

4-15-1996

Solving the Problem: Rehabilitation, Reformation, and Other Solutions

Ralph A. Rossum

George Nicholson

Reuben Greenberg

William P. Haney Jr.

Follow this and additional works at: <https://digitalcommons.pepperdine.edu/plr>



Part of the [Criminal Law Commons](#), [Juvenile Law Commons](#), and the [Law Enforcement and Corrections Commons](#)

Recommended Citation

Ralph A. Rossum, George Nicholson, Reuben Greenberg, and William P. Haney Jr. *Solving the Problem: Rehabilitation, Reformation, and Other Solutions*, 23 Pepp. L. Rev. Iss. 3 (1996)
Available at: <https://digitalcommons.pepperdine.edu/plr/vol23/iss3/6>

This Symposium is brought to you for free and open access by the Caruso School of Law at Pepperdine Digital Commons. It has been accepted for inclusion in Pepperdine Law Review by an authorized editor of Pepperdine Digital Commons. For more information, please contact bailey.berry@pepperdine.edu.

PANEL THREE

*Solving the Problem:
Rehabilitation, Reformation, and Other Solutions**

PROFESSOR RALPH A. ROSSUM

Professor Ralph A. Rossum is the Henry Salvatori Professor of Political Philosophy and American Constitutionalism at Claremont McKenna College. He previously taught as a tenured professor in the political science departments of Memphis State University, Loyola University of Chicago, and the University of Redlands. He is a past President of Hampden-Sydney College, Vice-President and Dean of the Faculty at Claremont McKenna College, and an Associate Dean of the Graduate School at Loyola University of Chicago.

Professor Rossum served as Deputy Director of the U.S. Department of Justice Bureau of Justice Statistics. From 1985-87, he was the project director of "Juvenile Justice Reform," a million dollar, two-year research and legislative training program funded by the Office of Juvenile Justice and Delinquency Prevention of the U.S. Department of Justice. The program's objectives included the drafting of a model juvenile justice code and legislative training through a national conference, major workshops, and intensive liaison/training sessions in selected states. Professor Rossum has also been a member of the United States Department of Justice National Institute of Corrections Advisory Board.

Professor Rossum has written over fifty books and articles on constitutional law and criminal justice issues. One of his recent articles, 'Holding Juveniles Accountable: Reforming America's 'Juvenile Injustice System,' was published in the 1995 edition of the Pepperdine Law Review. 22 PEPPERDINE LAW REVIEW 907 (1995). Professor Rossum was instrumental in helping to organize and coordinate this symposium.

I do want to begin by thanking Debbi Stoll and the great cooperation she and I have received from the Pepperdine Law Review staff in putting this symposium together. I also want to acknowledge and thank Robert Ming who is sitting in the second row. Robert Ming is an alumnus of Pepperdine Law School; he graduated this past year. He was Lead Articles Editor of the law review, and it was through conversation with Mr. Ming and Ms. Stoll that the idea of the symposium arose. I'm grateful for the wonderful turnout, the intense interest that you are showing in

* Special thanks to Jerry Regier, Director of the Department of Juvenile Justice, Oklahoma City, Oklahoma, for his participation as a moderator for this panel and his contribution in making this symposium a success.

this question, and the full support that Pepperdine has given to this program. This afternoon, I want to talk briefly about the issue of character. I want to address what Attorney General Meese said during his luncheon address concerning moral poverty, and I want to argue that we must shift the ground of the juvenile justice system from the idea that delinquency is a disease that needs a cure to the idea that the juvenile justice system is a means of inculcating character.

I want to begin with some crime statistics which show a strong upward trend in juvenile crime. I want next to look briefly at some demographic explanations for this increase in juvenile crime. I want then to consider how demography and moral poverty seem to be combining in a most unfortunate way—in a way that James Alan Fox, a criminologist at Northeastern University, has characterized as an impending crime storm. We are currently enjoying what might be termed the calm before that crime storm.

How well can juvenile courts, as presently constituted, deal with this coming crime storm? My answer: so long as they are based on the traditional century-old treatment model, not well at all. We need to be think about moving to a “just deserts” model. I will argue that it is only as a sanction is deserved—it is only as something is done to someone because it is deserved—that we can speak of it being just or unjust.

First, some statistics: The F.B.I.'s November 1995 Uniform Crime Reports show that serious crime in the United States was down 2 percent from the last year, and down 7.7 percent since 1990. That's the good news. The bad news is that juvenile crime increased 4.5 percent over the previous year and 13.8 percent since 1990. Juvenile violent crime increased 5.7 percent over the past year and 29.9 percent since 1990. In 1995, population projections by the U.S. Census Bureau showed that those who are between the ages of ten and eighteen constituted 12.6 percent of the total U.S. population. Yet, according to this November 1995 UCR report, those from ten to eighteen years old commit 30.9 percent of all index offenses, 19.4 percent of all violent index crimes, and 35.1 percent of all index property crimes.

Over the past ten years juvenile crime has been soared. During that same time period, however, the most crime-prone age group, namely boys fourteen to seventeen years of age, fell by 10 percent. We witness a strange phenomenon: juvenile crime goes up when the juvenile population falls, and it also goes up when the juvenile population climbs. All of that suggests to me that the juvenile justice system is failing; it suggests to me that it is broken and in need of major reform. During the past decade the number of juveniles arrested for murder soared 128 percent.

Murders committed by male blacks between the ages of fourteen and seventeen, 76 percent of whose victims were also black, soared 320 percent. During the 1980s, the number of arrests for weapons violations increased by 175 percent for those between twelve and fifteen years of age, and 133 percent for those between fifteen and eighteen years of age.

What factors can explain this soaring crime rate? Well, clearly demography explains part of it. From 1990 to 1995, during which we had a 13.8 percent increase in juvenile crime, boys between the ages of fourteen and seventeen increased by 9 percent, so that explains part of it. Demographic forces should give us great cause for worry; as Attorney General Meese mentioned during his luncheon address, the number of boys in the most crime-prone age group is going to increase sharply in the next decade and a half. Between now and the year 2000 we will have 8.3 percent more fourteen to seventeen-year-old boys than we have today. By the year 2005, we will have 16.2 percent more, and by the year 2010, 19.3 percent more. These data are for the overall population. If we look at minority populations, we see that, among blacks, the number of boys between fourteen to seventeen years of age will increase 6.7 percent in the next five years, 20.6 percent in the next ten years, and 25.4 percent in the next fifteen years. Among Hispanics, the number of similarly-aged boys will increase 15.6 percent by the year 2000, 42.2 percent by the year 2005, and a full 60 percent by the year 2010. This translates into 625,000 more fourteen to seventeen-year-old boys by the year 2000, and 1.5 million more boys in the most crime-prone age group by the year 2010.

In their birth cohort studies, Professor Robert Figlio, on today's symposium program, and Marvin Wolfgang have established that within each birth cohort there are going to be about 6 percent of that cohort who will do about 50 percent of all the crime and about two-thirds of all the violent crime committed by that birth cohort. Their findings mean that we will have, by the year 2000, approximately 37,000 more chronic juvenile offenders in the country than we have today. By the year 2005, we will have 73,000 more, and by the year 2010, 87,000 more people who in all likelihood will be doing at least five crimes each during their juvenile careers.

Now, demography does not explain why the crime rate is going up faster than the juvenile population rate. We must look at more than simply demography. We must also look at something that Attorney General Meese mentioned during his luncheon address: we must look at Professor John DiIulio's theory of moral poverty. Professor DiIulio defines moral poverty as that "poverty of growing up surrounded by deviant, delinquent and criminal adults in abusive, violence-ridden, fatherless, godless and jobless settings." His argument is that moral poverty renders impossible the formation of character necessary to lead a decent life. Professor James Q. Wilson, in his book, *ON CHARACTER*, defines character

as empathy and self-control. Empathy, for Wilson means, the "willingness to take importantly into account the rights, needs and feelings of others." In other words, a person with character is not simply self-regarding. "Self-control refers to a willingness to take importantly into account the distant consequences of present action." In short, a person with character is future-oriented rather than present-oriented. I would argue that we have a situation in our nation today where moral poverty is growing at such a rate that it is exceedingly difficult to inculcate any notion of character, any sense of empathy, any sense of self-control, any checks on self-regarding and present-oriented behavior.

Look at what we have. The Bureau of Justice Statistics (B.J.S.) reports that, among those who are in prison today, 43 percent were raised in single-parent families, 25 percent reported that their parents or guardians abused alcohol or drugs in the home, and 37 percent had an immediate family member who had a prison record. Among the chronic offenders, two-thirds were raised in single-parent households, 37 percent spent some time in foster care, over one-half had parents who abused drugs or alcohol, and over 60 percent had an immediate family member who had spent time in prison. This poverty perpetuates itself from one generation to the next. The same B.J.S. survey of prison inmates reveals that 32 percent of male inmates and 42 percent of women inmates had two or more children under the age of eighteen that they had left behind as they entered prison, and 62 percent acknowledged that they had been using drugs regularly in the home in the year before their incarceration.

Moral poverty is rampant in society, and it is increasing. We see it in soaring illegitimacy rates and single-parent household rates. We see it in increased rates of child abuse and neglect. My question is, as the dark and ominous clouds of moral poverty strengthen and as they gather together with the demographic updrafts we are experiencing, what kind of shelter from this impending crime storm can juvenile courts provide both at-risk youth and the public at large? My answer is, almost none, because, while we may refer to our juvenile justice system as a justice system, justice appears only in its name and not in its operative principles. If justice were in its operative principles it would be based on the concept of desert, for, to paraphrase C.S. Lewis from his essay, "*The Humanitarian Theory of Punishment*," it is only as it is deserved or undeserved that a sanction can be just or unjust.

Mr. Disco's comments in an earlier session are fitting here; we operate our juvenile justice system on the basis of the treatment model. We view delinquency as a disease and want to restore the juvenile to the state of health he would have been in but for that disease. However,

such a juvenile justice system itself lacks character as defined by Professor Wilson. It focuses only on the offender, not on the victim, and is therefore self-regarding. It does not attempt to shape the character of the person for the future, but is instead content to correct the disease that the child is experiencing, and is therefore present-oriented. When we use a treatment model, we end up depriving ourselves of many opportunities to educate juveniles about issues of character. We forfeit the opportunity that the juvenile courts have to teach empathy and self-control. For example, we blur the distinction between an act and its consequences when we focus only on the offender and not the offense. We do not force the juvenile to confront the consequences of what he has done, which is surely a lesson in empathy, nor do we make him understand that what is being done to him is as a result of his criminal offense, which is a lesson in self-control.

