
This study is based on interviews with youth in both juvenile and adult correctional facilities. Includes youth from Boston, Memphis, Detroit, and Newark, between 1981 and 1984. A total of 59 youth in training schools were included. The sample of youth in prisons was from the same jurisdictions and totaled 81.

Prison youth were interviewed in prison, were a mean of 16.1 years old at time of entering prison and had served a mean of 1.8 years at time of interviews.

A number of issues are examined, including victimization. Questions were asked about whether the youth had been a victim of Anyone tried to take something by force or threat; been beaten up by any inmates; been beaten up by any staff; has anyone stole anything from you; has anyone damaged any of your things on purpose; has anyone attempted to sexually attack or rape you; have you been attacked with a weapon by anyone here?

Results show that for the sexual victimization question, over the past year 1.7% of those in training schools and 8.6% of those in prisons answered “yes”.

Victimization rates for the previous year were higher on all offenses for youth in prisons. For collapsed categories of violent offenses and property offenses the rates were 36.7% and 45.7% for violent offenses and 51.7% and 56.8% for property offenses.
Youth In Prisons and Training Schools: Perceptions and Consequences of the Treatment-Custody Dichotomy

by Martin Forst, Jeffrey Fagan, T. Scott Vivona

Abstract

Transfer (or waiver) of juveniles to criminal court is one of the most extreme responses to serious youth crime. Although many states have recently revised their transfer statutes, and the number of juveniles prosecuted as adults increases each year, little research has been conducted to assess the correctional experiences of delinquent youth convicted in criminal court and sentenced to adult prison. Evaluations of such experiences are important to policymakers and juvenile justice officials who are considering juvenile transfers as a strategy for securing longer and harsher confinement for offenders. Based on interviews with 59 chronic juvenile offenders placed in state training schools, and 81 comparable youths sentenced to adult correctional facilities, this article presents a comparison of offenders’ perceptions of their correctional experiences. Juveniles incarcerated in training schools give more positive evaluations of treatment and training programs, general services, and institutional personnel than do those youths in prison. Juveniles housed in institutions which emphasize security over treatment — i.e., prisons — are more often victimized during their confinement than youths in the treatment-oriented training schools. Once placed in prisons, adolescent inmates are more likely to be victims of prison violence and crime from both inmates and staff. These research results suggest some paradoxical effects of the treatment-custody distinction implicit in judicial waiver practices. The differential socialization into crime and violence for youths in adult prisons may increase the risks of having these types of behavior repeated by transferred youths once released.

Introduction

Over the past 15 years the juvenile justice system has been subject to heightened criticism on a variety of fronts. Some people feel the sanctions meted out for serious offenders are too lenient (van den Haag, 1975), while others believe its sanctions for minor offenders are too harsh. Proponents of the deinstitutionalization of status offenders criticize the excessively broad jurisdiction of the juvenile court (Quinn and Hutchison, 1980), while others (Wolfgang, 1982; Feld, 1986) suggest that serious juvenile offenders should be handled in the criminal courts. Some critics decry the lack of justice and fairness in the juvenile justice system (Marticorena, 1978; Guggenheim, 1979), while others claim it cannot realize its rehabilitative ideals.
Youth In Prisons

(Lipton, et al., 1975; Wolfgang, 1982). The loss of public confidence in rehabilitation — and in the juvenile court in general — may arguably be related as well to perceived increases in serious juvenile crime over the past two decades.1

As a result of these challenges, delinquency policy has begun to shift from a purely rehabilitative approach to a mixed rehabilitation/just deserts model predicated on fairness, punishment, and individual responsibility (Forst, et al., 1985). This change of focus is particularly evident with respect to chronic or violent juvenile offenders, as legislators, judges, and prosecutors introduce new policies to emphasize community protection and accountability while relegating the “best interest of the child” to a secondary criterion.

States have developed two basic strategies to provide harsher responses to serious juvenile criminality. First, state legislatures and juvenile correctional agencies are dealing more harshly with such offenders within the context of the juvenile justice system (Becker, 1979). For example, many states now recognize punishment and public safety as equal partners with treatment in juvenile delinquency statutes (Feld, 1986). Among the stated purposes of Washington state’s new juvenile court law, for example, are to “protect the citizenry from criminal behavior,” “make the juvenile offender accountable for his or her criminal behavior,” and “provide punishment commensurate with the age, crime, and criminal history of the juvenile offender” (RCW Sec. 13.40.010). In addition, some states have developed either legislative or administrative guidelines specifying the length and type of confinement for the most violent and chronic juvenile offenders (Forst, et al., 1985).

