regionalization has meant a closer fit between programs and the needs and resources of each region. The University of Massachusetts Conference placement staff had felt hampered by having to work on a state-wide level.

There are still signs of newness in the work of the regions. Records and current operating information systems are only gradually developing to link the regions with the Boston Office. Perhaps the greatest continuing need, associated with the transition from the institutional structure, is to divert funds from excess staff positions left in the institution budgets to the new regional programs.

Development of New Detention, Court Liaison, and Referral Programs

Before 1972 nearly all youth detained prior to trial were held in high security institutions. DYS regards this as unnecessary for most youth and even destructive for those who are not dangerous.

Alternatives have been developed with the help of private agencies. Foster care has been greatly expanded for detention purposes. Shelter care units have been set up in several regions, each generally housing between twelve and twenty youth. These are group homes with program activities which allow for rapid turnover. Local YMCA's have proved to be the most productive private resource for such facilities. The units are staffed with a combination of YMCA and DYS personnel to involve youth in constructive activities and to discharge DYS's custodial responsibilities to the courts.

DYS created the court liaison role to deal more effectively with needs of youth while they are still under the care of the court. The court liaison officer recommends placement possibilities within the DYS system and sometimes, as well, other alternatives to conventional detention. Thus, if a youth is referred or committed to the Department of Youth Services the time between such action and placement is minimized, and the reception phase in many instances is no longer distinct from detention. In seeking other options to commitment and to reduce labeling effects, DYS has encouraged the courts to refer youth on a voluntary basis prior to or after adjudication instead of formally sentencing or committing them to DYS. From a legal standpoint referred youth are still within the jurisdiction of the court while committed youth are released to the jurisdictional authority of the Department. The services available to both groups are much the same. The principal advantage of a referral status is that the youth avoids having a formal commitment on his record. Referrals have increased greatly throughout the system, with, of course, regional variations. It is estimated that between one-fourth and one-third of all youth in both residential and nonresidential programs are now referrals instead of commitments.

The DYS staff regard the detention, court liaison, and referral programs as important components in consolidating regionalization. The regional offices have largely taken over development of these programs while quality control, monitor-

ing, and general administrative matters have remained in the Boston Office. The court liaison and referral programs also appear to have created more constructive working relationships with the courts. DYS is providing services which the courts did not previously have readily available and is able to draw on a state-wide referral and quality control system difficult for the courts to develop themselves.

Private contracting agencies, especially the YMCA's, find these new programs an opportunity to expand their own services. A number of judges and probation staff have made effective use of the new referral opportunities and the assistance of the court liaison officers in utilizing these alternatives. In other instances they have been critical of the resistance of the DYS staff to high security facilities for a greater number of youth.

While the range of detention alternatives has been greatly increased, the older large security facilities, such as Roslindale, continue to be used. The inability of DYS to find a substitute for Roslindale or to make it a decent, habitable facility has puzzled visitors supportive of the Massachusetts reforms. A detailed history of Miller's efforts to humanize this institution—and their failure—would reveal the whole spectrum of forces (conflicting conceptions of the delinquent and appropriate treatment, the abuses of authority, untrained staff, overcrowding, civil service constraints, court and police demands for security, community resistance to new shelters or secure facilities, boredom, idleness, fear, and violence) that turns large institutions for juvenile delinquents into prisons. Physically secure units are necessary for certain youth, but such units should probably be small in size, administer a diversified program, and provide responsive care.

As in the past, detention services for girls lag somewhat behind the alternatives available for boys. The court liaison program, while providing benefits to some courts and some regions, is still not operating across the entire state.

The new referral system is not without potentially serious policy problems. It is sound to reduce the harmful results of a youth being committed. However, if youth are now being referred who otherwise would not have been committed to DYS, the risk of labeling youth earlier is also enhanced. There is some evidence that referrals to DYS are increasing without compensating statewide reductions in commitments. Whether the additional youth will unnecessarily acquire invidious labels, or whether their presence will lessen the degree to which the youth who had always been in DYS acquire such labels, is a question demanding urgent concern and investigation. There are many issues to be resolved. If the DYS programs become less punitive, more therapeutic, and more readily available they will be used more often. Yet if they provide a treatment of last resort for the most

TABLE 4
Cost of Program Types per Youth per Week

Type of Program	Costs per Youth per Week
Residential:	
Intensive Care	\$145 - \$290
Group Homes	\$145 - \$150
Foster Care	\$ 30 - \$ 40
Non-residential	\$50

dangerous and disturbed youth, all of the youth serviced may be perceived in the same way unless clear and possibly harmful distinctions are maintained.

