

Closing Massachusetts' Training Schools

Reflections Forty Years Later

THE ANNIE E. CASEY FOUNDATION



ACKNOWLEDGMENT

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Introduction

In December 2011, more than 100 of the nation's leading juvenile justice experts convened for a day-long symposium in Washington, D.C. to remember and reconsider a historic reform campaign – the closure of Massachusetts' entire network of juvenile reform schools in the early 1970s. The facility closures were unprecedented and highly controversial, and they were meticulously studied in their aftermath. For a time, many reformers believed that Massachusetts would become the model for similar efforts throughout the nation. However, a serious but time-limited spike in youth violence in the early 1990s prompted a dramatic turn away from rehabilitation and deinstitutionalization in juvenile justice, and the Massachusetts story largely faded from public consciousness.

Until now.

Recently, a quiet revolution has begun sweeping through our nation's juvenile justice systems. With little fanfare, states across the country have begun shuttering juvenile corrections facilities and dramatically reducing the population of young people incarcerated.

More than 50 facilities have closed since 2007 nationwide. The number of youth committed to any residential facility for delinquency (excluding youth in pretrial detention) has fallen 36 percent from 1997 to 2010, and the number confined in long-term secure correctional institutions has fallen 56 percent.

The wholesale drop in juvenile incarceration has been propelled, in part, by state budget crises, new research showing that alternative supervision and treatment programs produce equal or better recidivism for a fraction of the cost, and a rash of lurid revelations of abuse in youth corrections facilities in California, Texas, New York, Ohio, Florida and more than a dozen other states.

For youth advocates and juvenile justice reformers, this historic shift away from incarceration is entirely welcome and long overdue. The evidence against widespread confinement of youthful offenders is compelling.

However, reformers' pleasure with the recent decline in incarceration trend is tempered by the realization that, to date, the trend has not been grounded in a new consensus among policymakers. Without strong roots, the movement toward less youth incarceration may prove ephemeral, subject to reversal at the earliest uptick in juvenile crime rates or shift in political sentiments.

To ward against this possibility, reformers recognize that they must build a cohesive juvenile deincarceration movement rooted in clear principles and supported by effective strategies. Specifically,

long-term success requires both effective data-driven methods for managing and habilitating youthful offenders in the community, and also battle-tested political tactics to overcome predictable resistance and assure lasting public support for more effective and humane approaches to juvenile corrections.

The symposium was convened to facilitate this kind of movement-building by providing reformers an opportunity to review the efforts of their predecessors in Massachusetts, glean the lessons of history, and retool them for the current day. The focus was timely because, far from the one-of-a-kind anomaly it seemed only a few years ago, Massachusetts stands out today as a prescient trailblazer on the path to end our nation’s long-standing overreliance on juvenile incarceration.

This publication recounts the event in hopes of providing a dose of insight and inspiration for juvenile justice professionals and advocates across the nation.

In order to make sense of the symposium and put the Massachusetts reform era in proper context, it is necessary first to do two things: (1) review what actually took place in Massachusetts during the early 1970s; and (2) examine the trends and issues in juvenile incarceration today. Therefore, the first section of this document reviews the history of the Massachusetts reforms, and the second discusses the aftermath of the Massachusetts reform movement – its impact on subsequent developments in the juvenile justice field, and its relevance for today’s juvenile justice policy debate. The third section describes the symposium itself, summarizing the major themes and ideas presented by featured speakers and then detailing the conclusions and recommendations emerging from group discussions.

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Remembering Massachusetts

The Massachusetts juvenile deincarceration movement is often remembered as a one-person crusade, but in fact the state's youth corrections system was in crisis even before Jerry Miller arrived. His selection was as much a product as a cause of the turmoil that unfolded on Miller's watch.

A Longstanding Crisis

Between 1965 and 1968, seven separate studies were conducted to investigate problematic conditions in juvenile facilities operated by the Massachusetts Division of Youth Services. A state senate report in 1967 described the Massachusetts approach to delinquent children as “a continuing nightmare,” and found that “the majority of children” confined in the state's facilities “do not belong there.” Most confined youth were mentally retarded, emotionally disturbed, school truants, or stubborn and neglected children, the panel declared, rather than serious or chronic lawbreakers.¹

Under long-time commissioner John Coughlin, the Division of Youth Services had operated the reform schools on a military model, including shaved heads, uniforms and marching in formation. “[T]he majority of youth service employees,” the *Boston Globe* explained in 1970, “have spent most of their years viewing all delinquents as hardened criminal types. It was all right to use physical brutality, as long as you didn't get caught. Long-term solitary confinement was a regular method of discipline, even though it was officially prohibited. There was no real rehabilitation of kids... and the recidivism rate reflected it.”²

Coughlin had long cultivated close relations with politicians throughout the state. Indeed, the *Boston Globe* reported in 1970 that “most of the department's 900 employees got their jobs through political connections.”³ Yet, the scent of scandal increasingly enveloped the agency in the late 1960s, coming to a head in late 1968 and early 1969 with a series of investigations and news stories alleging atrocious conditions (physical abuse, rats and vermin, harsh use of solitary confinement and rioting) at the Institute for Juvenile Guidance in Bridgewater.

In the spring of 1969, Coughlin was forced out as Division of Youth Services director, and a citizen panel was appointed to conduct a national search for his replacement. That fall, the Massachusetts legislature passed a law reorganizing the state's youth corrections agency. Meanwhile, the selection committee named a young scholar known for his progressive ideas about rehabilitation for troubled youth, Dr. Jerome Miller, to head the new Department of Youth Services. The incoming governor, Francis Sargent, endorsed Miller's selection and expressed support for a thorough housecleaning.

A Modest Initial Agenda

Initially, Miller's goals for reform were modest: improve conditions and humanize the atmosphere within the training schools. In the words of policy scholar Robert Behn, who published an assessment of the Massachusetts deincarceration movement, "Miller's objective was to replace the authoritarian relationship between staff and youth with a more egalitarian one."⁴

Specifically, Miller aimed to replace the rigid, hierarchical, command-and-control regime long employed in the training schools with an altogether different model of institutional care, "Therapeutic Communities," that gave youth a voice in the operation of the facility and relied on a group discussion and therapy process to empower young people and help them mature out of delinquency.

"We must eliminate the little totalitarian societies which dominated in the juvenile institutions in the past," Miller told the *Boston Globe*. "Most of the units were set up so that their successful kids could only function in a dictatorship."⁵

To operationalize this paradigm shift, Miller invited the leading adherent of the Therapeutic Communities model, Maxwell Jones, to conduct a two-day training for facility staff and residents at one institution, the Shirley Industrial School for Boys, and Miller developed a new cottage system at Shirley to begin applying the model's group treatment approach. Miller also instituted a number of rule changes across all facilities. He ordered staff to submit written reports whenever force was used against a youth resident. He sharply curtailed the use of isolation by requiring that whichever staff member ordered a young person into isolation had to sit with the young person in the isolation cell until his or her release. He rescinded longstanding rules requiring that youths' hair be shaved to crew cuts, and ended the requirement that youth wear state-issued uniforms rather than their own clothes. Though he lacked authority to fire and replace facility superintendents or other administrators, Miller used what leverage he had to induce some long-time facility leaders to step aside or take leave, installing reform-minded lieutenants to take their place.





A Change of Direction

Miller’s efforts to reform the Massachusetts training schools encountered stiff resistance from facility staff, and progress toward improving the quality (and humaneness) of care was uneven. Within two years, Miller would conclude that transforming these institutions was a mission impossible and that a more radical solution – closing the training schools – was necessary.

“Many Youth Services employees, especially those with 10 or 20 years under the old system, felt threatened by Miller’s approach,” the *Boston Globe* reported in 1971. “They had grown accustomed to corporal punishment, shaved heads and silence at meals – all outlawed by Miller.”⁶

“The polarization between entrenched custodial staff and the newly installed therapists became widely publicized,” a retrospective study of the Massachusetts deinstitutionalization effort found. “The older staff, who were mainly high school graduates, perceived the new therapeutic paradigm as a threat to their authority. New staff had difficulty integrating treatment concepts into daily operations.”⁷

MASSACHUSETTS DEPARTMENT OF YOUTH SERVICES PRE-REFORM (1969) FACILITY POPULATIONS

NAME	POPULATION
Schools:	
• Lyman School for Boys (ages 12-15)	220
• Industrial School for Girls, Lancaster	110
• Industrial School for Boys (age 15 and over)	160
• Institute for Juvenile Guidance (maximum security for boys all ages), Bridgewater	85
• Residential Treatment Unit (boys ages 7-11), Oakdale	70
Forestry Camp:	
• Stephen L. French Forestry Camp, East Brewster	28
Detention Centers:	
• Reception-Detention Centers for Girls, Boston	40
• Judge John F. Connelly Youth Center, Roslindale	140
• Westfield Detention Center	30
• Worcester Detention Center	40
Total:	923

SOURCE: Loughran, E., “The Massachusetts Experience,” *Social Justice*, 1997.



This staff resentment led to serious security lapses within the institutions. At the Shirley facility, escapes rose to epidemic levels in 1970. On one visit to the facility, Miller found an escape map pinned to the bulletin board.⁸ At the Roslindale detention center, staff began calling in sick en masse each Sunday, leading to a rash of 48 runaways in the spring of 1971 within the span of four weeks.⁹ Miller attributed these and other incidents to staff sabotage as doors were left open, and keys were handed out to youth. In one case, “seven youngsters were crammed into a single bunk room and given a crowbar by a staff member,” Miller recalled in his memoir, *Last One Over the Wall*. “When they weren’t out the window in an hour, he returned and asked what was taking so long.”¹⁰

Miller frequently made unannounced visits to state facilities and – during these visits – he often sat down to speak with youth, especially those confined in disciplinary seclusion units. Miller often walked away from these visits dismayed that facilities under his purview were continuing to mistreat youth. An impromptu visit in the summer of 1970 to the state’s most secure (and most notoriously brutal) facility, the Institute for Juvenile Guidance in Bridgewater, proved pivotal in Miller’s decision to close the training schools rather than continue his efforts to transform their culture. Accompanied that day by Massachusetts’ first lady, Jessie Sargent, Miller arrived just as a group of youth had been caught attempting a mass escape from the facility’s exercise yard, and the pair watched as the would-be escapees were “dragged down, thrown to the ground, handcuffed and beaten...[and then] carried off to isolation.”