There is an alternative to the treatment model; it is the “just deserts” or justice model. The justice model focuses on the offense rather than on the offender. It has as its goal to inculcate individual responsibility in the juvenile and, at the same time, to hold the juvenile justice system accountable for what it does to him. The justice model can also be described as an individual-responsibility, system-accountability model. Its key aspects include the idea that, as juveniles become older, as they become more involved in crime, and as they develop a police record and do more (and more serious) crimes, the sanctions that are brought to bear against them move increasingly from what would be appropriate in a juvenile context to what would be appropriate in an adult context. Right now juveniles operate on what I call a “cloud of juvenile irresponsibility” until they reach the age of majority. Then they suddenly crash down on the hard ground of adult responsibility. A better, more just system would have a whole set of little notched steps of increased juvenile responsibility, so that when a juvenile moves from 364 days after his seventeenth birthday to the age of eighteen, the step is not dizzying and dramatic, but small, reasonable and uneventful, and prepared for.

A juvenile justice system that uses a sanctioning scheme where the seriousness of the offense, the age of the juvenile, and the offense history of the juvenile all play a critical role in determining the disposition that the juvenile receives is a juvenile justice system that can teach character. Such a system would still allow room for rehabilitation—it would not eliminate rehabilitation. The reason for the sanction is the offense; the sanction provides the occasion for rehabilitation. The argument in my paper is more elaborate than I can give in fifteen minutes. Let me close by simply saying that to the extent, and so long as we continue to operate our juvenile justice system on the basis of the treatment model, we will continue to view the 1.5 million additional boys we’re going to have by the year 2010 as a cause for alarm, not as a cause for celebration.

THE HONORABLE GEORGE NICHOLSON

Justice Nicholson received his J.D. from Hastings College of Law and is presently an Associate Justice on the California Court of Appeal, Third District. Justice Nicholson participated on the Executive Committee of the Commission of the Future of California's Courts and chaired the Commission's Appellate Courts and Technology Committees. Previously, he served as a trial judge in both the Superior and Municipal courts of Sacramento County. Additionally, he served as legal and education advisor to Governor George Deukmejian, as Senior Assistant Attorney General in the California Department of Justice, as Executive Director of the California District Attorney's Association, and as senior prosecutor in the Alameda County District Attorney's Office.

I appreciate the opportunity to be with you this afternoon. It is a privilege, in particular as to the young people who hosted us for dinner last evening. They have conducted this program virtually in its entirety and deserve our commendation. They have done a very good job. It is a privilege to reunite with Lois Haight and Ed Meese—we were all prosecutors in Alameda County. We learned a great deal from one of our mentors there, J. Frank Coakley, who was the district attorney of all district attorneys, some would say. He was instrumental in forming the National District Attorneys Association, the California District Attorneys Association, and, eventually, the World Prosecutors Association.

Some of the things I am going to talk to you about this afternoon were inspired by J. Frank Coakley, Ed Meese, Lois Haight, and all the other people who have served in the Alameda County District Attorney's Office. One of the elements practiced then, and less practiced now, is mentoring. That word was not in vogue in those days, but the elders, in effect, took the youngsters under their wings and taught them about the Evidence Code, California Jury Instructions, trying cases, picking juries, and how to relate to people and make sense. But, probably the most important thing taught to us by J. Frank Coakley, Ed Meese and the other elders in the office was how to get along with other people, bridge gaps, work with other agencies and organizations, and give other people credit for having good ideas—and to recognize that humility is the order of the day.

I think you heard some of the other speakers talking about people in government being conceited, self-centered, and even arrogant. I think a lot of what is perceived that way is a function of institutional pressures. That is, an overly-focused sense of duty to the particular organiza-

tion we each serve. So, as I spend my few minutes with you, let me indicate to you that we are going to have a change of pace. You've had some specific comments and issues presented to you about juvenile justice per se—and frankly we have heard a mountain of data, ideas, and detail. We all know, as was said earlier, the devil is in the details. Consequently, I think part of the problem with the juvenile justice system, just as with the administration of criminal justice generally, is that we are buried in minutia; we're dogged by the details; we don't communicate effectively with one another. We must figure out how to do what Justice Robert N. Jackson of the U.S. Supreme Court said almost fifty years ago: "While the Constitution diffuses power the better to secure liberty, it also contemplates that practice will integrate the dispersed powers into a workable government. It enjoins upon its branches separateness but interdependence, autonomy but reciprocity."¹

Simply put, we must figure out how to forge workable governance from dispersed powers. That is true for both criminal *and* juvenile justice. We have dispersed our powers both in the state and the federal constitutions, to preserve liberty. But, in the process of doing that, many of us have become too wedded to the institutions that are described as independent and with the subinstitutions in the three branches, such that we are too territorial and too hidebound in the preservation of our individual domains.

Now, some people would say that is arrogant. Having worked with people at all levels and all branches and agencies—state, local, and federal—I don't think it is as much arrogance as it is a sense of duty to the institutions we serve. Everyone knows you cannot serve your institution without working effectively with others *inside* it. That is, in many ways, even more true as to others *outside* it. One of the lessons I learned in that regard came from Pepperdine Law School, Dean Ronald Phillips and President David Davenport. I worked at Pepperdine once. I didn't teach in the law school; I taught in the graduate school of education and psychology and dealt with educators throughout the state and nation. The program we dealt with got educators and police officers together in a graduate study program where they took degrees enriched by the contributions of both disciplines. In terms of dealing with juveniles, the professionals left that program with their masters degrees enriched—educator by cop and cop by educator—in ways which enabled them more effectively, to communicate and work with one another.

There is a professor at Harvard; his name is Andrall Pearson. He has described the way he envisions that America's corporations should work. He says they need two systems: one to operate the business and one to

1. *Youngstown Sheet & Tube Co. v. Sawyer*, 343 U.S. 579, 635 (1952) (Jackson, J., concurring).

develop new ideas. We need the same for every aspect and element of government in California and throughout the country. We need people and elements in each agency and organization to run the business. We also need people devoted to—and funded effectively—developing new ideas in all branches and on all levels of government. Moreover, these original thinkers must collaborate effectively with one another. Thus, forging workable governance from dispersed powers should be the credo of everybody in government.² That is particularly true when we deal with the administration of justice generally and juvenile justice specifically.

All of you have heard the term “social compact”: the idea that people delegate their protection to the government—their homes, their families, their children, their schools, their communities—in return for giving up the right of self-defense, at least absent an emergency. I don’t think most of us can define or trace the history of the social compact effectively. In particular, most people in government can’t do it either. Consequently, to renew the social compact we must relearn and recognize that the essential, fundamental, primary function of government is to provide a civil, orderly, humane, and safe society so that all of the things we normally dispute can be resolved in peace and tranquility. As Professor Clinton Rossiter put it, “No happiness without liberty, no liberty without self-government, no self-government without constitutionalism, no constitutionalism without morality—and none of these great goods without stability and order.”

Professor Andrew Willing wrote a pertinent article several years ago.³ It has gone largely unnoticed. I have read it several times. I recommend it to you. On pages twenty-two to fifty-four, there is a discussion and analysis of the social compact. The social compact plays a role every day in the life of every peace officer. Peace officers must adhere to the social compact as they pursue their duty of trying to enforce the law. Among the laws they try to enforce are those which require citizens, particularly juveniles, not to resist, delay, and obstruct a peace officer, and likewise, if in a vehicle, not to flee from a peace officer. And yet, two of the major problems we have in society, particularly with juveniles, are disputes with law enforcement officers which give them a very bad name, regardless of who is right in the aftermath of an allegation of

2. Nicholson & Hogge, “Retooling Criminal Justice: Forging Workable Governance From Dispersed Powers,” Selected Essays, American Ass’n of Law Libraries (July 1996).

3. Andrew R. Willing, *Protection by Law Enforcement: The Emerging Constitutional Right*, 35 *RUTGERS L. REV.* 1 (1982).

excessive force. Everyone would be better served if we could teach our children not to resist. We would have many fewer incidents involving allegations of excessive force. If we could persuade our children not to flee peach officers, and it's really better if they simply submit and let any disputes to be ironed out in a proper forum.

There's an alliance of Asian students at UC Irvine where there has been an ongoing dispute about the relationship between the peace officers and Asian students. This alliance for preserving the rights of the Asian students has a little card, much like the Miranda card peace officers have used for years. It tells these students how to react when confronted by peace officers. The card says, "Do not resist. Go quietly. Be civil in your relations with peace officers." Does that mean that they are deferring to and submitting to autocratic behavior by cops? No. It simply means these young people have a better chance of surviving when they resolve disputes in proper times and places. It also means they (and peace officers) have a better chance of completing their education (and doing their jobs). In short, where there is a run-in with a peace officer, it must be resolved in a civil and orderly way rather than by resisting and creating an incident involving excessive force or a high speed chase.

This may seem simple and irrelevant for our discussion today. I don't think it is at all. When our discussion moves to the current climate of poverty, we can only blame ourselves. If you come to the state capitol and you sit at the front door of my court, you're going to see governmental officials jaywalking all day long—and you're going to see them get in their cars at the end of the day and run red lights and stop signs constantly. The highway patrol says Sacramento is the single worst city in California for traffic offenders—and you go down by the capitol, and you see governmental officials all over the place doing that very thing. What kind of example is that?

Earlier this morning graffiti was discussed and similar issues raised. If we don't honor the traffic laws, who is going to honor them? And if we don't do something about graffiti, who is going to do something about it? On the other hand, a lot of people now say we misplace funding *and* priorities when peace officers enforce traffic laws and graffiti. Everyone who knows anything about this—and I assume all the professors here will validate this—know that when you have a police presence in the community enforcing minor laws, there's a spillover in terms of the effectiveness of the major laws. The injunctions discussed earlier this morning show, in some communities, they have worked effectively. Gangs moved out and have not moved to other communities because they know they would not be tolerated. So, again, forging workable governance from dispersed powers is essential.

What's going on in Sacramento in that regard? There is an organization called the Justice and Technology Forum. Many of you have computers, and most of you know they're useful—so much so they are lead-

ing to reformation of the administration of justice. When we worked in balkanized ways and with individual budgets, and individual funding cycles and relationships—with no technology—we could not do that. Now that we have a wide range of technologies and are developing large and responsive database storage, access, and retrieval systems, we find we must work together. Similarly, we must work together in developing substantive programs which reduce crime.

