

CALIFORNIA YOUTH AUTHORITY

The California Youth Authority (CYA), the largest youth correctional system in the United States, houses approximately six thousand juveniles and young adults in eleven institutions and four forestry camps. An additional four thousand are under parole supervision. Operating under a *treatment and training* concept, the CYA provides an extensive array of programs that include academic education, vocational training and work experience, sex offender treatment, substance abuse treatment, specialized counseling, and intensive mental health treatment. Through its Office of Prevention and Victims Services, the CYA assists local justice agencies in delinquency prevention and intervention and provides services to victims of youth crime.

The Origin of the CYA

The establishment of the California Youth Authority in 1941 through legislative action is often cited as a turning point in American juvenile correctional history. The California Youth Authority Act was the first implementation of the American Law Institute's model Youth Correction Authority Act. Radically breaking with traditional thinking and practice in juvenile corrections, it proposed a model of juvenile justice based on rehabilitation instead of retributive punishment and called for state-level coordination of services. The passage of the California Youth Correction Authority Act of 1941 represents the first time an elected legislative body

declared that the purpose of juvenile corrections was rehabilitation rather than punishment.

During the period leading up to the passage of the Youth Correction Authority Act in 1941, California's juvenile justice system could be described as disjointed, under funded, and prone to brutality. The system's most serious problems appear to have been the result of no overall standards. There were no guidelines for length of stay, for educational services, nor for the quality of correctional treatment and training. Three crowded, aging institutions and a total of nine parole agents (with caseloads sometimes as high as two hundred) served all of California. They operated under the direction of the Department of Institutions, an agency that was almost totally oriented to running mental hospitals and homes for the disabled.

Prior to 1941 young offenders were committed directly by the courts to one of the three schools. If space was not available they were placed in overcrowded jail facilities along with adults. Even pre-adolescent children were sometimes placed in jails where they mingled with adult criminals of all types. In such settings children were exposed to continual criminal influences as well as to physical and sexual abuse. Publicized reports of children being abused in jails and in the three juvenile institutions were common. Over time this grew into a highly emotional public issue. In 1939 public attention became riveted on the Whittier State School when the *Los Angeles Times* featured stories concerning a 13-year-old boy who died under questionable circumstances after being placed in solitary confinement. When a second boy at the Whittier State School died under almost identical circumstances a year later, public demand for change became difficult to ignore.

California, of course, was not the only state with such problems. Public commissions and other influential groups in state after state found that many juveniles coming into contact with the justice system encountered injustice and brutality. Juvenile justice committee members in New York City charged with assessing its system of juvenile justice were shocked at their findings. They became convinced, however, that the only reason brutal conditions were tolerated was that the public was generally unaware of them. To address this lack of knowledge, the committee sponsored a report that detailed the sorry state of juvenile justice in New York. This report, *Youth in the Toils*, eventually drew the attention of the American Law Institute. In 1938 the Institute decided to address the problem and began looking for ways to make the administration of juvenile justice more effective and humane. The solution they hit upon was a model system that individual states could adopt. This task of developing a model system was given to a select committee of judges and attorneys along with specialists in the fields of criminology, psychology, sociology, and social casework.

In June 1940 the American Law Institute released the final version of a model system called the Youth Correction Authority Act. Almost immediately the Institute began a campaign to see the Act adopted in what was considered several key states. John Ellingston, representing the American Law Institute, presented copies of the Act to leading California judges, probation officers, social workers, educators, and legislators. Public meetings were held beginning in November 1940, drawing considerable interest. The Youth Correction Authority Act passed both the California senate and assembly with minimal opposition and was signed into law by Governor Culbert Olson on July 9, 1941.

The Youth Correction Authority Act of 1941 declared that the purpose of this new agency was “to protect society by substituting training and treatment for retributive punishment of young persons found guilty of public offenses.” The act specified that a three-member board would govern the Authority and direct the placement and treatment of juvenile offenders committed to its custody by the courts. The board was authorized to employ educators, physicians, psychiatrists, psychologists, sociologists and social workers to provide individualized assessments and develop appropriate treatment plans. As originally designed, the Youth Authority Board was authorized to utilize any public institution or agency that would accept the ward. The 1941 act did not give the Youth Correction Authority administrative control over any of the institutions, although it was empowered to inspect them periodically. This would come about in amendments at the behest of California Governor Earl Warren in 1943 who sought to end problems such as those at the Whittier School.

