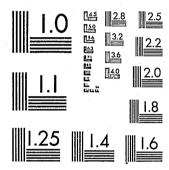
## National Criminal Justice Reference Service

## ncjrs

This microfiche was produced from documents received for inclusion in the NCJRS data base. Since NCJRS cannot exercise control over the physical condition of the documents submitted, the individual frame quality will vary. The resolution chart on this frame may be used to evaluate the document quality.



MICROCOPY RESOLUTION TEST CHAINATIONAL BUREAU OF STANDARDS-1963-A

Microfilming procedures used to create this fiche comply with the standards set forth in 41CFR 101-11.504.

Points of view or opinions stated in this document are those of the author(s) and do not represent the official position or policies of the U. S. Department of Justice.

National Institute of Justice United States Department of Justice Washington, D. C. 20531 1/03/83

# Federal Probation

	Homicic	les Related to Drug Trafficking	Ronald Heffernan John M. Martin Anne T. Romano
		ment Theory Z: Implications for ctional Survival Management	William G. Archambeault
	Making Sente	Criminals Pay: A Plan for Restitution by neing Commissions	Frederic R. Kellogg
		tion Processing in a Probation Office: The Southern ct of Georgia Experience	Jerry P. Morgan
	Juvenile	Correctional Institutions: A Policy Statement	
		Disabilities and Juvenile Delinquents	H.R. "Hank" Cellini Jack Snowman
1	M	Learning Theory Model for Reduction of Correctional Stress	Susan J. Stalgaitis Andrew W. Meyers
0	A	y in Jails: Planning for Emergencies	Joseph Krisak
		esentence Investigation	
5	N	63: Career Patterns of Federal Prison Correctional Officers atered Service During 1363	

SEPTEMBER 1982

## ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

### U.S. Department of Justice National Institute of Justice

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of

Permission to reproduce this apprighted material has been granted by Federal Probation

to the National Criminal Justice Reference Service (NCJRS)

Further reproduction outside of the NCJRS system requires permission of the copyright-owner

> WILLIAM A. MAIO, JR. Managing Editor

WILLIAM E. FOLEY Director

JOSEPH F. SPANIOL, JR. Deputy Director

WILLIAM A. COHAN, JR. Chief of Probation

## EDITORIAL STAFF

DONALD L. CHAMLEE Deputy Chief of Probation Editor

> MILLIE A. RABY Editorial Secretary

## ADVISORY COMMITTEE

WILLIAM E. AMOS, ED. D., Professor and Coordinator, Criminal Justice Programs, North Texas State University, Denton

RICHARD A. CHAPPELL, Former Chairman, U.S. Board of Parole, and Former Chief, Federal Probation System

ALVIN W. COHN, D. CRIM., President, Administration of Justice Services, Inc., Rockville, Md.

T.C. ESSELSTYN, Ph.D., Emeritus Professor of Sociology, San Jose State University

BENJAMIN FRANK, Ph.D., Chief of Research and Statistics (Retired), Federal Bureau of Prisons, and former Professor, Southern Illinois University and The American University

DANIEL GLASER, Ph.D., Professor of Sociology, University of

RICHARD A. MCGEE, Chairman of the Board, American Justice

BEN S. MEEKER, Chief Probation Officer (Retired), U.S. District Court for the Northern District of Illinois

reprinting of articles may be obtained by writing to the Editors.

LLOYD E. OHLIN, Ph.D., Professor of Criminology, Harvard Uni-

MILTON G. RECTOR, President Emeritus, National Council on Crime and Delinquency, Hackensack, N.J.

GEORGE J. REED, Commissioner (Retired), U.S. Parole Com-

THORSTEN SELLIN, Ph.D., Emeritus Professor of Sociology, University of Pennsylvania

CHARLES E. SMITH, M.D., Professor of Psychiatry, The School of Medicine, University of North Carolina, Chapel Hill

MERRILL A. SMITH, Chief of Probation (Retired), Administrative Office of the U.S. Courts

ROBERTS J. WRIGHT, Commissioner of Corrections (Retired), Westchester County, N.Y., and former Editor, American Journal of

Federal Probation is published by the Administrative Office of the United States Courts and is edited by the Probation Division of the

All phases of preventive and correctional activities in delinquency and crime come within the fields of interest of FEDERAL PROBATION. The Quarterly wishes to share with its readers all constructively worthwhile points of view and welcomes the contributions of those engaged in the study of juvenile and adult offenders. Federal, state, and local organizations, institutions, and agencies—both public and private—are invited to submit any significant experience and findings related to the prevention and control of delinquency and crime.