This Justice and Technology Forum has an advisory board. It is co-chaired by the state public defender, Fern Laethem; one of the top deputy attorneys general for Dan Lungren, Tom Gede; and a superior court judge, Tom Cecil. These distinguished co-chairs deliberately constructed the advisory board so it represents all the principal parties in the administration of justice. The members of this board are comprised of everybody in justice—from corrections to social work, everybody is a key leader who can go back to his or her respective domain with credibility and talk about not only technology, but policy development. When we have a meeting, we even have representatives of the media there. When we have a meeting, we can all relax and talk about mutual interests and problems and conflicts and difficulties and divergences of thought, philosophy, and policy in ways that we know we are enriching to one another but without risking anything such as having it wind up in the media. This is an important point because one participant is Terry Frank, the Executive Director of the First Amendment Coalition, which numbers among its institutional members, the California Newspaper Publishers, California Broadcasters, and Society of Professional Journalists.

Taking this one step further, how may we all work together to develop and forge workable governance from dispersed powers? There is really only one way. We must educate ourselves and our children better and energize and persuade all branches and levels, including the educational community, to get involved. More importantly, we must take our message to the people. About thirty years ago, Leon Jaworski, who most of you will recall as the Watergate prosecutor, gave a speech to a gathering of prosecutors. He said when you run into judges that don't behave, that are not honoring the law, take your message to the people—the people will respond. And if you find legislators that won't respond appropriately, take your message to the people—the people will respond. What has really happened in this country, and, in particular, in California, over the last thirty years, is that we have not effectively communicated and collaborated. We have not taken our message to the people nor have we honored our elders (or challenged them to help). We have not perceived ourselves as parents, in effect, of all of the state's children and felt a

shared kinship and a responsibility for all of the children, behaving and unbehaving. We are but temporary stewards of the roles and offices that we occupy. In those roles and offices we have a higher duty to forge workable governance from dispersed powers and take rational, intelligent, cohesive, integrated messages to the public.

Last October, a most remarkable event was announced. For the first time in thirty years, the leaders of education in California had met and worked together for six months to reassess and revitalize education. I don't think anyone in this room will say that education is doing all it should, anymore than juvenile justice is doing all that it should. The President of the University of California, the Chancellor of California State University, the Chancellor of the Community Colleges, Delaine Eastin, the Superintendent of Public Instruction, and David Davenport, a lawyer and the president of this university, representing the private universities, worked together silently without media coverage for six months to develop a ten point plan to bring education into the twenty-first century. I haven't had a chance to talk to David about this ten point plan, campus climate, campus security, or campus tranquility. The California Constitution mandates, "All students and staff of public primary, elementary, junior high and senior schools have the inalienable right to attend schools which are safe, secure and peaceful."⁴ Nevertheless, our leading educators did not posit as a top priority campus climate or social compact. They also neglected to formulate what each university system (and the public school system) is going to do with these two vital subjects in ensuing years to identify, to educate, and to renew the social compact for everyone. If public schools are going to exist at all, they must teach children working with their teachers, how to get along with one another, to understand their responsibility to one another and to behave civilly and decently.

The U.S. Supreme Court declared in *Bethel School District v. Frazier*,⁵ in 1986, the schools not only have a duty to teach these things with tests and books and so on, they have a responsibility to teach by example all these things about ethics and civility and responsibility and truth and integrity. Only by mentoring, as J. Frank Coakley and his Alameda County successors tried to teach Ed, Lois, and me, can we endure as a civilized people. The schools haven't been doing that. We have to change that and work with those people, particularly David Davenport and the other friends we have in all those institutions, to get together and develop programs that begin at the earliest stages of preschool and kindergarten—to save children before they get into the maelstrom.

We must recognize, contrary to some of the comments I heard to-

4. CAL. CONST. art. I, § 28(c).

5. 478 U.S. 675 (1986).

day, that there are really two tracks with which we must deal. The one track is the here and now, protecting the public and protecting our children from crime and violence such that they can do the things that they should be entitled to, living in what we conceive as a civilized and ordered society. But, even as we deal with the here and now—and we in effect take down the miscreants who are violent, invading the home, carjacking, beating up, robbing, maiming, and killing—we must deal more responsibly and effectively with anticipating and preventing all of this from happening. The people principally charged with that are the educators—and they haven't been doing their jobs any better than have the rest of us. We must work together and share the responsibility for developing education and crime prevention programs which work.

So my closing comment is this: We must work together civilly and humanely, with great humility, tirelessly striving to forge workable governance from dispersed powers. I think frankly, if we view this job with optimism and pursue it intelligently and indefatigably in all our shared responsibilities, we can do a great deal more than we have.

CHIEF REUBEN GREENBERG

Chief Reuben Greenberg has been the Chief of Police of the Charleston, South Carolina Police Department since 1982. In an effort to reduce juvenile crime, Chief Greenberg implemented numerous specialized programs, and succeeded in reducing crime in Charleston by forty percent. He was formerly the Undersheriff of the San Francisco County Sheriff's Department; Chief Deputy Sheriff of the Orange County Florida Sheriff's Department; Chief of Police in Opa-Locka, Florida; a Major with the Savannah, Georgia Police Department; and a deputy director of the Florida Department of Law Enforcement.

Chief Greenberg is a graduate of the FBI National Academy. He received a Bachelor of Arts degree from San Francisco State University; a Masters of Arts degree in Public Administration from the University of California, Berkeley. In addition, Chief Greenberg has taught courses in Sociology, Political Science, and Criminal Justice at the university level.

Chief Greenberg has appeared on various national television talk-shows including "60 Minutes," "Cross Fire," "The Morton Downey Show," "Modern Maturity," "The Editors," "Good Morning America," "The Today Show," "700 Club," "The Phil Donahue Show," "Larry King Live," "The MacNeil-Lehrer News Hour," "Both Sides With Jesse Jackson," "The

Sonia Friedman Show," and the "Charlie Rose Show." In addition, he has written as a guest columnist for several newspapers, has authored numerous police-related articles, and co-authored a book entitled LET'S TAKE BACK OUR STREETS.

I would like to talk specifically about initiatives that we have used in Charleston in order to reduce what we refer to as criminal victimization—not only by juveniles, but also of juveniles. Charleston is a very unusual city on today's American scene in a crime sense, in that our crime rate is lower in many categories than it was in the 1950s. At the same time, our population has increased over eighty percent during that time. For example, in 1994 we had the lowest number of recorded burglaries in thirty-five years, and the lowest number of armed robberies in twenty-two years. Homicide is down thirty-five percent from the last fourteen years compared to the fourteen years before that, or even the fourteen years before that, since the FBI has been keeping figures. People see this and they wonder, "Well, how does all of this magic take place?" This is either a tremendous amount of magic or, perhaps, good luck that has come year after year. We believe that we have done some things to make it difficult for various types of criminal victimization to take place and easy for the community as a whole to address various types of problems as they occur. It is a city that you can go to and find absolutely no graffiti. Any graffiti that is seen by ten o'clock in the morning will be gone by five o'clock in the afternoon. It is not a problem. It is a function of government in Charleston to eradicate graffiti. We collect garbage at private property, we put flowers out on private property, we also take graffiti off private property. We do this because we are a tourist economy and people are not going to leave Los Angeles, where it is graffiti-ridden, to come to Charleston to see another city that is graffiti-ridden. We do that because that is how we make a living, from the 5.5 million people who come to our city each year. That is our main business. Consequently, not only must our community be safe, but it must appear to be safe. In areas in which you have graffiti and so forth, it is very difficult to convince people that this is a safe area.

One of the advantages that juveniles have is that they are not held accountable for their actions. People, such as Father Flanagan, have said there is no such thing as a bad boy. Father Flanagan has never visited Charleston. So, if bad boys don't exist, then bad boys can't do bad things; therefore, anything they do has to be looked upon in a different way. As an offense, it is an incident; it's never a crime to which that particular person would be held accountable in any meaningful way.

We had a very, very serious problem that started us on the road to doing something about some of these problems. That problem was auto theft. We were having numerous automobiles being stolen, and the perpetrators were primarily eleven to fifteen years old. Whenever you would

throw the blue and red light on them, they absolutely would not stop. To them it was an opportunity for a real fun chase through the neighborhood by the police. We all know the folly of that type of police pursuit when you are only protecting a property interest.

Consequently, there was not really anything being done about it. These individuals were relatively easy to spot, and even to apprehend, because it looked as if there was nobody driving the car. The problem is that, regardless of the fact that we recovered ninety-five percent of automobiles in whatever level of condition they may have been, nothing meaningful was done to show these individuals that they had done something wrong. As a matter of fact, we caught one individual five times in a single week stealing automobiles—and why should we not do so?

The reason is that we have to bring the juvenile through the front door of the police station, because we are told by the social workers, that if we bring them through the back door of the jail, then they might see the bars, and, if they see the bars, it will give them a stigma from which they will never recover. So, not wanting that to take place, we put them in the lobby, the same place that you might sit yourself if you were to come to visit the Charleston Police Department. Within about an hour, the individual's paperwork is complete and the individual's parents are called. The parents either come and pick them up, or if they do not have the money to pick up them, or do not have an automobile, or the buses are not running that late, we take them home. They go to school the next day, just like they would on any other day, and tell the other kids about it and these people want to participate in it as well. So we learned very quickly that simply apprehending them was not going to work because nothing happens on the other end. Therefore, we had to obtain a prevention mode.

Juveniles have the advantage of being juveniles—they are not subject to the same types of sanctions as adults. But at the same time, they also have some disadvantages. For example, they can be held accountable for certain status offenses. So, rather than looking forward into the future for new and exciting ways of dealing with the juvenile crime of auto theft, mistakenly referred to by some as joyriding, we decided to look backward. What we decided to do was something old-fashioned, something that is so old-fashioned it kind of embarrasses me to tell a sophisticated California audience about it. That is, we decided to go back in time and reinstitute the truant officer program in the City of Charleston Police Department. Truant officers used to be a mainstay of the educational system in this country. For fifty years we had a very strong antitruant effort throughout the United States. It worked in New York

City, with 8,000,000 people and 1200 truant officers, and it also worked in cities as small as Buffalo Breath, Montana, which had one truant officer. So, it was something that could work in very large communities as well as very small communities. The good thing about it was that we didn't need to pass any laws, all we had to do was decide to enforce that particular law. Legal research indicated, to our surprise, that there had not been a single adverse federal or state court case regarding the school district's or the police's authority to pick kids up who are out of school and return them to school.