Almost immediately, Miller decided to close the Bridgewater facility. He ordered an ad hoc assessment of the facility’s residents to determine which of the 60 youth could be safely paroled home and which should be placed at other reform schools. Miller also arranged to open a new secure custody unit on the grounds of another training school, Lyman, to house the dozen boys that Miller’s assessment team said required secure confinement. Then in August 1970 – within just two weeks of the escape incident – the Bridgewater facility was emptied.¹¹

Even after the closure at Bridgewater, Miller continued his efforts to transform the state’s remaining facilities. Gradually, the number of escapes subsided in most facilities, incidents of staff sabotage receded, and a study by Harvard University researchers found that – in those cottages where it was being implemented – the therapeutic communities approach had begun to take root and substantially improve the quality of care within state facilities.¹²

Despite this real progress, however, Miller continued to hear disturbing reports of maltreatment, and many facility staff remained steadfastly opposed both to the new practices Miller was promoting and to the humanistic philosophy behind them. Miller and his team grew increasingly pessimistic about their project to transform the training schools.

“Training staff in new methods of supervision or therapy techniques, reorganizing the department, and reclassifying the youngsters wasn’t likely to have much lasting effect without a reordering of the

goals and values behind the actions,” Miller wrote in his memoir. “Institutionally based therapeutic communities are fragile and fleeting. Making an institution caring and decent is a full-time job... But making a decent institution indecent is easy.”¹³

For Miller, the final straw came late on a Sunday afternoon when he received a call from the state’s oldest and largest facility, the Lyman School, where – in a moment of anger – one of the cottage supervisors had caged two boys in a basement and driven away with the keys.

“It hit me with the full force of conviction: our months of training, meetings, and working with staff and administrators were not going to make the difference I wanted,” Miller recalled in *Last One Over the Wall*. “As I looked around the department at the superintendents, directors of education, chaplains, planners, and others in leadership roles, I saw that most would be there long after I left. They could outwait and outlast me. I’d made a mistake in concentrating on making the institutions more humane. The idea of closing them seemed less risky.”¹⁴

Dismantling Youth Corrections

Once the decision was made, Miller spent the final 18 months of his tenure in Massachusetts, which ended in January 1973, waging a bold, all-out campaign to permanently close the Massachusetts reform schools and replace them with a regionalized system of community supervision and group home care made available through provider agencies.

Such a fundamental transformation posed immense practical and logistical challenges: how to assess youths’ risks and needs, develop alternative programming, devise procedures for selecting and contracting with private providers, and more. In addition, Miller’s efforts were further complicated by daunting political and bureaucratic roadblocks:

- He lacked explicit authority from either the governor or the state legislature to close the facilities.
- At least initially, Miller lacked any flexible funds with which to develop alternative programming, or even to hire central staff to help develop and oversee new programming. Virtually the entire budget was designated for the training school facilities, with no flexibility to reallocate funds for community supervision and alternative programming.
- Miller faced fierce opposition from state and local politicians, many of whom supported the existing system and – thanks to the patronage hiring system – had close personal ties to disgruntled facility staff.

To overcome these challenges, Miller had three critical assets. First, he gradually gained access to substantial funding from the federal government through the Law Enforcement Assistance

Administration, resources that proved crucial for establishing the new alternative programs. Second, he had support from the state's governor, Frank Sargent, and from the speaker of the state assembly, David Bartley. Both were sympathetic to Miller's pursuit of fundamental reforms in youth corrections, and both cautiously supported him at key moments during his battles with the state legislature. Finally, using the federal grant funds, he assembled a formidable inner circle of bright, motivated staff to help plan and implement his reform agenda.

Once Miller decided to close the training schools, his reform effort included several core components:

- ▶ **DEVELOP ALTERNATIVE PROGRAMMING.** As federal funding began flowing in 1970 and 1971, the Youth Services Department started to make progress establishing a network of community-based alternative programs around the state. This work involved three primary tasks:
 1. Building a new finance and accounting system that would allow the Department to contract with private programs and facilities. Prior to Miller's arrival the state had no mechanism for setting daily rates or per diem payments to private facility operators and service providers, no system for monitoring performance of these provider agencies, and no system in place to process and pay invoices in a timely manner.
 2. Creating an administrative infrastructure of regional offices to select and monitor programs at the local level, and to supervise and support parole officers charged with overseeing youth in the community.
 3. Developing new programs, both residential and nonresidential, as alternatives to reform school for youth in the state's custody.
- **Residential Care.** Miller sought to keep confinement to a minimum, but he recognized that many of the young people committed to state custody required at least a brief period of custodial care before they could safely return home. After initially proposing to establish state-run correctional halfway houses for youth, Miller ultimately funded a network of privately operated group homes across the state, modeled more on the facilities that housed foster kids in child welfare than on the halfway houses used in adult corrections. Miller funded shelter bed facilities to minimize populations in detention, and he also proposed a handful of small, secure facilities for youth with the most severe offending histories and/or mental health needs.
- **Non-Residential Supervision.** Throughout his tenure, Miller sought to move as many young people as possible out of state custody. Most of the youth housed in the reform schools had never committed a serious crime. Many were status offenders, and some were 10 years old or even younger. Miller wanted to send them back home. At this time, however, there were few program models for non-residential supervision and treatment and virtually no research on

which approaches worked best. Given these limitations, Miller put out open-ended solicitations seeking bids from private agencies interested in working with troubled youth. In response, the Department “was inundated with proposals,” Miller wrote, from child care agencies, universities, YMCA’s and other youth-serving organizations.

The process of replacing the reform schools with this entirely new mix of programs and treatment facilities did not unfold smoothly. Miller and his team chose to contract with many non-traditional providers, including organizations run by ex-prisoners. “Some didn’t work out at all; some were incompetent; and some were dishonest,” Miller conceded in his memoir. Also, the Youth Services Department was unable initially to process invoices from private providers in a timely manner, causing crippling cash flow problems for many provider agencies.

Yet, through trial and error, Miller (and his successors) did succeed in building a continuum of non-residential programs and treatment-oriented residential homes throughout Massachusetts. Indeed, by the end of 1972, Youth Services had funded 175 private programs statewide. These included drug treatment, job training, programs focused on art and culture, tutoring, and therapeutic group homes. Some of these programs ultimately became national models.

For instance, the Key Program, which pays college students and community members to work as mentors and monitors for court-involved youth, proved highly effective and became the largest provider agency in Massachusetts serving delinquent youth in low-income neighborhoods. Likewise, a mentoring project involving students at Harvard University ultimately became the model for Youth Advocate Programs, Inc., the Pennsylvania-based nonprofit agency founded by former Miller aide Tom Jeffers.

Many of the programs were funded initially with time-limited federal grant funds; for the long-term, they could only be sustained with financing from the state legislature, which continued to fully fund the reform schools in Miller’s first year, while providing little or no budgetary support for alternative programs. As Miller described, this led to a stand-off with legislators: “Unless we could claim institutional staffs and budgets for alternatives, our community-based strategy would founder.”

► **CHANGE PUBLIC PERCEPTIONS.** Miller’s second focus was to change public attitudes both by humanizing delinquent youth and – increasingly over the course of his tenure – by delegitimizing the reform schools. Miller cultivated the press assiduously, and he received a continuing stream of sympathetic coverage in the state’s most important newspaper, the *Boston Globe*.

“It was simpler than many might think” to garner favorable press attention, Miller wrote in his memoir. “The key was to make the routine goings-on of reform school life a matter of public record and to begin to chip away at the stereotypes most citizens had of reform school inmates.” Miller invited journalists to visit the reform schools any time, and to speak with any young person who

consented to be interviewed. Miller also took reform school youth with him wherever he was invited to speak, including television shows, radio interviews and civic associations. In June 1971, Miller brought 50 youth from the various reform schools to the state capitol to serve lunch for several hundred legislators and staff as part of a day-long lobbying event. By inviting reporters, legislators and citizens to meet with youth, and to hear their stories, Miller and his team aimed to destroy the negative stereotypes of delinquent teens.

“One of the underpinnings of the correction business has been that these kids are very different from the rest of us,” Miller told the *Boston Globe* in 1970. “That’s one thing we have to hit head on. We have to change that attitude and stress that they are the same as the rest of us.”¹⁵

The second half of Miller’s public relations campaign focused on exposing the brutality and ineffectiveness of the reform schools. Rather than shielding the institutions from the press and protecting the reputation of the staff and facilities, Miller freely discussed their problems and weaknesses, and he openly described the facilities as ineffective and inhumane anachronisms.

