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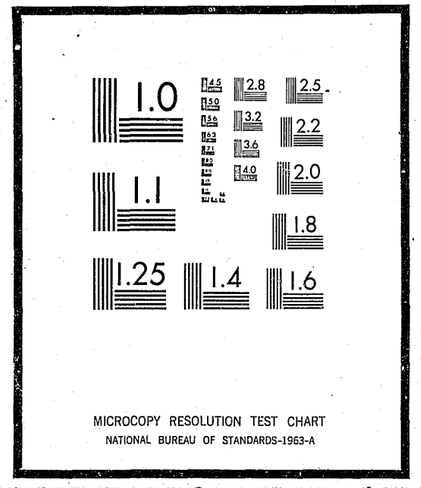

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DEINSTITUTIONALIZATION - DELINQUENT CHILDREN

Geoffrey Kostre

DEINSTITUTIONALIZATION - DELINQUENT CHILDREN

Jeffrey Koshel

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ABSTRACT

It is difficult to generalize about the relative merits of various arrangements for treating and controlling delinquents, since existing studies are quite limited. The available evidence does allow one conclusion--that probation has been relatively efficient and effective in handling a large percentage of juvenile delinquents, but information available on other non-institutional programs for delinquents only suggests that certain selected delinquents can benefit more from such programs than they can from custodial institutions.

Thus, additional research is necessary to develop more complete answers on the relative effectiveness of alternative methods for treating and controlling different types of delinquents. For example, more reliable empirical information is needed on the "recidivism" of particular juveniles in alternative programs.

Popular assumptions are not an adequate guide to future policy formulation. One such assumption, for instance, is that noninstitutional care is always less costly than institutional care. While this may be true for some alternatives (e.g., probation, specialized foster homes, and correctional day care), there is strong reason to believe that it is not true for others (e.g., specialized group homes and group residences).

States and localities have generally made considerable use of noninstitutional alternatives for handling their juvenile delinquents but they have been very reluctant to completely eliminate custodial institutions in this context. Given the present state of knowledge, it appears that their caution is justified.

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I. INTRODUCTION

The purpose of this study is to present an analytic framework for examining deinstitutionalization as it relates to delinquent children. Although the Department of Health, Education and Welfare is not responsible for custodial institutions for delinquent children, various agencies within HEW may well be involved in providing services to delinquents who have been removed from such institutions and to others who have been diverted from the institutional path. Additional work must be done before we will really know what is implied by the deinstitutionalization of juvenile delinquents--both for administrators and, more importantly, for the children and the communities in which they live.

The analytic framework developed in this paper should help in designing a research strategy for answering some of the questions surrounding deinstitutionalization. Before we can evaluate noninstitutional alternatives, for instance, we must know more about the causes of delinquent behavior and know whether delinquency is affected by time spent in custodial institutions. Similarly, before we design a sophisticated information system to capture cost data about the various types of noninstitutional care, we should have some idea of the probable relative value of each alternative in accommodating delinquent children. If one alternative could, at best, handle only a very small percentage of such children, it would probably not be worth a comprehensive and costly evaluation.

Deinstitutionalization has received much attention lately because of the

program recently enacted in Massachusetts which closed all state-operated custodial institutions for delinquent children. While Massachusetts has gone further than any other state in deinstitutionalizing its delinquent population, other states have similar programs and, in some cases, these programs have been in effect for a number of years. California, Minnesota, Wisconsin, and the District of Columbia, among others, are running extensive noninstitutional programs for delinquent children.

Even without the recent publicity, however, an examination of the deinstitutionalization of juvenile delinquents should be of interest to those responsible for child welfare programs, as the number of such children in custodial institutions is almost equal to the number of dependent and neglected children in residential institutions: approximately fifty thousand (as we shall see later this is a minimal figure) compared to sixty-three thousand in 1970.

In the next section of this paper we provide a brief background of the deinstitutionalization of juvenile delinquents, including some definitions of terms and some basic data on custodial institutions. The third section contains a conceptual framework for evaluating custodial institutions and their alternatives. Major analytic issues are discussed in section four and implications for future research are derived in section five. Section six offers some concluding comments.

II. BACKGROUND

In this section, we present various definitions and selected data on institutions for juvenile delinquents, with the aim of helping the reader understand the issues involved in the deinstitutionalization of delinquents.

First, what is meant by juvenile delinquency? As defined by law, the term appears to embrace two general types of behavior: (1) activities which if committed by an adult would be in violation of law or statutes, and (2) persistent truancy from home or school, habitual incorrigibility--i.e., an insistent refusal to submit to parental control--and other "status" offenses. Before a child can be labelled as delinquent, however, he must be so adjudicated by the courts.[1]

The term community treatment has been used to "describe such a wide variety of efforts at every stage of the correctional process that it has lost all descriptive usefulness except as a code-word with connotations of 'advanced correctional thinking' and implied value judgments against the 'locking up' and isolation of offenders."[2] If our definitions are to be

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1. In the Gault decision (Supreme Court of the United States, 1967), the rights extended to juvenile defendents became quite definite. Specifically, the juvenile was granted:

- the right to notice of the charges,
- the right to counsel,
- the right to confrontation by the plaintiff and the right to cross-examine,
- the privilege against self-recrimination (under the Fifth Amendment to the U.S. Constitution),
- the right to a transcript of judicial proceedings, and
- the right to appellate review.

2. Eleanor Harlow, "Intensive Intervention: An Alternative to Institutionalization," Crime and Delinquency Literature (February 1970), p. 3.

analytically useful, they must therefore distinguish the various methods for treating juvenile offenders more precisely.

There are three major characteristics by which facilities for juvenile delinquents can be differentiated. First, the degree and nature of the security at the facility is an important variable. Custodial institutions, for example, tend to have a high degree of security and devote a large proportion of the staff to maintaining that security. Second, the degree and nature of the discipline appears to be significant. In this respect, custodial institutions tend to have highly formalized regulations and well-defined disciplinary procedures. Third, the nature of the rehabilitation process is a differentiating variable. Custodial institutions have formalized rehabilitation programs, usually focused on vocational training and education.

On this basis, it would appear that we can establish three general classes of delinquent facilities:

1. Custodial institutions--characterized by a high degree of security and a high degree of discipline, with emphasis on formal rehabilitation programs (e.g., reformatories, training schools, and, to some extent, forestry camps). "Deinstitutionalization," as it is popularly used with respect to delinquents, appears to refer to reducing the inflow and emptying custodial institutions of their existing populations.

2. Semi-custodial institutions (e.g., group residences and halfway houses)--characterized by medium security and medium discipline, with emphasis placed on personal counseling rather than vocational or educational activities.

> Group residences--The group residence for delinquents is a small institution based in an urban community, serving about thirteen to twenty-five children. In contrast to a group home, a group residence relies heavily on agency rather than community services and it usually differs from nearby homes and apartments by its large size. Members of the staff are selected because of their professional background or special capacity for working with delinquent children.

> Halfway houses--The halfway house for delinquents is a small institution based in an urban community, serving about the same number of children as a group residence. But where a group residence is used instead of a custodial institution, the halfway house is used in addition to such an institution. The purpose of the halfway house is to make the transition between the custodial institution and the community easier.

3. Specialized group homes and specialized foster homes--characterized by low security and low to medium discipline, with strong emphasis placed on personal counseling.

> Specialized group homes--A home of this type cares for a group of four to twelve delinquent children. The dwelling is owned or rented by an agency, institution, or organization which has responsibility for the functioning of the home. The children are placed in such homes by the juvenile courts or the public agency in charge of delinquent youth services. Child care staff provide individual adult attention, but are employed as house parents and counselors rather than as foster parents. Again, members of the staff are selected because of their professional background or special capacity for working with delinquent children.

> Specialized foster homes--A specialized foster home for delinquents cares for one or two children whose emotional needs suggest that they may be able to benefit from a family-like relationship. For this reason, foster parents are selected because of their professional or personal capabilities in working with children with emotional problems. They may be reimbursed for their costs by a salary, a service fee, or a board rate.

In addition to the facilities identified above, arrangements may be made by the courts to supervise the activities of delinquent children. These arrangements are referred to as (4) probation/parole and (5) correctional day-care. Juvenile delinquents who are placed on probation are assigned to a probation officer who is responsible for counseling and monitoring the juvenile. Probation allows certain children to remain in the community and thereby avoid the experience of institutionalization. Parole is similar to probation except that it occurs after some period of institutional confinement. Parole may allow a juvenile to avoid spending a portion of time in a custodial facility. Correctional day-care "represents an alternative to institutionalization for probation failures or for offenders who require more intensive care than probation but would not benefit from incarceration. This approach permits

offenders to live at home and concentrate soley on a school and counseling program."[3]

Of these five general types of arrangements for handling juvenile delinquents, data are collected at the federal level only on custodial institutions. The source of these data is Statistics on Public Institutions for Delinquent Children, which is compiled by the National Center for Social Statistics[4] and which has been published irregularly since 1956. According to most recent publication (1970), there were 49,811 children in custodial institutions for delinquents. The great majority (78 percent) of these children were boys. Figure 1 shows that most of these children were in state-run training schools, with some children in state-run diagnostic and reception centers, locally-run training schools, and/or forestry camps.

RATE OF INSTITUTIONALIZATION

As can be seen in Figure 2, the rate of institutionalization declined by a little more than 10 percent between 1968 and 1970. This decline occurred at a time when the number of juvenile court delinquency cases was increasing, which may indicate that it resulted from a new emphasis on alternatives (such as probation or other community-based programs).[5]

3. Harlow, "Intensive Intervention," p. 17.
4. The term custodial is not used by NCSS. NCSS defines such facilities as "special children's institution(s) operating under public auspices and serving delinquent children committed to it by juvenile courts. They are, furthermore, facilities used primarily to provide long-range treatment. This definition included institutions usually referred to as training schools as well as forestry camps and ranches. Diagnostic reception centers are also included. Detention homes, which provide short-term care for children pending court decisions, are not included, nor are institutions or camps used primarily for young adult offenders" (National Center for Social Statistics, Department of Health, Education and Welfare, Statistics on Public Institutions for Delinquent Children, 1970, p. 1.).
5. Ibid., p. 2.

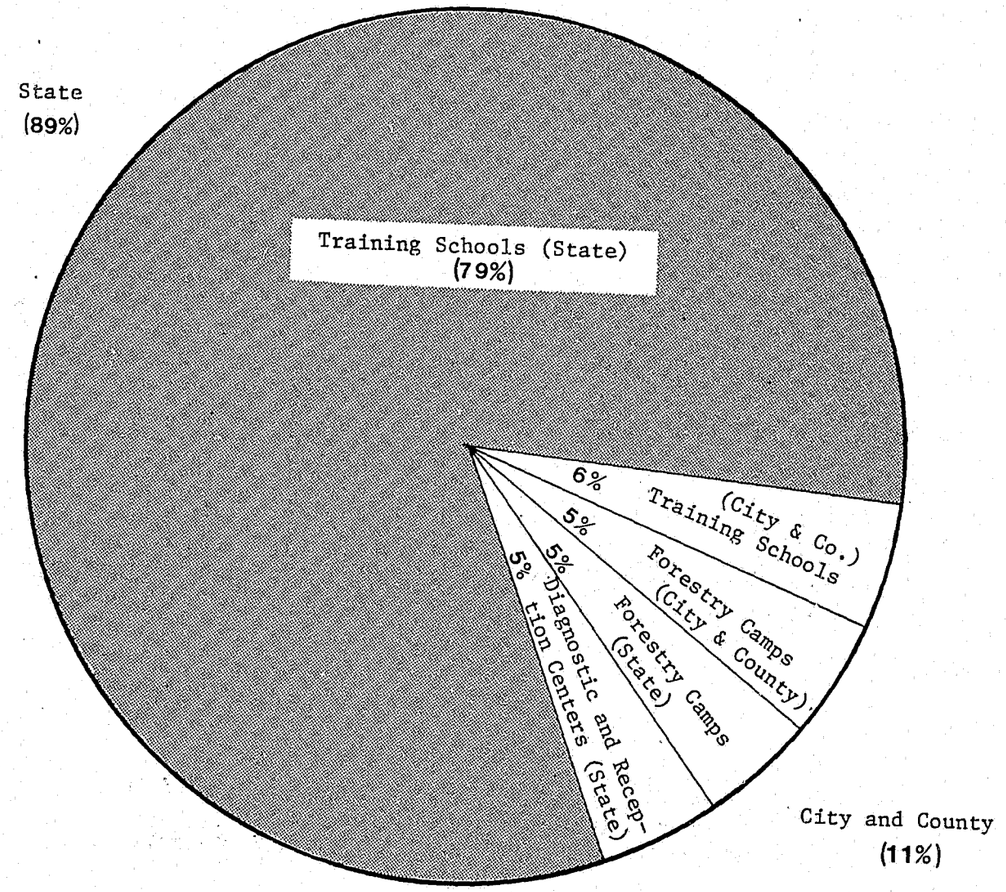

Figure 1: Percentage of Children in Public Institutions for Delinquents as of June 1970.

Source: National Center for Social Statistics, Department of Health, Education and Welfare, Statistics on Public Institutions for Delinquent Children (1970), p. 3.