What had happened was that during the late 1960s, a group of people gained control of our education system—schools of social work, sociology, you name it—and these people had a little different philosophy. "You don't need a truant officer in order to force kids to go to school because we are going to develop a curriculum that is so wonderful, that's so exciting, that's so interesting, that the kids are just going to love to go to school. The custodians, when they come to work in the morning, will have to step over them on the sidewalk, they will be so eager to get in. The school bus drivers will have to honk, honk, honk their horns on the buses in order to entice students out of the library so they can be taken home." That was the theory. Unfortunately, no one asked the kids, "Would you rather study the Spanish-American War, or would you rather go to the mall?" Well, the kids knew the answer to that question fairly easily, and so we wound up with the situation we have now. We have the school lunch program in place, the school breakfast program in place, school buses to take them to and from school in place. The problem was that little Johnny or little Mary frequently was not in school, but all this money was being expended.

Now, Charleston, unlike California, is not a rich state. We are a very poor state, a southern state—what else can I say? Whatever we do, we have to utilize existing resources in order to accomplish our particular goals. We looked into truancy law and felt that what we could do was to go back to enforcing these laws, remove kids from the street, and take them back school. Since we started this particular program we have transported some 5000 of these individuals from the street back to their particular schools. Not only have we transported those 5000, but some interesting things have also developed. Not only has the number of auto thefts gone down, which was what we were really interested in, but the number of burglaries, larcenies, shoplifting, purse snatching, and breaking-in automobiles all also went down. Daytime crimes went down twenty-seven percent by assigning one officer in each precinct to be a truant officer.

In Charleston schools, they had what they called "attendance supervisors." Well, when you hear the word supervisor, to a chief of police, it means you have a guy that is not going to do any work. So, what happens is that these people sit down and keep these little sheets of paper

of who was at school that day, who was not, and mail out things to the parent saying that "Johnny missed so many days of school." Nobody went out, as they used to, looking for the kids at the beach and the other locations, at the mall, and driving the automobiles. Even when I was a patrol officer, I never thought I would have to do anything about kids. I would stop at a stop sign and see the kids walking across the street in front of the stopped lane. I would say to myself, "Boy, it looks like he is about twelve years old. I wonder why he is not in school?" But I never stopped and said anything to him, because somebody in Tallahassee, or Columbia, or perhaps Sacramento, would pass a law and all of this would go away, as if by magic. Somehow, I, Reuben Greenberg, would not have to do anything.

But we decided that we were going to do something. Reinstating the truancy program was something that not many people could oppose. Very few people, we felt, would say, "You did a bad thing by picking my eight-year-old son up off the street and taking him back to his elementary school." We did not think anybody would fault us too much for that.

So, we started this particular program, and all the horrible stories that people told us would happen just did not happen. First, the kids did not run from us. They had not committed any crimes, and that is a good reason not to run from the police. What we did was pick them up and take them back to the assistant principal or one of the guidance counselors. The second thing that did not happen was that we did not have to pick up the same kids over and over the same day. We have picked up kids more than one time in a week, but certainly not over and over in the same day.

The thing that did happen was not only did the incidents of victimization *by* juveniles go down in our city, but the victimization *of* juveniles was also reduced. If they are not out there, then they can't be shot in a drive-by shooting. If they are not out there, they can't be involved in various other kinds of activities, playful activities with automobiles, even their own automobiles, that would lead to their injury or perhaps even death. As a result of this particular program, and several other things I hope I'll have chance to talk about, we have had only one juvenile killed since 1990 in the largest city in South Carolina. There has only been one funeral of somebody seventeen years of age or younger. It can work, and it can work in almost any community.

The schools were not necessarily all that happy to see some of the people we brought back, of course. We neglected to inform them of this new program because we knew they would be opposed to it. They have not said they are opposed to it, but we, as police officers, learn a lot

about body language when we learn how to interrogate people, and, as you see the police officer bringing the person up the long walkway towards the school, you can see the despair on their faces.

Under our law in South Carolina, juveniles between the ages of six and seventeen, Monday through Friday, between eight o'clock in the morning and two forty-five in the afternoon, could be in only two legitimate places: at school or, if expelled or suspended, at home. Expulsion or suspension did not mean running the streets and forming gangs; you were either at school or at home. Even a police officer like me could figure that out. I could look at my watch, my calendar, the day of the week, and see the person who appeared to be between the ages of six and seventeen, and remove him from that particular location and take him back to school. No courts involved, nobody arrested, no criminal record. The only thing we had to do was keep records of the people that we transported. We had the names, the ages, the sex, and the race of all of the persons that were transported. We had the times they were picked up, whom they were turned over to, and the schools they went to, and so forth. They went to all kinds of schools: schools that had tuition of \$8000 a year, schools that were parochial schools, schools that were in the inner city, schools that were in the suburban areas, and schools that were a hundred miles away. In Charleston, I once picked up students from Public School 125, because they had run away from home and had taken the bus to Charleston on their way to Disney World in Florida.

This turned out to be a very, very good program. It reduced the incidents of violence and the incidence of crime in our city by juveniles and to juveniles, and we didn't have to hire anybody new. We did not have to pass any new laws, all we had to do was go back to something that had worked before. There is a bad side to this, and that bad side, of course, is what happens during the summer? Well, I'll tell you what happens during the summertime. We don't have that kind of leverage, so what happens? They eat us alive. But I am not the kind of person that asks for a perfect world. I feel that we have nine months, and they have three, and I am willing to settle for that.

This program worked so well that we decided to develop a program called Operation Midnight. We pick up kids on the street, whether they are doing anything illegal or not, at midnight, at their parents' instruction, and take them back home. In other words, a parent signs his kid up in this program saying, "If you see my fourteen-year-old or fifteen-year-old son out on the street after midnight, I want you to pick him up. You have my permission to pick him up and take him back home." Again, no arrest, no court involved, no social workers involved, and no lawyers involved. What we are doing is elevating the parent—the parent is the boss here. Many parents say, "Hey, we want our kids home by ten o'clock." Well, you can't do that, there are too many kids out at ten o'clock, but, before midnight there is plenty of time for football games,

volleyball games and various other kinds of things. Just about everything except the senior prom is going to be over by that time, and we will return them to the safety of their home. We didn't want to arrest them, we wanted to rescue them.

By not having a curfew, we found out something else, if you don't have a curfew, then it doesn't make any difference what the ACLU says when the mother says, "I want you to pick my fourteen year old up if you see him out on the street after midnight and bring him home." Then it doesn't matter what the civil libertarians say, because the parent has to make that decision. It is a very good program, and, as a result of that, we have not had a single kid shot, or shot at, or stabbed, or killed, or anything, after twelve o'clock at night and before seven o'clock in the morning. Now, just think of that in a large urban community like Charleston, South Carolina; there are no victims in that respect.

Finally, we have a Gunstoppers Program. You have heard of the Crimestoppers. They had one here in Los Angeles, where somebody gave them thirty, forty, fifty, a hundred thousand dollars, or whatever it was, to buy guns from people. Bring a gun in and you get a hundred bucks. The problem that my friends at the Los Angeles Police Department mentioned was the rusty guns that were coming in. Guns that didn't have a trigger, didn't have a hammer, didn't have a cylinder. Guns that had been up in the attic since Uncle Jesse died in 1958. Why in the world would we want that gun that has been safely in the attic since 1958? But those were the kinds of guns that were coming in; criminals were not bringing in guns for whatever reason. So we decided to go a different route in Charleston. We decided to give one hundred dollars to anybody who reported someone who had an illegal gun in public. You don't go to their house and look for illegal guns, and you don't go through their car looking for illegal guns. What you do is you look on the school bus, in the playgrounds, in the gyms, on the campuses, and so forth. You look on the street corners where people, drug dealers, or anybody else, might have a gun.

What we found was that when you asked the kids who had guns—the program was primarily aimed at kids, but it also applied to other people—"Why do you have a gun? Why do you need this gun?" they would respond, "Well, I have got to have a gun for protection." Oh, I see. You have got your Power Ranger lunch kit and your book bag and, oh, yes, by the way, hand me my .45 caliber.

We don't believe that it is necessary to carry a gun to any school in the United States, certainly not any school in South Carolina or in Charleston. So, what we decided to do is give one hundred dollars to

anyone who reported someone with a "hot tip," a hot tip meaning that the person has the gun right now—I didn't see it yesterday, I didn't see it this morning, but the guy has the gun right now. Also, for obvious reasons, we wanted detailed information: tall, short, fat, skinny, black, white, male, female, what their shoes looked like, whether they wore glasses or not. We wanted to be zeroed-in for constitutional purposes and also for the safety of the officer. Saying, "Hey, one of you guys got a gun out there?"—that doesn't mean much. We want to know precisely which one of those guys it is, for the protection of the rights of others and also for the protection and safety of the police officer.

Now, one kid would say they wanted to show these guns off, and that is the reason they have guns. It is the prestige. It is an item of prestige in the same way that an automobile might be an item of prestige for older kids or adults. One kid would say, "Hey, I've got a 9mm Glock;" a second, "I've got a .380 Browning"; and a third, "I've got a .357 Magnum." We were hoping that a fourth kid would say, "Looks like three hundred bucks to me." That's exactly what happened. We had to change the program around just a little bit, because kids like their rewards, as they say in Spanish, "ahora mismo," meaning right now. You don't want to wait until the Crimestopper Board meets a month from now to get them their one hundred dollars. We have developed a system where they can get the money the same day. One of the things we learned is, and any juvenile officer will tell you, that kids are the greatest snitches in the world. Now, you tell them they are going to get a hundred bucks, then they become super snitches with respect other kids having guns and so forth.

What happened was we didn't have a big table full of guns like in New York or Los Angeles or Miami. But for every gun that we have taken in—and we have had many taken in up until recently, because it is hard to find them now—we also got a prisoner. There was somebody arrested who had that particular gun. This seemed to be a much more effective way of getting a gun that was illegally out in public, rather than this mass thing of only getting a few hundred of the sixty-five million handguns that exist in this country.