Manuscripts (in duplicate), editorial matters, books, and communications should be addressed to FEDERAL PROBATION, Administrative

Office of the United States Courts, Washinton, D.C. 20544.

Subscriptions may be ordered from the Superintendent of Documents, U.S. Government Printing Office. Washington, D.C. 20402, at an annual rate of \$9.00 (domestic) and \$11.25 (foreign). Single copies are available at \$3.50 (domestic) and \$4.40 (foreign) Permission to quote is granted on condition that appropriate credit is given to the author and the Quarterly. Information regarding the

FEDERAL PROBATION QUARTERLY

Administrative Office of the United States Courts, Washington, D.C. 20544

For sale by the Superintendent of Documents, U.S. Government Printing Office Washington, D.C. 20402

## ederal Prohation

Published by the Administrative Office of the United States Courts

VOLUME XXXXVI

SEPTEMBER 1982

## This Issue in Brief ACQUISITIONS

Homicides Related to Drug Trafficking.-Homicides as a result of business disputes in the distribution of illegal drugs appears as a new subtype of homicide in the United States, report authors Heffernan, Martin, and Romano. In this exploratory study of 50 homicides in one police precinct in New York City noted for its high level of drug dealing, 42 percent were found to be "drugrelated." When compared with non-drug-related homicides in the same precinct, the "drug-related" more often involved firearms and younger, male victims.

Management Theory Z: Implications for Correctional Survival Management.-Increased work- [Homicides Related to Drug (5)05 load and decreased budgets are realities facing correctional management during the remainder of the 1980's, asserts Dr. William G. Archambeault of Louisiana State University at Baton Rouge. This Making Criminals Pay: A Plan for Restitution by means that fewer employees must be motivated to produce more and higher quality services. Faced Information Processing in a Probation Office: 61-708 with a similar dilemma, American business and in-necessary to implement this approach.

Making Criminals Pay: A Plan for Restitution by Sentencing Commissions.-Attorney Frederic R. Kellogg writes that the recent controversy over the insanity defense has focused public doubt over the criminal justice system. It highlights the need not for further tinkering but for wholesale reform. This recent proposal would classify offenses according to harm and enforce restitution in every case. It would sweep away the entire uncoordinated panoply of postconviction proceedings and replace them with a well-staffed sentencing commission of experienced trial judges whose assignment would be to assess the harm done by the of-

fender and collect judgment to repay the victim and the state.

Information Processing in a Probation Office: The Southern District of Georgia Experience.-Chief Probation Officer Jerry P. Morgan believes there is a place for word/information processing in the probation office. In establishing a system in the Southern District of Georgia, local sentence comparison became the first project followed by

Trafficking ..... Anne T. Romano Management Theory Z: Implications for Correctional Sentencing Commissions . . . . . . . Frederic R. Kellogg 12 The Southern District of Georgia Christopher M. Sieverdes 22 A Social Learning Theory Model for Reduction of 7-7// Correctional Officer Stress......Susan J. Stalgaitts Andrew W. Meyers Joseph Krisak 33 Fire Safety in Jails: Planning 57.7/2 N.E. Schafer 41 / On the Presentence Investigation . . . . . . . . . Yona Cohn 46 Class of '63: Career Patterns of Federal Prison Correctional Officers Who Entered Service During 1963......Loren Karacki 49 Departments: News of the Future..... Looking at the Law..... Letter to the Editor ..... Reviews of Professional Periodicals..... Your Bookshelf on Review..... It Has Come to Our Attention.....