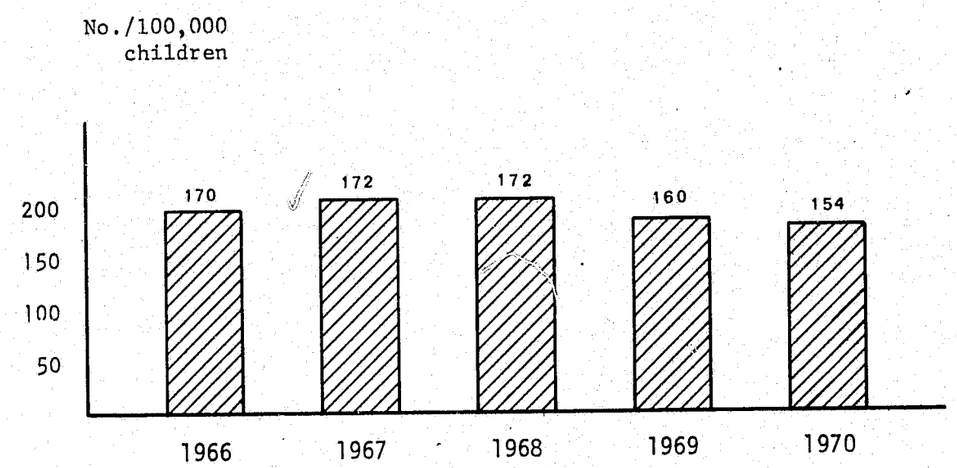

Figure 2: Rates of Institutionalization: Number per 100,000 children aged 10-17 who were confined in public institutions for delinquent children, 1966-1970.

Source: See Figure 1.

TURNOVER OF POPULATION WITHIN INSTITUTIONS

The rate of turnover of the population of delinquents in custodial institutions was very high. The data show that the average length of stay per child in all institutions was under ten months.[6] Because of this rotation, the figure given earlier for the number of children who were in institutions on June 30, 1970 considerably understates the number of children who were in institutions at different times during the entire year. It has been estimated that during the year ending June 30, 1970, there were about 100,000 admissions to institutions and about the same number of discharges.

CAPACITY AND OCCUPANCY OF INSTITUTIONS

Many custodial institutions for delinquent children were large and overcrowded. Of the 325 institutions included in the 1970 report, 132--or 40 percent--had capacities over 150, although according to NCSS,[7] 150 is the maximum recommended capacity for such institutions. In addition, many were filled beyond their stated capacities. The data show that for all types of institutions for delinquent children, 100--or 31 percent--were crowded above capacity.

PERSONNEL IN INSTITUTIONS

The number of full-time employees in custodial institutions, 26,000, was very high relative to the number of children: one employee for every 1.7

6. Ibid., p. 6. (See Table 4 of Appendix C.)
7. Ibid., p. 5-6. (See Tables 5 and 6 of Appendix C.)

children. As a result, these institutions for delinquent children had fairly high per capita operating expenditures: $5700 on the average in 1970.[8]

8. Ibid., p. 7. (Table 7 of Appendix C provides average cost data for delinquent institutions, according to geographic region.)

III. CONCEPTUAL FRAMEWORK

"A conceptual framework may consist of flow charts, diagrams, or a series of equations, all attempting to relate the major variables involved in the analysis. If these analytical relationships can be expressed in mathematical form and if suitable data can be gathered on each of the specified variables, empirical testing of the relationships depicted in the framework can be conducted."[1] The analytic framework presented in this section consists of two diagrams and a few equations that are intended to serve as a conceptual basis for examining the most fundamental aspects of deinstitutionalization.

Figure 3, a simplified overview of the juvenile justice and rehabilitation system in Washington, D.C., suggests the types of questions one must ask concerning the goal of deinstitutionizing delinquent children. Some of the more obvious questions are presented below:

- What types of crimes, or other antisocial behavior are most common among juveniles?
- Do these activities become more severe as the number of offenses increases?
- What percentage of juveniles committing first offenses are sentenced to custodial institutions? Second offenses, third, etc.?
- To what extent does the availability of space dictate the average length of confinement of delinquents?

1. "Economists and others normally refer to such a conceptual framework as a 'model,' although within HEW it refers to organizational relationships used to provide various clients with particualar services. To minimize possible confusion between analytic models and programmatic models, the term model is not used in this paper." This and the opening quotation in the text above are taken from Jeffrey Koshel, Deinstitutionalization - Dependent and Neglected Children (Washington, D.C.: The Urban Institute, 1973) p. 19.

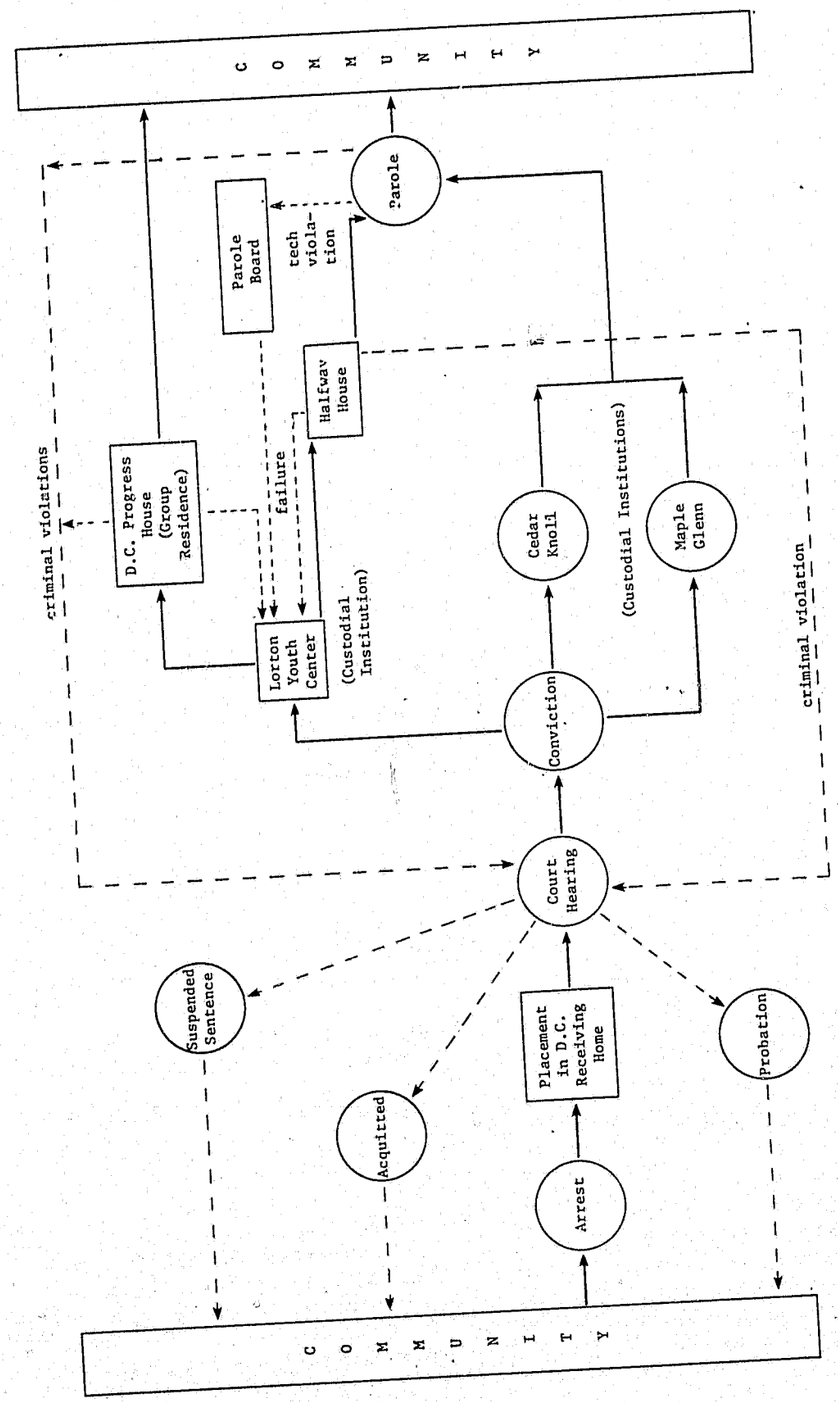

Figure 3: Simplified Overview of Juvenile Justice and Rehabilitation System in Washington, D.C.

- To what extent does the availability of space affect the length of confinement for those delinquents convicted of serious crimes?
- What percentage of juveniles convicted of committing first offenses are placed on probation?
- How successful is probation in preventing recidivism among juveniles? Does this vary according to the number of times the juvenile has been convicted of criminal acts or other antisocial behavior?
- What are the criteria by which the court or the Youth Authority assign delinquents to other treatment and control arrangements?
- Do the child's personality, age, and sex (or other personal factors) play a sufficient part in the placement decision?
- How do the socioeconomic characteristics of parents of delinquents affect placement decisions?
- What are the characteristics of those juveniles who benefit from particular treatment and control arrangements?
- What are the operating costs of the different treatment and control arrangements?
- What are the recidivism rates (i.e., rates at which delinquents commit subsequent offenses) of juveniles assigned to institutional and various noninstitutional arrangements?
- What criteria are used by institutional authorities in assigning delinquent children to parole?
- What proportion of parole violations represent "technical" violations (e.g., not reporting to the parole officer within a particular time period) and what proportion represent criminal violations?
- To what extent does the institutional experience discourage antisocial behavior once a juvenile is returned to the community?
- To what extent does the institutional experience encourage greater antisocial behavior once the juvenile is placed back in his community?
- To what extent does the private sector subsidize the public sector in the provision of various arrangements for treating delinquents?
- What is the effect of deinstitutionalization on the use of specialized manpower for treating delinquents?

As can be seen from the above, the fundamental questions concerning the deinstitutionalization of delinquent children center on the relative benefits

and costs of the activities depicted in Figure 3. The benefits and costs of alternative placements can accrue to both the delinquent and the community.

With respect to the delinquent, the benefits from noncustodial care are obvious. As one would expect, delinquents strongly prefer noninstitutional environments to institutional environments, which some people would regard as sufficient evidence that delinquents are better off outside of institutions.[2]

With respect to the community, the benefits from noncustodial care are more difficult to identify and measure. One might begin by comparing the recidivism rates of the "graduates" of alternative treatment and control programs. Such a comparison is complicated by the different ways "recidivism" is defined, ranging from trivial misbehavior while on probation or parole to recommitment for felonious convictions. Nathan Mandel found six different uses of this term, encompassing: (1) convictions for felonious offenses, (2) violations of probation or parole for alleged (but not convicted) felonious offenses, (3) violations of probation or parole for commission of misdemeaneous offenses, (4) violations of probation or parole for "technical" offenses, (5) convictions for misdemeaneous offenses, other than traffic violations, and (6) convictions for traffic offenses resulting in fines of one hundred dollars or more, or jail sentences of 30 days or more, or both.[3] In this section, the term recidivism rate refers to the rate at which delinquents commit offenses (felonies and misdemeanors) after some previous conviction and sentencing (to either institutional or noninstitutional facilities). Later, in reviewing empirical studies on the effectiveness of alternative

2. For a look at deinstitutionalization from the delinquents' point of view, see Brian Vachon, "What Did You Learn in Reform School," Saturday Review (September 16, 1972).

3. Nathan Mandel, "Recidivism Studied and Defined," Journal of Criminal Law, Criminology and Police Science, vol. 56 (1965).

treatment or control arrangement for delinquents, we will indicate how a particular study uses the term recidivism rate.

Logically, we can predict the actions of juvenile authorities once a meaningful comparison of recidivism rates is made. For example, if the recidivism rates of alternative programs were approximately the same, a policy-maker would very likely decide to emphasize the one with lower operating costs.[4] If the lower cost program had a lower recidivism rate, the decision would be even easier. There would be no problem unless a higher cost program had lower recidivism rates. The problem would then be to decide whether the benefits from the lower recidivism rate justified the "extra" public expenditures. At this point, the estimating equations developed by Holahan could help the decision-maker.[5]

The benefits to the community from lower recidivism rates of particular groups of juvenile delinquents can be expressed as the reduced costs of crimes, police services, judicial services, and those of the correctional process. Using the equations developed by Holahan to estimate the benefits of manpower programs for criminal offenders, we may express these reduced

4. The only case in which the decision-maker would hesitate to select the lower cost program would be where the crime patterns of the recidivists were different for each program. That is, one program might have a lower recidivism rate but its recidivists could be involved in more serious crimes. If the group used for comparison purposes is a meaningful control group, however, this should not be a problem. The seriousness of offenses committed by the experimental and control groups during the Provo, Utah, experiment, for example, were quite similar. (LaMar T. Empey and Maynard Erickson, The Provo Experiment, 1966, p. 86; see Provo discussion in the next section.)

5. John Holahan, "Benefit-Cost Analysis of Programs in the Criminal Justice System," (Georgetown University, 1971), unpublished Ph.D. dissertation.

costs in the following manner:

$$B = N(Z_r - X_r)\left\{\left[\frac{\sum_{i=1}^{k}(\alpha C_k + \alpha C_{pk} + P_{Jk}EC_{Jk} + P_{Sk}EC_{Sk})}{(1+r)}\right] + \frac{\sum_{i=2}^{t} P_R EC_R}{(1+r)^t}\right\}$$

The expected values can be defined as:

$$EC_{Jk} = P_{jk}\, C_{jk}$$

$$EC_{Sk} = P_{sk}\, C_{sk}$$

$$EC_R = \sum_{i=1}^{k}\left(\alpha C_k + \alpha C_{pk} + p_{Jk}\, EC_{Jk} + P_{Sk}\, EC_{Sk}\right)$$

where: B = recidivism reduction benefit

N = number of individuals in program

Z_r = percentage of control group who recidivate

X_r = percentage of experimental group who recidivate

C_k = direct economic cost of crime k; k = burglary, larceny, robbery, auto theft, assault, homicide, etc.