Finally, the most controversial part of this. One of the things we find is that kids have a different idea, as Dr. Rossum indicated, about values and parental authority. Kids call us for all kinds of reasons. They call us and tell us that "my father is abusing me, he won't let me go out of the house." We go to the place, and we find that what happened in this nice suburban neighborhood is that the father told the daughter that she could not go and spend the night—she was eleven years old—with a girl down the street. I said, "Wait a minute, now, the response from this juvenile is dialing 911?" How in the world could she have thought that the police would have some authority to do something about that? Well, it turned out that some school teacher told her that her parents had to negotiate with her regarding what she could do and what she couldn't

do, that there was no absolute authority that the parent had. What a very strange idea. We were put in a dilemma and the dilemma was this: We are like firemen, and the only way you can find out whether or not child abuse has occurred is to ride the call. Firemen can't be playing checkers and say, "Oh, that's just a false alarm." It probably is, but you don't know for sure unless you go and ride the call. When you ride the call, you question the parent as the result of a phone call made by the eight year-old, because he was spanked or punished in some way that he didn't think he should have been punished. The mere fact that you go and ride that particular call and question the parent about it inevitably has to have a chilling affect upon the parent's relationship with his children. We were actually being counterproductive. Every trip we made out, the father or the mother was, in effect, called on the carpet.

The South Carolina Attorney General ruled that it is a parental decision whether or not to use corporeal punishment for the kids. That is not a decision for the police to make, or for the school to make. If Daddy decides he wants to take the belt off and go around the guy in little circles, or get a switch or paddle and ask him to bend over and touch his toes, that is his decision. Obviously, burning with cigarettes, hitting with boards, and this type of thing would be against the law and immoral anywhere. But spankings are decisions by the parents and we should not interfere with that. Some police officers engage in corporeal punishment for their kids, and some don't, but the point is that it is a parental decision to make, and not one for the police. Many times, we pick one of these kids up for stealing or whatever, and the parent will be very upset and will get a belt and go around in circles. Even judges can give that as an option, for the parent to utilize corporeal punishment. That is a decision of the parent that is not imposed upon them, but instead a decision they can choose to make or not.

I am out of time now. The point I wanted to make is that we decided we were going to offer a service. They said nobody would be crazy enough to offer this service except Reuben Greenberg, and this service is going to be in order to protect yourselves from social workers, and your neighbors, and liberals of every description. If you decided, for whatever reason, that you wanted to spank your kids, and you didn't want to be subjected to somebody calling 911 and saying, "He's killing those kids over there," or whatever, all you had to do, since we are in a prevention mode, is call the police department and say, "I'm going to spank one of my kids and my nosey neighbors over here are going to tell people that I was killing him. Would you send an officer by to prevent any possibility of abuse?" That is what we decided to do, to put officers out there, and

the kids actually loved it. The question is, would you rather be spanked while the police officer is standing there watching or would you rather the cops be gone? The kids figured out, and quite quickly too, "I would rather be spanked when the cop was there." If the parent decides they want to spank their kid, then we will go out and stand by for two reasons. First of all, no kids are going to be abused because we are going to stop that. Second, no parents are going to be arrested for abuse. No abuse will occur; we will prevent it. When it starts getting out of hand the cops will say, "Hey, I think that is enough." That will take care of that particular problem. There is an opinion, "Oh, my God, I would never do that, a lot of liability in that." But I have a friend, a chief of police, and what he does instead is go out only after the kid has been abused, and he is only then able to take action, arrest the parent, and go through the court system, and all that. Our approach is to prevent the abuse in the first place. No abuse means no arrest of anyone. At the same time, you do not undermine the parents' authority to exercise discipline and control in his or her own residence.

Thank you.

PROFESSOR WILLIAM P. HANEY, JR.

Professor William Haney is a Professor of Law at Pepperdine University School of Law and has devoted his career to the rehabilitation of juvenile offenders. He teaches courses in Juvenile Law, Scientific Evidence, and Sentencing and Corrections. He previously taught legal courses at Troy State University, California State University, Dominguez Hills, and Auburn University. He received a Bachelor of Arts degree from the University of South Florida; a Masters of Public Administration degree from the University of Southern California; a J.D. from the Cumberland School of Law, Samford University; and an LL.M. from New York University Law School. He is also the Director of the Pepperdine University School of Law Center for Community Development and Service, whose primary mission is working with economically and socially disadvantaged innercity juveniles, especially those considered to be "at-risk" or already incarcerated.

Professor Haney is a Los Angeles County Supervising Reserve Deputy Probation Officer, and was selected by the Department to be its "Outstanding Reserve Deputy Probation Officer" in 1994. He is also a member of the Los Angeles County Probation Department's "Bridge the Gap" task force, which is devoted to developing improvement programs and providing counseling, job and educational opportunities for probationers. He has conducted numerous developmental and training programs for over 2000 "at-risk" youths and juvenile offenders, especially those incarcerated in correctional facilities operated by the Los

Angeles County Probation Department and the California Youth Authority. He recently instituted and operates a Success Academy in the Los Angeles County Probation Department's Senior Boys Camp. The Academy is a cooperative venture between the Los Angeles County Probation Department and the Pepperdine University School of Law's Center for Community Development and Service. Professor Haney's Success Academy program specializes in providing rehabilitative and after-care services for juvenile offenders incarcerated in probation camps operated by the Los Angeles County Probation Department, especially those who are considered "hard-core" members of street gangs.

I was invited to provide you with practical insight into some programs involving juvenile offenders, particularly those who are incarcerated. I am going to concentrate on the institutional, not the postrelease or community-based programs, such as the popular juvenile advocacy programs that seek to assist juvenile offenders with their legal problems.

Today, everyone is looking for a solution to what appears to be an overwhelming problem with delinquency. A tremendous effort and expenditure of both public and private financial resources has been devoted to try to solve this problem, both inside and outside the institutional setting.

My experiences have convinced me that many children who seem to fail in other programs can be motivated to make major positive changes in their attitudes, goals and behavior by enrolling them in programs that insist on the establishment and maintenance of high standards of conduct and performance. The best way to achieve this is to utilize programs that incorporate both selectivity and, as much as is possible, isolation from the general population as their major program objectives.

My favorite techniques for accomplishing these objectives involve two primary types of programs: (1) those that allow me to identify, select and recruit minors who appear to have the best chance of succeeding in the training and counseling programs that I contemplate he or she will eventually be enrolled in; and (2) those that permit me to organize these minors into a special training group or "team." Ideally, the second type of program, as is the case of my Success Academy Program, allows the special group or team to both live and participate in training and counseling programs, while, as much as possible, remaining physically separated from the institution's general population. I will describe these living, training and counseling arrangements in more detail, especially in the discussion of my "Success Team" and "Success Academy" programs.

The underlying focus of all of these programs and activities must

emphasize the following: that all participants have the capacity to acquire the skills that are needed to change their lives for the better; an explanation as to how they will profit from the experience; and, most importantly, the need to acquire and develop generally accepted standards of personal character and integrity as the key to achieving lasting success in an offender's personal, educational and career goals.

I often encounter people who believe that what I am speaking of is something that is, practically speaking, not possible to achieve in the environment of a correctional facility. It is my finding that, as a whole, those who profess to be experts in the area of juvenile rehabilitation generally have strong negative attitudes about the potential benefits of educational and other rehabilitative programs offered in the setting of correctional institutions. Yet, my experience is that it is possible to create a more effective rehabilitative environment, especially for many troubled children, in a juvenile or youthful offender correctional facility than that which is often made available to them when they are not incarcerated. In fact, I am confident that a better rehabilitative environment can exist in a correctional setting for many juvenile offenders.

I would not assert that the current situation in most institutions is one that is conducive to this. Rather, the essence of my presentation is that at least some public facilities should be designed and operated in a way that their *overall objective* is to provide this type of experience for some juvenile offenders who, more than others in the institution, seem to have the potential to profit from this type of program. That is, their overall planning, training, counseling and staff efforts in every facet of the institution's program affecting these children should be devoted to this approach. To be most effective, this would require a uniform commitment and integrated effort by everyone working in the facility, and even the participating wards themselves.

My comments in this presentation will be directed at several methods that I have found to be successful while working in this manner with incarcerated juvenile and youthful offenders, both males and females, primarily between the ages of 14 to 24. I am limiting my discussion to two or three programs which eventually evolved into my most extensive program. This is the "Success Academy" that I instituted this year for Paul Higa, Chief of the Los Angeles County Probation Department's Bureau of Juvenile Institutions, and Ruel Mizrachi, Director of Camp Gonzales, the Department's senior boys' camp where the Academy is located. I particularly selected this facility in which to institute the Academy because of the type of youths incarcerated there: The camp population traditionally consists of approximately 135 of the most seriously troubled and violent youths among the 2,000 juvenile offenders supervised by the Department in its camp system.

At the end of my presentation, I also plan to mention a few examples of some hard-core youthful offenders who benefited by participating

in programs that are usually not made available to them in a correctional institution's setting. These programs focus on a positive approach, while, at the same time, insisting on the maintenance of high standards of conduct and performance.

THE CAMP SUCCESS SEMINAR PROGRAM

Several years ago, I started working extensively with juvenile and youthful offenders. I did this to involve both my students and myself in a service/learning program designed to provide juvenile offenders with educational opportunities not available through the normal institutional resources. To do this, I went to several probation camps operated by the Los Angeles County Probation Department.

In its initial stage, this program was basically educational in nature; its main component consisted of a class that dealt with various success-oriented topics. This class had an enrollment of approximately twenty camp minors, ranging in age from sixteen to eighteen. These were selected by one of the institution's staff members. The basic criteria utilized by the staff person was generally "Who wants to be in the program?" Thus, concerning students enrolled in the program, I had to take what I was given. The kind of educational programs that I initially offered stressed a number of topics relating to personal, educational and occupational success: a lot of "how to's," such as how to find and interview for a job, and how to be successful after managing to acquire one, as well as a lot of career and educational counseling.

I approached every one of these Success Seminar Programs as if it were part of a professional seminar that would cost the participants a substantial fee. Too often in a correctional setting, the correctional services get the worst that is available. Even the quality of the programs provided by volunteer services, in my opinion, falls far short of what it should be. In these seminars, I required all of my lecturers to dress in professional attire. I also attended, supervised and participated in every class session.

Afterwards, I added more demanding topics, such as personal finance, buying and selling real estate, investing in the stock market, and general methods for achieving success in all aspects of life. I also included some practical legal education courses such as consumer law, tenants' rights, and employees' rights.

The classes were well received and the interest of the participants appeared genuine. Yet, it was obvious that I needed to do more in the way of improving the standard of performance of minors participating in the class, and this would require more effort expended in the se-

lection and retention of students.