By Clemens Bartollas, Ph.D., And Christopher M. Sieverdes, PhD.\*\*

HE QUESTION of juvenile institutionalization is fraught with sharp conflict. One one hand, Jerome Miller and others loudly proclaim that all training schools are bad for children and that youthful offenders must be kept out of them. On the other hand, hardliners, or proponents of the punishment model, propose that the violence of youth crime is directly related to the permissiveness of the juvenile justice system. They claim that the best solution to the serious problem of juvenile crime is to send more youthful offenders to training schools. After briefly reviewing the history and salient characteristics of training schools, this article recommends policy directions for the future.

## The Past: History of Good Intentions

The houses of refuge, or first juvenile correctional institutions, were built in the 1820's through 1840's. These juvenile institutions implemented the family model, for they were designed to implant the order, discipline, and care of the family into institutional life. In effect, the institution became the home, peers became the family, and staff became the parents. As the use of these refuge houses continued into the 1840's and 1850's, some became well known by special names taken from individuals and locations; notable examples are George Junior Republic and Sleighton Farms. The cottage system was subsequently introduced in 1854, and it soon spread throughout the Nation. Faith in industrial schools continued into the 20th century, but the increasing size of their populations, a decrease in funds from state legislatures, and the admission of more dangerous offenders resulted in a greater emphasis on custody in these juvenile institutions.

In the 20th century, the most impressive modification of these industrial schools, or reform schools as they were sometimes known, was the implementation of a treatment regimen. Professional staff, such as social workers, psychologists, and psychiatrists used social casework, individual

and group therapy, and classification systems to rehabilitate, recycle, remake, and remodel residents. Residents could graduate from stateaccredited high school programs and could pursue training in vocational programs such as printing, barbering, automotive repair, and welding. Home furloughs and work release programs were also introduced into juvenile institutions in the second half of the 20th century. Today, the structure of juvenile institutions has multiplied to include ranches, forestry camps, farms, reception and diagnostic centers, educational and vocational training schools, and end-of-the-line, maximum security training schools.

## The 1970's: Few Friends for Training Schools

Training schools had few friends through most of the 1970's. They were commonly attacked as violent, inhumane, criminogenic, and prohibitedly expensive. The rise of a deinstitutionalization movement in many states, which was part of a larger emphasis on community-based corrections, gave support to the belief that the 150-year history of good intentions and disastrous results of training schools was finally coming to an end. Some national commissions blissfully forecasted that the long-awaited end of the training school era was finally at hand and that all states, like Massachusetts, would close their training schools.

The violence of training schools has received considerable documentation the past two decades. Polsky's study of a private training school in Connecticut; Bartollas, Miller, and Dinitz's examination of a maximum security, end-of-the-line training school in Ohio; and Feld's research on training schools in Massachusetts before they were closed all found that inmate leaders and their lieutenants controlled other residents through force and intimidation. 1 The Bartollas, et al., study of a maximum security institution for boys revealed that streetwise blacks controlled the culture as they victimized whites and middle-class blacks in every

conceivable way. In this end-of-the-line facility, 90 percent of the 150 inmates were either exploiters or victims. One inmate summarized the violence of this training school when he said, "Man, this place is a jungle and only the strong survive." Propper's examination of girls in three coeducational and four girls' training schools found that participation in homosexuality and make-believe families was just as prevalent in coed as in single-sex facilities; that homosexuality was as prevalent in treatment-oriented as in custodially-oriented facilities; and that residents sometimes continued homosexual experiences when they were released. even when their first experience was as the unhappy victim of a sexual rape in the training school.2 Unfortunately, researchers also found that staff contributed to the violence in training schools. Wooden, an investigative reporter who visited private and public training schools across the Nation, graphically documented the brutal treatment residents received from staff.3

The inhumanity of training schools has also received frequent citation in the literature. The fact that noncriminal offenders are frequently confined longer than criminal offenders has been one issue upon which critics of institutionalization have focused.<sup>4</sup> Training schools have also been accused of being society's garbage dumps for minority and poor children, because over half of their residents came from minority groups. 5 Other charges have been that training schools discriminate against juvenile girls who are sent there for less serious offenses than boys, keep girls confined longer than boys, provide fewer programs for girls than for boys, and in most cases, prepare

4Clemens Bartollas and Stuart J. Miller, The Juvenile Offender: Control, Correction, and Treatment (Boston: Holbrook Press, 1978), pp. 38-6-39.