Although the California act remained fairly close to the model act, the California legislature added amendments that have had a strong imprint on the mission of CYA. Probation powers were left with the courts (thereby creating a two-tiered system). The CYA was given responsibility for developing and coordinating delinquency prevention programs and for providing consultative services to other agencies charged with delinquency prevention and treatment. Following the model developed at the Whittier School by Fred C. Nelles in 1918, the CYA developed a treatment model that focused on the clinical diagnosis of individual delinquents and the development of individual treatment plans.

Innovation at the CYA

Within 20 years the California Youth Authority had developed a national and international reputation for innovative juvenile correctional treatment and training and for experimental research. In addition to being the first to establish reception centers and clinics to diagnose and develop individual treatment programs, the CYA pioneered juvenile forestry camps, community treatment, and an inmate grievance program involving independent arbitration. These programs came to be examined and copied by correctional agencies from throughout the United States and, in fact, from throughout the world.

Beginning in the 1950s and continuing through the mid 1970s the CYA introduced and evaluated many new diagnostic and treatment approaches. These included guided-group interaction, therapeutic communities, group therapy, behavior modification, differential treatment and transactional analysis. Although some of the CYA's experimental research projects produced promising results, they were modest and fell far short of the hoped-for breakthroughs. The positive achievements seemed to get lost in the disillusionment that a panacea was not to be found. CYA research staff such as Carl Jesness and Ted Palmer, nevertheless, continued to publish widely. Palmer, in fact, was practically the only criminologist to publicly reject Robert Martinson's well-known 1974 statement that *nothing works* in corrections.

The CYA also experimented with treating juvenile delinquents in the community rather than in its institutions. The widely acclaimed Community Treatment Project, directed by Marguerite Warren, tested the effectiveness of providing intensive, individualized psychological treatment in the community

compared to that provided in the institutions. Although the results of this research project are controversial at best, it did appear to indicate that serious juvenile delinquents could be treated in the community at less expense than institutional programs and no increase in recidivism.

Like most correctional agencies in the United States, the California Youth Authority's programs and services suffered considerably under budgetary cutbacks and the disillusionment of the *nothing works* environment of the 1980s and 1990s. At the same time, the cultural milieu within Youth Authority facilities gradually took on a heavier security orientation, eclipsing in most instances the Youth Authority's traditional training and treatment orientation. Nevertheless, its forestry camp programs continued to operate, and a number of innovative programs with a rehabilitative emphasis were introduced during this time. Among the more notable of these were the Free Venture Program, which brought private sector industries inside Youth Authority institutions to provide employment experience, and the LEAD program, an intensive boot camp program based on the California National Guard's officer training program. Although still operating with a training and treatment philosophy, the Youth Authority has been the subject of litigation in recent years regarding allegations of not providing legally mandated educational and mental health services as well as for failing to adequately protect those under its supervision.

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See also *Community Treatment Project, Group Therapy, Training Schools*

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SCARED STRAIGHT

Scared Straight is the name of what is arguably the most well known juvenile crime-prevention program in the United States. It exploded on the juvenile justice scene in 1976 and spread rapidly through departments of correction across the nation. Fueled by media attention and the public's fear of juvenile crime, Scared Straight was regarded as a cure-all for the problem of juvenile crime in this country.

Program Background

In order to understand Scared Straight as an instrument of crime prevention, one must first understand the philosophy of the program. Central to the philosophy of the Scared Straight program is deterrence theory. Deterrence theorists assume that humans are rational beings. Before taking part in a behavior, humans rationally contemplate the potential costs and benefits of an action. Behaviors that are perceived to have more benefits than costs are accepted while

those perceived to have more costs than benefits are rejected. According to a rational choice perspective, crime occurs when the actor perceives more benefits than costs from breaking the law. Thus, juveniles commit criminal and delinquent acts because they perceive such acts to be personally beneficial rather than costly.

Deterrence theorists assert that in order to prevent criminal behavior, punishment must be used to illustrate the costs of such behaviors. To achieve deterrence, punishment must be certain, swift, and severe. *Certainty* refers to the likelihood of being apprehended for a criminal or delinquent act. *Swiftiness* is related to the amount of time between the act and the punishment for the act. *Severity* refers to the harshness of the punishment in relation to the act. It is believed that punishments administered in a certain, swift and severe manner can achieve specific and general deterrence.