THE CAMP SUCCESS TEAM PROGRAM

The next format that I adopted was one that took the "something for everyone" approach and yet allowed me to develop a higher standard for a more select group who were both willing and able to perform at the higher level I expected of them. In order to raise the standard of performance for minors who needed a more demanding and selective program to acquire their maximum improvement, I developed a select group of minors that I still refer to as my "Success Team." This enabled me to provide this select group with the best assistance that I was able to offer. This also allowed me to maximize the use of my available resources, especially in regard to time that I had to spend with them for this purpose. Thus, I was able to give the best that I had to offer to those who proved themselves most capable of putting my available resources, especially my time, to good use.

Although the eventual result of my "Success Team" evaluation and selection process was to limit my program to a relatively small group of minors, I wanted to have a process that would simultaneously allow me to do this and, at the same time, provide some type of training for all minors in the camp. This necessitated that every minor in the camp be allowed to compete for a Success Team "position" or "appointment." This meant that I was required to have an evaluation and selection process that would allow approximately 125 camp minors a reasonable opportunity to be evaluated in a seminar program within a relatively short period of time.

The process that I adopted to do this was simple in design, but complicated logistically, requiring security and institutional cooperation and approval. Anyone who has ever taken on the challenge of trying to institute a new and innovative program in a correctional facility knows that these considerations are as important, or perhaps even more so, as the details of the program offered to the minors themselves. Nonetheless, I will not be discussing the details of logistical and other more mechanical concerns in this presentation in order to maintain my theme, which is describing the overall processes that I have found to be successful in dealing with incarcerated juvenile offenders.

The first component of the Success Team selection process was a program whereby every minor in the camp was required to participate in the basic seminar class. These minors were only required to participate in one seminar class during the time that they were in camp. These classes were referred to as the "Success Seminars." The ideal class size was found to be eight to ten minors in each basic or introductory evaluation and selection class.

Each camp minor was, when enrolled in the required class, in-

formed that he was enrolled in a job training program and that, as a result of his performance and degree of interest, he might be selected to participate in additional programs designed to help him be successful in his personal, educational and occupational goals. I also informed these minors that they should view the initial job success seminar as similar to a job application and interview process, which, in this case, was the opportunity to enroll in more advanced and beneficial seminar programs.

The second component of the initial Success Team evaluation and selection process allowed the minors, who had been required to take the basic class, to terminate their involvement in the program if they preferred to do something else. This was done by offering each a form that I referred to as my "Yes/No" form at the end of each class.

The minors in the initial mandatory session were assured that there would be no adverse consequences from the probation staff if they did not wish to attend future programs. A great deal of effort was put into convincing them that it was in their best interest to check "no" on the form if they wanted to terminate their involvement in the "Success Seminar" program. By doing this, I managed to get a more honest enrollment of interested wards who were better able to abide by the program's expected standard of performance and behavior. In most cases, approximately seventy-five percent of the minors who were required to participate in the introductory session indicated that they wanted to return for more "Success Seminar" programs.

The third component of the Success Team selection process involved additional evaluation of the minors who expressed a desire to continue to participate in the program. This evaluation focused on both program capability and compatibility. The main concern in this process was whether or not they would lower the standard of performance demanded by my volunteer lecturers and me.

At the end of each class I had all lecturers identify for me those minors they believed to be capable of benefiting from future programs. Likewise, they were asked to identify any that appeared to be uninterested, even if they expressed an interest in the program objectives and an intention to participate in future seminars by giving an affirmative response on the "yes-no form." This group will be hereafter referred to as the "affirmative yes-no form group."

This evaluation primarily focused on displayed behavior and attitudes of those in the "required participation group." In this regard, I was mainly concerned with identifying any whose class performance caused me to be concerned about the wisdom of allowing them to continue in additional programs, because of evidence that they would bring with

them potentially disruptive behavior and other program standard maintenance concerns. My final determination as to whether or not the "affirmative yes-no form group" would be reinvited to the follow-up seminar programs was primarily based on a combination of the observations and evaluations of both my volunteer assistants who participated as lecturers and my own.

In most cases, only a small percentage of minors were rejected from the "affirmative yes-no form group." For instance, occasionally it became obvious, even to anyone possessing minimum perception and evaluation skills, that some of these minors were expressing an interest in further participation so that they could get a "second bite" or additional opportunities to disrupt the program.

There were many interesting moments in requiring hard-core juvenile offenders to attend a seminar of this nature. I personally handled most of these required sessions as expeditiously as possible to keep my less tenacious and courageous volunteer assistants "out of the fray." Through years of experience in working with hard-core incarcerated juvenile offenders in this manner, I have managed to develop some effective "survival techniques" for coping with their behavioral and attitude "challenges," a word that I find preferable to what others in the same environment, even many paid staff, view as "problems." In fact, I have to admit that I have enjoyed and have probably become rather addicted to the challenges posed by trying to divert some of the never-ending stream of troubled minors. Many of them seem to have some type of masochistic desire to exist in a perpetual cycle of incarceration and temporary release.

Only once have I had to call a probation officer to come to one of my classes to assist me in removing a recalcitrant minor. To reassert my theme that an incarcerated environment can often produce more preferable rehabilitative results than the nonincarcerated alternative, I attribute a great deal of what I perceive to be the success of these classes, particularly from the standpoint of the behavior or cooperation of participating minors, to the camp probation staff whose ominous presence and power is always evident.

Thus, to ward off potential problems, I expended a great deal of effort coordinating all of my programs with key probation staff. This included many informal discussions with them to draw from their expertise concerning who might cause me a behavior problem or be successful in the type of program I was conducting.

I also learned to draw from the probation resource by utilizing standard "name-dropping" techniques, especially in my orientation lectures for the "required participation group." I found it very useful to frequently mention the names of various staff who had a reputation for quickly solving disciplinary problems.

The new minors participating in the class for the first time as a part

of their required camp program frequently complained about missing out on the traditional amenities available to incarcerated minors in most juvenile institutions. Being required to attend my seminar program, which was conducted during their "free time," meant that they couldn't participate in their preferred routines, such as basketball, weight lifting, or standing around and gossiping about camp life or "what's going on in the streets" outside. Sometimes they would resort to profanity or other rude behavior to attempt to discourage my volunteer assistants and me from presenting the seminar lessons to them.

In at least two ways, I perceived these experiences as beneficial to my overall program objectives. First, they gave my volunteer law student lecturers a reality lesson in the type of people that they had volunteered to motivate and rehabilitate. It also gave them an insight into problems that some of them would have to deal with when practicing law. Secondly, it also made my task easier to more accurately identify and eliminate those minors who were obviously not capable of meeting the standard required in the more advanced and personally involved future programs.

It is also important to mention, in order to get an accurate insight into my personal approach to all of my programs, that I did not report acts of misbehavior or refusals to participate in further programs to the probation staff. This policy was adhered to even when experiencing the negative consequences of some minors who elected to overtly express their displeasure in a rude or offensive manner when objecting to being compelled to attend the "required-attendance class." In these situations, it was my philosophy that sanctions were not warranted or fair since their displeasure was understandable and, as I emphasized in my orientation lectures, "every program was not meant for everyone." Reporting such acts to the professional probation staff was certain to result in the imposition of punishment in these matters and, therefore, to be avoided except in extreme or grossly offensive cases. A program of this nature, by its design, requires a high level of tolerance and a low expectation of expression of appreciation from the "clientele" initially being served.

I have often advised volunteers working under my supervision that being liked doesn't count much when dealing with troubled youth. You will not be very enduring if you have a need to be liked in exchange for your efforts. Instead, you have to "hang in there" to experience the pleasure of seeing the end product of such a program: significant improvement in a person, when just a little improvement is really a big event. Basically, a program is headed for certain defeat if those in control of the agenda have, as a primary criteria, the need for the minors to like either what they are doing or those who are charged with getting them

to meet the standard of conduct or performance.

Ultimately, what really counts is "respect," and that will only be acquired by producing results or benefits for the students involved in the program. This is another topic that would be worthy of a separate presentation, since, in my opinion, normal understandings and expressions of what is meant by "like" and "appreciation" are the sources of many of the misguided attitudes that propels many who are in control of the funding, courts, and other aspects of the juvenile justice system. This is especially true of those who, in practice or verbally, maintain that basically all troubled youths can be expected to improve or rehabilitate if we can just find a way to make things better for them. Those of this persuasion are usually dealing with the problem of delinquent behavior from a mere philosophical, distant, or even fanciful standpoint, rather than from the experiences and challenges acquired from personal involvement with seriously troubled youths in their day-to-day challenges and problems.

Minors who indicated on the "yes-no form" that they did not want to participate in further programs were not called to attend any further classes. I also did not invite back any that wanted to return if they showed signs of potentially rude or otherwise disruptive behavior, a judgment that was necessary for me to make for program integrity or success.

Eventually, I ended up with a pool of approximately fifty minors from which to recruit Success Seminar participants. Most of these proved to be both very interested and capable of participating in the more advanced and helpful seminar programs. These generally proved to be the most seriously dedicated to improving themselves in both my camp and post-camp programs that I eventually offered to them.

I continually subjected these minors to an interest and performance evaluation process that was similar to that used to develop this pool. By continuing the evaluation and selection process throughout the seminar program I created an evolutionary process that resulted in my ending up with an even more select and capable or dedicated group of minors by the end of each semester. Some in this group would generally show signs of having something very special, with potential for achieving success while in the institution and upon their release. This made it possible for me to institute several other programs that went beyond the lecture or educational program approach. The remaining part of my presentation will involve a short summary of some of the more interesting of these programs, concluding with the latest and most involved, my "Success Academy" program, to which I have previously referred.

THE OFFICE ASSISTANT INTERNSHIP TRAINING PROGRAM

After several years of working in a close relationship with troubled youths and juvenile offenders, I felt that I had acquired sufficient experi-

ence to try to do more of an "action-oriented program." In addition to having acquired numerous experiences from which to make effective judgments on the feasibility of working with specific minors in programs with more risk involved, I had acquired a number of friends and professional associates who were willing to provide me with additional information and advice needed to make the best possible, rational decisions. Their input was valuable to anyone working with youths of this type outside the protection of the correctional facility and its professionally experienced staff.

I then obtained the permission of the director of the camp to institute a very creative and daring program: the Office Assistant Internship Training Program. Through this program, I was permitted to transport a few very select minors from the probation camp to my office at Pepperdine University School of Law to receive a form of professional training. Their training at the School of Law basically amounted to an office worker internship program. Here, they worked out of my office and were primarily supervised by my wife, who serves as the Director of Special Programs for the School of Law's Center for Community Development and Service, and me.

One of the most beneficial aspects of their training in the office internship at the School of Law was to work with a team of law students that I selected, supervised, and assigned to work with each intern. The law students provided the interns with both quality educational, training, and mentoring experiences.