For instance, when Miller became concerned in 1971 over reports of continuing maltreatment of youth confined at the Roslindale detention center, he arranged for a baby-faced Harvard student, Ernie Posey, to be admitted to the facility posing as a 16-year-old. Posey spent four days in the facility, and then wrote a report documenting a range of atrocities he saw and suffered: a 12-year-old boy having his head dunked in a toilet, a 14-year-old dragged by the legs over a urine-soaked floor, boys beaten and dragged to isolation cells. Posey himself was punched in the face as punishment for reading an unauthorized book. Miller gave Posey’s report to the press, which soon published an excerpt under the headline, “Brutality Reigns in Youth Center.”¹⁶

CHANGES IN CARE CATEGORIES FOR MASSACHUSETTS YOUTH IN STATE CUSTODY

	1968	VS.	1974
Total Commitment Population	2,443		2,367
• In correctional confinement	833 (34.1%)		132 (5.6%)
• On parole (following residential commitment)	1,610 (65.9%)		941 (39.8%)
• In group care facilities	n/a		171
• In foster care placements	n/a		399 (16.9%)
• In non-residential programs	n/a		724 (30.6%)

SOURCE: Bullington, Sprowles, Katkin, and Lowell, *Law and Policy*, 1986

“Singlehandedly,” concluded Behn, the policy scholar who studied the Massachusetts reform effort, “[Miller] changed the political question from ‘What do we do with these bad kids?’ to ‘What do we do with these bad institutions?’ By focusing public attention on evils of the institutions, he elicited from the public the only logical conclusion: The institutions must be closed.”¹⁷

► **EMPTY THE INSTITUTIONS.** Recognizing the potential pitfalls of the hasty approach employed to close the Bridgewater facility in mid-1970, Miller decided upon a more carefully planned process early in 1971 when he sought to close a second facility, the Shirley Industrial School. This time Miller announced the closure nine months ahead of time in hopes of assessing and re-assigning the residents in an orderly fashion. However, Miller’s closure plan had to be aborted that year due to a dramatic deterioration of conditions at Shirley: a rash of escapes, staff and resident unrest, and suspicious fires. Meanwhile, judges opposed to reform began committing youth to the facility in record numbers. For Miller, a lesson had been learned.

For the remainder of 1971, Miller made no announcements regarding facility closures, and he did not seek approval for closing facilities from the legislature, nor even from Governor Sargent. “We never had authority to close the training schools,” Joe Leavey, Miller’s chief deputy, explained later. “We only had authority to move the kids. Everything we did was within the law – administrative discretion – but it had never been done before.”¹⁸

Miller and his team continued to reduce facility populations by shifting more and more young people to newly emerging community programs. They used Miller’s authority under the law to place committed youth as he saw fit, to the care of any public or private agency, even to parole youth and send them home.

Then, beginning in December 1971, Miller quickly moved to kill the reform schools. First, he removed all youth from the Shirley Industrial School, paroling them home, placing them in group homes or foster homes, or moving them to the state’s oldest and largest facility, the Lyman School. Then a month later he closed Lyman. Miller depopulated the facilities even though his network of new alternative programs was far from complete, and the Department lacked appropriate placements or services for many of the youth. In January 1972, Miller’s team transported 39 youths from Lyman and 60 more from other facilities to what was dubbed a “conference” at the University of Massachusetts. There, student volunteers housed the youth and searched for group home and foster placements where they might be transferred. In the end, many were simply sent home. By June 1972, Miller closed the three remaining large reform schools as well, and three smaller facilities followed suit later that year.

From his experience closing Bridgewater, Miller had seen that, even without alternative programming, sending youth home from reform school did not lead to disastrous consequences. Meanwhile, Miller had several reasons to take rapid and decisive action in closing the facilities. First, he knew that a

drawn-out process would lead to staff sabotage and would give political opponents time to organize. As one of his assistants put it, “The Department found it is necessary to close institutions quickly, because staff problems increase when a closing date is announced; staff worry more about themselves than about the kids.”¹⁹ Second, Miller recognized that his window of opportunity for reform would soon close, as elections neared and the terms of his two key political sponsors, Governor Sargent and Speaker Bartley, came to a close. Finally, given his disdain for the reform schools, Miller concluded that “anything, including nothing, was better than the institutions.”²⁰

In order to avoid direct confrontation with the strongest opponents of the facility closures, the employees, Miller took no action either to formally shut down the reform schools or to terminate the staff. Instead, many workers continued to show up for their jobs even after the facilities were empty. Miller arranged for some facility staff to begin working in the new community-based programs funded by the Youth Services Department, and even to keep their civil service status and public employee benefits. But few workers made this transition. Gradually, as it became clear that the reform schools would never be repopulated, staff began leaving their jobs and finding other employment. But not until December 1974, two years after the last reform school closed, did the state ever send termination notices to reform school workers whose jobs had been made redundant.²¹

Unconventional Operations

The willingness to leave unneeded workers on the state payroll was just one of the unorthodox strategies Miller employed during his eventful years in Massachusetts. To counter the steadfast resistance he faced from opponents, Miller often strayed from standard procedure in his management practices and leadership style. For instance:

► **FLOUTING PERSONNEL POLICIES.** A skeptic of credentials, some of the people Miller hired and placed in senior staff positions lacked formal training, and – due to his lack of funding flexibility – Miller often handed informal authority to trusted staff that was far out of line with their formal job titles. For instance, Miller hired Paul DeMuro, an English literature grad student he’d met in Ohio, to serve as Assistant Director of Training. Moreover, when the federal grant that was to support DeMuro’s salary got held up in bureaucracy, Miller arranged to pay DeMuro a stipend for 10 weeks using funds from a vacant staff janitor’s position. Later, Miller assigned DeMuro to serve as acting superintendent at the Shirley Industrial School while sending Shirley’s titular superintendent on a months-long paid vacation. Miller also brought a number of younger staff into the agency on a non-civil service basis.

► **CIRCUMVENTING BUDGET RULES.** Faced with a severe scarcity of flexible funds to develop and pay for new programming, Miller often resorted to creative accounting methods to implement his agenda. When the legislature refused to fund a new forestry camp Miller favored, he re-labeled the program as an adjunct campus of the Shirley facility (located 70 miles away) and used money in the Shirley facility’s budget to open it anyway.



KEY MILESTONES DEINSTITUTIONALIZING JUVENILE CORRECTIONS IN MASSACHUSETTS

- 1966 U.S. Department of Health, Education and Welfare issues report highly critical of the Massachusetts Division of Youth Services.
- 1967 Massachusetts Committee on Children and Youth and the Massachusetts State Senate release reports highly critical of treatment of youth in state facilities.
- 1969 (February) Controversy erupts over treatment of youth at the Institute for Juvenile Guidance in Bridgewater.
- 1969 (March) The longtime director of the Division of Youth Services, John D. Coughlin, resigns.
- 1969 (August) Massachusetts legislature enacts legislation abolishing the Division of Youth Services and replacing it with a new Department of Youth Services.
- 1969 (October) Jerome Miller becomes commissioner of the new Massachusetts Department of Youth Services.
- 1970 (Jan.- Feb.) Staff at the Industrial School for Boys (Shirley) receive training on “Therapeutic Communities” model of institutional care.
- 1970 (August) Following reports of continued maltreatment, Bridgewater Institute for Juvenile Guidance is closed.
- 1971 (Jan.-March) Miller announces plan to close the Industrial School for Boys (Shirley), but is then forced to reverse the decision.
- 1971 (December) Miller succeeds in closing Shirley Industrial School facility.
- 1972 (January) Lyman School is closed. Nearly 100 youth from Lyman and other facilities are transported to University of Massachusetts for conference to identify appropriate supervision/ placements.
- 1972 (June) Oakdale facility closed.
- 1973 (January) Miller leaves DYS to accept a new position in Illinois. Joseph Leavey is named Acting Director.
- 1973 Industrial School for Girls (Lancaster) closed.

► **PUBLICIZING PROBLEMATIC CONDITIONS.** After he decided to close the reform schools, Miller often went out of his way to dramatize their brutality and senselessness, even when that involved embarrassing or antagonizing the agency’s employees.

► **TOLERATING PUBLIC SAFETY RISKS.** In his effort to humanize delinquent youths in the eyes of public officials and everyday citizens, Miller frequently took youth out of facilities to go on field trips or meet with civic groups. More importantly, he proved willing to parole youth home from reform schools even before strong local programs were available to supervise and support them.

Despite providing strong editorial support throughout his tenure, the *Boston Globe* nonetheless criticized Miller for a “myopic” management style after he departed in 1973.²²

By his own admission, Miller was not a strong or well-organized administrator. Yet, his unorthodox management style was not a sign of inattention or incompetence. Rather, Miller’s methods were both intentional and strategic, perhaps the only means available to dismantle a system he saw as both inhumane and intractable.

“If we had tried to go through the bureaucracy,” Miller once told the *Boston Globe*, “there’s no way the reforms would have happened.”²³

“This is the only state that ever did it,” added Leavey, referring to the closure of the reform schools. “I say a good part of the reason it happened is because he said, ‘I’m going to do it, and I’m not going to wait for approval from everybody.’”²⁴

The budget, fiscal handcuffs placed on his efforts by the legislature, left Miller with little choice: If he wanted reform, creative accounting and a flexible interpretation of bureaucratic rules would be essential. Meanwhile, Miller’s unconventional personnel choices have been validated not only by the success of his reform campaign but also by the noteworthy careers of several of his lieutenants in subsequent years. DeMuro, for instance, has been one of the nation’s leading juvenile justice experts for decades, while Tom Jeffers (education coordinator), Yitzak Bakal (clinical coordinator), and Joseph Leavey (deputy commissioner) all went on to run thriving nonprofit agencies serving hundreds or thousands of delinquent and troubled youths each year.