Development of New Residential and Non-Residential Placements

One of the most pressing problems confronting the Department of Youth Services as the institutions were closing was the development of alternatives to institutional confinement.¹⁹ The Boston Office had begun exploring placement alternatives in 1971, and stepped up its activities with the University of Massachusetts Conference in January, 1972. At first this activity focused on the development of group homes, but when it became obvious that many youth might be stranded as the institutions closed, emphasis was shifted to the development of non-residential alternatives, day or night programs in which youth participate while living at home or in some other setting. Since 1972 developing placements has become almost exclusively the responsibility of the regions.

There are roughly 80 non-residential programs across the state, in which DYS places youth, about 120 residential programs, and about 200 foster homes. About 700 youth are placed in residential group homes, and about 250 in foster homes. About 800 youth are in the non-residential programs such as Neighborhood Youth Corps, a recreation program at Massachusetts Maritime Academy, and programs at community colleges. The two most heavily used programs for committed and referred youth are group homes and non-residential services, with foster homes being considerably less used, and the use of traditional parole varying greatly from region to region. The group homes represent an alternative of moderate cost, while the non-residential services are inexpensive (see Table 4).

¹⁹ For a report on problems in overcoming community resistance to the establishment of community based residential facilities see, Robert B. Coates and Alden D. Miller, "Neutralization of Community Resistance to Group Homes," in Bakal, pp. 67-84.

If problems of providing prompt payment to vendors are worked out soon, the use of foster care, even less expensive than non-residential services, will probably expand.

One of the serious problems plaguing placement in general is the time lag between provision of services and payment for services. It has sometimes become so great that contracting agencies question whether regional directors really have the authority to contract for the DYS; as a consequence some smaller agencies are threatened with bankruptcy. The problem of long delayed payments is endemic to all the state services and especially in those departments which make substantial use of private vendors. The legislature has been reluctant to appropriate funds for purchased services especially when the somewhat unpredictable costs require deficiency appropriations. Even where funds are available, payments are delayed by a complicated system for setting rates, approving contracts, or authorizing payments in each case. All of these difficulties were aggravated in the case of DYS. Insufficient funds were available from the state, and the federal grants contained program and accounting requirements which DYS had difficulty meeting in time to establish the needed group homes. The rapid closing of the institutions created an immediate demand for alternatives which the cumbersome funding process could not meet.

No phase of Miller's administration has come under stronger criticism than his decision to initiate new programs before the resources to back them up were in hand. He took the calculated risk that the support of reform by federal funding agencies and the state executive and legislative leadership was strong enough to fulfill his promises of reimbursement in the end. In doing so he exposed his administration to a series of investigations and charges of fiscal mismanagement, irresponsibility, and administrative incompetence. In response, he has charged that the system had to be forced to meet the legitimate needs of youth for appropriate services or the development of these services would have been delayed many years.

There is ample justification for the charges on both sides. Miller's driving ambition to create a more flexible and responsive set of services for delinquent youth was reinforced by his impatience with red tape and his ability to tolerate a lot of administrative confusion as long as "helping kids" came first in every decision. His critics acknowledged his concern for youth and his credibility with them, but felt at the same time that the pace of change was harmful to both staff and youth. They argued that many youth committed to DYS needed more pro-

longed, professional, and intensive care than the hastily contrived new programs could furnish. DYS's readiness to place youth in newly created, untried programs might do more harm than good for many of them. The neglect of the legitimate needs of staff members showed a callous disregard for years of service and acquired skills which could still find fulfillment in the new system of services. In the new programs exploitation of staff idealism and commitment to youth services ought not to preclude provision for their economic survival and career investments.

It is still too soon to judge fairly these claims and countercharges. Short-run assessments may lack fair consideration of the long range goals which these changes were designed to achieve in terms of economic and social adjustment and community protection.