Other law school faculty and administrators participated in the program. The Dean of the School of Law, Ronald Phillips, participated as the "administrative mentor" to the first young man who participated in the program. I will tell you more about this young man in other parts of this presentation.

My experiences with the first Office Assistant Interns were so successful that the Superintendent of a California Youth Authority facility (the Ventura School) eventually authorized me to enroll some of the C.Y.A.'s female wards in the same program. These too were picked from a Success Seminar evaluation process that I conducted at this California Youth Authority facility on two nights each week.

The C.Y.A. Women's Professional Development Internship made it possible for me to provide training for these women in the law library and in other areas of the law school. In addition to job placement success, the C.Y.A. program resulted in one female ward being admitted to Pepperdine University's undergraduate program with a very generous scholarship ("The President's Scholarship"), a salaried job in the law

library, and the opportunity to live in the law students' residential building located across the street from the School of Law. She will graduate from Pepperdine with honors in May of this year and plans to attend law school.

The first participating intern was a young man from Camp Gonzales. He did so well that I could not rid myself of the concern that I had for his likely fate upon his release from camp: probable reincarceration or even death at an early age. Since the age of twelve, he had spent many years locked up in the juvenile halls and probation camps of Los Angeles County. His father was in prison, and he had been an active and well-recognized member of a major Los Angeles County African-American street gang, a set of the Crips known as "Five Deuce Broadway." His brother was a quadriplegic, having been shot ten times with an Uzi as a result of street gang warfare.

I will always remember the day that my interest in helping him have a productive and normal life became a real compulsion to make a major and more personally involved commitment to assist him to utilize his tremendous potential and change his life for the better. One day I observed him in his living quarters, a large room that housed ten camp boys. The room was known then as the "grad dorm." Now, the Los Angeles County Probation Department has made this room available to me for my Success Academy Program, and it is referred to as the "Academy Training Room." My personal perception of the activities that were traditionally carried on by camp boys in this room when it was used as the "Grad Dorm" can best be described in the "language of the streets": there was a lot of "cuzzing" and "dogging." These are terms used by African-American street gang youths to recognize and greet other youths who identify with gangs that align themselves respectively as Crips or Bloods. Crips and Bloods often greet fellow Crips and Bloods with "Hey, Cuz" (Crips) and "Hey, Dog" (Bloods).

Unknown to this young man, I observed him through the staff's glass observation window. While all of the other minors in the room were watching televised cartoons, I noticed that he was sitting off by himself doing something with a book. As I watched, it became apparent to me that he had an old typing book and was trying to teach himself to type on its keyboard diagrams. The camp did not have a typewriter for him to learn to type on. Still, he was innovatively utilizing a book for this purpose. He was doing the best that he could with the best that he had available to him. It is my personal feeling that there are many other incarcerated young boys and girls who, like this young person, have the desire, or at least the "seeds," in their hearts and minds, from which they can develop into valuable contributors, rather than burdens and dangers, to the welfare of our communities.

I went to the camp director to see what I could do for this young man, since he was to be released soon. Through my discussions with him

and his probation officer, it seemed that there was little choice but for him to return to his previous environment where he had lived throughout his history of incarceration. Frankly, the probability of his future was one of certain death or incarceration, probably for the rest of his life.

Having been locked up for a major part of his life turned out to be very beneficial to him in at least one important respect when he was eventually released from camp. While he was incarcerated, he had no choice but to attend school in the juvenile halls and probation camps of Los Angeles County. This was in direct contrast to the situation that existed during those brief periods of time that he was released. On these occasions he refused to attend school.

Thus, to the credit of the Juvenile Courts and the Probation Department, he earned enough credits in these institutions to earn his high school diploma. He also earned a college scholarship from the Malibu Optimist Club during his last period of incarceration for winning an essay contest. One of the problems of dealing with troubled youth is facing the reality that no matter how talented they are and how much is done for them, they are likely to be "swallowed up" again by the hazards in their environment.

This young man's history dramatically illustrates the creativity and effort that some of them must undertake to try and alter the course of their probable fate. Prior to his current incarceration, he tried to figure out how he could avoid being killed or becoming involved in activities that were likely to result in his being locked up. Much of his incentive came from the knowledge that either one of these likelihoods would terminate his relationship with his girlfriend, whom he cared for very much. To accomplish this, he drove around the freeways of Los Angeles in an old automobile from early in the morning until late at night. He also spent many moments in a public park that was not frequented by street-gang members. Sometimes he would even sleep in the park, which was very dangerous, but better than the alternative of being available for his "friends" to find him.

THE SAFE HOUSE PROGRAM

I got the permission of the director of the camp to allow me to enroll the young man in what I labeled the "Safe House Program." The Safe House Program was designed to provide a means to remove him from his gang environment, actually to hide him from the bad influences he was certain to encounter if returned to his previous environment. I did not have the resources to start a group home to help him and others who I subsequently "hid out" in my Safe House Program. The "Safe House" was actually my residence, located fifty miles from the inner cities of Los Angeles County.

In my opinion, there is a major need for incarcerated inner-city juveniles who want to change their lives to have access to facilities operated as halfway houses in areas where they can live and work without having to return to the gang environment. Where facilities of this nature do exist, they are usually funded for adult offenders, not juveniles. In addition, their value is greatly diminished by taking almost anyone who has a need for a place to live as part of a probation or parole arrangement. These arrangements exist primarily in the form of traditional halfway houses. Certain juvenile offenders, upon leaving incarceration, should be provided with shelter and nurturing supervision to better guarantee their success in life. This should be viewed as a *reward* for having exhibited a strong desire to be successful and to avoid the bad influences of former environments, especially street gangs.

Thus, the only way I could help him in his predicament was to move him into my home (the "Safe House") when he was released from camp. Obviously, I have a very understanding wife and family.

I successfully obtained the permission of the probation officials and the juvenile court to place him in my custody for this purpose upon his release from camp. As part of the Safe House arrangement, he was not allowed to even inform his mother where he would be living until I authorized him to release this information. Only the court and the probation officials had this information, and this was kept secret from many of the probation staff for fear of complications if other street gang members who were incarcerated in the camp learned that he was residing in my home. (Both his friends and enemies were housed there.) The official information loop was primarily restricted to the camp director and his camp probation officer, juvenile court personnel, and the youth's field probation officer. To my knowledge he didn't release this information, even to members of his family, until I felt comfortable with his doing so. This happened a couple of months after he moved into my home.

While he was in camp, I had already been approved to enroll him in a community college. I transported him to his classes two nights each week and never had a problem with him. His college enrollment was also kept secret from the general camp population. After moving him to my

home, I continued to transport him from camp to his community college classes which were held during evening hours. When he was not in his college classes, I took him to the School of Law where he continued to work as an office intern with staff, faculty, administrators and students in the Pepperdine Law School community.

He completed his first college semester with a 3.5 grade point average. At the end of the semester, he moved to the northern part of the state to live with an uncle in order to further distance himself from his old friends and past environment. I continued to maintain contact with him by telephone after he moved and occasionally brought him back to my home to work with me and to participate in programs at the School of Law.

He eventually returned to live with me for another semester. During this time, he was treated as a regular member of our family, rather than a Safe House occupant. At this point, he had achieved so much trust from me and my family that we virtually gave him the key to our home and accepted him as a family member. At this time we had another Safe House occupant, a former member of an innercity Asian street gang, living in our home. The first Safe House member was now mature, trustworthy, and responsible enough to assist me in supervising the other young man, who was now his roommate and the current Safe-House resident. During this stay, he continued his college program and found a very responsible job with a large business, where he is still employed and is expecting a major promotion soon.

While living at my home, he had to drive forty miles to get to his full-time job and his college classes. He eventually earned enough money at work to obtain his own apartment near his classes and job. Additionally, he has maintained a very high grade point average while working over forty hours each week and attending college as a full-time student.

I continue to see him on a regular basis to provide him with any assistance he might need. He now assists me in conducting programs for other youths that my wife and I and my student volunteers assist. He recently received a college assistance monetary award from the Virginia Immiler Fund, which has made available some financial aid for current and former probation youths working with my wife and me. He expects to receive his Associate of Arts Degree at the end of this summer. Without question, I must say that he is one of the most remarkable individuals that I have ever known. He has a passion for success that he acquired while participating in my Success Seminar Program that remains with him years after his release from probation camp.

In his own words, he has now achieved goals and has a life that he never dreamed possible. He recently told me that he looks forward to being an asset to his community. In my opinion, he already has attained that goal. I have summarized his remarkable achievements in the conclusion of my presentation.

In addition to this young man, I have enrolled other innercity youths in the Safe House Program. A couple of summers ago, four young men who were from gang backgrounds lived with my family at one time. They had previously identified themselves with gang monikers such as the Black Pea Stones, the Five Deuce Broadway, Original Korean Killer Mafia, and other descriptive names used to set apart youths who align themselves with others for purposes beyond the scope of this presentation.

While living in the Safe house, these young men worked at jobs, went to school, and did other kinds of things needed to rehabilitate themselves. They are still doing well.

THE "MALIBU SUCCESS ACADEMY"

The Safe-House program evolved into another program that I refer to as the "Malibu Success Academy Program." This is a joint venture between the Law School and the Los Angeles County Probation Department, whereby the Department has made available to me a portion of a building located in its Camp David Gonzales probation camp. It is there that we provide creative educational training, counseling and after-care programs for a select group of minors committed to improvement. The Academy program has both residential and training components. I have fourteen beds assigned for use in the "Academy Residential Program" for training and counseling. The Academy offers some additional training and other services to the general camp population, minors incarcerated in other Los Angeles County Probation camps, and after-care services to some camp graduates who perform well in Academy programs.

The Success Academy Program serves as a referral resource for probation officers in the camp system. The program is designed to make available to them a program whereby they can obtain training, education, counseling, and some after-care services for some of the young men they supervise.

Minors selected for the residential program are subjected to a screening and recommendation process whereby every camp probation officer has an opportunity to make a recommendation for or against the admission of these minors in the residential rooms adjoining the Academy's main training classroom. No minor is admitted into the Academy Residential Program unless his individual caseworker feels that his camp record has been such that his probation officer can recommend him for admission.

For each day, I design a twenty-four hour schedule of activities for

the Academy minors. This means that I schedule their free time that is available after they complete their required probation camp and school activities. All funding, teaching and counseling (outside of that provided by the Academy student's regular probation services) are provided by the School of Law's Center for Community Development and Service, which is operated by my wife and me and a large number of volunteer assistants, most of whom are Pepperdine law students.