α = estimated number of offenses committed by recidivist

C_{pk} = costs of offenses from services of police department for crime k

P_{Jk} = probability of proceeding through the judicial system for crime k; probability of not being dismissed

EC_{Jk} = expected costs of the judicial process for crime k

P_{jk} = probability of jury trial, non-jury trial or plea for crime k

C_{jk} = costs of jury trials, non-jury trials, or pleas for crime k

P_{Sk} = probability of receiving a sentence from crime k

EC_{Sk} = expected correctional and rehabilitation costs of sentence for crime k

P_{sk} = probability of sentence s for crime k where s is type of

sentence such as 2 years probation, 1 years prison, etc.

C_{sk} = correctional and rehabilitation costs of sentence s for crime k

r = social rate of discount

If the additional economic benefits from reduced costs of crime, police, courts, and corrections exceed the additional costs (i.e., the differential operating costs of competing juvenile delinquency treatment programs), it is fairly easy to justify the more expensive program. On the other hand, if Holahan's estimates show that these "marginal" benefits equal or are less than the "marginal" costs, the decision will be more difficult. A decision to fund the more expensive program, under these conditions, will have to be based on some additional value of lower recidivism rates--on the "reduction of other social costs of crime such as private crime deterence expenditures, migration, avoidance of normal activity, etc."[6] Figure 4 summarizes this decision network.

6. Ibid. As Holahan states, such social costs are most difficult to measure and any estimation would necessarily be quite subjective.

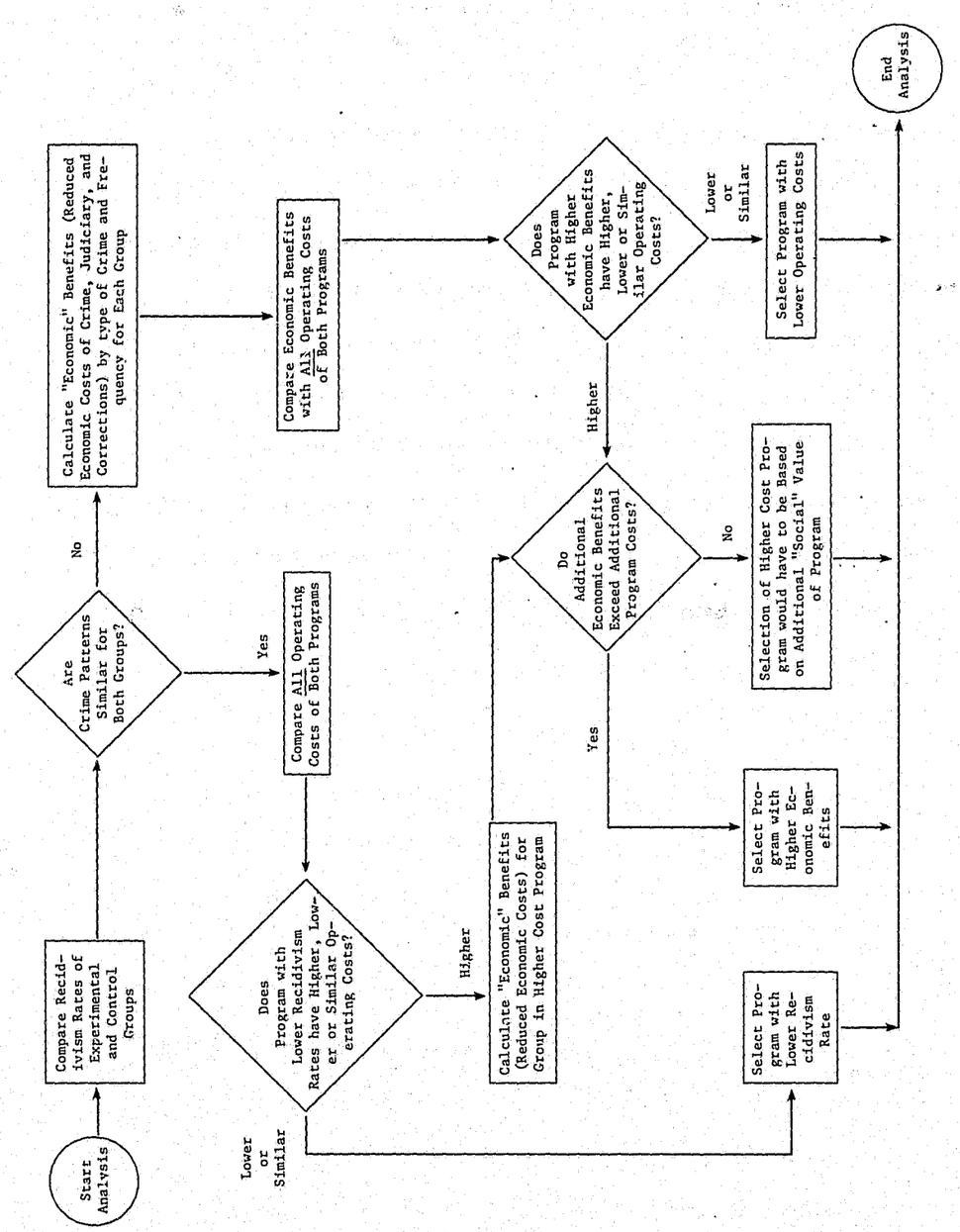

Figure 4: Comparing the Effectiveness of Alternative Programs for Treating/Controlling Juvenile Delinquents

IV. MAJOR ANALYTIC ISSUES

The discussion in this section is confined to the most significant analytic issues concerning the deinstitutionalization of delinquent children. While there are other important aspects of deinstitutionalization that need research attention, the issues presented below appear to be the most pivotal.[1]

- Benefits from alternative methods of treating and controlling deliquents
- Institutional sentences and recidivism
- The institution as a deterrent to delinquency
- Budgetary savings from deinstitutionalization
- "Community" responsibility for delinquents

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1. One major issue not covered in this paper, for instance, concerns the data on the number of children that are actually engaged in delinquent activities. This issue is discussed in another Urban Institute paper entitled "Measures of Delinquency: Problems and Findings," by Karen Hoffman and Michael Arnow (Working Paper 963-5).

Another major issue not covered here involves the detention of youth awaiting court action. Questions on the appropriateness of detention for specific types of juveniles and offenses, the rights of juveniles being detained, and the length of time that jurisdictions should be allowed to detain juveniles are all important. Legally, youth who are detained but not adjudicated by the courts cannot be considered delinquent and, as such, are beyond the scope of this paper.

BENEFITS FROM ALTERNATIVE METHODS OF TREATING AND CONTROLLING DELINQUENTS

If an adequate supply of noninstitutional resources were available to handle juvenile delinquents and if the benefits and costs of such actions accrued to the delinquent children alone, the deinstitutionalization of delinquents would be a relatively straightforward process.

With respect to the first consideration, a 1966 survey of custodial institutions for delinquents revealed that over twenty-five percent of the children were admitted or retained because there was a lack of specialized foster homes, group homes, or more suitable institutions, according to the administrators of the institutions included in the survey.[2] But, as Massachusetts has shown, the resource constraint need not be insurmountable.[3]

Even if adequate noninstitutional resources were available, those responsible for juvenile delinquent programs would still have to consider the incidence of the benefits and costs of deinstitutionalization. If such benefits and costs affected only the delinquents, the risk of making delinquents worse off by noninstitutional arrangements would appear to be minimal since custodial institutions have such a poor record of rehabilitating juveniles, as shown by the very high recidivism rates among delinquents who

2. Donnell Pappenfort and Dee M. Kilpatrick, A Census of Children's Residential Institutions in the United States, Puerto Rico and the Virgin Islands: 1966 (University of Chicago Press, 1970), vol. 1, p. 244. (See Table V in Appendix C.) The criteria these authorities used in making such estimates are unknown and unavailable from the original data collection documents.

3. See discussion of the Massachusetts program in Appendix A.

have been institutionalized.[4] As indicated in the preceding discussion, however, society may also be made better or worse off by different methods of handling delinquent youth. It is this aspect that complicates the analysis of the deinstitutionalization of youth.

As may be recalled from the previous section, a consideration of community benefits from the deinstitutionalization of juvenile delinquents would begin by comparing the recidivism rates of children handled under different treatment or control programs.[5] Although this analysis is restricted by the lack of data concerning various state and local demonstration projects involving alternative forms of treating delinquents, we can, nevertheless, examine the evidence in published sources on: (1) probation, (2) correctional day care centers, and (3) various noninstitutional alternatives in California.

Probation appears to be a fairly successful method of supervising certain delinquents. Of the studies cited by Harlow, the reported success rates with probationers (both juvenile and adult) ranged from 60 to 90 percent, with a modal success rate of about 75 percent.[6] These findings led Harlow to

4. The recidivism rate for delinquents previously institutionalized in Massachusetts, for example, was estimated to be around 80 percent (Jerome Miller, former Commissioner of Youth Services in Massachusetts, in Saturday Review (September 16, 1972), p. 13). It should be noted that Miller's definition of "recidivism" is not provided and may include all technical and criminal violations. For a discussion of the problem involved in estimating recidivism rates, see Daniel Glaser, "How Many Prisoners Return?--The Legend that Two-Thirds Return to Prison," in The Effectiveness of a Prison and Parole System (1964).

5. See pp. 15-18.

6. Eleanor Harlow, "Intensive Intervention: An Alternative to Institutionalization," Crime and Delinquency Literature (February 1970), p. 6. The modal success rate for juveniles, alone, would probably be lower than 75 percent since criminal activity appears to decline with age. "Recidivism rates for institutions for juveniles also can be expected to exceed rates for the adult prisons because probation and other alternatives to confinement are used more liberally for juveniles than for adults. Hence, only the worst risks among juveniles are committed to institutions, whereas prisons for adults receive more diverse risks" (Daniel Glaser, The Effectiveness of a Prison and Parole System (1964), p. 18.)

conclude that "intensive intervention, or specialized treatment in the community setting, should be viewed not as an alternative to probation--which seems to do fairly well with a large number of individuals now served--but as an alternative to the institutionalization of those offenders who are seen to require greater control than that offered by regular probation supervision."[7]

Empirical evidence on one such form of "specialized treatment in the community setting"--correctional day care--is not especially encouraging. Perhaps the best known day care projects have been located in Essexfields and Collegefields, New Jersey and Provo, Utah. While all three of these projects could be classified as successful, they were not significantly more successful than traditional treatment alternatives (probation and custodial institutions) in reducing recidivism. With respect to the Provo project, during the period of the study, 73 percent of the juvenile delinquents initially assigned to the project had no record of arrest six months after release, which was the same as the rate of success for those offenders initially assigned to regular probation.[8] Essexfields was even less promising since it showed only that delinquents would do no worse and, perhaps, might have slightly lower recidivism rates than would have been the case if they had been assigned to custodial institutions.[9] Similarly, the results of the Collegefields experiment were unclear with respect to reducing recidivism, although Collegefields did

7. Ibid.
8. LaMar T. Empey, "The Provo Experiment: Evaluation of a Community Program," in California Corrections Board Monograph No. 4, Correction in the Community: Alternatives to Incarceration (1964). (Even after four years of study, the differences between the arrest records of the experimental group and the control group were insignificant, which supports Harlow's conclusion that noncustodial treatment or control arrangements should not be viewed as alternatives to probation.)
9. It should be noted that the location of the Essexfields Rehabilitation Project was in a high delinquency area and this might have contributed to the less than hoped for success of the experiment. Richard M. Stephenson and Frank R. Scarpitti, The Rehabilitation of Delinquent Boys: Final Report (Essexfields) (Rutgers University, 1967).

demonstrate that significant gains could be made with delinquent boys in I.Q. development, attitudes toward school, and self-concept.[10] While all three were funded as temporary demonstration projects, it is interesting to note that none was thought successful enough to be continued.

The State of California has been involved for a number of years in demonstration projects dealing with community-based correctional facilities. The scope of the projects has been somewhat restricted and the methodology of studies about them has been subject to some criticism, but, on the whole, the experiments conducted by the California Youth Authority contribute valuable knowledge about deinstitutionalization.

A project to provide correctional day care and after-school care for delinquent girls was implemented in San Mateo County in 1965. The criteria for entrance into this program were: (1) the girl had failed on ordinary probation, (2) the girl had "sufficient mental ability" to benefit from the program, and (3) the girl had a parent or parent substitute willing to work with the project staff.[11] Class size was limited to fourteen or less students and four probation officers were assigned to the twenty-four girls enrolled in the program. After three years of operation, this project showed signs of success: only nine of the fifty-four girls "graduating" to no supervision or limited supervision had subsequent police contact, although another fourteen had to be placed in institutions or foster homes and another

10. Saul Pilnich et al., Collegefields: From Delinquency to Freedom, Report to the Juvenile Delinquency and Youth Development Office on Collegefields Group Educational Center (1967).
11. Susan Henderson, "Day Care for Juvenile Delinquents--An Alternative to Out-of-Home Placements," Judicature (June, 1969), p. 20.

two girls were transferred to intensive supervision.[12] While the initial findings were encouraging, it should be noted that no control groups were established to compare the relative effectiveness of this project. That is, similar groups of girls meeting the project criteria were not placed in foster homes or in institutions, eliminating the possibility of making relevant comparisons. Nevertheless, this experiment in noncustodial treatment appears to have been successful enough for the county's probation department to expand its operations.

The Los Angeles Community Delinquency Control Project (CDCP) was a more ambitious effort than the San Mateo project to substitute intensive treatment in the community for the traditional institutionalization-parole process. Treatment methods included: individual, group, and family counseling, specialized foster homes, group homes, and remedial tutoring. Two of the CDCP units in Los Angeles were used for evaluation purposes. Both served geographic areas whose residents were predominantly black.