Miller’s relentless public opinion campaign to humanize delinquent youth and demonize the training schools (and their political supporters) also proved pivotal to success in closing the reform schools. As Behn put it, “Miller dramatized the intransigence of the institutions by forcing the employees to defend the existing system and how they were running the institutions. He made them look foolish – worse, evil. He demonstrated to the public that the institutions were not adaptable and thus not worth saving.”²⁵

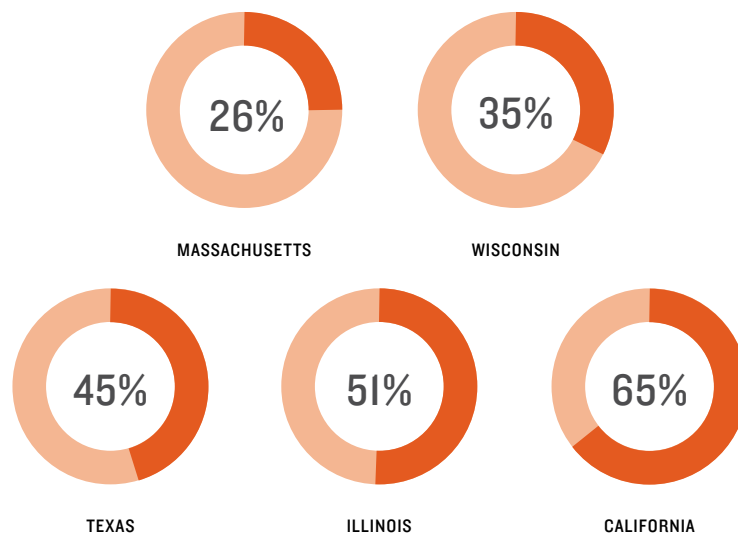


Legacy of Success

While his methods were unorthodox, the mirror of history has shown that Miller’s reforms were sound and sensible, grounded in a solid understanding of what works (and what doesn’t) in combatting delinquency and helping youth succeed. By every measure, the reforms improved outcomes for youth, taxpayers, and communities. Just as important, Miller’s strategy has been vindicated politically, as the radically new paradigm he created for youth justice quickly grew firm roots in Massachusetts and withstood the test of time.

While the makeshift accounting system Miller left behind to contract with and pay community providers was fraught with bottlenecks and irregularities, the problems were ironed out under Miller’s successor, Joseph Leavey. Over time, private youth-serving organizations developed and refined a wide array of community-based programs, and these organizations became an enthusiastic and well-organized constituency supporting Miller’s post-reform school model for youth corrections. Likewise, Miller’s decision to fund only a very small number of secure facility beds for serious offenders (just 35 for the entire state) sparked intense criticism following his departure. Yet, subsequent DYS commissioners, with support from sympathetic legislators and advocates, were able to negotiate compromises that increased secure beds only marginally.²⁶ Massachusetts’ juvenile confinement rates have remained among the lowest in the nation ever since.

PROPORTION OF JUVENILES REINCARCERATED AFTER 36 MONTHS



By mid-1980s, juvenile recidivism in Massachusetts was far lower than other states.

SOURCE: Krisberg, Barry & Austin, James F., *Reinventing Juvenile Justice*, Sage Publications, 1993.

A 1986 review of the Massachusetts reforms in the scholarly journal, *Law and Policy*, found that Miller’s previously controversial reforms had become widely accepted in the Bay State: “The policy of deinstitutionalization still enjoys widespread support in Massachusetts: although the number of incarcerated youths does seem to be creeping upward, it continues to be relatively low. Statewide the system continues to rely primarily on small programs run by private vendors located throughout the state,” the study found. “Credit for the current success of the juvenile justice system in Massachusetts must be attributed to the boldness of the Miller reform initiative, coupled with the administrative sophistication with which his successors have brought both organizational stability and credibility to the system.”

In terms of the outcomes, sophisticated evaluation studies showed that by embracing Miller’s deinstitutionalized approach to youth corrections, Massachusetts improved public safety and saved taxpayers’ money. An initial evaluation conducted by Harvard University criminologists found that youth released from community programs in 1974 – a time when these programs were in their infancy – had comparable (but slightly higher) re-offending rates than youth released from training schools in 1968. (The 1968 cohort included fewer serious offenders.) More importantly, the study showed that recidivism rates in areas of the state with a stronger mix of community programs had measurably lower recidivism. Also, youth participating in the community programs showed significantly more positive attitudes than youth who had been institutionalized in reform schools.

A decade later, the National Council on Crime and Delinquency (NCCD) undertook a second study to measure the effectiveness of the Massachusetts system. The study examined Massachusetts youth released from state custody in 1984 and 1985 and found substantially reduced offending following treatment. The NCCD study also compared these youths’ outcomes with similar youth from several other states that continued to rely extensively on large correctional institutions and found that Massachusetts had the lowest recidivism rates of any state studied. Finally, the NCCD study found that the costs of the deinstitutionalized system were far lower than those in the other states, saving Massachusetts taxpayers an estimated \$11 million per year.²⁷

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Credit for the current success of the juvenile justice system in Massachusetts must be attributed to the boldness of the Miller reform initiative, coupled with the administrative sophistication with which his successors have brought both organizational stability and credibility to the system.

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The Aftermath: Juvenile Corrections Then and Now

In the years following Miller's departure, many states sent representatives or staff teams to study the Massachusetts reform model. Two states – Utah and Missouri – instituted comparably sweeping reform efforts in juvenile corrections. Miller meanwhile went on to pursue dramatic reforms in two subsequent states, Illinois and Pennsylvania. With a handful of exceptions, though, most states sustained a business as usual approach to juvenile justice in the decade immediately following Massachusetts' successful reform campaign, or implemented only modest reforms, and then reversed course to embrace more punitive approaches in the 1990s. However, the past five or 10 years have seen a significant shift away from juvenile incarceration in many states. Forty years after the doors closed at Bridgewater, Shirley, the Lyman School, and the other Massachusetts training schools, recent events have conspired to bring Jerry Miller's historic Massachusetts deincarceration campaign back into focus.

Modest Progress in the '80s, a Head-Long Retreat in the '90s

In Utah, significant reforms in juvenile justice were triggered by a 1975 class action lawsuit documenting egregious overreliance on solitary confinement in the state's 450-bed training school, as well as widespread violence and other abuses. In 1980, a high-level task force authorized by Utah's governor announced a new master plan for reforming the juvenile justice system based on the Massachusetts model, with heavy emphasis on community-based programming and reduced reliance on secure confinement. In 1983, the training school closed, replaced by only two 30-bed secure facilities and a vast network of residential and non-residential community alternatives.* A 1990 evaluation by NCCD found that youth participating in the new Utah programs substantially reduced their offending behavior following treatment.²⁸

Missouri also closed its large training schools in the early-1980s following a series of scandals revealing widespread maltreatment within the facilities. Instead, Missouri developed a regionalized continuum of smaller, treatment-oriented facilities throughout the state which included: group homes for lower-risk youth; moderate security facilities (often located in state parks or on college campuses) for youth with higher risks or a deeper history of offending; and secure facilities for highest risk youth. Missouri has not invested heavily in non-residential programming in lieu of facility placements; its day treatment programs often serve as a step-down for youth returning home from facilities. Yet, the high quality of counseling, personal development and educational programming inside the facilities has garnered widespread acclaim, and recidivism studies have found that Missouri youth reoffend at far lower rates than youth released from correctional facilities in other states.²⁹

* Utah has substantially expanded the number of secure facility beds since the mid-1990s. The Utah Division of Juvenile Services' 2011 annual report notes that the state funded secure facilities with 202 beds, with an average daily population of 155 youth. But the state still spends more money on community alternative programs for committed youth than on secure confinement, with an average program population of 649 youth per night, four times the number in secure custody.

Prompted by new federal mandates in the historic 1974 Juvenile Justice and Delinquency Prevention Act, virtually all states in the late 1970s and early 1980s reduced the confinement of youth accused only of status offenses such as running away, unruly behavior or underage drinking, and states imposed meaningful new rules to ensure separation between juvenile and adult offenders in jails and correctional facilities. In addition, many states took small steps to expand community services and reduce confinement of less serious juvenile offenders. Several states undertook studies during the 1980s to examine the feasibility of closing juvenile facilities, some conducted by a new organization founded by Jerry Miller, the National Center on Institutions and Alternatives (NCIA), and a number of states (including Colorado, Florida, Georgia, Indiana, Louisiana, Maryland, Oklahoma and Vermont) did close one or more facilities.³⁰

At the symposium, two veteran juvenile justice reformers recalled that, for a brief period, the Massachusetts juvenile correctional reform movement gained considerable attention across the nation. Barry Krisberg, the long-time head of the National Council on Crime and Delinquency whose evaluation documented the effectiveness of Massachusetts' revamped system, told symposium participants that in the mid- to late-1980s most states were taking steps to reduce facility populations, and it appeared that the success of the Massachusetts reforms might propel a major shift in the nation's approach to juvenile justice. "I can only think of five or six states that didn't close a training school or substantially reduce their population," said Krisberg, now a senior fellow at the University of California, Berkeley, School of Law. Regarding the future of training schools, he added, the professional consensus among state youth corrections administrators in 1990 "was that we need to get rid of these places."

Vincent Schiraldi, a long-time juvenile justice advocate who currently serves as probation commissioner in New York City, agreed, telling symposium participants that "This was what we were talking about in the late 1980s, this was it on the juvenile side."

"There was no "Juvenile Detention Alternatives Initiative to talk about, there was no Missouri model," said Schiraldi, who began his career as a juvenile justice reformer working for Miller at NCIA in the 1980s. "We were talking about 'why can't you do it like they do in Massachusetts?'"

In the end, however, the nation's juvenile justice systems mostly declined to follow the promising path blazed by Massachusetts. The progress cited by Krisberg and Schiraldi came to a screeching halt in the early 1990s thanks to a serious (but time-limited) uptick in juvenile



crime, and to the public panic and political pandering that ensued in its aftermath. As a result, states moved even further away from the Massachusetts model.

During the late 1980s, “Massachusetts wasn’t an odd thing, it became the new normal,” Krisberg explained. “Then all of a sudden this new normal ran straight into the ‘superpredator... The Dilulio/Wilson argument won the day...”

