

# MARYLAND: JUVENILE JUSTICE

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HEARINGS  
BEFORE THE  
SUBCOMMITTEE TO INVESTIGATE  
JUVENILE DELINQUENCY  
OF THE  
COMMITTEE ON THE JUDICIARY  
UNITED STATES SENATE  
NINETY-FOURTH CONGRESS  
SECOND SESSION

Pursuant to S. Res. 375, Section 12  
INVESTIGATION OF JUVENILE DELINQUENCY IN THE  
UNITED STATES

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IMPLEMENTATION OF THE JUVENILE JUSTICE  
AND DELINQUENCY PREVENTION ACT (PUBLIC  
LAW 93-415) IN MARYLAND—1976

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JUNE 22 AND 24, 1976

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Printed for the use of the Committee on the Judiciary



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## MARYLAND: JUVENILE JUSTICE

### Implementation of the Juvenile Justice and Delinquency Prevention Act (Public Law 93-415) in Maryland—1976

TUESDAY, JUNE 22, 1976

U.S. SENATE,  
SUBCOMMITTEE TO INVESTIGATE JUVENILE DELINQUENCY,  
COMMITTEE ON THE JUDICIARY,  
*Annapolis, Md.*

The subcommittee, composed of Senators Bayh, Hart, Burdick, Kennedy, Mathias, Hruska, and Fong, met, pursuant to notice at 9 a.m., in Thomas Hunter Lowe House of Delegates Building, Annapolis, Md., Senator Charles McC. Mathias, Jr., presiding.

Present: Senator Mathias.

Also present: John M. Rector, staff director and chief counsel; Mary Kaaren Jolly, editorial director and chief clerk; Robert Kelley, minority counsel and Alan Dessoiff, minority press secretary.

Senator MATHIAS. We will convene our hearing this morning.

The subcommittee's enabling resolution, Senate Resolution 375, section 12, 94th Congress, is hereby noted for the record.

It is a personal pleasure for me to return to the House of Delegates judiciary committee where I began. I want to express my appreciation to the House committee for allowing us to use these facilities. It is an important contribution to the work of this U.S. Senate subcommittee.

Unfortunately, the chairman of the U.S. Senate Subcommittee To Investigate Juvenile Delinquency, Senator Birch Bayh, is unable to be present this morning; but, we have his opening statement for inclusion in the record at this point, and members of the subcommittee staff, including Mr. John Rector, chief counsel, are here. Also, these subcommittee proceedings will be transmitted to the full Senate Judiciary Committee and to its chairman, Senator James Eastland.

#### STATEMENT OF SENATOR BIRCH BAYH, CHAIRMAN

Senator BAYH. It is with great distress that I must note that the Ford administration, which has stifled congressional and citizens' efforts to make juvenile crime prevention a national priority, now threatens to reduce current efforts by an additional \$112 million.

The failure of this President, like his predecessor, to place a priority on the serious threat of juvenile crime and his administration's insistent stifling of an act designed to curb this escalating phenomenon is the Achilles' heel of the administration's crime program.

How many more of our citizens must be terrorized before the administration gets serious about juvenile crime?

Next year the State of Maryland, alone, will lose more than \$3 million in Federal delinquency dollars if the Ford crime budget policy prevails. Juvenile crime moneys would be reduced in the State of Virginia by, at least, a comparable amount and the District of Columbia will lose more than half a million dollars.

Although youngsters from ages 10 to 17 account for only 16 percent of our population they account for nearly 50 percent of all persons arrested for serious crime.

During hearings held by this subcommittee on April 29, 1975, regarding the implementation of the Juvenile Justice and Delinquency Prevention Act, Comptroller General Elmer Staats concluded that: "since juveniles account for almost half the arrests for serious crimes in the Nation, it appears that adequate funding of the Juvenile Justice and Delinquency Prevention Act of 1974 would be an essential step in any strategy to reduce crime in the Nation."

Some youthful offenders must be removed from their communities for society's sake as well as their own. But the incarceration of youthful offenders should be reserved for those dangerous youths who cannot be handled by other alternatives. But, today, because the juvenile justice system often fails to differentiate between criminal and noncriminal conduct, many youngsters are wrongly introduced to our penal schools of crime, while others remain free to terrorize our citizens.

I can understand the President's concern that some spending programs must be curtailed to help the country get back on its feet. But, I also believe that when it can be demonstrated that such Federal spending is an investment—which can result in savings to the taxpayer far beyond the cost of the program in question—the investment must be made.