The evaluation of this three-year project was performed on a group of 301 parolees who had been previously assigned to either the CDCP experimental group or an institutionalized comparison group on an ostensibly random basis.[13] The eligibility group from which these random assignments were made

12. Ibid., p. 21. While the recidivism rate of this project was 17 percent, it should be realized that the failure rate of this project was significantly higher. If one includes the twenty-seven girls who never "graduated" from the program plus the fourteen girls who had to be placed in institutions or foster homes plus the two girls who had to be placed in intensive supervision, the failure rate is almost 50 percent.

13. Esther M. Pond, The Los Angeles Community Delinquency Control Project: An Experiment in the Rehabilitation of Delinquents in an Urban Community, California Youth Authority Report No. 60, September 1970.

was somewhat restricted.[14]

The experimental group and the comparison group were evaluated on the basis of parole performance, which was used as a rough measure of "recidivism." The recidivate and nonrecidivate groups at each CDCP center were then compared to determine the significance of twenty-one personal and program variables with regard to parole outcome. The conclusion reached by the study was not extremely encouraging. The only point claimed was that community alternatives of this nature did no worse than the regular program of institutionalization and parole.

The CDCP study is of limited value for a number of reasons. First, the initial eligibility requirements were rather strict and limit our ability to generalize about the appropriateness of noninstitutional alternatives for delinquents. Second, the randomization procedure was open to question. Third, the measure of "recidivism" was quite crude.

The Community Treatment Project (CTP), which is still in operation, is even more ambitious than the CDCP. In the first two phases of the experiment (from 1961 to 1969), an attempt was made (a) to classify juvenile offenders on a basis other than nature-of-offense, using a method of "interpersonal maturity levels," (b) to assign parole agents to the juveniles on the basis of these maturity levels, and (c) to keep the juveniles in a community setting.[15] A control group was assigned to the traditional program:

14. These eligibility criteria were: (a) the delinquent was male, (b) he had not been committed to Youth Authority for a violent offense against persons, (c) he was at least thirteen years old, (d) he had no prior admission to a state or federal correctional institution, (e) it was his first admission to Youth Authority, and (f) the delinquent's immediate release to a parole program in the community was not objected to by law enforcement agencies.

15. California Youth Authority, The Status of Current Research in the California Youth Authority, Annual Report-1971, p. 11.

institutionalization followed by parole.

The results of the study showed that the CTP was more effective with regard to parole outcome (i.e., "recidivism") in approximately 36 percent of the cases, less effective in about 10 percent, and equally effective in 53 percent.[16] The conclusions placed heavy emphasis not on the community setting, but on the different treatment strategies employed as a result of the interpersonal maturity level classifications.

It would be hard to determine the relative effectiveness of each treatment method since the sample size for each method was limited by the number of different techniques employed. For example, only twelve boys were in the experimental group used in assessing the effectiveness of the specialized group home, while 158 boys were in the control group.[17]

The CTP suffers from other limitations besides having inadequate numbers of delinquents in experimental and control groups for selected alternatives. The two most important limitations are: (1) the initial eligibility criteria were quite strict, limiting our ability to generalize about the effectiveness of noninstitutional alternatives for the majority of juvenile offenders who do not meet those eligibility requirements,[18] and (2) the measure of "recidivis --the judgment of the parole agents employed by the CTP--was quite subjective and possibly biased.[19]

Despite the limitations of these California studies, they are important because they suggest that community treatment per se does not imply increased

16. Ibid.
17. Ted Palmer, The Group Home Project--Final Report (California Youth Authority and National Institute of Mental Health, Spring 1972), pp. 35-37.
18. During Phase III of the CTP, (1969-1974), these eligibility criteria are intended to be broadened.
19. On this point, see James Robinson and Gerald Smith, "The Effectiveness of Correctional Programs," Crime and Delinquency (January 1970).

effectiveness with juvenile offenders. In addition, results from the California Community Treatment Project may provide some evidence that differential treatment of offenders is desirable on a basis other than nature of offense.

Although we have seen that some information is available on probation, correctional day care, and the various alternatives implemented in California, there is still a widespread lack of published information on the effectiveness of treatment alternatives, at least outside California. This lack of information, especially on the relative benefits of specialized foster homes, specialized group homes, and group residences, may account for some of the variance between states in the rates at which delinquents are institutionalized.[20] This variation is shown in Table 1.

INSTITUTIONAL SENTENCES AND RECIDIVISM

Although we have little information on the effectiveness of different methods of treating delinquents, some observers believe that nothing could be worse than custodial institutions on the emotional development of children and their subsequent behavior in society. In support of this argument, it has been claimed that "the recidivism rate of young people is directly proportional to the amount of time they spend in institutions."[21] We have tried to examine the evidence for this assertion.

20. While a "lack of information" hypothesis may be difficult to verify, other hypotheses seem to have even less promise of verification. According to preliminary cross-sectional analyses conducted by Urban Institute staff during this study, socioeconomic variables such as per capita income, unemployment rates, and racial composition of the population do not explain a significant percentage of the variation shown in Table 1.
21. Brian Vachon, "What Did You Learn in Reform School?" Saturday Review (September 16, 1972), p. 72.

Table 1

RATES OF INSTITUTIONALIZATION OF DELINQUENT CHILDREN, BY STATE (1970)

State	Total Persons Under 18 Years*	No. of Children in Public Institutions for Delinquent Children**	% of Children Under 18 in Institutions
Alabama	1,233,520	409	.033
Alaska	119,859	132	.110
Arizona	643,975	350	.054
Arkansas	655,010	453	.007
California	6,635,972	5,253	.079
Colorado	774,011	701	.090
Connecticut	1,020,959	263	.026
Delaware	197,101	316	.160
D.C.	224,106	600	.268
Florida	2,109,041	1,295	.061
Georgia	1,644,288	958	.058
Hawaii	274,629	68	.025
Idaho	263,228	183	.070
Illinois	3,795,623	2,306	.061
Indiana	1,840,293	971	.053
Iowa	974,937	750	.077
Kansas	746,354	426	.057
Kentucky	1,114,042	789	.071
Louisiana	1,387,757	917	.066
Maine	343,847	322	.094
Maryland	1,381,492	1,330	.096
Massachusetts	1,875,764	674	.036
Michigan	3,251,370	1,594	.049
Minnesota	1,381,487	775	.056
Mississippi	843,767	530	.063
Missouri	1,552,872	553	.036
Montana	253,125	145	.057
Nebraska	507,491	250	.049
Nevada	170,149	225	.132
New Hampshire	254,211	202	.080
New Jersey	2,384,845	625	.026
New Mexico	406,215	318	.078
New York	5,841,275	2,773	.048
North Carolina	1,759,042	2,189	.124
North Dakota	226,350	112	.050
Ohio	3,738,297	2,963	.079
Oklahoma	836,742	350	.042
Oregon	697,683	404	.058
Pennsylvania	3,848,102	1,379	.036
Puerto Rico	no data given	774	—
Rhode Island	300,029	183	.061
South Carolina	955,163	592	.062
South Dakota	240,920	137	.057
Tennessee	1,325,727	1,184	.089
Texas	3,999,836	2,095	.052
Utah	423,850	281	.066
Vermont	156,766	103	.066
Virgin Islands	no data given	68	—
Virginia	1,589,280	1,395	.088
Washington	1,159,774	1,195	.103
West Virginia	580,237	656	.113
Wisconsin	1,583,643	902	.057
Wyoming	120,024	100	.083

*1970 Census of Populations, U.S. Summary PC(1)-B1, Table 62.
**National Center for Social Statistics, Department of Health, Education and Welfare, Statistics on Public Institutions for Delinquent Children, 1970, Table 2.

Empirical studies on how the length of institutional confinement affects recidivism have been conducted by Glaser,[22] Metzner,[23] the California Department of Corrections,[24] and Crowther.[25] While these studies were not solely focused on juvenile offenders, they may throw some light on juvenile recidivism.

In Glaser's study of federal prison releases, the sample consisted of 1,015 adult males released from selected federal prisons in 1956. Although only one of the five institutions in this study was a youth institution, approximately 30 percent of the cases with no prior commitment and 19 percent with prior commitment involved individuals aged twenty-three and younger at release.

Findings indicate that approximately 31 percent were reimprisoned and 3.9 percent received nonprison sentences for felony-like offenses within five years. Glaser combined these two categories to arrive at a "failure" rate. The subcategories of the failure rate and the percentage of offenders in each category were:

26.6 percent on new felony sentences

1.7 percent as parole or conditional release violator when suspected of new felonies

2.8 percent as parole violators with no felonies alleged

3.9 percent on nonprison sentences for felony-like offenses[26]

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22. Daniel Glaser, The Effectiveness of Prison and Parole System (1964).
23. R. Metzner, "Predicting Recidivism: Base Rates for Massachusetts Correctional Institution--Concord," Journal of Criminal Law, Criminology and Police Science (1963), vol. 54.
24. California Department of Corrections, Research Division, Parole Outcome and Time Served for First Releases Committed for Robbery and Burglary: 1965 Releases, California Research Report No. 35 (1968).
25. Carole Crowther, "Crimes, Penalties and Legislatures," The Annals, (January 1969), vol. 381.
26. Glaser, p. 20.

Glaser's data show that for male adults there appears to be some relationship between the failure rate and the length of confinement (i.e., failure rates tend to increase with large confinements for those individuals with prior commitments).

Glaser's data do not necessarily prove, however, that a change in the period of confinement will result in a change in the post-release success or recidivism rate. Since certain individuals in custodial institutions are thought to have a greater likelihood to become parole violators, they are confined longer. Individual differences of people convicted and sentenced for felonies, rather than the length of confinement, then, could account for the low success rates with long confinement.

Metzner's study of men discharged or paroled from a Massachusetts correctional institution during 1959 provides another source of empirical data on the relationship between length of time served and post-release success. Metzner's sample involved 311 males who were released to the community on parole or certificates of discharge. As Table 2 shows, 24 percent of the population was under nineteen and approximately 63 percent was under twenty-four when they were committed. This sample gives us a better focus on juvenile recidivism than did Glaser's sample.

Table 3 shows that although the rate at which the men returned to prison was 56 percent (after two and a half years), there was no trend with regard to the time served prior to parole. This study also suggests that the recidivism rate of offenders who are fined or placed on probation is less than the recidivism rates of offenders who are incarcerated; approximately 33 percent of those with no prior penal commitments recidivated compared with 64 percent of those with commitments.[27] However, one may again assume that

27. Metzner, p. 314.

Table 2

RELATIONSHIP BETWEEN AGE AT FIRST COMMITMENT AND OUTCOME (MASSACHUSETTS, 1959)*

Age at Commitment	Favorable (A)		Violation (B)		New Offense (C)		Total Return (B + C)		Total
	No.	%	No.	%	No.	%	No.	%	No.
15-19	30	40	21	28	24	32	45	60	75
20-24	52	43	32	26	37	31	69	57	121
25-29	32	42	23	30	22	28	45	58	77
30-39	17	55	12	39	2	6	14	45	31
Older than 40	6		0		0		0		6

Table 3

RELATIONSHIP BETWEEN OUTCOME AND MONTHS SERVED BEFORE RELEASE (MASSACHUSETTS, 1959)*

Outcome	Months Served Before Release									
	0-12		13-24		25-36		37-60		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
All cases	173	100	81	100	27	100	29	100	311	100
Favorable	79	46	38	47	6	22	14	48	137	44
Unfavorable	94	54	43	53	21	78	15	52	174	56
a. Violation	56		20		9		3		88	
b. New Offense	38		23		12		12		86	

*Metzner, Appendix B.
**Ibid.

more severe sentences are given to offenders involved in more serious acts and to those thought to be more committed to "deviant" behavior.

Neither Glaser nor Metzner attempted to set up controls for the types of crime committed by offenders in their samples. The study made by Crowther for the California Department of Corrections does try to account for variation in recidivism due to the types of offenses committed.

Crowther's subjects were parolees released in 1965 after serving sentences for first degree robbery and second degree burglary. For each crime, the subjects were divided into two groups--those who served less than the median sentence for that crime, and those who served more than the median sentence. The sample consisted of 150 individuals sentenced for robbery and 120 sentenced for burglary. At the end of six months, one year, and two years, the groups were compared on parole outcome.

Among those sentenced for robbery, the ones who served less time had significantly better parole outcomes. However, because later analysis proved that the two groups were not really comparable, the findings were unreliable. Similarly, the results among those convicted of burglary suggest a negative relationship between time served and parole outcome, but the authors again caution that such an interpretation must be modified. In their non-random assignment of subjects to length of time served, there might have been a number of unmeasured differences between the groups that were not taken into account, and those differences could have influenced the parole outcome.[28] For example, it was not possible to determine whether the prisoners were spending more or less time in confinement because of the varying seriousness of their crime or because they did or did not have a prior criminal record. Thus, it

28. Dorothy Jaman and R. Dickover, "Synopsis of California Research Report No. 35." (See footnote 24, above.)

can be argued that lesser offenders were "placed on parole or granted early release to parole and that, therefore, lower recidivism rates are to be expected."[29]

With the aim of assessing the rehabilitative effects of criminal penalties, the California legislature commissioned a national study of the length of incarceration and recidivism. Cross-sectional analysis found no relationship between return-to-prison rates and differences in median time served; at both ends of the median time served, high and low crime rates were found.[30] It was also noted that administrative decisions in Washington and California to reduce the period of incarcerations resulted in both increases and decreases in recidivism rates, and changes were not statistically significant in either extreme.[31]

In addition to the studies cited above, it may be important to note the conclusion reached by the California Youth Authority on the effectiveness of its Community Treatment Project, which is the only research project with exclusively juvenile subjects that has examined this question. The Youth Authority reports that:

> CTP effectiveness is not simply a result of its having operated within a community setting; all available evidence suggests that the avoidance of institutionalization, in itself, contributed little, if anything, to the experimental-control differences in parole success.[32]

One must be careful of generalizing from the California experiment because of the limitations of the CTP cited previously.[33] The CTP does cast considerable doubt, however, on any blanket condemnation of the ineffectiveness

29. Ibid.
30. Crowther, p. 149.
31. Ibid., p. 151.
32. California Youth Authority, The Status of Current Research in the California Youth Authority Annual Report-1971, p. 12.
33. See page 26 for a listing of these limitations.

of institutions.