Specific deterrence occurs when juveniles who have been caught and punished for a crime do not take part in future criminal behavior for fear of being punished again. General deterrence occurs when others learn of the punishments offenders have received and do not take part in criminal behavior for fear of similar punishment. According to Finckenauer and Gavin (1999) a third type of deterrence, repressive deterrence, was also utilized in Scared Straight. Repressive deterrence was the product of the aversive experience of entering prison and being confronted with the harsh realities of prison life.

Program Ingredients

The design and mission of the program commonly referred to as “Scared Straight” is most often associated with a group of inmates at Rahway State Prison

in New Jersey. The group called themselves the Lifers' Group because all of the group's members were serving sentences of 25 years or longer. The group was committed to changing the stereotypical images of inmates portrayed by Hollywood and accepted by the American public (Finckenauer, 1982). To accomplish their goal, group members took part in charitable activities to prove that they were useful and worthwhile people despite their incarceration.

The Scared Straight premise developed within the Juvenile Intervention Committee, a sub-committee of the Lifers' Group. The committee was searching for a way to keep kids out of trouble. One day, while watching a group of college students tour the institution, Lifers' Group president, Richard Rowe conceived of the idea of bringing juveniles to the institution to see what prison was really like. With approval from the prison superintendent, the first group of juveniles to take part in the Juvenile Awareness Project (JAP) entered Rahway State Prison in September of 1976.

Although intimidation or terrorism were not originally integral project components, they later became important components (Finckenauer and Gavin, 1999). Initially, the program followed a relatively calm progression. A correctional officer greeted each group of juveniles, briefed them about the program, and processed them through prison security. Once inside the prison, the inmates talked with the youths about prison life. The inmates discussed all of the gruesome details and harsh realities of life behind bars including the assaults, murders, rapes, and suicides that take place in prison. They told the youths about the poor living conditions, rigid schedule, and impersonal atmosphere of prison. The youths were allowed to ask the inmates questions and to take part in an open

discussion about prison realities. After the discussion portion of the program the group was given a tour of the facility, including the solitary confinement unit. The youths were told that even slight infractions within the institution could result in an inmate being placed in solitary confinement (Finckenauer, 1982).

The original design of the program was to use the prison experience as a form of counseling. The inmates approached the groups of young people with a “Big Brother” attitude. The show and tell experience was intended to give the youths a realistic look at prison and where they might end up if they took part in a life of crime. The ultimate goal was to deter the youths from taking part in criminal behavior for fear of being sent to prison. The inmates soon came to believe that their low-key big brother approach was not reaching many of the juveniles and thus adopted a more harsh and shocking style to get the attention of the youths (Finckenauer and Gavin, 1999). The better known, in your face, harsh language, and intimidating version of JAP soon emerged.

It was this version of JAP which garnered national media attention and was presented to the public in numerous newspaper and magazine articles and an award-winning documentary entitled *Scared Straight!* which publicly proclaimed the effectiveness of the program. In November of 1978 *Scared Straight!* was first broadcast in Los Angeles. Reviews of the film were so overwhelming that in March of 1979 it was televised nationally. That same year the film won an Oscar award from the Academy of Motion Picture Arts and Sciences and an Emmy award. Despite the entertainment world’s enthusiasm for the documentary and the public’s fascination with prison life, the program was not without its critics.

Beyond outrage about the harsh language and questionable content of the film, strong criticism of the program's effectiveness surfaced.

Program Effectiveness

Questions about the effectiveness of the program could only be answered through program evaluation. The goal of the Juvenile Awareness Project was to deter juveniles from taking part in crime. In order to evaluate the effectiveness of the program, researchers had to determine who was taking part in the program. Three types of juveniles were taking part in JAP. First, the "Good," were youths who did not have a record of criminal involvement. Second, the "Bad," were young people who had been found guilty of minor infractions. Third, the "Ugly," were youths who had been involved in serious criminal behaviors. The program was intended to have the greatest impact on the Ugly group as they were the ones closest to being incarcerated (Vito, Tewksbury and Wilson, 1998). Interestingly, Finckenauer (1982) determined that 41 percent of the juveniles who visited Rahway had no prior record and thus were members of the "good" category.