The second basic strategy for dealing with serious juvenile offenders is to prosecute them in adult (criminal) court. This can be accomplished, first, by simply excluding certain offenses or offenders from juvenile court jurisdiction. Some states, for example, have lowered the age of criminal court jurisdiction (e.g., from 18 to 16) for all or some specified subset of alleged juvenile delinquents. A small number of states have chosen to establish concurrent jurisdiction for adolescent offenders charged with certain crimes. Concurrent jurisdiction allows the prosecutor to select the appropriate forum for adjudication of the case by offering the option of filing charges directly either in juvenile or criminal court.

The most common approach for prosecuting juveniles as adults, however, involves a transfer2 from juvenile to adult court (Hamparian, et al., 1982). Transfer (or waiver) mechanisms have existed since the advent of the juvenile court at the end of the last century (Rubin, 1979). In the past decade, however, legislatures have been quite active in making this option more readily exercised by court officers. Over half of the state legislatures have amended their juvenile codes to simplify the procedures or expand the criteria for transferring juveniles to criminal court (Hamparian, et al., 1982). In addition to reducing the age threshold of eligibility for transfer for certain offenses or offenders, new criteria have been added to transfer statutes, easing the burden of proof on prosecutors to sustain transfer motions. For example, the traditional criterion of “amenability to treatment” has been augmented by undefined or standardless concepts such as “dangerousness.” Still other states have modified their transfer statutes to include attributes of the committing offense, especially cruelty or “heinousness,” as grounds for transfer of jurisdiction. Most often, these amendments focus specifically on serious, violent, or chronic juvenile offenders (Feld, 1986).

The transfer decision, however, does more than choose a judicial forum for an accused youth. It invokes a jurisprudential philosophy that governs the nature of the proceedings, the placement and release decisions, as well as the purpose and severity of the sanctions. The consequences of transfer are intended to be harsh. Rudman, et al., (1986) found, for example, that transferred youth are subject to extended pretrial detention in jail, a protracted adjudicatory process, a probable felony conviction, and a lengthy sentence in a secure correctional institution. Presumably, the nature of the correctional experience in
prison is severe compared to sanctions imposed on youth retained in juvenile court and sent to a training school.

**Juvenile and Adult Incarceration: The Treatment-Custody Distinction**

The distinctions between prisons and juvenile facilities are evident in overt and subtle ways. Although remedial programs are commonly found in prisons, adult correctional facilities emphasize retribution and control. Correctional staff often wear uniforms and are referred to as “correctional officers.” Adult prisons also carefully distinguish staff involved in prison services, such as education and counseling, from custodial staff.

By contrast, rehabilitation remains the primary goal of most juvenile correctional systems, despite the adoption of punitive or deterrent-oriented juvenile justice policies in the past decade (Krisberg, 1986). Juvenile correctional staff use the terminology of therapy and rehabilitation. Line staff often carry titles such as “institutional social worker” or “counselor.” Juvenile staff “teach” and “guide” youth to learn new behaviors in preparation for returning to the outside world. Their interactions with youth emphasize behavioral change and social development. It follows, therefore, that perceptions of staff services and interactions are likely to differ between residents in juvenile correctional facilities and their counterparts in adult institutions. The emphasis on rehabilitation in juvenile facilities, and the specific attention to education and counseling as part of the assessment of treatment progress and, ultimately, release decisions, should also result in higher evaluations of therapeutic and rehabilitative services by residents in juvenile corrections.

One of the principal distinctions between juvenile and criminal sanctions is what Feld (1986) refers to as the treatment-custody dichotomy. The decision to invoke correctional interventions for juveniles in criminal court is intended to bring about harsher treatment than available through the rehabilitative interventions of juvenile court, regardless of whether punishment or incapacitation is the guiding crime control policy. Placing juveniles in adult facilities removes violent offenders from the community and eliminates immediate risks to public safety. However, it also places juveniles in facilities with specific and widely recognized shortcomings: high recidivism rates (Petersilia, et al., 1985), high levels of violence (Lockwood, 1980; Keve, 1983), and isolation from the mediating influences of natural social networks and informal controls in the social context to which the youth will return. Accordingly, the assessment of transfer policies should weigh these outcomes or consequences of incarceration of juveniles in adult facilities as part of the social costs of transfer.