Development of New Special Programs for Dangerous and Disturbed Offenders

There is widespread agreement that most people, both youth and adult, who are now locked up need not be. There is also widespread agreement that some of those now routinely locked up, both youth and adult, really must continue to be confined. It is also widely recognized that it is extremely difficult to separate out with a tolerable margin of error those who need to be locked up from those who do not. However, recent experience in DYS with community placements has shown that with youth this problem is not as difficult as is generally assumed. Many youth clearly and obviously belong in community placements. Some clearly belong in secure settings. A few are problematic. An obvious need that emerged as the institutions closed was the provision of secure settings with intensive treatment for dangerous and disturbed youth, coupled with safeguards that would prevent misuse of these facilities.

DYS distinguishes youth who are behavior problems from youth who need psychiatric care. For both sorts of youth the Department has tried to purchase services and in December, 1973, approximately 125 youth were in intensive care placements. For the youth with behavior problems, a program run by ex-offenders who relate directly to these youth while "taking no nonsense" has had some success. This program stresses use of community resources within a framework of appropriate custodial security. For youth needing psychiatric care, DYS has purchased services from private agencies. It has also tried to coordinate more closely with the Department of Mental Health. For example, in October, 1973, it finally opened a special unit for up to six youths needing intensive psychological services at the Medfield State Hospital. Safeguards for the youth in these dif-

TABLE 5
Number and Percentage of Persons Committed to the State Adult
Correctional System and County Correctional System by Year and Age

Year	State Correctional System			County Correctional System		
	Total Commitments	17 and Younger	Percent	Total Commitments	17 and Younger	Percent
Jan-March						
1973	199	6	3.0%	—*	—*	—*
1972	1,127	50	4.4%	5,499	252	4.6%
1971	1,091	47	4.3%	6,474	240	3.7%
1970	859	38	4.4%	8,119	287	3.5%
1969	875	30	3.4%	8,108	247	3.0%
1968	855	42	4.9%	8,467	283	3.3%
1967	739	32	4.3%	8,550	263	3.1%
1966	826	39	4.7%	8,990	275	3.1%
TOTAL	6,571	284	4.3%	54,207	1,847	3.4%

*Data not available.

Source: Massachusetts Department of Corrections, May 30, 1973.

ferent settings rely on advance agreements about decision making and frequent case review.

One danger is that the courts, lacking what they believe to be secure commitment facilities, will bind over youth considered dangerous or disturbed to adult courts. These might result in confinement in an adult jail or prison. So far (up to April, 1973) this has not happened. The commitment of persons seventeen or younger from 1966 to 1973 remained very stable in the state correctional system (see Table 5). For the county jails there has been a slight rise in the percentage of all commitments represented by youth but lower numbers of youth committed in 1971 and 1972 than in previous years, except for 1969.

DYS has continuing needs in this area. It needs a program for girls, and it may need more funds for psychiatric treatment alternatives. And it needs to work with all juvenile judges to implement better ways of treating these youth than binding them over to adult courts, or relying excessively on maximum security facilities.

Development of New Quality Control Procedures

Quality control of detention, residential, and non-residential placements, and high security programs received little attention in DYS until the development of

new programs made the issue inescapable. The basic problem is how to maintain control over the quality of programs contracted to private agencies. Private groups have not been accustomed to account for program quality to a public agency.

Three units have become involved in evaluation of ongoing programs. Two units in the Bureau of Aftercare have monitored some of the non-residential and residential programs. Another evaluation unit more recently organized has been more systematic. Programs are now rated on such dimensions as quality of facilities, administration and staff, controls, program, clinical services, diversion, and budget. Information from all three units has been used by the Boston Office and regional staff for recommending program changes, and in some instances program termination.

The Boston Office staff acknowledges that quality control is not fully operational, but the fact that some programs have been terminated on the basis of evaluations has encouraged staff in their belief that DYS can collect evaluative data and make decisions on the basis of it. Regional directors, a number of whom were at first skeptical of the evaluation and information system, are now calling for more evaluation to improve their own placement decisions.