The major portion of the start-up money needed to fund the Success Academy project and a few other programs sponsored by the School of Law's Center for Community Development and Service, was provided by the Marion and Pinkus Happ Fund. When additional funds are needed for the program, my wife and I take care of these and try to obtain funding from other sources to compensate us for such expenditures. Like the expenditure of time and effort that I previously mentioned that is required of anyone wanting to start and operate a successful volunteer program, the continual personal expenditure of money can usually be expected as a critical ingredient for such ventures to work. In a program of this nature, successfully coping with danger and other personal risks are additional, necessary ingredients for program success.

The Academy program is not a "something for everyone" type of program. I return camp minors to the regular population when they have a pattern of behavior that indicates that they are unable to live up to the program standards. In addition, the probation staff in the building where the minors are housed exercise all of their normal supervisory responsibilities over the Academy minors and likewise return them to the main camp population for violations of probation camp rules and procedures. I work constantly at finding ways to cooperate with the camp's administration and staff to solve any problems involving Academy minors. The end result is that the minors in the program have to be the most scrutinized minors in any juvenile incarceration facility.

The demands made on them by the Academy program far exceed any that they would conform to in a public school setting. When I am not in the camp to conduct classes, they are required to study and take notes on books that I provide them, do Academy and camp school homework and fulfill any regular probation activities required during these times. I inspect the notes of their reading assignments and have them orally explain what they have learned. They are required to attend classes five nights each week from 6:45-10:00 p.m. and sometimes during daytime hours.

My wife and I generally leave the camp around 11:00 each night, eat dinner and arrive at our home after 12:00 a.m. We provide the supervi-

sory and primary teaching and counseling framework for the volunteers who work in the program. I always caution people who seek my counsel on how they can get volunteer programs started, "Be prepared to volunteer to do most of the volunteer work, and you will have a successful volunteer program." The volunteers who assist me are outstanding. They lecture, counsel and provide some other services for minors in the program.

My wife, who is the Center's Director of Special Programs (which means that she has an unpaid position to do just about everything possible to help make the Center's programs work) is a fully certified teacher. She basically conducts a high school and community college success program to better prepare Academy minors to succeed in their educational endeavors after they are released. Her primary teaching responsibilities include subjects such as grammar, vocabulary, written composition, basic math and reading. She spends twenty hours teaching at the camp each week and an equal amount of time in Academy-related activities such as planning, lesson preparation, travel, recruiting and supervising volunteers, after-care and office work.

The Academy has fourteen electronic typewriters and five C.D. Rom computers. I conduct the Academy's computer and typewriter training program. I also do most of the lectures on how to achieve success. These include presentations on topics such as gangs, job and educational success, and especially the importance of integrity and character. There is zero tolerance for anything gang related.

I spend a great deal of time trying to impress on the minors that it is important for them to start building their personal pride in establishing a general reputation for integrity and good character by learning to follow camp rules and procedures. I expect them to find ways to live up to the expectations of the probation staff in these areas. Thus, everything that they do in camp is viewed as valuable training and experience to prepare for success after their release.

The volunteer workers (which usually number approximately 150 each year) in this and other programs that I conduct on behalf of the School of Law's Community Development and Service Program teach numerous success-related subjects, counsel minors, and serve as role models and mentors for the youths. My wife and I personally oversee all of their activities in the correctional facility to make certain that I maintain both the program standards and the "contract" of understanding that I have with the co-sponsors of my activities in this project: the Los Angeles County Probation Department and Pepperdine University's School of Law. Both of these organizations have similar mission statements stressing their commitment to providing beneficial services to the communities that they are committed to serve. Close supervision of volunteer workers is vital to make certain that the respective expectations of these sponsoring organizations in regard to program integrity are maintained.

The program has basically been fully operational since September of 1995. Minors who do well in the Academy may be selected for some after-care services available through the Center for Community Development and Service. I have enrolled several of the camp minors in high school programs where they have distinguished themselves. I counsel these minors by telephone and in person, which requires a great deal of travel in the Southern California area. I have even established a reasonably good security network to assist my volunteers and myself, thanks to my probation resources.

I transport several of these youths to the School of Law approximately once every two weeks. Here, my wife and I and several volunteers provide them with additional training, counseling and educational assistance. Both my wife and I maintain "800 number" voice-mail/pager services (our "Telephone Hotline Service"). Through the paging service, our "success clients" keep us current on any problems that they are experiencing and which need our immediate assistance. We are constantly utilizing pagers and land based, cellular, and pay telephones to stay in touch with the post-camp "Success Team" and the large army of volunteers who work with us in our programs.

As I mentioned in my introduction, we are involved in several other programs that play a part in the services that I provide incarcerated youths. As my presentation is primarily limited to describing some of the programs that I conduct for incarcerated youths, I will end with examples of the programs that I have mentioned.

SOME EXAMPLES OF YOUNG PEOPLE WHO BENEFITTED FROM THESE PROGRAMS

I am going to mention just a few examples of young people who I have assisted during their incarceration. I would assert that these are living proof that there are some hard-core juvenile offenders, basically living their lives in correctional facilities, who are worth helping in a special way. These people deserve special attention and resources to assist them in their efforts to alter their probable future of incarceration. I have already mentioned my involvement with some of them, but I can think of no more fitting ending than to call their tremendous feats of success, and even courage, to your attention.

The young woman who was in our office internship program from the California Youth Authority will be graduating this May with a 3.5 grade point average. In addition to her other academic achievements, she earned a 4.0 average in four semesters of German while working twenty hours each week as a clerk in the law library. Somewhat like witnessing

a Cinderella story, I will be attending her wedding to a law student in May, right after her graduation. She plans to work for a year in counseling juveniles and then enter law school.

The young man who was our first Safe-House occupant is finishing up his A.A. degree this summer and also has plans to go to law school. He has earned at least two scholarships for his academic performance. He has worked as a college financial aid counselor and now works in public relations for a large corporation. Although he has become self-sufficient and has his own apartment, we still consider him part of our family and maintain regular contact with him. He regularly wears a business suit and is often mistaken for a faculty member when he attends his college classes.

In addition to him, I would like to mention another young man who is typical of the type of young person locked in Los Angeles County institutions. He, like so many others who want to be successful, has to deal with tremendous "baggage" in trying to cope with his former environment. He was recently referred to as "Kevin" in a newspaper article describing his involvement in my programs.

Kevin has to be one of the most dedicated and courageous young men you could ever find. His two brothers are doing long sentences in the state penitentiary. They are hoping that their younger brother will avoid their fate and have admonished him to work with me. Kevin appreciated, but did not need, their advice in this regard. He had already made plans while he was enrolled in my Academy program during his last incarceration to be an example, to help them turn their lives around when they are eventually released from prison. He plans to be a role model for his older brothers on how to break the cycle of incarceration and release.

In order to have his best chance of being successful upon his release from camp, Kevin secretly moved from his home to another neighborhood to live with an aunt. His aunt drives him five days each week to a school that I enrolled him in, which is thirty-five miles from his home to make certain that his old friends cannot find him. Here, he works on his high school graduation courses and is additionally enrolled in a vocational program, where he is studying to be an automobile mechanic. His father drives to the school to pick him up in the afternoon when his aunt is unable to make the trip.

Kevin is virtually hiding out from his old gang friends. In order for me to get to get in touch with him by telephone, he has to signal me on my 800 "hotline" voice-mail/pager number, and I have to call his telephone with a signal. Kevin is well aware that, no matter how much he wants to escape a street gang environment, very few resources are really designed and available to assist him to this end, particularly after he is eventually released from probation supervision.

In addition to the Academy program, he did have some help while

he was in probation camp. When I first saw him, he was very self-conscious about the numerous gang-related tattoos that he had all over his face and neck. He was enrolled in program sponsored by the probation department to remove tattoos, but has been unable to get the removal work completed since his camp release. He is hoping that the Department will make arrangements to finish removing these before he is released from probation by the Juvenile Court.

Recently, there was an article in a major newspaper that I think really illustrates the current situation in many large counties having street gang problems. I concluded that, as more and more people are starting to suspect, money and efforts spent on prevention do very little to benefit children *already* in Los Angeles County street gangs. Many people in both government and private agencies dealing with street gang youths are coming to the conclusion that, from the standpoint of demonstrated success, their efforts and money have been relatively fruitless in these programs. The article mentioned that some officials in the City of Los Angeles had given up on the possibility of achieving much in the way of real success with street gang children from the preventive model. Still, they felt compelled to continue major funding of these programs. This was primarily done for no other reason than the "therapeutic value" to the community and the professionals who energetically proclaim the supposed benefits and solicit large amounts of funding for these projects. I believe that there is another and more fundamental reason for the incentive to continue to provide so much support for the preventive model in this situation: No one wants to be accused of doing nothing to combat the problem.

I would assert that an institutional solution for many of these hard-core offenders is far preferable to some of these "therapeutic efforts" from the standpoint of potential results. I do not even think that it would take much, if anything, in the way of additional funding to make needed changes in existing institutions to solve more of these problems. With relatively few additional real costs, more youths could be motivated to take bigger steps to overcome their environments upon release from incarceration.

Today, very little is being done when youths are released from incarceration, even on probation or parole, to make certain that they have the resources needed to help them escape their former and very hazardous environments. A lot more youths could at least have a fighting chance to realize their dreams, especially after being inspired to improve themselves and become successful. I can assure you that many hard-core and troubled youths have these dreams and goals, but see no way to

seriously cope with the realities of the hazards of their seemingly overwhelming environments. These negative environments often claim them upon release from the protective and even nurturing environment of the institutions in which they are incarcerated.

I am convinced that the lives of many more seriously troubled youths could be better directed or even fully redeemed by utilizing the existing institutional framework to provide them with a better environment, especially a more nurturing one, in an institutional setting. The likelihood of this happening would be greatly enhanced by considering their initial incarceration as the beginning of an integrated program to channel them into a better environmental situation after they are released from correctional facilities.

I am not speaking of the normal probation and parole programs where they must immediately return to their former neighborhoods and friends to cope with these problems while "trying to get their act together," so to speak. It would seem that more youths, once they exhibit evidence that they have both the will and personal ability to have a reasonable chance at rehabilitation after release, need time and a new transitional environment to get a "jump start" and some real momentum going in this direction. In fact, my personal belief, experiences, sympathy, and respect for those youths who I have witnessed in this predicament, compel me to state that I am confident that these youths *deserve* such an opportunity.