**Assessing Youth Experiences and Needs**

Determining what the “consumers” of the criminal and juvenile justice systems feel about their experiences is a relatively new enterprise. It can most probably be traced to the 1960s, and specifically to the famous statement made by Edmond Cahn:

> “Only when we ... adopt a consumer perspective are we able to perceive the practical significance of our institutions, laws, and public transactions in terms of their impacts upon the lives and homely experiences of human beings. It is these personal impacts that constitute the criteria for any appraisal we may make. How, we ask, does the particular institution affect the personal rights and personal concerns, the interests and aspirations of the individual, group, and community? We judge it according to its concessions on human lives,” (Cahn, 1961:30).

Since then, researchers in the field of criminal and juvenile justice have advocated assessing the views of those people processed through the system. As Casper (1972) says, it is the defendant who must most directly live with the consequences of the administration of criminal justice. Given the current outlook on crime, moreover, the defendant's future behavior is of concern not only to him but also to society at large. More recently, Dougherty, et al., (1977) suggest that an understanding of how incarcerated
individuals perceive various counselor responses would be valuable to practitioners in the field of criminal behavior. Through improved communication and rapport, they claim, the probability of adaptive behavioral changes, and thus effective rehabilitation, is increased.

Many scholars have followed these suggestions and attempted to assess the attitudes and perceptions of persons processed through the American justice system. Whether punishment is effective may depend on how it is perceived by offenders: punishment is punishment only if it is perceived as such (Krohn, 1980). Most assessments of punishment have examined adults' attitudes, and often these studies have focused on the "front end" of the system, such as attitudes toward police, prosecutors, judges, and probation officers (Casper, 1972; Alpert and Hicks, 1977; Allen, 1985; von Voorhis, 1985). As Krohn (1980) points out, however, the attitudes of prisoners about their pre-conviction experiences and their experiences in prison are not necessarily related. Therefore, some researchers have also examined attitudes and perceptions of prisoners about various issues in corrections — e.g., sentencing structure (McNeece and Lusk, 1979) and types of counseling (Cahill, et al., 1979; Dougherty and Davies, 1980).

Much less research has been done on juveniles' attitudes and perceptions of their experiences in the juvenile court or correctional system. However, an early study by Simpson, et al., (1963) made a significant, though not surprising, discovery. The experiences and perceptions of juveniles in training schools do not necessarily mirror those of adults in a prison setting, suggesting that juveniles are different, with different needs and experiences. However, few studies have compared the perceptions of punishment and treatment among youth incarcerated in juvenile and adult correctional programs to determine whether sanctions have their intended effects.

This Study

Using the consumer's perspective, this research contrasts the correctional experiences of juveniles incarcerated in adult facilities with a comparable sample of juveniles incarcerated in secure training schools. The theory of a treatment-custody distinction suggests that youths' perceptions of treatment interventions will be stronger in juvenile training schools than in adult correctional facilities — that is to say, youths in training schools should have greater awareness of the general concern and opportunities for treatment than their counterparts in prisons.

Data and Methods

Interviews with youth in juvenile and adult corrections programs were conducted as part of a larger evaluation of experimental interventions for violent juvenile offenders (Fagan, et al., 1984). Comparison groups included youth in juvenile corrections, as well as youth removed to adult court through judicial transfer (Rudman, et al., 1986; Fagan, et al., 1987a). The juvenile sample included youth adjudicated for violent offenses in four urban juvenile courts — Boston, Memphis, Detroit, and Newark — between 1981 and 1984. Of the youth adjudicated in juvenile court, 59 were subsequently sent to the traditional training schools in the respective sites. The average age of the subjects at the time of their offense was 15.7 years. The youth incarcerated in juvenile training schools were interviewed directly upon release. Their average length of stay was 2.9 years.