5Rosemary C. Sarri and Robert D. Vinter, "Justice for Whom? Varieties of Juvenile Correctional Approaches," in The Juvenile Justice System, edited by Malcolm W. Klein (Beverly Hills, California: Sage, 1979), p. 179.

6Lisa Aversa Richette, The Throwaway Children (New York: J. B. Lippincott Company, 1969) and remarks made during a lecture by Judge Richette at the Third Annual Juvenile Justice Conference, March 14-18, 1976.

7Bartollas and Miller, The Juvenile Offender: Control, Correction, and Treatment, pp. 384-351.

84-851.

\*\*SPolsky, Cottage Siz; Sethard Fisher, "Informal Organization in a Correctional Seting," Social Problems, Volume 13 (Fall 1965), pp. 214-222; Allen Breed, "Immate Subultures," California Youth Authority Quarterly 16 (1963), pp. 6-7; Seymour Rubenfeld and John W. Stafford, "An Adolescent Immate Social System: A Psychological Acount," Psychiatry, Volume 26 (1963), pp. 241-256; Bartollas and Miller, The Juvenile Offender: Control, Correction, and Treatment, and Feld, Neutralizing Immate Violence: Juvenile Offenders in Justitutions.

Ochristopher M. Sieverdes and Clemens Bartollas, "Race, Sex, and Juveniie Interests," Deviant Behavior. (1982), pp. 203-208. (in press).

1Clemens Bartollas, et al., Juvenile Victimization; Christopher M. Sieverdes and mens Bartollas, "Adherence to an Immate Code in Minimum, Medium, and Maxmus Security Juvenile Institutions." Paper presented at the Annual Meeting of the ciety for the Study of Social Problems, August 24-27, 1979.

2Interviewed in April, 1972.

3President's Commission on Law Enforcement and the Administration of Justice, at Force Report: Corrections (Washington, D.C.: U.S. Government Printing Office, 871, n. 142.)

girls only to be housewives when they return to the community.6 It has been claimed that the mortification and deprivation of institutional life lower the self-esteem of residents. Finally, critics have asserted that the boredom and drudgery of institutional life, characterized by endless days of monotonous programming, is scandalous considering the emotional cost to residents and the financial cost to society.

A number of researchers have also concluded that the basic nature of training schools is criminogenic and that they become "schools of crime" for all who do time within them. It has been generally agreed that the values generated by the inmate subculture, along with the compromises that staff make with residents over unlawful conduct. are the chief reasons for the criminogenic nature of juvenile correctional institutions. Polsky, Fisher, Breed, Rubenfield and Stafford. Bartollas et al., and Feld all described the social roles that pervaded male training schools and formed a major part of the inmate subculture.8 Giallombardo found that female residents also had social roles, but they were constructed around lesbian alliances and pseudo-family relationships.9 Sieverdes and Bartollas found that social roles were present in six coeducational juvenile training schools in a southestern state. 10 In addition to the social roles, residents sometimes developed an inmate code which reinforced the values of the subculture. 11 Both the social roles and the inmate code served to alienate residents from staff and to discourage their acceptance of prosocial attitudes. Researchers who examined the microcosm of the inmate culture reported that much of the conversation centered around crime: what they had done, how they did it, and what they planned to do in the future. The more serious crime a youth had committed in the community before confinement, the higher status he or she achieved in the inmate social system. A first-time offender drew this conclusion, "Hey, I didn't know anything about crime when I came here, but I do now."12

It is not surprising, therefore, that training schools have high rates of recidivism. The President's Crime Commission noted, in this regard, "Most experts agree that about half of the persons released from juvenile training facilities can be expected to be reincarcerated."13 In one of the few empirical studies of the recidivism rates among training school releasees. Stuart Miller found that the recidivism rates increased with the number of years after discharge; 4 years after release the recidivism rate was 54 percent.14

\*University of Northern Iowa, Cedar Falls \*\*Clemson University, Clemson, S.C.

