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29 February, 1996

Senator William Van Regenmorter, Chairman
Senate Judiciary Committee
Farnum Building, Room 405
Lansing, Michigan 48909

Dear Senator Van Regenmorter:

I'm writing in regard to the Juvenile Justice Reform effort that is currently the focus of much discussion throughout our state. I am writing as a private citizen, although professionally I work for the State of Michigan as the Director of the Adrian Training School, and have had my opinion shaped by my work for the past eight years with the serious juvenile offenders whom we serve at Adrian.

I do not agree with the assertion that the current rise in juvenile crime is evidence that the juvenile justice system has failed, although it's tempting to make the issue manageable by pointing the finger at one discipline. In my opinion we have a much broader system failure, encompassing the judicial, legal, educational, political, economic, and probably others. For many years Michigan has been a leader in the United States in the area of child welfare programs, including juvenile justice. There has long been bi-partisan support for enlightened approaches that included strong emphasis on family reunification and empowerment, early intervention and prevention services of a wide, creative variety, and state/private sector partnership in delivery of services. But this is clearly not enough to stem the tide of rapidly changing values in our society and widespread breakdown of the family. Nor are we going to accomplish anything of value by using a bandaid approach such as continuing the prison build-up.

The recently passed Welfare Reform package is, in my opinion, the first major positive step that has been taken to address some of the core issues, and is one of the most positive, exciting examples of primary prevention that has occurred in many years. All of you in the Michigan Legislature are to be commended for your foresight in its passage.

The Juvenile Justice Reform, however, has me very worried in that I believe it to be significantly regressive. Those of us in the field of juvenile justice who have worked with young people who are "at the end of the line" in the State Training Schools, would be the first to agree that some of these young people would be more appropriately housed in prison. We know that we can't rehabilitate all of the youth sent to us, and it is a most uncomfortable moral dilemma to be obliged to release students who have "come of age" when we **know** they are a danger to society. And so, regrettably, the concept of a "punk prison," may have merit for certain youth.

It is the definition of **which** youth are targeted for this "punk prison" that has me concerned. I cannot comprehend that the same enlightened Legislature that passed the Welfare Reform

legislation, could pass the Mandatory Waiver legislation that would place 14, 15 and 16 year olds directly into a prison-like environment without regard to whether they were amenable to rehabilitation. The current waiver laws that provide for due process and permit judges and prosecutors to use discretion as to which youth should be waived, in my opinion, much more likely to result in defensible decisions that take into account the youths' treatability. The so-called "Minnesota model" that sends youth to the juvenile system for rehabilitation, but escalates them to the adult system if they don't respond, is a very realistic and appropriate compromise, I believe.

Speaking as a taxpayer instead of a bleeding heart social worker, **IF** incarceration worked as a deterrent and as a means of reducing the probability of reoffending, I would not be writing to you now. When I hear TV and read newspaper accounts of the horrible crimes being committed by young people AND adults, I am sickened, and prison sounds too good for them. The sad fact however, as you know, is that the only thing that incarceration does is to get offenders off the streets for a temporary period of time, only to return them to society much more savvy in criminal behavior and much more bitter against mankind.

Over the past 15 or so years, the field of juvenile justice has progressed tremendously in understanding the correlates of certain types of criminal behavior and developing treatment methods to remediate them. We are very clear now on the strong correlation between childhood trauma, abuse, neglect, etc. and dysfunction in later life. The major crimes committed by juveniles, such as criminal sexual conduct and murder, (and for which they would be automatically waived to the "punk prison") are frequently either learned behaviors (such as being repeatedly raped by family members while growing up) or may be an act of extreme rage resulting from sustained abuse. These are two of the most "treatable" categories of crimes we work with.

Our ability to rehabilitate youth is related to several factors, including family involvement in our treatment program, length of time involved in criminal behavior, intensity and duration of childhood trauma, pattern of failed rehabilitation attempts and viable aftercare services. Some of the youth who are most resistant to rehabilitation are those with a long history of drug/gang involvement, who have committed Type III crimes such as property offenses, assault, fire arms, car theft, etc. Youth who have committed Type III crimes, however, wouldn't typically be candidates for the "punk prison." And so, with the proposed waiver legislation, many youth for whom we have developed an effective technology to rehabilitate, would not be given the opportunity to turn their lives around. Parenthetically, education for these most serious offenders, while important, is not the key to rehabilitation. Without education they will not be able to make an independent life for themselves, but without indepth treatment focussed on their thinking errors and crippling anger, they will continue to commit serious crimes. The two must go together, and that cannot be done cheaply. A State Training School bed costs approximately \$216/day. The average length of stay, however, is less than two years, as opposed to 10+ years in prison at \$74/day. The majority of the training school graduates do not return to a life of crime, which is not true of prison graduates.

The irony of the assertion that the prison industry is the major growth industry in our country, is that the product produced by this growth industry is criminals. The cost of retribution is too high. To promote public policy that locks up a person for 10-20-30 years at the cost of \$27,000/year, only to have them returned to society more criminal or dysfunctional than before incarceration, is unthinkable if logic is applied. The only possible explanation for our continued build-up of a multibillion dollar industry that is destroying our quality of life, is that we are being driven by emotional/media hype.

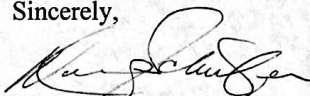
On the other hand, prevention and rehabilitation programs, that are not "quick fixes" as prisons APPEAR to be, may be expensive at the front end because the problems are complex and of long duration, but in the long run contribute to rebuilding a healthier society (such as Welfare Reform). I'm not advocating closing prisons at this point, because we need to protect the public, but I am advocating putting as much emphasis (and monies) on prevention and rehabilitation as on prisons in order to slow down the prison build-up. The sixty million dollars targeted for a 460 bed punk prison, would give long range positive returns on our investment if we instead invested forty million on prevention and rehabilitation, and only twenty million on a 100 bed punk prison. There is a great deal of collective wisdom in our communities throughout the State. Most folk understand that crime is a very complex problem that has been many years in the making and that will demand complex solutions. I would suggest that the State undertake a comprehensive bi-partisan/nonpartisan planning process that empowers communities, in partnership with the State, to assess the scope of the problems being encountered and to develop long range strategies to rebuild healthy, safe communities. This would obviously be a massive undertaking, but should result in a multi-tiered approach that would dove-tail with the enlightened leadership you've already taken in passing Welfare Reform.

There is probably very little glory, as a legislator, in promoting spending tax dollars for programs such as prevention and rehabilitation that may not show a return during your term of office. But it is the right thing to do and we, the taxpayers, are looking for leadership that will not only protect us in the short run, but build a healthier society in the long run.

And finally, I'd like to invite you to visit Adrian Training School and spend some time talking with the youth who would be in the punk-prison instead of being rehabilitated here, if this were two years in the future. It's a sobering experience and one you wouldn't be likely to soon forget. We all would most sincerely welcome you.

Thank you for taking the time to read this, and for considering my invitation to visit our campus. I would, of course, be happy to answer any questions you may have.

Sincerely,



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