James Finckenauer evaluated the effectiveness of Scared Straight and published his findings in a 1982 book entitled *Scared Straight and the Panacea Phenomenon*. He evaluated the program's deterrent effect using a quasi-experimental research design. Through his research, he determined that the program was not serving as a deterrent. In fact, juveniles who took part in the program were more likely to recidivate (41.3%) than those who had not gone through the program (11.4%). Additionally, juveniles with prior criminal records who completed the program had higher recidivism rates than those with a prior

criminal record but did not go through the program (48.2% versus 21.4%). New offenses committed by the participants also tended to be more serious compared to the non-program participants. Using questionnaires, Finckenauer was able to ask the juveniles questions about their perceptions of punishment severity. He concluded that going through the program did not alter juveniles' perceptions of the severity of punishment. It appeared that the program somehow had a negative impact on juvenile crime rather than a positive impact on deterrence.

Similar Programs

One of the first programs in the Scared Straight genre took place 15 years prior to the program at Rahway State Prison. The Michigan Reformatory Visitation Program operated during 1960–67. Although little is known about the scare tactics used during the program, program evaluation results were strikingly similar to those found by Finckenauer in his evaluation of JAP. The juvenile court records of youths randomly assigned to either experimental or control groups were evaluated six months after visiting the institution. The results of the evaluation concluded that 43 % of the individuals who participated in the program had a court petition or probation violation within six months after taking part in the program. Only 17 % of the control group, individuals who did not take part in the program, recidivated within six months (Michigan Department of Corrections, 1967).

A second attempt by the Michigan Department of Corrections to scare juveniles straight was entitled Juvenile Offenders Learn Truth (JOLT). One unique feature of this program was that youths were accompanied to the program

by a parent or guardian. The adults and children were separated after touring the facility and the juveniles took part in an intensive confrontation session. Though the program evaluation results of JOLT were no more encouraging than the Rahway results, recidivism rates for experimental and control groups were more similar in this program. Six months after taking part in the program, 30.8% of participants and 28.9 percent of non-participants had recidivated (Homant and Osowski, 1981). A similar program in Virginia, the Insiders Juvenile Crime Prevention Program, also yielded high recidivism rates and no difference between program participants and non-participants (Lundman, 1993).

Researchers have concluded that intensive confrontation programs that rely on scare tactics to deter juvenile crime are not effective at deterring juveniles from committing crime. As one group of researchers stated, “the programs are little more than a fieldtrip of horrors” (Vito, Tewksbury and Wilson, 1998:155). Recent programs have attempted to distance themselves from the Scared Straight stigma by stressing the use of education and communication rather than scare tactics. The San Quentin Utilization of Inmates Resources, Experience and Studies Program (SQUIRES) was started in 1963 and once sought recognition as the basis for Rahway’s program. Today the group is quick to distance itself from Scared Straight by touting itself as a counseling program not a scare program. The inmates discuss a variety of topics such as drug use, AIDS education, and family relations rather than simply intimidating the youths (Finckenaur and Gavin, 1999). Additional Scared Straight spin-off programs that do not rely on scare tactics include See Our Side Program, Stay Straight, SHAPE-UP, Project Aware, and the Massachusetts Prevention Program. However, the results of these new,

less-abrasive programs are the same as the hard-hitting Scared Straight confrontations of the past. Little evidence exists to support the notion that these programs effectively achieve deterrence.

Researchers have found some secondary benefits of involvement in juvenile crime prevention programs. Inmates involved in such programs have been found to adapt new positive self-images as a result of taking part in the programs. Keller (1993) concluded that inmates new roles as counselor overshadowed their negative status as inmates. After evaluating the JOLT program Homant and Osowski (1981) concluded the program had positive impacts upon the inmate counselors and included this as one of the rationales for continuing the program, despite its lack of effectiveness as a deterrent.

Despite the lack of evidence that programs like Scared Straight achieve deterrence, they continue. Perhaps it is the idea of a panacea or cure-all for the juvenile crime problem that fuels such programs. Perhaps it is the fact that the basic premise of the program seems so logical that some find it hard to believe that an experience of this nature would not keep kids out of trouble. Or maybe the secondary benefits of these programs are important enough as to maintain their place in the crime prevention repertoire.

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See also *Challenge Programs, Mentoring Programs, Wilderness Programs*

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SERIOUS AND VIOLENT JUVENILE OFFENDERS

Serious violent juvenile offenders are those who have committed crimes that fall into the categories set forth in the juvenile violent crime index as classified by the *Uniform Crime Reports* published by the Federal Bureau of Investigation. These crimes include murder, forcible rape, robbery, and aggravated assault.