As we have indicated above, the methodological problems inherent in any study of the length of institutional confinement and recidivism limit our ability to draw general conclusions. Furthermore, in a democratic society it may never be possible to fully answer the question of institutional effects on recidivism. That would require controlled experiments, in which juveniles convicted of all types of crimes would be allowed to remain out of institutional confinement, while other delinquents convicted of committing the same types of offenses would be placed in custodial institutions. In a comprehensive experiment of this type, the length of confinement for delinquents convicted of identical crimes would also have to be varied, regardless of the behavior of the juveniles in confinement or their potential behavior after confinement. Such arrangements could raise serious questions about the constitutional rights of the confined juveniles, some of whom might have been sent to custodial institutions for arbitrarily fixed periods of time according to the "randomness" of the experimental procedures.

One final point deserves mentioning: even if we were able to establish that custodial institutions have some negative effects on the recidivism rates of delinquents, society might still decide to employ institutions. If the short-run gains to society from institutionalization of delinquents were greater than the expected losses, society would be better off by maintaining the institutions. That is, the benefits from lower crime while certain delinquents are in institutions may exceed whatever extra crime later results as a consequence of institutionalization. On the other hand, the long-term losses could exceed the short-term gains, in which case society would be

better off by closing all institutions for delinquents. In Figure 5, a third hypothesis is depicted, where the short-term gains equal the long-term losses.[34] In any case, it must be realized that undesired effects of institutionalization, <u>even if they could be empirically established</u>, would not, by themselves, conclusively prove that custodial institutions were ineffective in serving society.

THE INSTITUTION AS A DETERRENT TO DELINQUENCY

The presence of custodial institutions may serve as an effective deterrent to children who might otherwise commit delinquent acts or to deliquent children who are engaged in noninstitutional programs. With regard to the latter group, for instance, all programs in noninstitutional care have used custodial institutions to handle their "program failures," with the sole exception of Massachusetts. The rates of noninstitutional program failure are high. The modal rate of failure for probationers may be upwards of 25 percent;[35] and for correctional day care the rate may be as high as 50 percent.[36] Some preliminary evidence from the District of Columbia indicates that failure rates for group residences may be even higher than 50 percent.[37] What would these failure rates have been without the presence of the institutional threat? Perhaps the rates would have been lower, if the probation officers, day care staffs, or group residences staffs felt that they had to

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34. In Figure 5, the number of crimes committed by delinquents is assumed to decrease as they become older. There is ample statistical evidence showing this to be true (see Glaser, p. 36-37).

35. See Harlow, p. 6.

36. See Empey and Erickson, <u>The Provo Experiment--Evaluating Community Control of Delinquency</u>, p. 181; and Henderson, "Day Care for Juvenile Delinquents," p. 21.

37. See discussion in Appendix A, p. 51

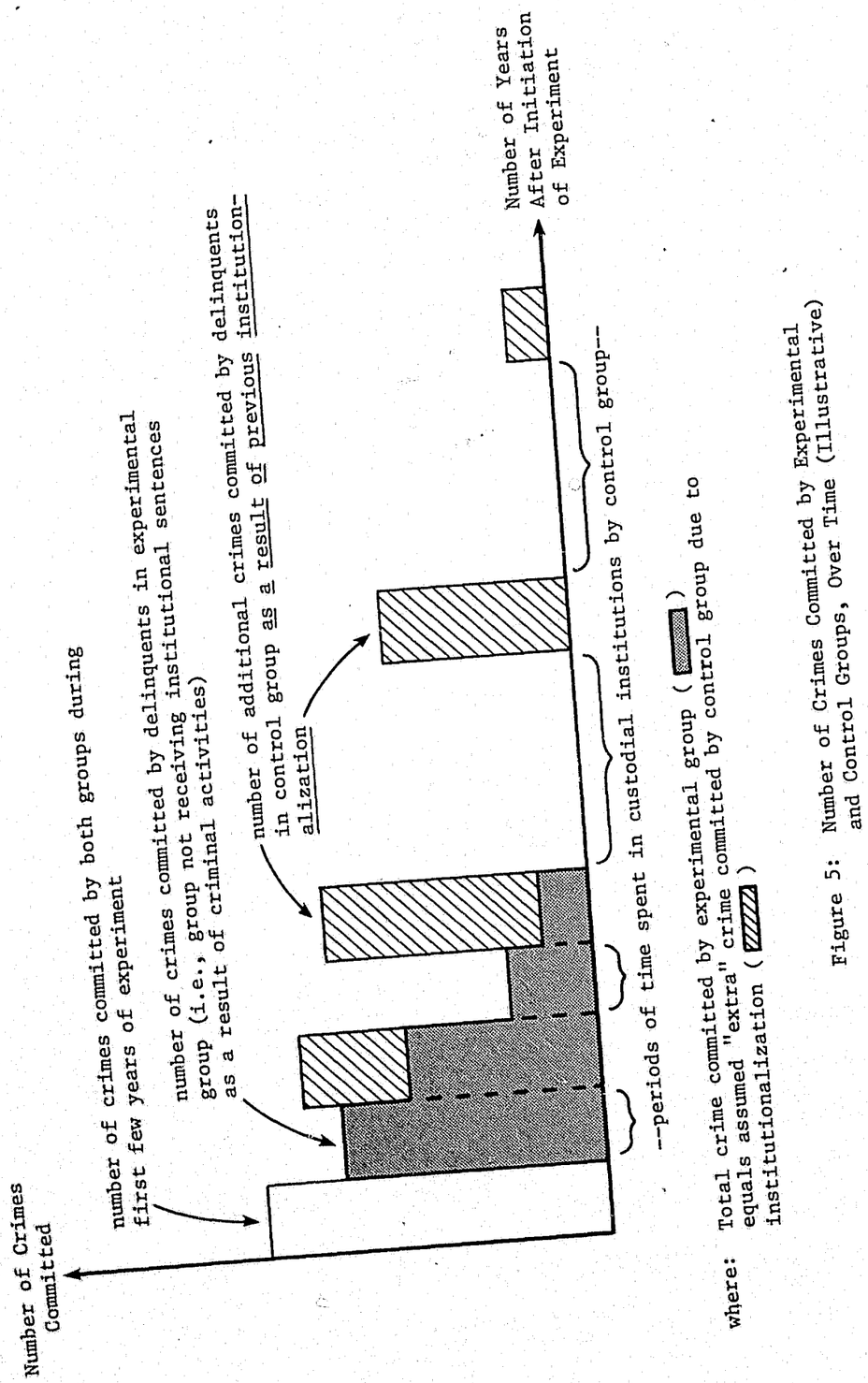

Figure 5: Number of Crimes Committed by Experimental and Control Groups, Over Time (Illustrative)

work harder with the children because there were no institutional alternatives. Perhaps the rates would have been higher, if the delinquents knew that the authorities could not punish them by sending them back to institutional confinement. Either hypothesis is plausible.[38] The program now being conducted in Massachusetts might offer some additional insights as to which of these hypotheses is correct.[39]

Of course, there would be serious equity questions involved in trading off the well-being of one group (institutionalized delinquents) to deter the delinquency of other groups (noninstitutionalized children, both delinquent and nondelinquent).[40] Very few authorities may be willing to trade off the interests of one group of children for some overall reduction in the crime rate of juveniles. Those responsible for youth services should realize, however, that their decisions regarding the appropriate treatment of delinquents may have consequences beyond the institutionalized delinquents themselves. The total costs to society from a policy of deinstitutionalization, then, might involve some calculation

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38. It is interesting to note that empirical evidence can be cited to support either hypothesis, although such evidence is hardly conclusive. The Provo, Utah, experiment, for instance, had some interesting results, beyond those which were intended. Prior to the experiment, 50 to 55 percent of the juveniles were succeeding on ordinary probation. During the time of the experiment, however, the success rate for juveniles on regular probation shot up to 73 percent, which led at least one observer to conclude that this increase was "probably due to the influence of the experiment on court and probation operations." (Harlow, p. 22.)

Evidence supporting the deterrent hypothesis can be found in a study by Charles Logan, entitled "General Deterrent Effects of Imprisonment," (Social Forces, September 1972). Using correlation and regression techniques, Logan's cross-sectional analysis showed a negative correlation between the severity of imprisonment with crime rates, after controlling for the effects of certainty.

39. See the discussion of the deinstitutionalization program in Massachusetts in Appendix A.

40. Again, such trade-offs must be regarded as hypothetical since there is only the most fragmentary empirical evidence to support either of these effects.

of the delinquency of other children besides those juveniles removed from institutions.

BUDGETARY SAVINGS FROM DEINSTITUTIONALIZATION

Certain alternatives to custodial institutions (e.g., probation, parole, correctional day care, and specialized foster homes) clearly have lower operating costs than the institutions themselves. However, there is little reason to expect other alternatives (specialized group homes, half-way houses, and group residences), which provide services similar to those of larger custodial institutions, to have greater operating efficiency or lower costs.

Probation, parole, and correctional day care are less expensive than custodial institutions because juveniles enrolled under these programs are not under constant supervision by correctional authorities.[41] Specialized foster homes are less costly because foster parents are not paid at the same rate as round-the-clock institutional personnel (guards and counselors). In essence, the private sector subsidizes the public sector in providing care to delinquents in foster homes.[42]

Specialized group homes, halfway houses, and group residences may have particular operating costs that are lower than those in custodial institutions (e.g., the former do not have the cost of maintaining a security force) but other items (e.g., personnel available for counseling and supervision twenty-four hours a day, food, and shelter) may be far more expensive to provide on

41. See the figures present by Empey on the relative costs of the Provo Experiment (California Mono. No. 4, op. cit.)

42. On this point, see discussion in J. Koshel, Deinstitutionalization --Dependent and Neglected Children (Washington, D.C.: The Urban Institute, 1972), pp. 40-44.

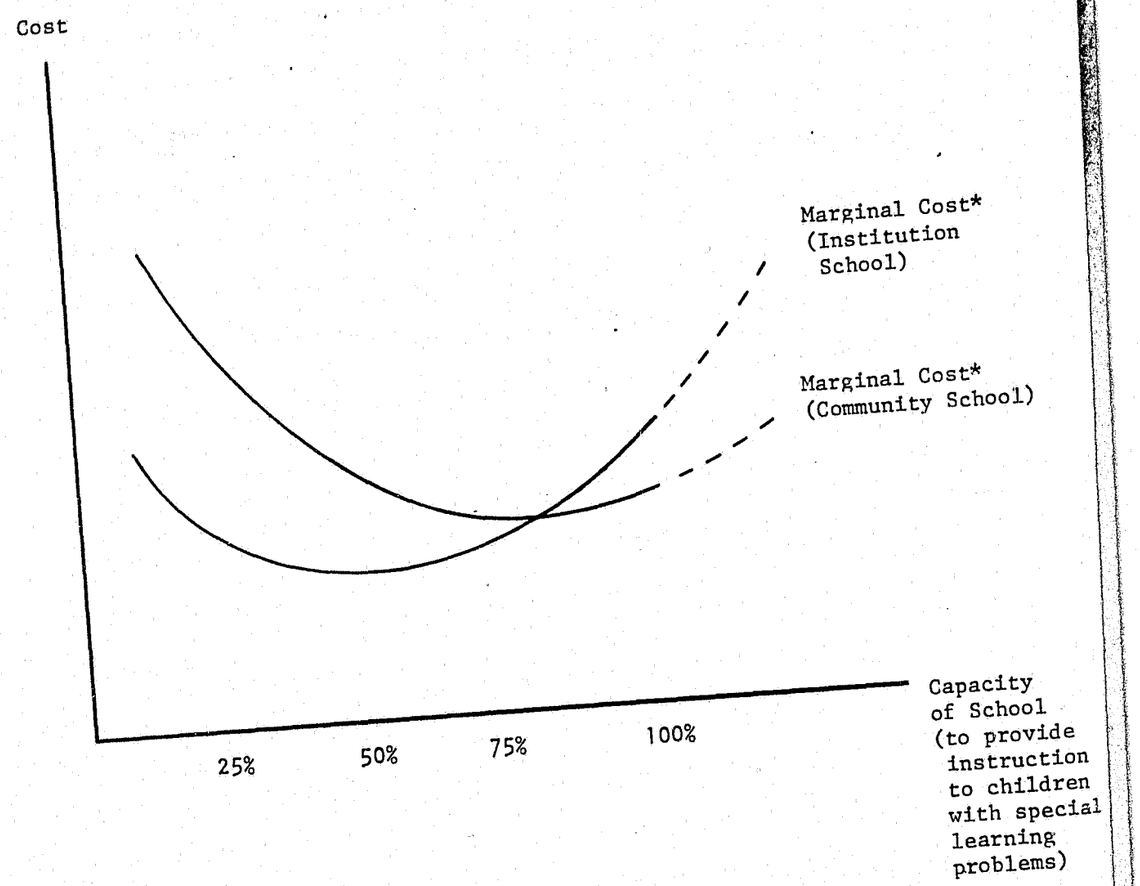
a small-scale basis.[43] Budgetary savings from deinstitutionalization, then, depend on the types of alternatives employed.