States increased the number of youth in confinement, even for low-level offenses, and they substantially expanded the number of youth transferred to adult courts and corrections systems. In the meantime, few states took meaningful action to address longstanding flaws in their juvenile systems: weak legal representation, unfocused probation supervision, abusive and/or overcrowded conditions of confinement, pervasive racial disparities in the treatment of youth, glaring gaps in community treatment and supervision programs that often left judges to choose between residential confinement or low-intensity probation supervision, and a dearth of evaluations and research to determine which approaches worked best for delinquent youth.

As Schiraldi put it, “We got clobbered in the 1990s.”

A Renewed Shift Toward Juvenile Deincarceration

Over the past several years, however, a countervailing trend has begun to emerge in juvenile justice. Fueled by a variety of factors, states across the country are re-examining their assumptions about juvenile justice, shying away from the punitive policies and rhetoric adopted during the 1990s.

The most pronounced trend has been a substantial reduction in the number of youth confined in correctional institutions or placed into residential facilities by state delinquency courts. Nationwide, juvenile correctional confinement fell 38 percent from 1997 to 2010, and the juvenile incarceration rate fell in 44 states and the District of Columbia during this period. The share of youth confined in long-term secure correctional facilities (i.e., training schools or youth prisons) fell 54 percent.³¹ Also, as the Annie E. Casey Foundation documented in its 2011 report, *No Place for Kids: The Case for Reducing Juvenile Incarceration*, 18 states closed more than 50 youth corrections facilities from 2007 to 2011.³²

In some of the nation’s largest states, reductions in juvenile incarceration have been especially dramatic. California, for instance, has reduced the daily population in state-run juvenile correctional facilities from 10,000 in 1996³³ to just 922 in June 2012³⁴, a drop of more than 90 percent, and the state closed five training schools between 2008 and 2011. Likewise, since the Texas Youth Commission was rocked by a sexual abuse scandal in 2007, Texas has closed nine state-run youth corrections facilities, and the state’s confined population has declined from 4,700 in fiscal year 2006³⁵ to just 1,500 in fiscal year 2012.³⁶ Both states now permit commitments to state custody only for felony offenses (Texas) or serious violent felonies (California.)

While these changes in California and Texas have received widespread press attention, many other states have quietly made dramatic reductions in juvenile incarceration as well. For instance, North Carolina reduced the daily population in its youth facilities from an average of more than 950 in 1999³⁷ to just 302 in November 2011,³⁸ while South Carolina reduced the daily population in its main long-term correctional youth campus by 72 percent between 2003 and 2011.³⁹ Indiana reduced the population in its youth correctional facilities from nearly 1,798 in July 2002 to 533 in July 2012.⁴⁰ New Mexico lowered the daily population in its secure custody institutions from 658 in 2001 to 228 in fiscal year 2011.

In addition to reducing facility populations, many states are embracing approaches that focus on treatment and diversion rather than confinement and punishment, and several states have rolled back policies that facilitate transfer of youthful offenders to the adult justice system. Since the early 1990s, Ohio has steadily and substantially reduced its incarcerated youth population through an innovative funding mechanism known as RECLAIM Ohio, which provides counties with financial incentives to counsel and supervise youth in the community, rather than committing them to state custody. More recently, Ohio has funded the state's most populous counties to provide behavioral health and evidence-based treatment services in lieu of incarceration, leading to a further drop in incarceration. Overall, the state's incarcerated youth population has fallen from more than 2,600 in 1992 to just 605 in April 2012.

From 2000 to 2009, Connecticut increased its annual spending on evidence-based non-residential family treatment programs for court-involved youth from \$300,000 to \$39 million. Connecticut also raised the age of juvenile jurisdiction from 16 to 18, and it reformed treatment of status offenders to ensure that no youth are detained for status offenses (or for violating a court order stemming from a status offense) so that virtually all status offenders are diverted entirely from the juvenile court and probation systems. Annual commitments to state custody have fallen from 680 in 2000 to just 216 in 2011, even though most 16-year-olds, who were previously treated as adults, are now handled in the juvenile system.

Most other states have also substantially reduced their youth corrections populations. At least 18 have closed youth corrections facilities, and many have begun serious efforts to reform longstanding policies and practices that punish youth in harsh and counterproductive ways, and to invest in promising new approaches.

This flurry of experimentation and change in juvenile corrections has been driven by several overlapping factors.

- Declining juvenile crime rates, belying the “superpredator” myth that helped fuel the punitive turn in the 1990s.
- Emerging research showing that evidence-based nonresidential therapies are more effective and more cost-effective than incarceration.

- Recidivism research showing that most youth are re-arrested and many re-incarcerated following release from correctional confinement.
- Egregious and widespread scandals involving abuse and maltreatment inside youth corrections systems, which increased costs and fueled the search for alternatives.
- Fiscal crisis in the states, caused by the Great Recession, which has led to severe budget shortfalls and created enormous pressures to reduce continued reliance on high-cost institutions.
- A successful national reform campaign in juvenile pretrial detention, the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative (JDAI), which has been adopted in 200 jurisdictions in 39 states nationwide. JDAI sites have significantly reduced commitments in most participating jurisdictions, creating confidence that reducing confinement can be safe, cost-effective, and politically sustainable.
- Emerging research showing that adolescents' brains are not fully mature, leading adolescents to be more prone than adults to impulsive behavior. The research has prompted U. S. Supreme Court rulings outlawing the death penalty for juveniles and limiting the use of life without parole sentences for juveniles.

As documented in *No Place for Kids*, these new strands of evidence provide compelling proof that wholesale reliance on juvenile incarceration is an ineffective and wasteful approach to youth crime, and the trend toward closing facilities and reducing confined populations has been pronounced. However, these trends have not yet been anchored in widely embraced principles nor rooted in the best evidence about what works and doesn't work with troubled and delinquent youth. The Symposium was conceived as an opportunity to begin filling this void, bringing together the nation's leading thinkers and practitioners on youth justice reform and providing them an opportunity to re-examine and debate the Massachusetts experience.



The Symposium

The symposium took place on December 6, 2011 at the Washington Court Hotel, a few blocks from the U.S. Capitol Building. The invitation-only symposium was attended by several veterans of the Massachusetts deincarceration era, including Jerry Miller, plus 120 advocates and professionals in the juvenile justice field. The group included leaders from juvenile justice reform advocacy organizations, private nonprofit service provider agencies, universities, foundations, state and local youth corrections, and other juvenile justice agencies. Attendees included many of the most respected figures in the juvenile justice field, with vast knowledge and a wealth of practical hands-on experience.

Kick-Off Dinner

The program began on the evening of December 5, 2011 with a kick-off dinner for Massachusetts veterans and other out-of-town guests. Though the discussion was light-hearted, several comments foreshadowed what would emerge in the symposium as important themes from the Massachusetts' experience. For instance, Leavey, who since 1976 has directed a community-based agency for high-risk youth in Massachusetts and Rhode Island, described a central philosophical underpinning of the Massachusetts reforms and other efforts to deinstitutionalize juvenile corrections.

“It used to be that kids were ‘incorrigible,’” he explained. “Then we got more sophisticated, and we said they were ‘untreatable,’ . . . But I always tell my staff, you know, no kid is untreatable. There are quite a few kids we haven’t figured out how to treat, but at least that puts the onus on us. Because we’re the adults. We’re getting paid for this stuff.”

Later in the evening, Miller struck a skeptical note about the role of careful planning in the deinstitutionalization process. Explaining why he never devised, announced or followed a detailed, long-term reform plan, Miller recalled that around the time he was working in Massachusetts, “The State of Michigan put out a five year plan that was marvelous. It laid out everything they were going to do, every point, which in retrospect ruins the possibility of doing anything,” Miller recalled. “If we ever laid out what we were about, we wouldn’t have gotten to first base. . . . There was no one representing the inmates with any power in the system.”

The Plenary Presentations

Opening Remarks. The symposium began at 9:00 a.m. the following morning. After a welcome from Jeff Fleisher, the CEO of Youth Advocate Programs, participants listened to opening remarks from Bart Lubow, director of the Annie E. Casey Foundation’s Juvenile Justice Strategy Group. For the past 20 years, Lubow has overseen the Juvenile Detention Alternatives Initiative, which is often lauded as the most ambitious and successful juvenile justice reform initiative since Massachusetts. JDAI has relied upon a dramatically different change strategy than Massachusetts – a strategy

that is more systematic, sustained and data-driven, aimed at engaging political leaders and system personnel and changing the system from within. Yet Lubow hailed the Massachusetts model and urged a full-throttle campaign to deinstitutionalize the deep end of the nation's juvenile justice systems.

"We are together 40 years later not just to celebrate and remember a rather remarkable social experiment," Lubow said, "but because we still confront the same conditions, the same challenges, the same inhumanity."

Lubow cited data showing that substantial progress has been made in recent years reducing the number of youth confined and in closing facilities in many states. However, Lubow exhorted, "We need to convert what to date has been a series of idiosyncratic state-centered developments into a national movement for deinstitutionalization. We need to take what's clearly an emerging trend and give it shape, coherence, learn from it, and go deeper with it."

Recollections from Massachusetts. The second plenary presentation provided opportunity for participants to hear first-hand from veterans of the Massachusetts reform movement.

Joseph Leavey, Miller's deputy commissioner and then his successor at DYS, kicked off the session by recounting the history of the Lyman School, the nation's first training school, which was founded in Westborough in 1848. Leavey explained that the institution was launched with noble intentions and lauded by Charles Dickens, who visited Lyman in its early years. However, Leavey explained, Lyman and the other reform schools established later by the state became havens for corruption and patronage, oriented far more for the benefit of politicians, police, institutional staff and the courts than for the well-being of the populations they served.