The adult corrections sample included youth transferred to criminal court in the same four jurisdictions during the same period. The same offense criteria applied for the transferred sample, providing comparable offense characteristics. Of those transferred to criminal court and convicted, 81 (73%) were sent to a state prison. The 81 youth incarcerated in state prison comprise the specific sample for this study. The average age of the subjects at the time of their offense was 16.1 years. The transferred youth were interviewed in prison, where they had served an average of 1.8 years of
mean sentences of 29 years at the time of the interview.

The assessment of youth attitudes and perceptions on correctional interventions included views held by youth on staff services and attitudes. The nature and quality of the programs in the facilities, and an overall evaluation of facility and correctional environment. Interviews consisted of both narrative and fixed-choice questions pertaining to the youths' experiences in prison or training school, their perceptions of services they received, an assessment of their needs for the remainder of their sentences, attitudes toward staff and fellow inmates, and opinions about the benefits and liabilities of having youth like themselves serve time in an adult facility.

** Constructs and Measures **

Five measures of correctional environment were compared for youth in juvenile and adult correctional facilities: perceptions of staff assistance, case management services, treatment services, social climate, and victimization within the institution.

** Staff Assistance.** Youth were asked to rate a series of five items using a four-point Likert-type scale to assess staff help in providing counseling and remedial services specifically focused on behaviors and social skills designed to prepare youth for their return to the community.

** Case Management Services.** Case management implies an intervention philosophy based on individualized social work approaches to managing inmates or residents, and to decision-making regarding participation in services, length of stay, and punishments and rewards. Two types of items assessed youth perceptions of case management services. Youth were asked to describe how certain case management functions were performed, including frequency of contact with case managers. Also, youth were asked to rate the quality of case managers' assistance and services in counseling and obtaining other social services, using a four-point scale.

** Treatment Services.** Respondents were asked to rate the quality of institutional services for health care, education, vocational skills and job training, counseling, and family relations. These areas were selected based on their well-established correlation with serious or violent juvenile crime (Strasburg, 1978; Fagan, et al., 1983) and the presence in effective intervention programs for adolescent offenders (Mann, 1976; Romig, 1978; Fagan, et al., 1984).

** Social Climate Scales.** There have been significant advances in the measurement of institutional climate for juvenile corrections since the studies in the Massachusetts correctional system (Feld, 1981; Miller, et al., 1982). Standardized scales were adapted for the current research from similar analyses of socialization processes in juvenile institutions and smaller residential programs (Miller, et al., 1982) to assess institutional social climate. Four subscales measured youth perceptions of the extent to which youth-staff interactions supported the development of social interactional skills (Social Network), promoted fairness and consistency in rewards and sanctions (Social Learning), provided opportunities to develop concrete social skills (e.g., educational attainment, vocational training) (Youth Opportunities), and emphasized behavioral goals in services and resident management (Goal Orientation). Each subscale was comprised of 10-20 true-false items, and summative scale scores were developed. The inter-scale reliabilities were high (Kronbach's alpha = .89). The inter-item reliabilities of the four scales were also generally high.6

** Victimization.** Respondents were asked simply to report whether they had been victims of specific offenses at any time during their stay in the institution. Unfortunately, external validation was not possible for victimization reports. However, these items have been used in several studies with institutional and non-institutional juvenile offender populations (Fagan, et al., 1986; Fagan, et al., 1987b) and have high construct validity based on external criteria. The inter-item reliability coefficient was moderate (Kronbach's alpha = .61). Prevalence scores were calculated for each item and compared across samples.
Youth In Prisons

Results

Respondent ratings of assistance given by staff are shown in Table 1. Simple univariate ANOVA routines show significantly higher ratings by residents of juvenile facilities on four of the five dimensions measuring the staff's provision of services. The results confirm the hypothesis that juvenile training schools are distinguished from adult prisons in terms of perceived services. The study found that youths housed in separate wings of prisons generally encounter uniformed guards or other institutional personnel who are neither trained nor mandated to become involved in remedial or counseling areas. Counseling services were provided primarily by special staff in prisons, usually in a format separate from daily routines. In contrast, training schools placed greater emphasis on counseling by line staff as a continuous part of daily activities.

In training schools, youth were more likely to encounter staff whose training, educational background, and job responsibilities emphasized these areas. The reward structures for salary and advancement for juvenile corrections staff were predicated (ostensibly) on helping residents build social skills and control antisocial behaviors. Prison staff, whose performance is evaluated on the ability to manage and control inmates, received little recognition for helping inmates. In fact, youth in prison were found to spend less time with special staff having technical skills and specific mandates to work with them as counselors or "helpers."