In addition to the billions of dollars in annual loss from juvenile crime, there is the incalculable cost of the lost of human life, the fear of lack of personal security, and the tremendous waste of human resources.

I must emphasize, however, that I do not believe that those of us in Washington have all the answers. There is no Federal solution, no magic wand nor panacea, to the serious problems of crime and delinquency. More money alone will not get the job done; but, putting billions of dollars into old and counterproductive approaches—\$15 billion last year, while witnessing a record 17-percent increase in crime—must stop.

The Juvenile Justice Act was the result of a bipartisan effort; and I especially wish to commend Senator Mathias, who is presiding this hearing today, for his unwavering efforts to help assure that Federal assistance is available in Maryland, and throughout the Nation, commensurate with the scandalous levels of juvenile crime.

I am sure that the citizens of Maryland will respond to do all that is possible to persuade the administration to reconsider its crime program.

#### **OPENING STATEMENT OF SENATOR MATHIAS, PRESIDING**

Senator MATHIAS. When Congress passed the Juvenile Justice and Delinquency Prevention Act of 1974, I noted that our criminal justice system does not prevent juvenile offenders, it merely processes kids

who are in trouble. The emphasis I intended at that time was on the word "processes," and I outlined my reasons for the act in these words, "The focal point of action of the proposed new program is to reach the problem youth before he is led to crime. While our efforts toward rehabilitation would be vastly improved by community based service, the key to success lies in prevention."

Now we are at the time when we must see whether these were vain hopes. We must ask ourselves how much processing is still going on, and whether prevention and rehabilitation have any more meaning today than they did 2 years ago.

We are meeting here at Annapolis, which was once the Capitol of the United States. Since we are less than 2 weeks away from the Bicentennial celebration on July 4, it seems appropriate to take a moment to think about the relationship between government and people, and between people and their government.

The Declaration of Independence states that governments derive their just powers from the consent of the governed. In the Constitution, the founders listed six fundamental purposes for government, and one of them was to insure domestic tranquility.

With crime up 25 percent in the Baltimore area alone, it is clear that Americans are not getting as much domestic tranquility as they should from government. Statistics show that although youngsters from ages 10 to 17 make up only 16 percent of the total population, they account for 45 percent of those arrested for serious crimes. If government cannot do better than this, it surely is just a matter of time before the governed will reconsider the consent for the proposition and system of government.

Reform is urgently needed, but attempts at real reform are never easy. Recently I read an indictment of juvenile reformatories, which listed these deficiencies: First, the temptation the system offers to parents and guardians to throw off their most sacred responsibility; second, the contaminating influence of association; third, the enduring stigma which the fact of having been committed to such an institution fastens upon a child; fourth, such a system renders impossible the study and treatment of each child as an individual, and fifth, the great dissimilarity between life in an institution and life outside. These words are very contemporary and seem to reflect our current concerns, but they were written 85 years ago by Homer Folks of the Children's Aid Society of Pennsylvania. They could have been written yesterday. I don't think we can afford to wait for another 85 years to see what the juvenile justice system and the Juvenile Justice and Delinquency Prevention Act of 1974 has accomplished.

Through these field hearings, I want to ascertain the current state of the juvenile justice system in Maryland. I want to see how effective the Federal Government has been in helping Maryland cope with the problem of juvenile crime. To that end, I know all of you will be relieved to know that I am going to stop talking now, so that we can listen to the experts who are here.

Before I introduce our first witness, I want to put in the record a newspaper article which appeared in the Washington Post yesterday. This article reflects so directly on today's hearing that its appearance almost seems programmed. Quoting briefly from the article which is written by Martha Hamilton, it notes that homicide cases jumped

two-thirds in 1975 from the previous year; armed robbery cases exactly doubled in number; and more and more juveniles went to trial for mugging, robbery, and aggravated assault. All of these figures refer to cases in the juvenile category, so without objection, that article will appear in the record.

[EXHIBIT No. 1]

[From the Washington Post, June 21, 1976]

VIOLENT CRIMES BY JUVENILES RISING

(By Martha M. Hamilton)

Every day they're there—an increasing number of juveniles, usually youngsters 15 years old or younger, on trial for violent crimes, including rising numbers of murders and armed robberies.