An examination of budgetary savings from deinstitutionalization must be made carefully since a movement from institutional to noninstitutional alternatives could shift the incidence (or burden) of particular operating costs to other departments within a given governmental organization and actually increase total public outlays. For example, the costs of special education classes could be shifted from a state corrections department to a state or local education department by moving delinquent children out of custodial institutions into specialized group homes. Such "cost savings" are purely fictitious to anyone concerned with total public outlays.

Furthermore, it may be honestly debated whether the additional costs of adding delinquents to local educational systems would be greater than the dollar savings resulting from the elimination of education classes at various custodial institutions. This question can only be answered by examining the relative "marginal" costs of educating one additional child at the institution and at the community based school. In the absence of marginal cost data, however, it is impossible to answer this question, as Figure 6 shows. Figure 6 presents hypothetical cost curves for educating delinquents at a custodial institution and a community school. Total public outlays for the education of delinquent children could increase, decrease or remain the same, depending on the relative capacity levels at which the two schools were operating.[44]

43. In California, the specialized group homes employ married couples as group home parents, rather than counselors. As such, these group homes might be more accurately called large foster homes and should permit substantial cost savings to the public sector.

44. The marginal cost curve for the community school would have to be lower than that of the institutional school at all levels of capacity before cost savings from transferring educational responsibility could be assured.



*where marginal cost is defined as the additional cost to the school of educating one additional child

Figure 6: Hypothetical Cost Curves for Educating Delinquents at a Custodial Institution and at a Community School

It should also be noted that public schools in many communities have the legal right to suspend children that school officials regard as "uncontrollable." The transferability of juvenile delinquents, then, depends on the willingness of the community to accept them. Community responsiveness to the deinstitutionalization of delinquents is the next issue discussed.

"COMMUNITY" RESPONSIBILITY FOR DELINQUENTS

"You almost have to force the community to do its job. There'll never by any real progress without turmoil," say Jerome Miller (who, until recently, was Commissioner of Youth Services of Massachusetts) of the deinstitutionalization program of delinquent children in that state.[45] There are two possible ways of interpreting the word "community" in Dr. Miller's statement. First, it may refer to the area or areas in which juvenile delinquents lived before they were sent to custodial institutions. Such communities, for the most part, fall on the lower end of the socioeconomic scale.[46] To ask these communities to take responsibility for their juvenile delinquents seems to assume that they are, in fact, responsible for all aspects of their "community" life, including unemployment, poor housing, etc.

Second, the term may refer to some homogeneous entity that is, at least partially, responsible for creating juvenile delinquents. In other words, community refers to society at large and Dr. Miller appears to be saying that society in general must bear the burden of dealing with delinquents

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45. Quoted in Parade, September 17, 1972, emphasis added.
46. "Higher delinquency rates among lower status youngsters are a fact of the police, courts and institutional data...." (Martin Gold, "On Social Status and Delinquency," Social Problems, Summer 1967, p. 114.)

that are removed from custodial facilities.

Even if we accept the latter interpretation of Dr. Miller's "community," it should be recognized that the areas that must "almost be forced" to accept the deinstitutionalization of delinquent children will most likely be the very same areas in which those children became delinquent. Middle and upper-middle socioeconomic areas are highly unlikely to accept group homes or group residences for delinquent children, even if the former Massachusetts Commissioner expects them to participate in such a program. As with most undesirable public projects, low socioeconomic areas, which are the least organized, will probably be required to bear whatever burdens are imposed by the deinstitutionalization of delinquents.

V. IMPLICATIONS FOR RESEARCH

At this point, the subject of the deinstitutionalization of juvenile delinquents probably does not warrant additional federal funds for the purpose of establishing demonstration projects.[1] As we have indicated throughout this paper, there are numerous experimental treatment projects for delinquents in many states and localities. But on the other hand, there is only a limited amount of knowledge available at the federal level concerning the success or failures of these projects. Valuable data may be available at state and local levels although not in readily usable form. It will take some effort to collect the data and organize them in a form suitable for comparative analytical study.

Before we commit research funds for data collection and analysis, however, we must know what types of data are needed. As indicated in Section III, our most basic needs are for data on recidivism rates, on the types of crimes committed by recidivists, and on the total operating costs of each alternative treatment for particular target groups.

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1. A fair amount of federal funds has already gone into demonstration projects in the area of juvenile delinquency. The National Institute of Mental Health has supported a major study of various noninstitutional arrangements for delinquents in California during the last 10 years. The Law Enforcement Assistance Administration has also provided funds to Massachusetts for its deinstitutionalization experiment. Additionally, HEW's now defunct Youth Development and Delinquency Prevention Administration funded numerous demonstration projects focusing particularly on specialized group homes.

Target Groups

A great many personal and social characteristics can be used to identify subgroups in the juvenile delinquent population, including age, sex, race, educational attainment, general aptitude, personal maturity, correctional history, the nature of offense, socioeconomic background, and family structure.

A typology employing all of these variables is not only unmanageable but probably unnecessary, and a number of the variables can logically be combined. For example, educational attainment, general aptitude and personal maturity seem to have an important bearing on the success of noninstitutional alternatives, and they may be highly correlated.[2] Previous correctional history and the nature of the delinquent's offense may also be highly correlated. Furthermore, some variables seem less pertinent than others. There is, for instance, some evidence that race is unimportant in determining the effectiveness of noninstitutional programs.[3] Moreover, socioeconomic status of delinquents is largely pre-determined, since an overwhelming percentage come from lower and lower-middle socioeconomic backgrounds.[4]

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2. In this case, data might most efficiently be collected on the educational attainment of delinquents since data on their personal maturity or general aptitude would be very difficult to secure, except for those children involved in the California CTP. (See discussion of the uses and limitations of the California interpersonal maturity classification system in Appendix B.)

3. Daniel Glaser reports that failure rates of white and black adults released from federal and state prisons are almost identical, Orientals being the only group with a lower pattern. (Glaser, The Effectiveness of a Prison and Parole System, pp. 51-52.)

4. Middle and upper socioeconomic delinquency groups can be excluded because of their relatively small involvement with the formal juvenile justice system. Some observers have commented that the infrequent involvement of upper class children in the formal juvenile justice system is more a reflection of the biases in the system than of differences in behavior among

In addition, age and sex are two relatively uninteresting variables, since approximately four out of five institutionalized delinquents are males and over 90 percent are between the ages of twelve and twenty.[5]

The question is, which of these variables are most important and are also relatively easy to measure in establishing subgroups. Reasonable arguments can be made for including each or all of the factors identified above. Without better information, any selection of variables for inclusion in the analysis is somewhat arbitrary.

Initially, however, three variables seem potentially important: previous correctional history, educational attainment, and family structure.[6] These variables may be further divided as follows:

Previous Correctional History

PC_1 = no felonious convictions
PC_2 = one felonious conviction
PC_3 = two or more felonious convictions

Educational Attainment

E_1 = normal grade level for age
E_2 = below normal (2 years or less)
E_3 = below normal (more than 2 years)
E_4 = not in school

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children of different socioeconomic classes. See, for example, Ivan F. Nye, James F. Short and Virgil J. Olson, "Socio-economic Status and Delinquent Behavior," American Journal of Sociology (January 1958); and LaMar T. Empey and Maynard Erickson, "Hidden Delinquency and Social Status," Social Forces (1966).

5. National Center for Social Statisics, Department of Health, Education and Welfare, Statistics on Public Institutions for Delinquent Children, p. 5; and Donnel M. Pappenfort and Dee M. Kilpatrick, A Census of Children's Residential Institutions in the United States, Puerto Rico and the Virgin Islands: 1966 (University of Chicago Press, 1970), vol 1, p. 45.

6. The appropriateness of particular alternatives, especially probation, correctional day care, specialized foster homes and group homes, may be based largely on the family structure of the delinquent.

Family Structure

FS_1 = living with both natural parents
FS_2 = living with one natural parent
FS_3 = not living with either natural parent

Combining these three groups with the other seven results in thirty-six possible subgroups of delinquents which can serve as initial target groups for researching juvenile correction. It is also necessary to specify what correctional alternatives are available. The following categorization may suffice:

Correctional Alternatives

C_1 = Probation and/or Parole
C_2 = Correctional Day Care
C_3 = Specialized Foster Homes
C_4 = Specialized Group Homes
C_5 = Semicustodial Institutions
C_6 = Custodial Institutions

Integrating the various correctional alternatives with the thirty-six descriptive categories mentioned above results in 216 observable combinations which can be examined. Some of these combinations may not be important in terms of public policy. It can be suggested, for example, that all 108 classifications involving E_1 (normal grade level for age) and FS_1 (living with both natural parents) can be eliminated because of the relatively small size of those groups.

Data from even a few states and localities could go a long way to answer many of the remaining questions,[7] particularly if the effort is made to

7. Information on the recidivism of noninstitutional alternatives, for example, could be substantially improved by collecting data from the California CTP on the actual number of nontechnical (i.e., criminal) offenses committed by delinquents after some previous conviction and sentencing (to

secure and analyze the types of data identified above. Federal agencies, particularly the National Institute of Mental Health and the Law Enforcement Assistance Administration, have an unusual opportunity to significantly improve the existing information based on the effectiveness of alternative arrangements for treating and controlling delinquents.

institutional or noninstitutional arrangements). An indication of other potentially valuable data from Massachusetts, the District of Columbia, Wisconsin and Minnesota is provided in Appendix A.

VI. CONCLUSIONS

In reviewing the empirical evidence on the effectiveness of alternative methods of treating and controlling delinquents, one is impressed by the complexity of the subject. Research findings are ambiguous and fragmentary, leaving the policymaker with a great number of unanswered questions. What does seem to be clear is that too many generalizations about the best way of handling delinquents are not supported by empirically established information. For instance, no research evidence is available to support a policy for the complete deinstitutionalization of delinquents, regardless of the number and types of "community-based services" that are offered.

Research has shown that the probation of large numbers of juvenile delinquents has proved to be a fairly successful and relatively inexpensive way of handling such children. (However, at the same time, this method has not proved to be satisfactory with a significant percentage of delinquents.) Evaluations of correctional day care projects suggest that this alternative is not particularly useful in improving the success rates of ordinary probation, at least with respect to male delinquents. The limited research evidence currently available on the effectiveness of group residences indicates that such facilities are not more effective than custodial institutions in rehabilitating delinquents. Lastly, it must be realized that almost nothing is known at the federal level regarding the effectiveness of specialized foster homes or specialized group homes in treating and controlling delinquents. In summary, we know only that certain juveniles

are less trouble to society, in the short run, in confined rather than unconfined environments, and that those delinquents, generally require greater public resources than noninstitutional juveniles.

In the long-run, however, some observers apparently feel that society's best interests are served by noninstitutional arrangements for all delinquents. They claim that the harmful effects of an institutional experience eventually surface in the form of higher recidivism rates and that these higher recidivism rates obviously affect everyone. It is on this basis that some authorities argue against sending any delinquent children to custodial institutions, believing that no alternative is less effective than institutions in reducing recidivism.

But are society's long-run interests best served by wholesale deinstitutionalization of delinquents? Despite the claim that the longer a juvenile is confined in an institution the more likely he is to commit future crimes, this has not been proved. In fact, there is some evidence suggesting that the opposite is true. Furthermore, institutions may have the effect of deterring criminal acts among noninstitutionalized delinquents and even nondelinquent children. With information that is currently available, we just do not know the extent to which this effect exists.

In general, states and localities rely on noninstitutional alternatives for juvenile delinquents but most states and localities have been very reluctant to go all the way and eliminate custodial institutions as one of their ways to handle delinquents. Given the present state of knowledge, it seems that their caution is justified. Hopefully, federal agencies will assist states and localities in closing the information gaps identified in this paper, so that all appropriate methods of treating and controlling delinquents can be implemented in accordance with their relative effectiveness.

Appendix A

REVIEW OF THE DEINSTITUTIONALIZATION PROJECTS FOR DELINQUENTS IN THREE STATES AND THE DISTRICT OF COLUMBIA

In selecting certain of the existing demonstration projects to test hypotheses concerning juvenile correctional alternatives, there are three requirements. First, there must be in existence a number of alternatives to permit comparison of results. Second, statistics must have been gathered in some reasonably systematic manner and be in a form which will aid the analysis. Third, the officials responsible for releasing data must be cooperative.

During the course of this study, information was gathered on Massachusetts, the District of Columbia, Wisconsin, and Minnesota. Each potentially fulfills the criteria mentioned above and could provide valuable data for future research.

MASSACHUSETTS

The Commonwealth of Massachusetts has recently begun what seems to be the first total deinstitutionalization program for delinquents in the United States. The Department of Youth Services has closed all of the seven state-administered juvenile institutions.

The aims of the Massachusetts program are relatively simple. It is felt that institutions as they were structured were not only harmful to the

rehabilitation of juveniles but were beyond reform.[1] The decision was made, therefore, to close them all and to handle juvenile offenders in three ways. First, the bulk of offenders would be placed on probation and returned to parents or guardians. It is estimated that 80 percent of all juvenile offenders could ultimately be handled in this manner.[2] Second, those juveniles who had no home to be returned to, or those whose home environment was determined to be unstatisfactory, would be assigned to foster parents or to specialized group homes. Third, a very small number of juveniles, deemed "hard to place," would be sent to a potentially high-security facility. This last facility would operate in the community and all assignees would be free to come and go at will except when their behavior posed a threat to themselves or to the community.