Case managers, or social workers in juvenile facilities, played a central role in coordinating institutional services, compiling information on behavior and attainment of clients' goals, and funneling that information to decide on releasing classification. Juvenile facility staff are particularly concerned with reducing positive recidivism, and stress in each case.

For example, Table 1 evaluate differences in case management, and how they are assigned, in two facilities. The sample is a cross section within that facility.

| Table 1 |
| Assessment of Institutional Services by Youth in Training School and Prison (1-5 Scale) |

<table>
<thead>
<tr>
<th>Training School</th>
<th>Prison</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff help you to control your violent behavior</td>
<td>3.75</td>
</tr>
<tr>
<td>Staff help you to improve your relations with others your age***</td>
<td>3.47</td>
</tr>
<tr>
<td>Staff provide you with skills to help you when you return to the community*</td>
<td>3.58</td>
</tr>
<tr>
<td>Staff help you feel good about yourself**</td>
<td>3.62</td>
</tr>
<tr>
<td>Staff help you to achieve personal goals*</td>
<td>3.42</td>
</tr>
</tbody>
</table>

ANOVA:
*p<.05
**p<.01
***p<.001

6 Juvenile & Family Court Journal/1989
to decision-makers, specifically parole or classification boards. For youth in either juvenile or adult facilities, case managers are potentially prominent figures in a young offender's correctional career. Table 2 shows the perceptions of case management in each type of facility.

For three aspects of case management, Table 2 shows that there were no significant differences in the structure and extent of case management activities between juvenile and adult facilities. Most youth were assigned a caseworker: 72% in juvenile facilities, compared to 89% of the prison sample. The first contact for most was within the first week, and most reported that meetings thereafter were frequent.

Performance contracts, a widely-used social work tool, were more often used in juvenile facilities. However, the differences were not statistically significant.

Interestingly, the distinctions between adult and juvenile corrections become evident in respondents' evaluations of the quality of case management services. Each of six dimensions of case management were rated higher by respondents in juvenile facilities. These dimensions, describing staff-resident interactions, showed that staff involvement was more consistent in the provision of counseling, remedial services and more concerned with the respondents' specific behaviors and progress. These research findings offer

### Table 2

<table>
<thead>
<tr>
<th>Youth Perceptions of Case Management</th>
<th>Training School</th>
<th>Prison</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percent Reporting Time to First Contact Within 7 Days</td>
<td>58.5%</td>
<td>53.3%</td>
</tr>
<tr>
<td>Percent Reporting Meetings More than One Per Month</td>
<td>77.3%</td>
<td>86.4%</td>
</tr>
<tr>
<td>Percent of Youth Having Performance Contract</td>
<td>21.7%</td>
<td>7.8%</td>
</tr>
<tr>
<td>Extent Social Worker Has Been Helpful:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Helped establish daily routine***</td>
<td>2.54</td>
<td>1.61</td>
</tr>
<tr>
<td>Helped youth get oriented to rules and procedures***</td>
<td>2.81</td>
<td>1.65</td>
</tr>
<tr>
<td>Helped youth understand consequences of rule-breaking***</td>
<td>3.21</td>
<td>2.12</td>
</tr>
<tr>
<td>Encouraged youth's participation in programs***</td>
<td>3.36</td>
<td>2.06</td>
</tr>
<tr>
<td>Provided youth with counseling**</td>
<td>2.71</td>
<td>2.10</td>
</tr>
<tr>
<td>Helped youth obtain needed services***</td>
<td>2.91</td>
<td>1.82</td>
</tr>
</tbody>
</table>

* p < .05
** p < .01
*** p < .001
evidence of the divergent philosophies and management strategies between juvenile and adult corrections. They may be explained in terms of the more correctionally or management-oriented approaches of adult prisons, or may be an artifact of the physical and demographic characteristics of the divergent settings. For whatever reasons, the net effect for youths in prisons seems to be a marked diminution of the quality of intervention services.

Specific treatment and remedial services were measured as well. Univariate ANOVA routines were conducted comparing youth ratings of each service or intervention. Table 3 shows that services in juvenile corrections were rated higher in three of five areas: medical care, counseling, and family relations. For educational and vocational programs, respondents rated juvenile and adult facilities about the same.