<sup>&</sup>lt;sup>1</sup>Howard W. Polsky, Cottage Six (New York: Russell Sage, 1962); Clemens Bartollas, Stuart J. Miller, and Simon Dinitz, Juvenile Victimization: The Institutional Paradox (New York: Halsted Press, 1976); Barry C. Feld, Neutralizing Inmate Violence:

Finally, critics, led by such groups as the National Council on Crime and Delinquency and the National Center on Institutions and Alternatives, have challenged the economic feasibility of placing youths in institutions that are so expensive. Some states are spending from \$35,000 to \$50,000 a year for the institutional care of one juvenile; few states get by for less than \$1,000 a month per juvenile. Critics argue: give us that amount of money for care in the community, and we will show you remarkable results.

This assault on juvenile correctional institutions-along with the pressure of litigation brought by residents, the advocacy of concerned citizen groups, and the inhouse reforms of correctional administrators-did effect significant change by the end of the 1970's. First, at a time of skyrocketing prison populations, the number of institutionalized youth dropped during this decade; a 1978 survey by Corrections Magazine indicated that there were 26,000 youths in secure and semisecure state facilities, a 28 percent drop from the 36,507 confined on January 1, 1970.15 Second, the Juvenile Justice and Delinquency Prevention Act, which was passed by the U.S. Congress in September of 1974, led to a withdrawal of status offenders from most state training schools. This act not only resulted in the reduction of institutionalized populations, but forced policymakers to come to grips with the injustice of confining noncriminal offenders with criminal offenders. Third, the fortress-like training school that housed several hundred residents has also essentially gone out of existence. For example, Stonewall Jackson in North Carolina, Lancaster School for Boys in Ohio, and the Iowa State School for Boys all held over 600 residents at one time; their population today is 200 or less. Fourth, the length of institutional stay has declined during the past decade. Fifth, training of staff, especially linestaff, increased dramatically during the past decade. This has enabled security and treatment staff to do their jobs in a more effective and efficient manner. Sixth, the concern about creating humane institutions has led to the establishment of larger numbers of coeducational training schools and the implementation of more normalizing influences in the single-sex juvenile facilities. Finally, staff brutality against residents, which

schools today. 16

and in other court cases, is rarely found in training

Another recent development was that a hard-line approach, brought on by persons incensed by society's "mollycoddling" of teenage hoods and criminals, had gathered momentum and won many converts by the middle and late 1970's. Franklin E. Zimring, director of the Center of Studies in Criminal Justice of the University of Chicago Law School, commented on the consequences of this hard-line approach:

I think what is happening is that much of the fat has been squeezed out of juvenile correctional facilities over the past two decades. The big question is what's left and who's left. My guess is you're looking at an older, more male minority, and more offense-oriented population than has been the case in this century.17

## The 1980's: Present and Needed Policy for Juvenile Correctional Institutions

The policy toward juvenile correctional institutions presently accepted by the majority of states includes the following:

- (1) Keep minor offenders and status offenders out of training schools. Reserve the use of these long-term facilities for the more serious juvenile offenders.
- (2) Transfer violent juvenile offenders to the adult court.
- (3) Keep the institutional stay as brief as possible and the size of the training school populations as small as possible.
- (4) Prevent staff brutality in any form: striking a resident for whatever reason is usually grounds for dismissal.
- (5) Keep the courts out of juvenile corrections by complying with the court-mandated rights of confined juveniles, by establishing grievance processes for residents, by improving staff training, and by more just release procedures.
- (6) Retain a commitment to parens patriae and rehabilitation philosophy. This means that treatment is required for confined juveniles and that their progress in these rehabilitation programs affects the length of institutional stay.

The present authors have never been proponents of juvenile correctional institutions, because we have found little evidence regarding their effectiveness from studies we have conducted in three state correctional systems and from the time we have spent working within training schools. However, because society appears determined to continue the use of these long-term institutions, we propose some additional policy directions for juvenile corrections.

was described in the Morales versus Thurman case

(1) It would appear from our examination of the literature that more research is needed on training schools. Indeed, most of the empirical studies have focused on four areas: effectiveness of treatment methods and classification systems, the nature and impact of the inmate social system, the effect of organizational goals, and the extent of juvenile victimization.