The figures on the number of serious crimes handled by the juvenile division of the corporation counsel's office begin to tell the story. Homicide cases jumped by two-thirds in 1975 from the previous year. Armed robbery cases exactly doubled in number, and more and more juveniles went on trial for mugging, robbery and aggravated assault.

"The way things are looking now, you can make a safe assumption they're going to increase again," said Nan Huhn, assistant chief of the juvenile division. The division, a small band of chronically over worked attorneys by Huhn's description, handles most juvenile criminal cases for the city, with some seven attorneys usually dealing with 45 to 50 trials a day. Juveniles who are tried as adults are tried by the U.S. attorney's office.

In addition to an increase in serious and violent crimes that Huhn and others who deal with juvenile justice say they see, "the violent criminal element is getting younger," and the crimes they commit more horrible and with less meaning, she said.

The question Huhn and others find difficult to answer is why.

Al Zintz, chief forensic psychiatrist for the Department of Human Resources Youth Services Division, blames a deterioration of the family structure. "There's a greater degree of freedom on the streets. A lot of the kids I see have been out on the street since age 6 or 7. It's like putting a baby in the jungle," he said. The peer group on the streets helps build the value system in which "to possess is really important—more than how you got it," he said.

"The families they come from are so full of violence. So many of the families will have youngsters or a father in jail," he said. The families are large and the children frequently unsupervised or supervised by other children according to Zintz. "The values are—get what you can to survive."

"These boys on the streets—the more audacious the offense the greater the esteem of their peers," said R. Rimsky Atkinson, who oversees Oak Hill, the city's detention center for more serious youthful offenders.

"They don't have what the community in general calls a conscience," he said. "They will shoot you without batting an eye and even rationalize that the victim did something to deserve it." They are the youngsters for whom no limits have been set, who develop a value system that revolves around getting what they want when they want it," he said.

Juveniles charged with serious and violent crimes frequently have long records of contacts with the law, in many cases beginning with minor offenses and increasing in seriousness. Charges filed against the youngsters this year include the slaying of a 6-year-old girl in Southeast Washington, the shooting of a government economist and Advisory Neighborhood Commission member in an apparent hold-up attempt, and the murder of a Washington society matron who died from injuries in a fall suffered during an attempted purse-snatching. All the youngsters had previous juvenile records.

"The typical delinquent kid starts off being truant. Then he gets picked up for ripping something off from a department store," said Huhn. "More than likely, since it's the first time and he has no record, the police are going to talk to his parents. The kid goes home and nothing happens."

With some youngsters, it stops there. Sobered either by the experience, or their parents' reactions, they will never be back.

But there are others. "The typical kid who ends up in the system says, 'Hey, I got away with it,'" said Huhn. He may repeat the offense and be rearrested. The social worker who sees the arrest record is not aware of the previous police contact



and will frequently recommend that the youth not be prosecuted, Huhn said. "We're going to get the case and see he's a first offender. We've got a heavy caseload, and the chances are we're not going to prosecute," Huhn said.

"The next time out the offense may be more serious (for instance breaking into an unoccupied building)," Huhn said. "The juvenile may be prosecuted, but because it appears as a first offense, and because the attorneys in the corporation counsel's office are already overloaded with cases to try, they may accept a consent decree, which leads to a six-month probation," she said.

"He's beaten the system again," said Huhn. "All he did was agree to go to school every day, but when he didn't nothing happened," she said. Overworked probation officers find it hard to keep up with their charges in more than a cursory fashion, according to Huhn.

"So this time, he commits robbery . . . Now the system's going to pay attention," she said. The youth may be detained for the first time, and will go to trial, but even so, he may get probation again. "You don't lock up a kid on a first conviction."

"With some juveniles, the chain of circumstances that leads to committing serious, violent crimes might be broken if the youths received more attention at the outset," Huhn and others said.

"If nothing happens to you, the whole system becomes a joke," said Huhn. "I'm not saying you should lock them up and throw away the key," she said, but it might help to deal with the youths in a fashion fitting the offense. "If a kid throws rocks at a guy's car and breaks the window, maybe he should help the guy fix the car and wash it." With kids, at the beginning, "if you take some action, they might be helped," she said.

But it doesn't happen. "If you have to decide between prosecuting a truant and an armed robber, the decision makes itself," said Huhn. The system's resources are stretched too thin to do both, she said.

"If anyone is rehabilitable, I'd rather take a chance on the 14-year-old," Huhn said. "if you take as a given fact that the criminal justice system has limited resources, then somebody has got to say what is most important. I really think you can't come up with any other conclusion than we ought to put the resources with the kids."