Adult prisons have traditionally provided education and training programs. In that light, the higher ratings for educational programs in prison are not surprising. Moreover, the attention in juvenile facilities to counseling and family programs is also traditional of juvenile programs (Vinter, 1975). However, the low rating of medical care in adult prisons is both surprising and troubling. Also, it is likely that there are cumulative effects across a range of services which translate to perceptions of overall institutional climate, and which in turn may have reciprocal effects for specific services. For example, the effectiveness of a counseling program may be influenced by the quality of other interventions such as medical care.

Table 4 examines the overall social climate in the institution, with ANOVA routines used to compare the social climate

<table>
<thead>
<tr>
<th>Items</th>
<th>Training School</th>
<th>Prison</th>
</tr>
</thead>
<tbody>
<tr>
<td>How helpful has the educational program been?</td>
<td>3.52</td>
<td>3.61</td>
</tr>
<tr>
<td>How helpful has the institution been in meeting your medical and health needs?***</td>
<td>3.28</td>
<td>2.63</td>
</tr>
<tr>
<td>To what extent has the staff helped you develop vocational skills?</td>
<td>3.37</td>
<td>3.75</td>
</tr>
<tr>
<td>How helpful were the programs in helping you to understand yourself, set personal goals, and deal with your problems?***</td>
<td>3.48</td>
<td>2.51</td>
</tr>
<tr>
<td>How helpful was the facility in improving your relationship with your family?***</td>
<td>2.98</td>
<td>1.65</td>
</tr>
</tbody>
</table>

ANOVA:

*p<.05

**p<.01

***p<.001
subsccales in each setting. On each subscale, the social climate in training school is shown to have a significantly greater orientation toward intervention principles than in prison. Again, the dichotomy between treatment and custody is boldly illustrated. How staff interact with residents is determined by a variety of factors, from physical plant to staff training and qualifications, to institutional culture, and the backgrounds of the residents themselves. The results here are surprising only in their consistency across different dimensions of institutional social climate. Prisons, predominantly custodial facilities, are neither intended nor equipped to establish an institutional climate where the interactions between residents and staff promote social and personal development. When hundreds of adult offenders are housed in crowded facilities, the attention of staff and administrators understandably turns to custody and management of inmate behavior.

Victimization in Table 5. Annual prevalence measures (the percent reporting each type of victimization within the past year) were compared in simple contingency tables with Chi-square statistics. Over half of the residents in either type of facility reported being victims of property crime. Victimization for violence, on the other hand, ranged from 36.7% in training schools to 45.7% in prisons. However, aggregate data were found to mask important differences in specific types of crimes. For example, assaults with weapons were reported by one in four training school residents and one in three prison inmates. Sexual assault was five times more likely among youth in prison than in training schools, beatings by staff nearly twice as likely, and attacks with weapons nearly 50% more common. In summary, though the prevalence of property crime was comparable, the danger of specific types of violence seems to be far greater in prisons than in training schools.

Although the victimization results are not statistically significant, they nevertheless illustrate the increased danger of violence for juveniles sentenced to adult prisons. Prisons are designed to be institutions of punishment and control, with a secondary emphasis on rehabilitative interventions. It appears that a rather cruel and ironic form of punishment is accorded to transferred youth, where retribution for crimes against society occurs through victimization by staff and inmates. Judicial transfer decisions to criminal court, though intended to increase the punitive element of a sanction, did not mandate that such punishment include violence. Unfortunately, that appears to be a consequence of this decision. As we have seen, the risks of violence to adolescents increase dramatically when these individuals are transferred to the adult correctional system. Placed in large institutions among older inmates with serious criminal backgrounds, and often not segregated other than for sleeping, juveniles in adult prisons appear to suffer rape, aggravated assault, and other violent assaults at a far greater rate than juveniles who remain in the comparatively benign environment of a training school.