Despite its harsh and counterproductive treatment of youth, "Massachusetts liked the system the way it was," Leavey explained. "The judges liked it. Probation officers liked it. Police and parole officers liked it. You also had the legislature which loved the idea that they could refer folks for jobs... Patronage was a tremendous part of this." Also, Leavey said: "The unions had a big stake in 'we're gonna keep it the way it is. You're not going to tell us what to do.'"

Leavey was followed by Jerry Miller, who described the evolution of his philosophy during his tenure in Massachusetts. "I didn't go to Massachusetts to close the institutions. I went to make them decent," Miller explained. However, the dogged resistance he encountered from line staff, and from political opponents, led Miller to shift goals midstream. "I learned that you can create the most marvelous system in the world for kids," Miller said. "But it will be a full-time upriver swim just to keep the staff minimally decent, just to keep things moving in a thoughtful sort of direction. You can do it, but when you leave it slips right back."

Miller recalled that his decision to abandon reforming the training schools, and to close them instead, came over a beer with Tom Jeffers, at a pub in Boston's Beacon Hill neighborhood. Governor Frank Sargent, Miller's boss, faced an uncertain re-election in 1970. "One or another of us said 'Why don't we just go for broke and get out of these damned places. We can't change them,'" Miller recalled. "We did it over a couple of beers. Within a matter of not that many weeks we set in motion getting out of all of these institutions."

Yitzak Bakal, who served as the Department of Youth Services' clinical coordinator under Miller, described three core beliefs that were central to the reform team's philosophy and which were "alien" to facility staff and disruptive to the operating principles that had guided the institutions prior to Miller's arrival.

First, Bakal declared that over time Miller's leadership team came to believe that "institutions are bad, institutions are evil, institutions are criminogenic... I used to look at the files, and many of the infractions and problems that [youth] got into happened while they were in the institutions. So we were developing delinquents into hardened criminals."

Second, Bakal explained that, for the most part, the kids entrusted to the Department were not victimizers but rather victims. "When you sit and listen to the kids, and ask questions, you begin to see that this is a kid who has suffered a lot, this is a kid who comes from all kinds of circumstances and violence. Once you begin to make this shift [in perceptions], the next step was to recognize that these youth have to be treated with rights, and treated like a customer," Bakal explained. "This was a notion that was completely alien" to the previous leadership of the Department, he said, but the idea that "kids have rights became something we began to work with and really believe in."

Finally, Bakal noted that both he and Miller remained deeply skeptical of efforts to label delinquents as "emotionally disturbed" and determined not to allow mental health clinicians wide latitude to attach diagnostic labels to youth. "Being a clinician myself, I do not trust clinicians much, and neither did Jerry," Bakal said. "One of the nightmares was to have DYS instead of closing training schools, succeed in bringing in a bunch of [mental health clinicians] who were just doing a bunch of diagnoses and adding another label with professional jargon that is very tough to deal with because it has the credibility. We didn't believe in the diagnoses. Instead, we believed that the diagnosis will change very rapidly if you change the circumstances" by moving the kids out of harsh and punitive institutions.



The final speaker on the panel was Donna Jeffers, who joined the leadership team two years into the reform process and served on what she described as the “broom team,” the administrative staff tasked with implementing a brand new “purchase of care” system to support community-based programs across the state, and overseeing the staff who were still assigned to reform school institutions even after all the youth had been released.

Jeffers began her remarks by noting that, in creating his leadership team, “Jerry picked people who shared values. We did not share experiences. We were not technicians,” Jeffers explained. “We were people who held deep beliefs. We had fire in our bellies, and we worked hard to make it happen... We never debated the goal. We fought like hell over the means.”

Comments from Current-Day Reform Leaders. The first speaker in the next plenary session was Dr. Barry Krisberg, who began by detailing the findings of an evaluation he conducted of the Massachusetts juvenile corrections system in the late 1980s, after the network of community-based services and other Miller-era reforms were fully functional. The study examined outcomes for every young person exiting state custody in 1984 and 1985, Krisberg explained, and results were impressive. Juvenile recidivism rates had fallen lower since the late 1960s (prior to Miller’s tenure) and the early 1970s (when the Miller-era reforms were first being implemented); and juvenile re-offending rates in Massachusetts were “better than any other state that had published recidivism data that you had any confidence in.” Moreover, the reforms were saving Massachusetts taxpayers \$11 million per year.

Krisberg then described how political support for Massachusetts-style juvenile justice reform has ebbed and flowed nationally from the mid-80s to the present day, beginning with increasing acceptance in the late 1980s that training school populations should be substantially reduced and many facilities closed, followed by a 180-degree turn in the 1990s as the politics of crime grew increasingly harsh. Finally, in the current era, “things are changing” once again, Krisberg said. “Not necessarily with the same morality and motives as the Massachusetts reforms, but once again training school populations are dropping dramatically.”

“In my opinion the training school is a dinosaur,” Krisberg concluded. “We’ll probably go to museums and see pictures of them at some point. This is a very hopeful time in terms of juvenile justice.”

Krisberg was followed by Tim Decker, director of Missouri’s Division of Youth Services, which operates a widely praised network of small, therapeutic correctional facilities oriented toward group treatment and youth development. Decker began by noting that, in contrast to the revolutionary approach employed by Jerry Miller in Massachusetts, reform in Missouri followed an “evolutionary” process. Faced with recurring scandals and poor results in its training schools in the 1970s, including a lawsuit, Missouri began creating smaller and more therapeutic programs in state parks and other venues. As those alternative facilities proved successful, and troubles in the training school persisted,

the legislature closed the training school in the early 1980s and expanded the small facility model statewide, creating a regionalized continuum of secure and staff secure facilities, group homes and day treatment programs.

Decker stressed that the most important change in Missouri did not involve the size or location of facilities, but rather the culture of the agency. “We introduced a different way of thinking about young people and families, and a different way of working with them,” Decker said. “Culture tends to trump everything.” The most important culture change, he said, was to create a unifying vision in the department centered upon a belief that all youth want to succeed and can succeed if provided the right support.

Decker also spoke about the importance of building and sustaining a constituency of powerful supporters at the state and local levels – influential allies and advocates willing to stand up for the agency’s progressive approach in times of fiscal shortfall or ideological strife. Missouri has accomplished this by cultivating key leaders in both political parties, and in the courts, to serve actively on a statewide advisory board, and also by engaging local leaders in each facility location to serve on a community advisory board. Decker noted that the Division regularly invites leaders and other interested citizens to visit its facilities and meet with confined young people, and that youth themselves are often the Division’s most effective advocates.

Vincent Schiraldi, the final panelist, began by reflecting on his experience early in his career working in a group home, where he saw first-hand how a dysfunctional institution can lead even well-intended staff to rationalize away the routine maltreatment of troubled youth. And Schiraldi described how his career as a juvenile justice reform advocate began suddenly one day when, after hearing a guest lecture by Jerry Miller, he struck up a conversation and soon found himself joining the staff of Miller’s National Center for Institutions and Alternatives.

Like Krisberg, Schiraldi described the late 1980s as “an extremely exciting time” for juvenile justice reform – and how momentum for reform was quickly derailed in the 1990s as pessimism and punitiveness took hold of the national debate over crime and corrections. Finally, Schiraldi spoke about the ambitious reform efforts he led in Washington, D.C. as director of the Department of Youth Services Rehabilitation from 2004 through 2009. “Massachusetts very much influenced the work that we did,” Schiraldi explained, “and it was very alive during our time in D.C.” Since 2010, Schiraldi has been Probation Commissioner in New York City, where he is again leading efforts to reduce confinement of youthful offenders and redirect them to effective community-based treatment and supervision alternatives.

Referring to Krisberg’s earlier comments, Schiraldi concluded by saying that “I think Barry is right that the training school system has had its 168-year run. It’s time to stick a fork in it, and say it’s done, and call it the morally bankrupt system that it is.”

Over lunch, symposium participants listened to remarks from another modern day crusader for juvenile deinstitutionalization, New York State Office of Children Family Services Commissioner, Gladys Carrión. Since assuming her post in 2007, Carrión has been waging a determined and controversial campaign to reduce population and improve conditions in state juvenile facilities.

“I inherited a system that by any measure had been broken for many, many years,” Carrión said. Most youth in the system – more than 60 percent of boys and 85 percent of girls – were placed for misdemeanor offenses. While virtually all the facilities were located upstate, most of the youth confined were residents of New York City, hundreds of miles away, creating for many families what Carrión described as “insurmountable barriers to remaining connected with their children.” In 2008, New York’s governor appointed a blue ribbon task force to review the state’s approach to juvenile corrections, and a year later, before the task force could release its report, the U.S. Department of Justice issued an investigative report detailing excessive use of force and inadequate mental health services.

A former Legal Aid Society attorney, Carrión has taken aggressive action to transform her state’s juvenile corrections system. Despite fierce opposition from correctional worker unions and vocal criticism from local politicians representing upstate communities which stood to lose jobs if facilities were downsized or closed, Carrión told symposium participants, New York has closed 18 of its 31 facilities since 2007, eliminating 917 beds, more than half the previous total. It has cut average lengths of stay in facilities from more than a year to just six months, and it has reduced the daily population in state residential custody from 1,158 to 588. Through these changes, Carrión said, her department has eliminated 632 positions and saved state taxpayers \$74 million. Meanwhile, Carrión explained, the state has created a dedicated funding stream to support new local programs in lieu of detention and instituted new financing rules that allow counties to use traditional detention dollars to divert youth from detention or facility placements into local supervision and programs.

In closing, Carrión confided that she had recently taken time to read Jerry Miller’s memoir, *Last One Over the Wall*. “It’s incredible what the similarities were between my work in New York and the craziness that goes on when we try and do the right thing,” Carrión reflected. “It gave me a lot of hope and certainly affirmation.”