The development of a fully operational quality control unit is the most essential requirement of a system relying primarily on the purchase of services from private vendors. The latter are free from the rigid constraints of public civil service and line budgets dependent on the political process of legislative approval. However, this freedom does not in itself guarantee quality programs. DYS terminated placement at several group homes. In one case the facility was found to be structurally unsound and the treatment of youth inhumane, i.e. the building had broken windows which were not being replaced and youth were being fed only once a day to cut costs. In a second instance a project was terminated because the promised services, counseling, education, and work experiences, were not being provided. In yet another case the project was stopped because the program was administered in an overly regimented, institutional manner.

The experience of other states also justifies vigorous and powerful quality control procedures. The professional or sectarian orthodoxies of private agencies may prove as inflexible and ultimately as harmful to youth as the regimen of the traditional training school. Furthermore, their tendency to admit only those youth most amenable and acceptable for treatment leaves the public agency responsible ultimately for the care of the most difficult and most economically and socially disadvantaged youth. Great care must be taken in drawing up con-

tract requirements for the purchase of private services to guarantee access for the quality control unit. DYS seems cognizant of these problems and has demonstrated its ability to evaluate programs and eliminate those that do not perform adequately. However, it has not allocated enough resources to build a quality control system capable of monitoring all programs regularly.

The Problem of Personnel Development

Early state-wide attempts at staff retraining programs were not very successful. With regionalization and deinstitutionalization, staff training programs also changed and are now handled regionally. Deinstitutionalization and the new practice of purchasing service has put old staff members in positions where they have had to learn new skills on the job. The Boston Office has attempted to provide displaced staff with opportunities to transfer to different work, including new casework and other alternatives under the regional offices, or to join private non-profit treatment agencies that contract services to DYS. The problem nonetheless remains serious; half or more of the staff of DYS could be transferred out of the Department without impairing its functioning since most of the services provided by staff in the past are now purchased from the private sector. DYS records for 1969 show that 531 employees were assigned to the major institutions that have since been closed or converted partly to private programs. The number currently assigned to these institutions is 120; of these, 61 provide maintenance services and care for 25 youth in two cottages at Lancaster, while 59 simply maintain the facilities of two other institutions. Forty-four of the 59 will be transferred to other departments in state government destined to take over those institutions in the near future. Many of the original institutional staff not thus accounted for are associated with regional offices, which did not exist in 1969, and now employ 269 persons. The central administration in Boston has dropped from 160 to 94 employees.

Many staff members who have involved themselves in the new system have been satisfied with it. Others who have been unable or unwilling to break with past traditions have found the experience distressing. Still, the staff union leadership, with increased understanding of what is being done and why, has not opposed the changes as it did in earlier years.

The staff development problem has also been hindered by the organization of the budget. The majority of the staff that actually operates programs for youth are now in private agencies contracting services to the state; this should be reflected in the budget if staff development is to continue successfully.

The Results of Phase III

Data on youth adjustment to the new community settings are being collected through cross-sectional surveys of youth in programs and by longitudinal cohort analysis involving periodic interviews with a sample of youth as they pass through programs of the DYS. Preliminary data from the cross-sectional survey of youth in representative residential settings in two regions compared with data obtained from youth in traditional and experimental cottages before the institutions were closed suggests progress in creating better environments.

Probably one of the more salient concerns in socialization, whether in the context of the family, the school, or a program designed to aid youth in trouble, is the distribution of rewards and punishments. The development of a reward-based system is documented in Table 6. Youth in the three types of cottage environments agreed that they would be rewarded by staff for good behavior. The initial cohort data shows specifically *how* they think they will be rewarded in the community based programs. The most frequently mentioned response was "staff will make me feel good about what I am doing." The second most frequently mentioned response was "staff will give me additional privileges."

The role of youth themselves in the distribution of rewards provides some of the most striking contrasts across the three cottage environments. Only 37 percent of the youth in the traditional cottages believed that other youth would reward them for good behavior. In the experimental cottages the figure was 60 percent. This is a dramatic change which suggests that youth in community based programs are learning how to support others in a positive manner, and are in turn being supported by their peers. If this contrast between the cottage types is supported by data we are still collecting, it will be a strong indication that the new programs are producing some important, positive, and immediate effects.