Table 4
Youth Perceptions of Institutional Social Climate
(Mean Scale Score)
(1-5 Scale)

<table>
<thead>
<tr>
<th>Scale</th>
<th>Training School</th>
<th>Prison</th>
</tr>
</thead>
<tbody>
<tr>
<td>Social Networks***</td>
<td>3.58</td>
<td>2.89</td>
</tr>
<tr>
<td>Social Learning***</td>
<td>3.27</td>
<td>2.86</td>
</tr>
<tr>
<td>Youth Opportunities***</td>
<td>3.24</td>
<td>2.95</td>
</tr>
<tr>
<td>Goal Orientation***</td>
<td>3.61</td>
<td>2.79</td>
</tr>
</tbody>
</table>

ANOVA:
*p<.05
**p<.01
***p<.001

Whether the emphasis on custody and control in prison is warranted may be assessed in part through the results on
Table 5

Victimization

<table>
<thead>
<tr>
<th>Items</th>
<th>Training School % Yes</th>
<th>Prison % Yes</th>
<th>Chi Square p</th>
</tr>
</thead>
<tbody>
<tr>
<td>Has anyone tried to take something from you by force or by threatening to hurt you?</td>
<td>15.3</td>
<td>18.5</td>
<td>.78</td>
</tr>
<tr>
<td>Have you been beaten up by any inmates?</td>
<td>6.8</td>
<td>8.6</td>
<td>.93</td>
</tr>
<tr>
<td>Have you been beaten up by any staff persons?</td>
<td>5.1</td>
<td>9.9</td>
<td>.47</td>
</tr>
<tr>
<td>Has anyone stolen anything from you?</td>
<td>44.1</td>
<td>48.1</td>
<td>.76</td>
</tr>
<tr>
<td>Has anyone damaged any of your things on purpose?</td>
<td>16.9</td>
<td>18.5</td>
<td>.99</td>
</tr>
<tr>
<td>Has anyone attempted to sexually attack or rape you?</td>
<td>1.7</td>
<td>8.6</td>
<td>.16</td>
</tr>
<tr>
<td>Have you been attacked with a weapon by anyone here?</td>
<td>23.7</td>
<td>32.1</td>
<td>.37</td>
</tr>
<tr>
<td>Any Violent Offense</td>
<td>36.7</td>
<td>45.7</td>
<td>.31</td>
</tr>
<tr>
<td>Any Property Offense</td>
<td>51.7</td>
<td>56.8</td>
<td>.45</td>
</tr>
<tr>
<td>Any Offense</td>
<td>60.0</td>
<td>66.7</td>
<td>.40</td>
</tr>
</tbody>
</table>

Chi-Square:
*p<.05
**p<.01
***p<.001

Discussion and Conclusion

Transfer laws result in the placement of serious juvenile offenders in secure institutions for longer periods of time than if they had been processed in the juvenile justice system (Rudman, et al., 1986). But incarcerating youth in adult prisons, whether for punishment or incapacitation, is only one side of the broader crime control issue. Policy-makers and correctional administrators must pay greater attention to the consequences of the increasing use of transfer laws.

The increased exposure of juveniles to violence in adult facilities may increase the chances that they will exhibit violent behavior upon release. Victimization by violence has well-established etiological consequences in subsequent violence and crime (Akers, 1977; Singer, 1986; Fagan, et al., 1987). Victimization by sexual assault has specific etiological consequences for subsequent sexual aggression toward women (Groth and Birnbaum, 1979) and children (Finkelhor, 1984). For although transfer decreases community risks through lengthy
incapacitation of violent youngsters, it carries both fiscal and social costs. The social costs of imprisoning young offenders in adult facilities may be paid in later crime and violence upon their release.

The policy implications of the current research can be related to mounting evidence about the liabilities of placing offenders, particularly juveniles, in a punitive correctional institution (Eisikovits and Baizerman, 1983). Several studies, for example, have shown a relationship between institutional policy and inmate behavior. Peretti (1970) discusses the "social climate" of institutions and claims that a social climate based on rehabilitation (as opposed to punishment) is more likely to bring about positive change in inmates. Moos (1970) similarly focuses on the social environment of correctional institutions and also maintains that positive social environments are more likely to bring about positive inmate change. More recently, Feld (1981) conducted a comparative study of types of institutions and found that juveniles in custody-oriented facilities had worse attitudes and institutional behavior than youth in rehabilitatively-oriented facilities.