Massachusetts presents a fertile area for research. The program represents a major test of community correctional alternatives. If it can be shown that over a reasonable period of time, general deinstitutionalization achieves better results at a lower cost than does a system of varied types of facilities, then the Massachusetts program will have contributed significantly to alleviating the difficulties involved in making public decisions concerning juvenile corrections.

Also, Massachusetts fulfills the first of our requirements, that is, it has a range of alternatives available (albeit a restricted one). As noted above, juveniles are currently being directed into three separate types of general alternatives: probation and/or parole, specialized foster and group homes, and a potentially closed facility.

1. Jerome Miller, former Commissioner of Youth Services, Commonwealth of Massachusetts, interview, August 11, 1972.
2. Ibid.

In addition, the following points may be relevant:

1. It appears that the probation/parole status can carry with it various conditions, depending on the disposition of the sentencing judge, the feeling of the probation or parole officer, or the decision of the Commissioner of Youth Services.[3] This implies that there may be a wide range of support and supervision provided to probationers, extending from no service to intensive service. If this is true, there is a basis for comparing the costs and effectiveness of these programs as a function of the degree of service provision. It may be interesting to learn, for example that a probationer with no support has no higher probability of recidivating than one with intensive support or than a juvenile in foster or group care.

2. It appears that in the placement of juveniles who cannot be returned to their own family or to friends, heavy reliance is being placed on group homes and residences. Some homes are run by nonprofessional parents and some by trained counselors. Such a differentiation may, again, clarify cost and effectiveness differences based on the degree of services (in this case, counseling), and may also help in estimating the costs of corrections that are being absorbed by nonprofessional groups and foster parents.

3. Because custodial institutions were only recently closed, a comparison between their results and costs and the results and costs of community alternatives would be reasonably valid. Time distortion is always a potential threat to the significance of comparison but the time element in Massachusetts appears minimal.

It seems, therefore, that if reliable data can be obtained, the Massachusetts program will provide excellent opportunity for evaluative comparisons (a) between institutional and community alternatives and, (b) between the various community alternatives themselves. The real question therefore is whether the last two points of our initial requirements for a successful case study can be fulfilled: has pertinent data been collected and will the relevant officials cooperate in releasing it?

3. Commonwealth of Massachusetts, Legislative Acts, 1969, Chapter 838, p. 812.

The response to the first of these two questions appears to be affirmative. First, the Department of Youth Services is in the process of assembling data on the juveniles currently in their custody.[4] If the department has kept such data, as required by law,[5] it will be sufficient for the kind of analysis desired here. Second, the department is also in the process of completing a study of a sample of juveniles, the data for which were assembled while the institutions were still in operation.[6] This study appears to contain the types of statistics needed for an institutional community comparison. Third, as part of a project for the Massachusetts Governor's Commission and for the Law Enforcement Assistance Administration, the Harvard University Center for Studies in Criminal Justice is monitoring the Massachusetts program and designing a cohort study which will presumably test the effectiveness of the various alternatives. Fourth, since all group homes in Massachusetts are privately contracted for, it may be possible (though tedious) to obtain data directly from the private agencies which operate the facilities.

Whether any researcher can gain the cooperation of the public officials involved in releasing information is unclear at this point. As in the early stages of any innovative program, administrators in the Department of Youth Services tend to discount the validity of current data, to suspect that revealing it will lead to misuse, and therefore to be reluctant to share it with outsiders.[7] With this in mind, it is possible that even if statistics are made available, they may be severely edited by the Department and their

4. Arnold Schucter, Assistant to the Commissioner of Youth Services, Commonwealth of Massachusetts, interview, August 11, 1972.
5. Massachusetts, Acts of 1969, Chapter 838, Section 33, p. 818, and Chapter 838, Section 52, p. 822.
6. Joseph Zabriskie, Assistant to the Commissioner of Youth Services, Commonwealth of Massachusetts, interview, August 11, 1972.
7. Schucter, interview, August 11, 1972.

applicability to an objective study subject to question.

In the same sense, if the Harvard study is made fully public (which appears likely),[8] the statistics they employ are largely provided through the Department of Youth Services and subject to the same kind of doubt. The dilemma may be of such magnitude as to preclude the possibility of using the Massachusetts project as a case study. At this point, it can only be hoped that the full cooperation of Youth Service officials will be offered.

THE DISTRICT OF COLUMBIA

The District of Columbia has undertaken an important experiment with young adult offenders (ages 17-23) which also is useful in an evaluation of institutions and their community replacements. The District previously confined all such offenders in a cottage-type formal institution in Lorton, Virginia. In 1971, the Department of Corrections, using federally appropriated funds, created a Youth Progress House as part of the Youth Crime Control Project.

The Progress House is located in the midst of a predominantly black area of the District. In lieu of incarceration at the Lorton Youth Center, "students" at the House progress in stages from confinement to the premises to a nonresident parole period and then to total release. In the interim periods, they are permitted to work or attend school in the community and they gradually earn weekend and overnight leave passes. (See Figure 7)

The House itself is without bars or locked doors and may be defined as a group residence, with an organization that is essentially democratic.

8. Alden Miller, Assistant to the Director of the Center for Studies in Criminal Justice, Harvard University, interview, August 11, 1972.

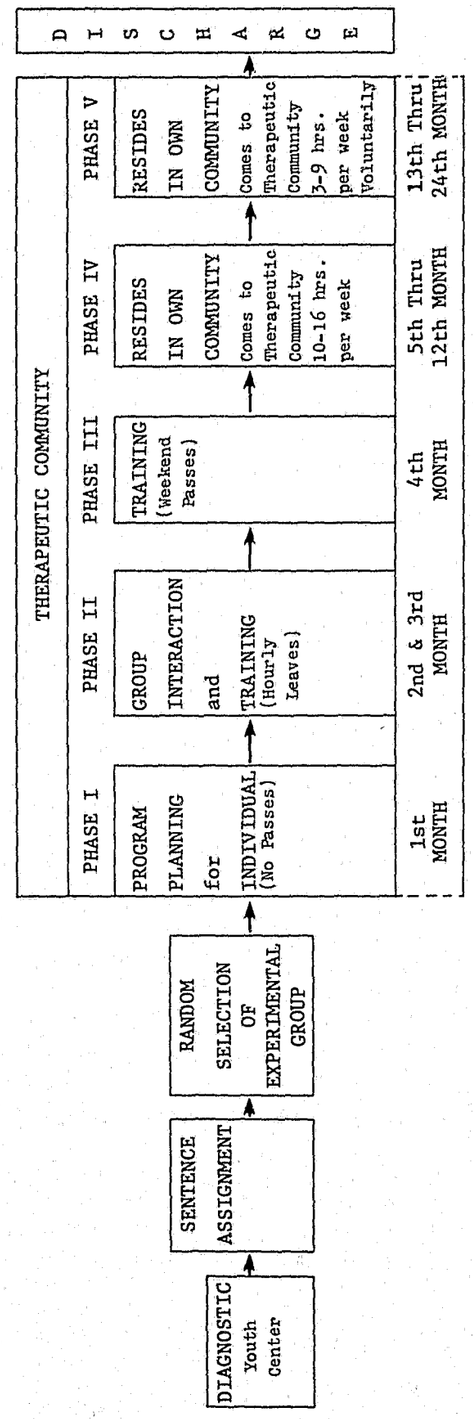

Figure 7: Overview of District of Columbia Therapeutic Community Treatment Program

Source: Adapted from Anita Auerbach and Stuart Adams, The Youth Crime Crime Control Project, District of Columbia, Department of Corrections, Progress Report No. 1 (January 1972), p. 46.

However, its staff consists largely of youth counselors, some of whom are former offenders, and the size of its resident population is large (thirty-two youths at capacity). It is therefore clearly separate in type from foster or group home facilities as they are generally defined.

It can be differentiated from the Lorton Center, first, by location. The Progress House is located in the community; Lorton is isolated from it. Second, the Progress House does not provide professional psychotherapeutic counseling. The rehabilitative program consists primarily of group interaction. Each youth is assigned to a small team, or group, which serves as a foundation for his interaction with other residents. The group meets regularly with its nonprofessional counselor and is the fundamental decision-making body for the individual when there is an infraction of rules. In addition, general meetings of the House are held nightly and there are frequent meetings between each resident and his family.

Lorton, on the other hand, provides intensive psychological testing and counseling for its residents.[9] This includes regular therapeutic group sessions conducted by a trained psychologist.

The differences between the Progress House and the Lorton Center should be clear. The Progress House represents an intermediate step in the deinstitutionalization process. It also represents a moderate departure from reliance on formal psychotherapeutic techniques in the treatment of offenders. If it can achieve similar or better results at equal or lower costs, there may be additional evidence that a move by correctional agencies away from institutional reliance is desirable.

A major advantage of the District of Columbia study is the quality of

9. Anita Auerbach, Director of Research, Youth Crime Control Project, District of Columbia, interview, July 27, 1972.

the data. The research director at the Progress House has implemented a program which permits meaningful comparisons of those youths assigned to the Progress House and those remaining at Lorton. Juvenile offenders who are committed to Lorton are screened to eliminate those (a) who have committed murder or rape, (b) who have a score of 75 or less on all of four I.Q. tests, (c) who have sentences or additional charges pending, and (d) whose parole dates have already been fixed. From this screening process, a group of eligibles is created, 50 percent of whom remain at Lorton and 50 percent of whom are sent to the Progress House. The assignment is random and the youths must consent to being placed at the Progress House.

The research director has also maintained complete records on the Lorton control group and the Progress House experimental group. Data is available on fifty separate psychosocial, sociological, and personal characteristics for the two groups. Follow-up statistics are reasonably good. The normal procedure at Lorton is for a youth to be paroled initially to a halfway house, and the research director has been able to trace the control group members through the halfway house.

Preliminary results from the Washington experiment are somewhat disappointing. The failure rate at Progress House (i.e., rate at which delinquents must be returned to Lorton for technical offenses) seems to be stabilized at 50 percent. Furthermore, the rate at which Progress House "students" have been arrested for committing new crimes has been no lower than that of the delinquents who were handled by the Lorton-halfway house-parole arrangement. Subsequent findings may be more encouraging and the probability of cooperation from the officials involved seems high. Many statistics have already been released. The utility of the District of Columbia project,

however, is limited by the following factors:

1. The community alternative is of limited scope. From some viewpoints, a group residence of this type may simply be seen as a small, relocated institution.

2. The difference in therapeutic methods may be critical and there is no means of testing its importance should effectiveness indicators be equivalent for both programs.

3. There is no control group consisting of youths who were placed directly on probation without being assigned either to Lorton or the Progress House. Although data on probationers may be available from the Department of Corrections, it is unlikely that a researcher would be able to duplicate the characteristics of the existing control and experimental groups.

In spite of these difficulties, the District of Columbia provides a very hopeful indication that meaningful internal evaluations can be performed on community correctional alternatives. Such objective evaluations can yield important information needed by public policy makers.

WISCONSIN

The State of Wisconsin currently has six formal institutions for juvenile offenders in operation, four major correctional facilities and two forestry camps. In addition, the state has licensed 247 foster homes and 39 group homes.

There were, as of June 30, 1972, 3021 adjudicated juvenile delinquents in the custody of the Department of Corrections. Of these, 2090, or 69 percent, were in the community on probation, parole, or both. In addition, 656, or 21.7 percent, were assigned to one of the six formal institutions; 136, or 4.5 percent, were in specialized foster homes; and 139, or 4.6 percent, were in specialized group homes.

Wisconsin has had a probation and parole program since 1909. Specialized foster homes were established in 1951, and specialized group homes in 1955.

The interest in studying the Wisconsin situation ought to be clear at this point. First, the number of juvenile offenders handled is relatively large. Second, the state provides a full range of correctional alternatives from probation and parole to custodial institutions. Third, the state has had considerable experience with each type of alternative. It may well be significant that, after a minimum of fifteen years of experience with every type of community alternative, Wisconsin still finds it necessary to maintain over 20 percent of all juvenile offenders in custodial institutions.

From preliminary evidence, the Wisconsin Department of Corrections has the statistics necessary to evaluate the alternatives and is anxious to assist in supplying them to researchers.[10] If this is true, the state may prove to be the most fruitful of the cases described in this section.

MINNESOTA

For some of the same reasons cited for using Wisconsin, Minnesota would make a useful case study. First, the state has retained in its juvenile corrections system a full range of alternatives, including custodial institutions, specialized group and foster homes, and probation and parole programs (the group home program was begun in 1965). Second, it appears that statistics are available. Third, the responsible state officials seem willing to cooperate with an evaluation.

10. Karl H. Vircks, Supervisor, Foster Care Unit, and Delmar Huebner, Director Bureau of Probation and Parole, Department of Corrections, State of Wisconsin, in a questionnaire completed for the Urban Institute, August, 1972.

In addition, the group home unit of the Department of Corrections has performed two studies on group home facilities recently. The first is a general study of 129 juvenile offenders who were placed in group homes between September 1965 (when the program began) and July 1969.[11] It examined the juveniles for thirteen characteristics, correctional history, and family characteristics and relationships. The report provides a number of interesting facts. First, almost 84 percent of group home assignees were white. Second, over 79 percent were average or above average in intelligence. Third, 35 percent were first offenders. Fourth, over 44 percent came from families in good or sound economic condition.