To improve the quality of life for residents in training schools, we need answers to the following questions: How much variation in institutional impact is there between single-sex and coeducational training schools? How can a milieu be created that will persuade juveniles to become more responsible for their behavior? How is it possible to effect systemwide change in a state correctional system? How is it possible to mitigate the negative attitudes of staff and residents generated by the punishment-oriented setting of training schools? What are the ingredients of effective institutional programs? What are the most effective methods to work with the hard core?

(2) It would appear from our research that the degree of involvement of the staff very much determines the quality of life for residents in training schools. Morale among both professional and nonprofessional staff is typically low. Too many staff presently look upon themselves as stigmatized by the dirty job of guarding prisoners; they commonly feel angry and oppressed by their jobs. Burnout is an occupational hazard that affects too many staff members personally and has a deleterious impact on rehabilitative ideals in the institution. Significantly, in nearly every cottage or dormitory setting we have observed in five states, there is at least one youth supervisor or child caseworker who is exceptional with residents, one who is totally ineffective, and the rest who tend to be on the short-end of the effectiveness continuum. If we want juvenile institutions to be less harmful to residents, staff-especially nonprofessional ones-need more careful selection at the time of hiring, better training, improved salaries, and more recognition on the job.

(3) It would appear from our research that the more normalized the setting, the less violent and criminogenic the peer culture. A normalized and humane setting requires that residents are safe from the victimization of others. It also involves frequent contacts with the community, such as home furloughs, work release, school in the community, and social and recreational activities in the community. Coeducational institutions also provide a more normal and humane setting than

single-sex training schools. Also, the more responsibility residents take toward themselves and others, the more humane and normalized the correctional setting.

(4) It would appear from our experience in working in training schools that certain changes are needed in the use of treatment intervention. Treatment should clearly be voluntary and have nothing to do with the resident's release. Treatment programs should use a variety of techniques with institutional youth, chiefly because some youth respond better to one modality than another. Treatment should be rescued from that single bench mark, recidivism, for it is unlikely that any single institutional experiences would deter a youth from future involvement in crime. If a treatment program makes the youth feel better about himself or herself, teaches a valued job or social skill, or provides some direction for the future, then it is an effective program.

(5) It would appear from our experience in working in training schools that aftercare is a key linkage between institutional life and successful community adjustment. Unfortunately, few training schools offer programs that help prepare youths for experiences they will face in the community. Training schools in Michigan and Illinois have established a program that conditionally releases a youth to the community. Under this program, the youth is required to return to the institution one day a week to confer with staff and to deal with problems that have arisen in the community. This type of program is particularly important for those youths who want to make it but are experiencing pressures in the community. It also provides these youths an opportunity to talk with trusted institutional staff members.

(6) It would appear from our research and work experience in training schools that the most effective model to deal with juvenile institutionalization is a logical consequence model. In this model, residents are informed that there is a cost to behavior, and, if they elicit inappropriate behavior, they must experience certain, specified consequences. However, instead of a punishment model, this model is intended to teach residents to think through their actions and to pursue more responsible and constructive behavior.

### Conclusions

Juvenile correctional institutions continue to be regarded as a necessary evil. Although they have few friends, society is looking at them more and

more to deal with serious juvenile criminals. Most order: More research is needed, a more humane entoo criminogenic, too inhumane, and too expenagainst inmates from staff is taking place, and fewer minor offenders and status offenders are committed to training schools.

within training schools, a number of changes are in quire this type of secure placement.

of the criticisms directed to them in the 1970's re- vironment that is safe and lawful must be created, main; that is, training schools are still too violent, more involved staff are needed, the role of treatment must be rethought, and more attention must sive. Yet, juvenile institutions have changed in be given on ways to link aftercare with the institusome rather significant ways: They are smaller, tional experience. Perhaps training schools will residents do not stay quite so long, less brutality never be popular, and, indeed, they should not be. But officials within the juvenile justice system and governmental bodies that support the juvenile justice system must create more humane long-term For society to improve further what takes place institutional care for juveniles who appear to re-

## END