The findings of these studies indicate that institutional policies and practices do have an effect on institutional behavior, if not on post-release behavior (Flanagan, 1981). Krohn (1980) points out that there is not much relationship between the attitudes of prisoners about their pre-conviction criminal justice experiences and their experiences in prison. However, attitudes about prison, Krohn claims, are greatly related to inmates' relations with prison staff. Thus, even prisoners who have negative attitudes about the police and prosecutors can have favorable attitudes about their prison experiences.

The experiences and needs of juveniles in adult correctional facilities have received little attention in research or policy. It is particularly important to recognize their unique position in the social hierarchy of prison and the vulnerability which accompanies their low status. Also, the seriousness of their commitment offense may obscure the fact that they are adolescents, who want employment and social skills to avoid future criminal activities. Furthermore, as adolescents, these prisoners are still in the formative stages of personal development, with greater potential for responding to correctional interventions. Flanagan (1981, 1982) suggests the importance of better planning for long-term prisoners. The juvenile offenders in this study, with an average sentence of 29 years, certainly fall in this category. A young person hearing that he may be locked up for 10 or 20 years may have difficulty envisioning an end to that term, easily believing that there is no tomorrow. Correctional administrators should attend not only to the custody needs of such inmates, but also to their program needs.

The isolation of adolescent offenders in secure adult institutions for lengthy sentences raises the danger of prisonization, i.e., an "institutionalized" personality. During the years when the transition from adolescence to adulthood occurs, when social skills and cues are learned, these youth will know little else other than the institutional world. The social rules and norms learned are those that prevail in the institution, including the reciprocal cycle of victimization and retaliation. The etiological implications of sexual assault and violence in prison are often not considered in the debates on crime control measures. In developing policy for violent delinquents, administrators and legislators should weigh the risks of future crime and violence from increased exposure to violence in prison, deprivation from the normalizing influences of meaningful contacts with natural social networks, and unmet treatment or remedial needs.

The calculus of transfer policy shown here suggests that the social benefits in terms of public protection and retribution may be offset by the social costs of imprisoning transferred youth. Placing young offenders in adult correctional facilities for long periods of time may have hidden or delayed costs. The vast majority of such offenders (virtually all in this study) will eventually be returned to society. Policy-makers must ask whether society is at greater risk from youth who spend one to
three years in a system designed to "treat" them, or from youth who spend 10-15 years in a system designed to "punish."

This research was supported by Grant 85-MU-CX-0001 from the National Institute for Juvenile Justice and Delinquency Prevention, U.S. Department of Justice, Washington, D.C. The opinions are those of the authors and do not necessarily reflect the policies or views of the Department of Justice. The authors are grateful for the support of the colleagues who assisted in data collection: Brian Davis, Linda Sheridan, Deborah Holland, and Karen Rich.

Authors' Addresses
Martin Forst
Center for Law and Social Policy
URSAA Institute
San Francisco, CA 95814

Jeffrey Fagan
New York City Criminal Justice Agency
T. Scott Vivona
Center for Law and Social Policy
URSAA Institute
San Francisco, CA 95814

Notes
1In reality, serious juvenile crime has not increased since 1975.

2Transfer, waiver, bindover, certify, and remand are all words used interchangeably to describe the process whereby a youth, through a petition filed in the juvenile court, is removed to the criminal justice system to be tried as an adult.

3Chronicity is mentioned in several states, but is defined broadly. Some states specifically mention a second adjudication for designated (usually) felony offenses as a criterion for "chronicity," while other states do not specify a threshold for number of appearances or severity of behavior. The terms "repeat," "habitual," and "chronic" are widely used to describe juveniles who are adjudicated more than once, and open up a range of special case processing or dispositional decisions.

4Eligibility for the study was defined by specific offense criteria. To qualify for this study sample, the youthful offender must: 1) have a current violent adjudication for murder, attempted murder, rape, attempted rape, aggravated assault, armed robbery, kidnapping, or arson of an occupied dwelling, and 2) a prior adjudication for a felony person or property offense. Only youth with a current adjudication for murder in the first degree did not require a prior adjudication to be eligible for the study sample.

5The difference in ages between the two samples was not statistically significant.

Kronbach's alpha for the four social climate scales are as follows: Social Network = .81; Social Learning = .87; Youth Opportunities = .39; Goal Orientation = .69.

6With the possibility of parole in indeterminate sentences, the transferring youth, as a group, probably will serve substantially less time than their judicially-imposed sentences.

References


Youth In Prisons