The second Minnesota study, completed in April of 1972, analyzes the effectiveness of an experimental group residence for hard-to-place juvenile boys. The residence was established when "it became increasingly evident that community placement resources were becoming less available and less adequate to meet the needs of male juveniles and youth who had experienced multiple failures after commitment to the Youth Conservation Commission.[12]

The later study produced a demographic analysis similar to the kind done in the earlier general study. However, it also followed the juveniles through their release. Of the 40 juvenile boys referred to the group residence from March 29, 1971 to February 14, 1972, 20 failed for one reason or another. Only 14 were placed in the "satisfactory adjustment" category, which was defined as a return to the community, independently or with family or friends. (Six boys were still in residence.) Results from the Minnesota example may indicate the necessity of maintaining an entire range of

11. Minnesota Department of Corrections, Report on Juveniles in Group Homes: 1965-1969, 1970.

12. Minnesota Department of Corrections, An Analysis of the Group Home for Hard-to-Place Juvenile Boys: March 1970 to February 1972, April 1972.

correctional alternatives, including custodial institutions.

SUMMARY

It may be useful at this point to summarize briefly the importance of each of the cases just described.

Massachusetts represents an opportunity to examine the effectiveness of a wholesale systems change. Has the elimination of institutions improved the correctional process in any measurable sense? Have budgetary outlays for juvenile justice been reduced? Is it more effective in preventing recidivism? The study of Massachusetts will quite likely have to be performed on a general level. That is, it may be very difficult to determine whether deinstitutionalization is better for some groups and not for others. Massachusetts may only be able to show whether a juvenile correctional system without institutions is better or worse than it was with a full range of alternatives.

The District of Columbia permits a rather more specific analysis. The kinds of records being kept give researchers the opportunity to determine the effects of community placement on different types of individuals. Also, since the Youth Progress House is a fairly large operation, it may be possible to eliminate the hypothesis that the success of community alternatives is solely a function of group size (i.e., the smaller the living group, the lower the recidivism rate). This permits more definite conclusions concerning community placement as an option in itself and may suggest that, if institutions must exist, their location at least ought not to be isolated.

Wisconsin and Minnesota are valuable for similar reasons. Both are able to provide information on complete correctional systems. This suggests

the ability to compare the effectiveness of each alternative and may be particularly helpful in identifying subpopulations with which each alternative has been most successful. Each state also provides an important contrast (on a systems level) to Massachusetts.

Admittedly, each of these cases displays a number of characteristics which limits its usefulness. It is doubtful, however, that any demonstration project could ever be established which would successfully test the many complex hypotheses involved in the juvenile corrections process. What can be tested is a set of discrete hypotheses which, while not providing policymakers with a complete set of answers, will give them a sense of which alternatives to custodial institutions seem appropriate for particular types of delinquents.

Appendix B

DIFFERENTIAL TREATMENT BASED ON THE PERSONAL MATURITY OF DELINQUENTS

Under its grant from the National Institute of Mental Health, the California Youth Authority developed different treatment strategies for delinquents based largely on their different levels of personal maturity. Using the theoretical formulation of Sullivan, Grant and Grant,[1] which involves a sequence of personality integrations associated with normal childhood development, the Youth Authority's Community Treatment Project developed an "Interpersonal Maturity Level Classification" Scheme. A brief description of this system is presented below:[2]

Seven successive stages of interpersonal maturity characterized psychological development. They range from the least mature, which resembles the interpersonal interactions of a newborn infant, to an ideal of social maturity which is seldom or never reached in our present culture. Each of the seven stages or levels is defined by a crucial interpersonal problem which must be solved before further progress toward maturity can occur. All persons do not necessarily work their way through each stage but may become fixed at a particular level. The range of maturity levels found in a delinquent population is from Maturity Level 2 (Integration Level 2 or I_2) to Maturity Level 5 (I_5). Level 5 is infrequent enough that, for all practical purposes, use of levels 2 through 4 describes the juvenile population. A brief description of these levels follows:

Maturity Level 2(I_2): The individual whose interpersonal understanding and behavior are integrated at this level is primarily involved with demands that the world take care of him. He sees others primarily as "givers" or "withholders" and has no conception of interpersonal refinement beyond this.

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1. "The Development of Interpersonal Maturity Applications to Delinquency," Psychiatry, vol. 20 (1957).
2. Marguerite Warren and the Community Treatment Staff, Interpersonal Maturity Level Classification: Juvenile Diagnosis and Treatment, California Youth Authority (1966), pp. 1-3.

He is unable to explain, understand, or predict the behavior or reactions of others. He is not interested in things outside himself except as a source of supply. He behaves impulsively, unaware of the effects of his behavior on others.

Maturity Level 3(I_3): The individual who operates at this level is attempting to manipulate his environment in order to get what he wants. In contrast to level 2, he is at least aware that his own behavior has something to do with whether or not he gets what he wants. He still does not differentiate, however, among people except to the extent that they can or cannot be useful to him. He sees people only as objects to be manipulated in order to get what he wants. His manipulations may take the form either of conforming to the rules of whoever seems to have the power at the moment ("if you can't lick them, join them.") or of the type of maneuvering characteristic of a "confidence man" ("make a sucker out of him before he makes a sucker out of you."). He tends to deny having any disturbing feelings or strong emotional involvement in his relationships with others.

Maturity Level 4(I_4): An individual whose understanding and behavior are integrated at this level has internalized a set of standards by which he judges his and others' behavior. He is aware of the influence of others on him and their expectations of him. To a certain extent, he is aware of the effects of his own behavior on others. He wants to be like the people he admires. He may feel guilty about not measuring up to his internalized standards. If so, conflict produced by the feelings of inadequacy and guilt may be internalized with consequent neurotic symptoms or acted out in antisocial behavior. Instead of guilt over self-worth, he may feel conflict over values. Or, without conflict, he may admire and identify with delinquent models, internalizing their delinquent values.

It should be stressed that interpersonal development is viewed as a continuum. The successive steps or levels which are described in this theory are seen as definable points along the continuum. As such, they represent "ideal types." Individuals are not classified at the level which reflects their maximum capabilities under conditions of extreme comfort, but rather are categorized at that level which represents their typical level of functioning or their capacity to function under conditions of stress. This rating of base I level has the advantage of permitting more accurate predictions of behavior in a delinquent population.

In 1961, an elaboration of the Maturity Level Classification was developed for use in the Community Treatment Project. In part, the elaboration was drawn from the work of the California Youth Authority Committees on Standard Nomenclature in an effort to describe more specifically the juvenile population.

The "Interpersonal Maturity Level Classification: Juvenile" subdivided the three major types described above into nine delinquent subtypes, as follows:

Code Name		Delinquent Subtype
I_2	Aa	Unsocialized, Aggressive
	Ap	Unsocialized, Passive
I_3	Cfm	Conformist, Immature
	Cfc	Conformist, Cultural
	Mp	Manipulator
I_4	Na	Neurotic, Acting-out
	Nx	Neurotic, Anxious
	Ci	Cultural identifier
	Se	Situational Emotional Reaction

Whereas the Maturity Level classification represented a categorization of the individual's level of perceptual differentiation, the subtype represented a categorization of the individual's response to his view of the world.

These nine subtypes then were described by lists of item definitions which characterized the manner in which each group perceived the world, responded to the world, and were perceived by others.

After 12 years of operation, the Community Treatment Project reports that its classification system has proven to be highly useful in providing differential treatment. It is also of great interest to note that the CTP appears to be successful only for particular delinqent subgroups.

This last finding is consistent with findings of some other noninstitutional programs for delinquents, showing that differential treatment strategies are appropriate for individuals with certain personal characteristics. For example, the Outward Bound Project indicated that rigorous, outdoor physical activities could be helpful in reducing the recidivism of young men who did not suffer from acute immaturity.[3]

The Outward Bound project was a two-year demonstration project involving 120 young persons between the ages of fifteen and a half and seventeen. The boys were selected on the basis of several criteria including: good

3. Francis J. Kelly and Daniel J. Baer, Outward Bound Schools as an Alternative to Institutionalization for Adolescent Delinquent Boys (1968).

physical health, acceptable mental functioning ("absence of severe psychopathology, e.g., psychosis, phobia of height, water, being alone, etc." which was determined by data from clinical files), intelligence, based on a minimum I.Q. score of 70, and the absence of violent assaultive or sexual acts in their history. Sixty subjects were selected from the Youth Services Reception Center in Boston, and the remaining sixty were selected from the populations of two institutions for delinquent boys. The latter group included individuals who were institutionalized for the first time and those who had served prior sentences and had prior parole violations. Thirty of the noninstitutionalized subjects were selected for the Outward Bound Project and the remainder for the control group. The sixty previously institutionalized were dealt with in a similar fashion. The subjects for the experimental group were assigned to one of three Outward Bound sites in Colorado, Maine, or Minnesota for twenty-six days, and those in the comparison group were assigned to custodial institutions for an average of six to seven months.

Nine months after parole, the recidivism rates of the two groups were compared. The recidivism rate employed by this study was the rate of return to an institution for violation of parole, or commitment to an adult institution for a new offense. The findings revealed a higher recidivism rate (34 percent) for the control group, i.e., youths who were institutionalized. Only 20 percent of the experimental group recidivated. It should be noted that ten individuals in the comparison group had not completed their nine-month parole period and, if one or more of them failed, the actual difference between the two groups would have been higher than that which was published. In summary, the overall results of the Project seem to suggest that, except for the most immature delinquent (corresponding to Maturity

Level I_2Ap in the California scheme), a short-term program like Outward Bound can be a useful alternative to institutionalization.

The results of the California Community Treatment Program, the Outward Bound Project and other experiments in noninstitutional care for delinquents raise important policy questions. To what extent should society be willing to provide differential treatment to delinquents on the basis of their particular maturity levels, general aptitude levels, or personality characteristics, without regard to the nature of the offense committed by such delinquents? Would there be something inherently "unfair" about such arrangements? Who would decide the "maturity" or determine the "appropriateness" of certain personality traits of individual delinquents accepted into the noninstitutional programs? How subjective and arbitrary would such determination be? Does society have the right to "punish" some delinquents through institutional confinement and allow other delinquents, who have committed <u>similar</u> crimes, to be placed in noncustodial environments because they are "suited" better to the program?[4]

It should be noted that neither the California Community Treatment Program nor the District of Columbia Program have eliminated the nature-of-the-offense as a variable used in selecting juveniles for its program, even after the program results indicated that the personal characteristics of the juveniles were more important than the nature of the offense in predicting program success. The reluctance of juvenile authorities to disregard the cause of the delinquents' sentencing may be based on some of the equity questions raised above.

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4. In the case of the Outward Bound Project, for example, should those delinquents who are not sufficiently mature be excluded from the program and spend six or more months in custodial institutions, while more mature delinquents go off to the woods for only a month?

Appendix C

DATA ON THE CHARACTERISTICS OF CUSTODIAL INSTITUTIONS

Table 4

AVERAGE LENGTH OF STAY IN CUSTODIAL INSTITUTIONS (1970)

	Average length of stay (months)
State auspices	
Training schools	9.9
Forestry camps	7.6
City and county auspices	
Training schools	7.5
Forestry camps	6.6

Source: Statistics on Public Institutions for Delinquent Children (1970), p. 6.

Table 5

CAPACITY OF CUSTODIAL INSTITUTIONS (1970)

Capacity	All	Training Schools	Forestry Camps	Other
Total	325	220	91	
Under 50	66	31	35	
50-99	89	36	49	4
100-149	38	30	7	1
150-199	32	32	--	4
200-299	45	41	--	5
300 or more	55	50	--	

Source: Statistics on Public Institutions for Delinquent Children (1970), p. 6.

Table 6

OCCUPANCY AS A PERCENT OF CAPACITY OF CUSTODIAL INSTITUTIONS (1970)

Occupancy (as % of Capacity)	All	Training Schools	Forestry Camps
Total	325	220	91
Less than 50.0	30	13	17
50.0-59.9	11	10	1
60.0-69.9	25	19	6
70.0-79.9	45	34	10
80.0-89.9	36	26	6
90.0-99.9	45	31	13
100.0	33	24	9
Over 100.0	100	63	29

Source: Ibid., p. 6.

Table 7

PER CAPITA OPERATING EXPENDITURES OF CUSTODIAL INSTITUTIONS (1970)

Geographic Region	Per Capita Operating Expenditures[a]		
	All	Training Schools	Forestry Camps
All Regions	$5,700	$5,691	$5,237
New England	6,727	7,311	3,859
Middle Atlantic	6,933	6,979	2,484
South Atlantic	6,358	6,587	4,969
East South Central	3,935	3,959	3,789
East North Central	6,352	6,452	4,495
West South Central	3,330	3,330	---
West North Central	6,152	6,152	---
Mountain	6,364	6,437	5,277
South Pacific	6,048	6,048	---
North Pacific	8,760	8,800	2,735

Source: Ibid., p. 7.

a: Computed by dividing the total operating expenditures by the average daily child population.

Table 8

ADMINISTRATIVE DECISION RESULTING FROM LACK OF RESOURCES: NUMBER OF DELINQUENT CHILDREN AFFECTED, BY TYPE OF DECISION (1966)

Type of Decision	Number Affected by Decision (Resulting in Additional or Fewer Children in Institutions)	Percent of Total Number in Institutions*
Children refused admittance to institution because of lack of capacity, staff, or facilites	(+) 10,468	(+) 20%
Children admitted to or retained in institution because appropriate foster homes were not available	(-) 7,355	(-) 13
Children admitted to or retained in institution because appropriate group or institutional placement facilities were not available	(-) 7,995	(-) 15
Net effect of decisions	(-) 4,882	(-) 8%

*Pappenfort and Kilpatrick, p. 19.
Source: Donnel M. Pappenfort and Dee M. Kilpatrick, A Census of Children's Residential Institutions in the United States, Puerto Rico, and the Virgin Islands: 1966 (University of Chicago Press, 1970), vol. 1, p. 244.

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