While reward patterns are important in any context of socialization, punishment patterns are equally important. Again, there are contrasts across cottage environments, here in the perceived frequency of staff punishing kids who "mess up." In the traditional cottages, 81 percent of the youth believed that staff would punish. Sixty-six percent of youth in the experimental cottages indicated that staff would punish. And 44 percent of the youth in the community based programs reported that staff would punish. Punishment seems less salient in the community based programs than in the other cottage environments; discipline relies more on reward. It is also possible that punishment in the newer programs is

TABLE 6
Youth Perception of Reward and Punishment by Type of Program

Question	Traditional Institutional Cottage (%)	Experimental Cottage in Institution (%)	Community Based Program (%)
The staff will reward a kid for good behavior			
Agree	77	78	76**
Disagree or DK	23	22	24
Total	100	100	100
N	85	89	34
If you do well, will the staff reward you?			
No			33*
Include me in things			7
Additional privileges			26
Make me look good in front of others			7
Make me feel good about what I am doing			28
Total			100
N			43
Other kids will reward a kid for good behavior			
Agree	37	60	80**
Disagree or DK	63	40	20
Total	100	100	100
N	82	87	35
If a kid messes up, the staff will punish him/her			
Agree	81	66	44**
Disagree or DK	19	34	56
Total	100	100	100
N	83	86	39
If you screw up, will staff here punish you?			
No			21*
Separate from group			13
Take away privileges			45
Hit			16
Embarrass in front of others			3
Make me feel guilty			3
Total			100
N			38

**Source: Cross-sectional survey of youth in programs

*Source: Cohort Analysis

more sophisticated and less likely to be perceived as punishment *per se* by the youth. This may often be the case in more "caring" situations. On the basis of the preliminary cohort data the type of punishment most often perceived by youth in the community based programs is the taking away of privileges.

Youth in the experimental and traditional cottages and in the community based programs saw different purposes in their respective programs. Sixty-one percent of the youth in traditional cottages believed that the cottage staff were more concerned with keeping kids under control than with helping them with their problems. Only 30 percent of the youth in the experimental cottages reported that that was the case, and only 14 percent of the youth in the community-based programs believe that control is a greater concern of the staff than helping to solve problems.

Youth in the cohort study have been asked how staff in the community-based programs try to help them stay out of trouble. The majority of respondents indicate that the staff encourage them by telling them that they can make it. Over twenty percent of the youth reported that staff helped them to get jobs, to join youth groups, to obtain placement in new school programs and things like that.

TABLE 7
Youth Perception of Staff Control and Support by Type of Program

Question	Traditional Institutional Cottage (%)	Experimental Cottage in Institution (%)	Community Based Program (%)
This cottage is more concerned with keeping kids under control than with helping them with their problems			
Agree	61	30	14**
Disagree or DK	39	70	86
Total	100	100	100
N	85	87	35
Do the staff here help you stay out of trouble?			
No			23*
Encourage			53
Help get jobs, into school, groups, etc.			23
Total			100
N			43

*Source: Cross-sectional survey of youth in programs
**Source: Cohort Analysis

We will be able to say more about the relative impact of moral support or encouragement and concrete support such as finding jobs as the cohort analysis proceeds.

In order to know how youth in the cohort analysis perceive relationships with others after they have been through a program, we have tabulated responses from the semantic differential test on two items, good-bad and fair-unfair, with respect to the youth's perceptions of each of nine categories of persons. The two items, good-bad and fair-unfair, are strongly related and are reliable indicators of a generally positive evaluation of a category. We have ordered the objects of evaluation in Table 8 by the ratings given them by our cohort youth on the good-bad item, and presented the average scale response to the good-bad item and the fair-unfair item. The scale range possible on each item was one to seven. Higher scores mean ratings indicating better or fairer.

"Mother" and "Program Staff" received the highest evaluations, while the "Department of Youth Services" and the "Police" receive the lowest, both on goodness and fairness. "Me" and "My Friends" are in the middle, along with "School Teacher." "My Friends" would rank higher in the ordering if the ordering were based on fairness instead of goodness.