The heinous nature of the crimes committed by these juveniles, coupled with the extensive media attention focused on high profile incidents such as school shootings and gang violence, has lead society to conclude that the problem of serious violent juvenile offenders is extensive and that grave measures should be taken to remedy the problem. One of the key measures has been the development of a “get tough on crime” attitude. This attitude became prevalent among both citizens and lawmakers and resulted in changes that significantly affected the juvenile justice system.

Amount of Serious, Violent Juvenile Crime

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) estimates that between the early 1980’s and early 1990’s juvenile arrest rates for violent crime index offenses increased nearly 60% compared to a 47% increase for adults. This era represented the peak increase in serious, violent juvenile offending. Statistics show that the period between the mid and late 1990’s represented a period of decline for serious, violent juvenile offending as evidenced by the 36% decrease in the juvenile arrest rates for violent crime index offenses. Statistics for 1999 made available by the OJJDP revealed that, of all

violent index crimes cleared by arrest, juveniles committed 6% of the murders, 12% of the forcible rapes, 15% of the robberies, and 12% of the aggravated assaults. These statistics are indicative of the fact that even though serious violent juvenile offenses have declined there is, nonetheless, a grave problem that must be addressed.

Characteristics of Serious, Violent Juvenile Offenders

One of the most difficult questions for criminal justice professionals to answer is “who among adolescents is most likely to become a serious violent juvenile offender?” While research has had some success in determining the characteristics of adolescents who are most likely to become delinquent, it has not yet determined who among adolescents is most likely to become a serious, violent offender. Part of the difficulty lies in the fact that, in many instances, the serious violent juvenile offender has no prior record of offending. Attempts at profiling such offenders are complicated by the fact that these juveniles often do not fit the profile. As in the case with several of the juveniles involved in school shootings, the serious, violent juvenile offender is often a very good student and has a low profile within the student body. Another difficulty lies in the fact that the particular offense committed is often the first offense of record by the juvenile. In such cases there is no record of a progression of offenses nor other indicators that the juvenile had the potential to become a serious, violent offender.

Criminal justice professionals are also cognizant of, and alarmed by, the fact that the age at onset of serious, violent juvenile offending is becoming younger. A common response has been to transfer these offenders to adult courts. Even

though most states have a minimum age for adult certification, there are several states that do not, thus allowing a juvenile to be tried as an adult regardless of his or her age. The transfer of juveniles from the juvenile justice system to the adult justice system has imposed problems and created new issues for the adult criminal justice system that have yet to be resolved.

In relation to gender, statistics show that males account for the majority of all serious, violent juvenile offenses committed. However, female involvement in serious, violent juvenile offending is increasing at alarming rates. Additionally, statistics show that females are often the recipients of more leniencies offered by the justice system. Even during a period with a significant increase, females were less likely than males to have their cases petitioned. Of the petitioned cases, females were less likely than males to be adjudicated. Females were also less likely than males to be placed on formal probation or to be ordered to an out-of-home placement. This disparate treatment indicates that even the justice system has not yet realized the gravity of female involvement in serious, violent juvenile offending.

Contemporary Research

The increase in serious, violent juvenile offending has generated a multi-disciplinary approach to the study of the problem. Criminal justice professionals, educators, public health officials, religious organizations, and various other groups have initiated research into solutions. Traditionally, criminal justice professionals believed that young adults represented the most violence-prone age group; however, the increase in violence among adolescents has called this belief

into serious question and has reshaped the focus of research priorities. The outcomes of recent research have spawned various findings and have indicated that both prospective and retrospective approaches to the study of serious violent juvenile offending must be applied.

Generally, researchers have concluded that early identification of potential serious violent juvenile offenders is crucial. Effective age-appropriate strategies for violence prevention, intervention and control need to be developed and implemented at an early age. Researchers further suggest that among the strongest prevention and early intervention approaches is the reduction of these identified risk factors by enhancing the strengths and protective factors provided to the child by the family, school, peers, and community.

Researchers have also admonished mental health professionals, school counselors, youth-group workers, and the like to critically analyze the potential for serious, violent juvenile offending when psychologically assessing or otherwise working with adolescents. It is further suggested by researchers that a profile of the serious, violent juvenile offender be developed so that adolescents at risk can be identified. This would allow interventions to be employed at a very early age in an attempt to prevent the behavior of serious, violent juvenile offending.

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See also *Arson, Cycle of Violence, Delinquency — Trends, Gangs, Matricide & Patricide, School Violence*

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