The Roundtable Discussions

During the afternoon session, symposium participants dispersed into six discussion groups, each focused on a crucial and cross-cutting challenge facing the juvenile justice reform community in its efforts to eliminate unnecessary and inappropriate incarceration. In the final session, participants reconvened to listen and discuss recommendations. Some of the ideas were quite specific and attracted widespread support. Others were more general or aspirational, pointing toward a need for new research and experimentation, rather than immediate or specific action steps. On some topics, no easy solutions were identified. Instead, the discussion highlighted unresolved tensions that must be worked through in order for the deincarceration movement to thrive in the coming years.

Workshop #1

SERIOUS AND VIOLENT JUVENILE OFFENDERS: WHAT DO WE DO WITH THE DANGEROUS FEW?

The prospect of shuttering juvenile corrections facilities raises an immediate challenge that is both practically complex and politically perilous: If they shutter their large juvenile corrections institutions, how should states and communities deal with the limited number of youthful offenders who've committed grave offenses and/or pose an immediate threat to public safety? What type of facilities should be employed to house those youth who require secure confinement? How can a system ensure that confinement is imposed only on youth found through objective screening methods to pose a significant risk to public safety? How can system leaders ensure that reducing deep end commitments and closing beds in juvenile facilities does not lead to a spike in the number of youth transferred to the adult system, which research shows is detrimental to youth and counterproductive to public safety?

Chaired by Yitzak Bakal, with support from panelists Tim Decker (of Missouri) and Ron Sharp (of Alternative Rehabilitation Communities, Inc., in Pennsylvania), this workshop offered participants an opportunity to discuss approaches and strategies that system leaders can employ to safely care for the highest-risk youth without relying on training schools.

The discussion was wide-ranging, but comments concentrated most heavily on three areas of concern. First was how best to provide effective care and treatment for these “dangerous few” youth. No one in the session questioned the notion that some youth – those who have committed the gravest crimes, or pose an immediate and serious threat to public safety – should be placed into secure custody to protect the public and to ensure serious consequences for serious crimes. However, participants agreed, juvenile corrections systems must make sure that facilities housing these dangerous few youth are safe, humane and effective. Some participants lauded the advantages of small home-like facilities stressing positive group interaction and treatment, like those in Missouri, over larger prison-like institutions. Others stressed the need to build community capacity to support youth once they return home from confinement.

The second priority theme emerging in the workshop was to ensure that confinement is limited only to a small number of offenders. Several participants stressed the need to build awareness of research showing that non-residential alternative models can be as, or more, effective than incarceration, even with serious offenders, and at a fraction of the cost.

After reaching consensus on the first two points, workshop participants devoted the rest of their conversation to discussing how to reframe the public debate about youth offenders and heighten public awareness that most youth involved in the juvenile justice system are not serious or chronic offenders, and that even the small minority of youth who have committed serious crimes are amenable to change if provided effective treatment. For instance, one participant stressed how important it is to combat the “psychopath argument” – the notion that confined youth are congenitally violent and irredeemable (e.g., “superpredators”). Others stressed the need to make policymakers and the public aware of the

emerging brain science showing that adolescents are less capable than adults of controlling impulsive behavior or weighing the consequences of their actions, making juvenile offenders both more worthy of and amenable to rehabilitative treatment than adults. The first recommendation agreed upon by workshop participants was a report documenting “who are the dangerous few?”

Workshop #2

HEADING OFF OPPOSITION TO CLOSING YOUTH CORRECTIONS FACILITIES

Opposition to closing training schools may come from communities and unions threatened by job losses, from prosecutors and law enforcement agencies, and/or from politicians ideologically predisposed to a “tough on crime” stance. The very idea of deincarceration clashes with longstanding and deeply ingrained American myths about the intrinsic relationship between punishment and safety. This opposition can quickly derail efforts to shut down youth corrections facilities and efforts to build a healthy continuum of community-based supervision and treatment programming. Therefore, a key challenge facing reformers is to identify and apply effective political strategies to boost public support for reforms and build alliances necessary to adopt and sustain meaningful change. How are political barriers (such as union opposition) overcome? How can reformers use the current budget crisis as a way to generate the next wave of political support for closing or downsizing institutions? What are effective ways to get the message through to the general public and political leaders?

The workshop was chaired by Gladys Carrión, Commissioner of New York State’s Department of Children and Families, with support from Mark Steward of the Missouri Youth Services Institute and Marc Levin of the Texas Public Policy Foundation. During the session, participants emphasized the importance of building broad coalitions, partnerships and alliances, including judges, prosecutors, and other figures with credibility in juvenile justice to build support for reducing youth incarceration. Several participants noted that system-involved youth, or individuals who have been through the system and gone on to achieve success, can be the most powerful spokespeople for the anti-incarceration message.

Much of the discussion focused on messaging: identifying concepts and formulations most likely to win support from opinion leaders and the broader public. Several workshop participants suggested that advocates trumpet the notion that accountability does not require confinement, and that, indeed, community treatment is not only better for youth, but also better for taxpayers, families and public safety. Other participants suggested that a message focused on fiscal responsibility and return on investment (stressing the extremely high costs, and low success rates of correctional facilities) will hold considerable weight with some key audiences, particularly legislators.

Much less attention was paid to identifying tangible policy alternatives or policy compromises to win over opponents and fence-sitters. Workshop participants agreed that reformers must devise strategies that devote some of the money previously spent on facilities to support the affected community and workforce, in order to mitigate local opposition, while also making new funds available to support the

creation of new high-quality community programming throughout the state. However, the group did not identify specific suggestions regarding how to approach public employee unions whose workers' jobs are threatened by facility closures.

Workshop #3

FINANCING DEINSTITUTIONALIZATION IN A ZERO SUM ENVIRONMENT

Given the astronomical costs of incarceration, deinstitutionalization should produce ample savings to invest in community-based programming and other system reforms that keep kids out of institutions. However, in many states, the dollars saved through closing or down-sizing facilities have not been recouped to support new programming for youth. In other states, continuing overreliance on locked facilities has remained unchallenged due to the lack of up-front funds needed to create community programs that might make facility closures possible. In *Last One Over the Wall*, Miller described the financing dilemma in a way that still resonates today: “The question that dogged our Massachusetts deinstitutionalization, ‘Where will you put all the inmates?’ is deceptively simple and begs the more important prior question: ‘Can you transfer budgets from the institution to the alternative programs in proportion to the number of inmates leaving the institutional grounds?’”

Miller went on to assert that “[t]he test for successful deinstitutionalization is [that] every dollar attached to an inmate should follow that inmate into the community for at least as long as he or she would have been institutionalized. This principle requires confronting political alliances which, though they have little to do with the stated purposes of an institution, in fact sustain it. It also involves the reallocation of funds from rural to urban areas.”⁴¹

The workshop discussion was chaired by Marc Schindler, a longtime juvenile justice reform advocate who served as Deputy Director of the District of Columbia’s Department of Youth Rehabilitation Services under Vincent Schiraldi and later succeeded him. Schindler was assisted in the session by panelists Donna Jeffers, who served as Pennsylvania’s Commissioner of Children Youth and Family Services following her years in Massachusetts, and by Jake Horowitz, state policy director for the Public Safety Performance Project at the Pew Charitable Trusts.

Jeffers kicked the session off by noting that most of Massachusetts’ initial reforms were underwritten by grant funds from the federal government. Today, however, federal funding streams are increasingly scarce. That means that states today will need to self-finance their deinstitutionalization efforts.

During the workshop, participants agreed that, in light of the deep recession-related budget woes facing states, reformers need not aim to achieve Miller’s hope for every dollar to follow deinstitutionalized offenders back into the community. But ensuring a sizeable boost in funding for community services is essential to any successful deincarceration effort, even if the new funding amounts to a fraction of the sum saved through reduced incarceration costs.

Workshop participants did not identify any sure-fire strategies to guarantee significant funding for re-investment. Instead, all agreed that recapturing these dollars inevitably involves a difficult struggle in the political arena. Rather, the conversation focused on strategies to assure that new funds allocated for community services are invested in carefully crafted strategies and quality programs. Several participants lauded approaches like RECLAIM Ohio and Pennsylvania's Act 148, which provide financial incentives for county courts and probation agencies to work with youth locally whenever possible, rather than committing youth to state custody. Other participants argued that the challenge goes even beyond creating incentives for local non-residential programming, noting that success requires accountability (perhaps through performance-based contracts) to ensure that local programs are effective, and that providers are rewarded for doing good work but not incentivized to widen the net or provide more intensive or long-lasting treatment than youth require. Participants also noted the importance of avoiding funding arrangements that encourage overreliance on locally funded residential facilities for youth who can be effectively and safely supervised in non-residential programs.

Finally, participants noted that so-called *social impact bonds*, a new approach aimed at fostering innovation in social programming, might prove a powerful tool for supporting new efforts to reduce correctional confinement. Others pointed to the importance of Medicaid as a crucial but often underutilized source of funding to support treatment services for troubled youth who remain in the community rather than being committed to correctional custody.

Workshop #4

STRATEGIES FOR DEPOPULATING OR CLOSING TRAINING SCHOOLS

The first question facing states seeking to reduce juvenile incarceration is how: What specific methods should they employ to depopulate their training schools? In Massachusetts during the early 1970s, facilities were shuttered almost overnight and youth removed even before the state had developed a full menu of alternative programs and services for them in the community. Many youth were sent home or dispatched to bunk temporarily at the University of Massachusetts while placements were identified. This ad hoc process would probably be politically untenable today. Thus, a key challenge facing reformers and supportive system administrators in the states is to devise an approach for deinstitutionalization that is both orderly and expeditious.