Particularly noteworthy is the difference in evaluation given Program Staff and the DYS. Program Staff are, of course, the direct personal contact between DYS and the youth, so the concept of DYS which is rated so negatively must signify something to the youth other than their immediate experiences in programs. The similarity of DYS and police evaluations suggests that youth see the DYS in general, as opposed to program staff, as linked with the police and the courts as agents of the youth's loss of freedom. It is also possible that the youth simply associate DYS with the old, unreformed system. The youths' ranking of categories of persons corresponds loosely to what we might expect a ranking of closeness and personalness of relationships to look like. In this context it is significant that Program Staff in the community-based programs are ranked second from the top, after Mother, on both goodness and fairness.

Conclusion

The traditional training school system that existed in Massachusetts prior to the recent reforms is still the dominant pattern for youth corrections throughout the country. In fact, preliminary results of a national survey of juvenile correctional practices reveal that there are as many states increasing the number of

TABLE 8
Mean Response Scores on Two Semantic Differential Items

Category of Persons Being Described	"Goodness"	"Fairness"
Mother	6.0	5.7
Program Staff	5.2	5.3
Father	5.1	4.9
Me	4.9	4.9
My Friends	4.7	5.1
Schoolteacher	4.7	4.6
Other Kids Here	4.6	4.4
DYS	3.6	3.6
Police	3.0	2.4

N=39.

delinquent youth confined in institutions as there are showing decreases.²⁰ For many of these states the Massachusetts experience will provide useful guidance to the problems major reforms must confront.

The Massachusetts reforms have closed the traditional training schools and developed a variety of alternative residential and non-residential services based in the new state regions. Our research on these reforms, however, is not yet complete. There has not yet been sufficient exposure time in the community for those in the new programs to provide a valid, follow-up comparison with those treated in institutions. In addition, the collection of recidivism information has been delayed pending the development of approved regulations for access by research personnel to criminal history information of juvenile and adult offenders. These arrangements have just been completed.

Additional issues need further analysis and study. One is whether the same broad changes could have been pursued as successfully more gradually. Miller and his aides have expressed the view that gradual implementation of such major changes would permit the mobilization of conservative groups inside and outside the agency to block changes. This view is not easily discounted, given other states' experiences in reform efforts.

Another issue concerns administrative confusion and neglect of staff development in the transitional period. The rapid changes in staff assignments and

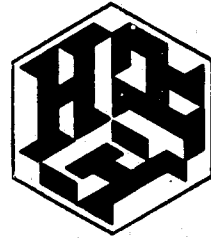
²⁰ Wolfgang I. Grichting, *Sampling Plans and Results, The University of Michigan National Assessment of Juvenile Corrections Project* (Ann Arbor: University of Michigan, Institute of Continuing Legal Education, School of Social Work, 1973).

responsibilities created a highly fluid administrative situation. It provided greater freedom to experiment with new treatment methods, stimulated staff members to considerable creativity and initiative, and enabled the administration to avoid premature commitment and consolidation of insufficiently tested programs. However, it has been charged that this approach unnecessarily alienated both old and new staff members.

Commissioner Miller has also been criticized for leaving Massachusetts in January, 1973, to become the new Director of Family and Children's Services in Illinois. He left before financial and personnel problems had been resolved and before a new alternative system of residential and non-residential services had fully replaced the old. He believed that reform commissioners are inevitably expendable since the hostility aroused by major changes becomes too great a barrier to further progress. He thinks that the consolidation of the Massachusetts community based services will now proceed faster with his successor, Commissioner Joseph Leavy, in charge.²¹ It is too soon yet to know if he is right. The 1974 Departmental budget, with additional support from federal funds, enables the Department to catch up with its financial commitments on purchased services. The budget also provides more time for staff transfers and retraining. This should greatly aid in consolidating a new consensus.

The Massachusetts Department of Youth Services has undertaken a major pioneering step in correctional reform. It has demonstrated that radical changes in the official ideology, policies, and programs of treatment for delinquent youth can be achieved in a short period of time. Evidence thus far indicates that youth perceive the new system as more helpful and staff more responsive. There is widespread agreement that it encourages more humane treatment of youth and offers staff more resources for reintegrating youth into their home communities. Whether in the long run these new policies and programs will result in better protection for the community and more effective help for troubled youth is still to be determined.

²¹ Interview with Jerome Miller by research staff, February, 1973.



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