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Troubles in the CYA Nothing New

A cursory look at the history of juvenile justice teaches us some valuable lessons. One lesson is that each "new" institution (reform schools, training schools, group homes, etc.) has been established on the heels of the failure of old institutions which have become overcrowded, inhumane and costly. Each "new" institution has supposedly been more "humane" and would alleviate some of the problems (e.g., overcrowding, violence, abuse of inmates) created by existing institutions. In time, however, these institutions have become as harsh and overcrowded as those they have replaced. The "edifices" have continued to be built and, lo and behold, they (inmates, guards, administrators, etc.) kept coming. These lessons come to mind as I read about the California Youth Authority ("Youth Prison System Unsafe, Unhealthful, Reports Find," Los Angeles Times, 2/3/04).

The United States is unique in the world in that our response to crime and delinquency is by far the harshest. No other country sends more kids to youth prisons (the signs outside these places still read "correctional center"); no other country has a system that fails so miserably. This is another hard lesson of history. It is a history that began with the opening of the New York House of Refuge in 1824. The aims of the founders were stated as follows:

The design of the proposed institution is, to furnish, in the first place, an asylum, in which boys under a certain age, who become subject to the notice of our police, either as vagrants, or homeless, or charged with petty crimes, may be received, judiciously classed according to their degree of depravity or innocence, put to work at such employments as will tend to encourage industry and ingenuity, taught reading, writing, and arithmetic, and most carefully instructed in the nature of their moral and religious obligations, while at the same time, they are subjected to a course of treatment, that will afford a prompt and energetic corrective of their vicious propensities, and hold out every possible inducement to reformation and good conduct.

The name of this institution was a clever play on words, as it promised "refuge" for children who were victimized by the poverty that surrounded the newly arrived immigrants (mostly Irish). However, it was hardly a "refuge," as history would show. Perhaps a more appropriate name would have been the house of "refuse."

Children confined in the houses of refuge were subjected to strict discipline and control. A former army colonel working in the New York House of Refuge said: "He (the delinquent) is taught that prompt unquestioning obedience is a fundamental military principle." It was strongly believed that this latter practice would add to a youth's training in "self control"

(evidently to avoid the "temptations" of evil surroundings) and "respect for authority" (which was a basic requirement of a disciplined labor force).

Within a short time, reports began to surface about the realities of these refuges (more were opened in other cities, like Boston and Philadelphia). Investigations found that there was an enormous amount of abuse within these institutions. They were run according to a strict military regimen where corporal punishments (including hanging children from their thumbs, the use of the "ducking stool" for girls, and severe beatings), solitary confinement, handcuffs, the "ball and chain," uniform dress, the "silent system," and other practices were commonly used. Work training was practically nonexistent, and outside companies contracted for cheap inmate labor. Religious instruction was often little more than Protestant indoctrination (many of the youngsters were Catholic). Education, in the conventional meaning of the word, was almost nonexistent.

In time, the houses of refuge were closed and relegated to the dustbin of history. New institutions rose to replace them, only to suffer the same fate. American society continued to succumb to the "edifice complex" whereby there continues to be a blind faith in the use of huge brick or concrete edifices to solve the problem of crime. Such institutions, and what goes on inside them, are typically ignored until the abuses reach a saturation point where they cannot be ignored. Then a "blue-ribbon commission" is established, newspaper editorials and commentaries once again lament the failure of these institutions (or the occasional book and movie is released, such as "Sleepers"). Nothing changes, however. Why?

There are many possible answers, but history teaches at least one main reason: those locked up have consistently been part of the outcast, the marginalized, the poor, the powerless - in a word, the "dangerous classes." They don't look like "us" for they have dark skins, or are derisively described as "white trailer trash," or they are from the class of the "working poor." In short, they don't matter, since we white middle and upper class folks have nicer places to send our kids who get into trouble. Another reason is that the overall system and the world-view that is part of it is never challenged. Only the miscreants and bad administrators are blamed and are subsequently replaced.

California state senator Gloria Romero (D-Los Angeles) is quoted in the Times article, saying the treatment within the CYA is "appalling," "barbaric" and noted that such institutions are suppose to be for "rehabilitation." Sorry to burst your misinformed bubble, Senator Romero, but they are not and have never been for "rehabilitation." They are places for punishment, and for getting the unwanted out of the way. The "good kids" (read: white and middle class) get rehabilitation, while the "bad kids" (read: poor and/or racial minorities) get punishment. Tip Kindel, assistant secretary of the Youth and Adult Correctional Agency, calls the set of reports "alarming." No they are not, Mr. Kindel. It's "business as usual" in the world of juvenile "corrections." The Times story further reports that the new director of the CYA will "address the problems quickly." Yes, he will "address" them. But nothing much will be done, as usual, because the causes will not be addressed, only the tactics used. Leave the system alone, by all means.

In the final analysis, after a careful review of history, it is hard not to conclude that "nothing succeeds like failure." Taking a broader perspective, such repeated failures may tell us that the continued existence of the "edifice complex" serves certain interests and that in itself is really quite a "success." After all, careers are built and protected, vendors that provide the various services continue to be profitable and various segments of the "surplus population" are taken off the streets. The CYA will continue to exist as long as these various interests are served and the basic assumptions of the system of punishment in America are never challenged.