For example, states can: (1) cut off the flow of new placements by allowing commitments only for youth with serious offending records (i.e., adjudication for a serious felony crime and/or history of chronic offending); (2) expedite the release of confined youth by developing community-based service plans to shorten youths' stays or simply by shortening sentence lengths administratively; (3) adopt systemic financial reforms such as RECLAIM Ohio, Redeploy Illinois or Act 148 in Pennsylvania, which create a new fiscal framework that makes commitments to training schools financially unattractive and incentivizes county courts and probation departments to serve youth

locally; and (4) fund and implement evidence-based and promising community program models targeted specifically to youth at high risk for commitment or residential placement.

This workshop offered an opportunity for symposium participants to discuss these and other available strategies. Much of the session, chaired by Vincent Schiraldi, was spent listening to expert presentations describing how three jurisdictions are undertaking ambitious deinstitutionalization efforts. David Steinhart, director of the juvenile justice program at Commonweal, detailed trends in California, where the daily population in state training schools declined from 10,000 in 1996 to under 1,000 today. Ronald Richter, Commissioner of New York City's Administration for Children's Services, described New York's campaign to reduce the use of state-run and private residential treatment facilities. Ryan Gies of the Ohio Department of Youth Services explained how his state has substantially reduced its confined youth population in recent years while directing increasing numbers of youth to evidence-based treatment programs.

After learning about the approaches and accomplishments of these three jurisdictions and their continuing challenges, workshop participants raised a number of questions and concerns. For instance, states must be careful to ensure that reduced reliance on juvenile facilities does not spark a rise in transfers to adult court. Also, states must take steps to prevent net-widening and ensure that new or expanded community programs are targeted to high risk youth who would otherwise be removed from their homes. Finally, states must couple new funding to counties for community-based programming with both training and technical assistance (to maximize effective implementation), and also with quality assurance measures to hold counties accountable for results.

Workshop #5

CONSTRUCTING AN EFFECTIVE CONTINUUM OF COMMUNITY-BASED OPTIONS

For a deinstitutionalization movement to succeed, effective community-based alternatives are essential at multiple points in the case processing continuum. For example, services are needed for high-need, low-risk youth to divert them from the formal court process. An array of effective non-residential programs are needed at disposition to supervise, sanction, treat and create opportunities for youth who would otherwise be confined. Finally, enhanced aftercare programming is needed to reduce recidivism among youth returning home from placements and slow the cycle of failure that leads to recurring juvenile placements, and eventually to incarceration in the adult prison system. In short, without an effective continuum of care at the front and back ends of the juvenile system, we will not reduce reliance on institutions to the extent possible.

The workshop to discuss this challenge was chaired by Jeff Fleischer, CEO of Youth Advocate Programs. Fleischer was assisted by three panelists: Carey Cockerell, the former longtime juvenile probation director in Tarrant County, Texas; Joe Leavey, who has led a private provider

agency, Communities for People, since 1976; and Marsha Weissman, director of the Center for Community Alternatives in New York.

In the discussion, participants talked about the necessary ingredients for effective community programming. There was general consensus that community services should be delivered by “principle-based” (or values-driven) organizations. These organizations should be staffed by caring employees committed to promoting the well-being of young people and providing individualized, strength-based services that are family-focused, culturally competent and rooted in the community. Participants also stressed the need to focus on high-risk youth (avoiding net-widening) and to move youth out of the system as quickly as possible.

Some participants warned against an over-reliance on evidence-based treatment models – which can be expensive and highly prescriptive – to the exclusion of other community-based services that lack rigorous scientific evidence, but often effectively address needs faced by many system-involved youth. Many agreed with the notion that, especially for older youth, jobs and career development opportunities are crucial.

Finally, several workshop participants stressed that effective community programming must be paired with enlightened probation practices. Safeguards must be put in place to ensure that youth are not returned to custody for violating routine probation conditions or for minor misbehavior, such as skipping school, testing positive for marijuana or missing a scheduled probation appointment. Non-residential programming succeeds best when probation officers work hand-in-hand with community providers to extricate youth from the justice system at the earliest possible date.

Workshop #6

DEINSTITUTIONALIZATION, RACE AND ETHNICITY: HOW DO WE ENSURE EQUITY?

Sadly, one of the most glaring and immutable characteristics of America’s juvenile justice system is its disproportionate impact on youth of color. As a share of population, black youth are four times more likely than their white peers to be incarcerated in juvenile institutions, and Hispanic youth are twice as likely than white youth to be incarcerated.⁴² Meanwhile, countless studies show that, in virtually every state, the juvenile court system treats youth of color far more harshly than whites even after controlling for offending history and other key characteristics. Clearly, youth of color have much to gain from the emerging juvenile deincarceration movement.

However, history warns that without an explicit focus on racial and ethnic equity, youth of color are not certain to benefit as much as white youth from the reduced use of incarceration. In fact, deinstitutionalization may actually exacerbate disproportionality in the system if decision-makers prove more willing to consider alternatives to placement or early release for white youth than for youth of color in comparable circumstances. A number of disturbing studies in recent times

have found that probation officers and other system staff subconsciously attribute more negative characteristics to youth of color than to white youth and recommend more punitive interventions.

The workshop to explore linkages between racial equity and deinstitutionalization in juvenile justice was chaired by James Bell, director of the W. Haywood Burns Institute for Juvenile Justice Fairness and Equity. Bell was aided by panelists Marc Mauer of the Sentencing Project and Cynthia Robbins of the Racial Justice Initiative. The group reached a quick and clear consensus that, absent explicit efforts to ensure racial equity, deinstitutionalization is unlikely to reduce disparities in the system. In the words of workshop participants, no one should assume that system-wide efforts to reduce overreliance on incarceration will “trickle down” to youth of color to the same extent they benefit white youth.

Based on this concern, workshop participants explored a variety of strategies for maximizing equity in the context of deinstitutionalization. Participants noted the potential value of “racial impact statements” to assess proposed changes in juvenile justice policy and practice for their likely effects on racial equity. Cynthia Robbins briefed participants on a legal tactic pioneered by Edgar Cahn of the University of the District of Columbia Law School aimed at holding public officials liable for discrimination and “deliberate indifference” to the rights of youths of color in the juvenile justice system when they adopt (or sustain) policies that harm these youth after being informed that alternative policies have been reliably proven to be more effective and less costly. A key element of the strategy is to convene formal events – *Public Notice Forums* – both to inform policymakers about racial disparities and reform opportunities, and also to raise the possibility that future failure to adopt reforms would make the policymakers liable for damages.

Beyond these innovative new strategies, participants discussed a variety of other practices to address racial equity, including the importance of cultural competence, in order to work effectively with youth in the community.



REFORM ACROSS GENERATIONS: Massachusetts veterans Paul DeMuro and Jerry Miller (left and middle) join James Bell, founding director of the W. Haywood Burns Institute on Racial Equity and Fairness, at the symposium.

Conclusions and Cross-Cutting Themes

In addition to the specific ideas that surfaced, the symposium also helped focus attention on two underlying and interrelated themes for the juvenile deincarceration movement: values; and the proper role of data, expertise, planning and best practice.

Values

Leaders from the Massachusetts reform movement of the 1970s spoke early and often about the importance of values. Repeatedly, they made clear that the Massachusetts reforms were driven by a very simple calculus: what's good for kids. This focus allowed Miller and his team to cut through the politics, the bureaucratic resistance, and the budgetary limitations that stood in the way of reform. Miller's book, and the words he and others spoke at the symposium, reflected a deep humanistic impulse to ensure that the state could not and would not continue operating a system that damaged young people's lives while serving no useful or legitimate public purpose. Bart Lubow of the Annie E. Casey Foundation struck a similar theme in describing the "my child test:" Is the system providing the kind of care and supervision any parent would want if their own child became involved in the delinquency court system?

Proper Role of Data, Expertise, Planning and Best Practice

At the dinner held on the eve of the symposium, and during the symposium sessions themselves, Massachusetts leaders recalled a series of unorthodox incidents that occurred during Miller's tenure. These stories elicited hearty laughs from symposium participants, in large part because Miller's unconventional approaches seem unimaginable today. Indeed, Miller's book and the words he and his former deputies presented at the symposium conveyed deep skepticism toward the purported expertise of professionals and managers who, then as now, operate most public human services and corrections systems. They voiced similar skepticism toward mental health clinicians and their methods for assessing, diagnosing and labeling troubled youth.

In retrospect, it is hard to fault Miller for inattention to best practice, expert opinion and systematic decision-making. In the early 1970s, there simply was little evidence suggesting that particular interventions or sanctions worked better than others to rehabilitate troubled youth or help them desist from delinquent behavior. Moreover, despite the lack of careful planning, the absence of evidence to guide the reforms and the dearth of data about the needs and circumstances of the youth in custody, Massachusetts reformers still realized impressive outcome improvements, reducing criminality, saving taxpayers money and minimizing harm and disruption to young people's lives.

Today, however, we have far more evidence about what works and what doesn't in juvenile justice. We know that some interventions consistently yield better outcomes than incarceration and standard probation. And through JDAI and other reform efforts, we have developed a substantial body of best practice evidence to manage populations more effectively and to better tailor approaches to the individual needs of young people.

It is clear that the challenge facing those hoping to capitalize on the present moment of opportunity is the need to build a reform movement that embodies both deep commitment to values and the new knowledge that has emerged about what works. Only by joining the two can the reform movement optimize the odds in pursuit of a youth justice system that lives up to our ideals and embraces what works.

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“We are together 40 years later not just to celebrate and remember a rather remarkable social experiment,” Lubow said, “but because we still confront the same conditions, the same challenges, the same inhumanity.”

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FOR MORE INFORMATION

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