Zintz said that the system sometimes creates problems by treating children as adult criminals rather than recognizing their special needs and motives. But he said that shortage of resources for early evaluation and identification of problems is a handicap.

"I can see a lot of reasons why kids commit crimes," said Huhn, who says many of the youths in the criminal justice system come from poor, disorganized families with relatively little education.

"I'm sympathetic. You've got to do something for the kids. On the other hand, as Police Chief Maurice Cullinane said, it's about time for people who have been living under virtual house arrest to be allowed to walk the streets again."

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Senator MATHIAS. I am now going to call on the first witness. As I do, I want to note that the schedule for this morning is very tightly drawn because of the time limitations of the subcommittee. I do not want to cut any witness short, but I do hope that all of the witnesses will understand and adhere to the time schedule which has been published.

Our first witness is the distinguished State's Attorney from Anne Arundel County, Mr. Warren Duckett.

#### STATEMENT OF WARREN DUCKETT, STATE'S ATTORNEY, ANNE ARUNDEL COUNTY, STATE OF MARYLAND

Mr. DUCKETT. Senator Mathias, on behalf of the citizens of Annapolis and of Anne Arundel County, I want to welcome you here today. It is nice to have you home, so to speak, in your old quarters in the house judiciary committee. I am sure you are the first to reflect and comment that the quarters have improved substantially since you served. I hope that the legislation has progressed accordingly, although sometimes we who deal daily over here in the session sometimes wonder.

I want to talk to you this morning about some grassroots juvenile justice. I know the main focus, from your standpoint, is the effect Federal legislation has had on the local level, and hopefully before my time expires, I will be able to explain to you a little bit about a program we have in effect in this county, which is the direct result of the grants which have come from the LEAA and the legislation that has been sponsored by this subcommittee and committee.

I think to start my portion of the session off, I want to read to you a letter that I received just yesterday, that I think probably better than anything else I can say to you, establishes the problem that we are having in the local level involving juvenile justice.

This is a letter written to Chief Ashley Vick, who is the chief of our county police department, with copies to me as the State's attorney, to our county executive, as well as other elected officials, and I am going to purposely leave out the area of the county this letter refers to, and I am also going to leave out the names of individuals, for obvious reasons, but I think this letter represents the frustrations being experienced locally as it pertains to juvenile justice.

Dear Chief Vick: I am writing to request assistance from your department against activities in our neighborhood which have apparently continued for several years, and which still create a nightly disturbance, frequently lasting past midnight.

My wife and I moved into [a certain area of Anne Arundel County] last fall. Shortly after we took possession of our house, neighbors told us that our location at the corner of [two major sections], was notorious for being used by teenagers and older individuals as a nightly parking spot and general hangout. I understand that the county was finally forced to place an 8-foot high fence, topped with barbed wire, around the pump house on this corner to protect it from just such nuisance caused by these people, or their predecessors.

Across the Parkway from our house, is a large vacant lot upon which a real estate developer has recently begun erecting duplex houses. The young people park their cars on either the vacant lot, which is across the street from our house, or in the driveways of the as-yet unoccupied new duplex. Frequently, there are 6 to 10 cars parked there, with several vans gathered as well.

Once a crowd has gathered, the radios are turned up so loud that they may be heard more than two blocks away. These people have staged drag races down [a certain parkway], or have simply burned rubber when leaving their parking spot. They have left piles of trash, chiefly beer bottles and cans, and junk food containers strewn about the vacant lot and the front of the new duplex. Our yard has also been the dumping ground for their beer bottles. Many evenings, after we have retired, the noise indicates that the group is purposefully throwing the bottles and breaking them into as many pieces as possible.

Without question, this situation should be stopped. In fact, it should have been stopped in the past. Unfortunately, reasoning with these people directly has proved counterproductive, and I am told neighbors have requested continued police assistance to no avail.

One neighbor apparently tried to reason with the young people, but claims to have been rewarded for his good efforts by having his roof so damaged by raw eggs, and his front window and other windows broken so frequently, that he now speaks of these young people with the same fear which would normally be reserved for the Mafia. He says it is not worth it to him to pursue the matter. Another neighbor has had her house's white exterior defaced with green paint, and its interior actually entered at Christmastime, Christmas gifts removed from under the tree and then scattered throughout the vacant lot. Again, fear and resignation led to her doing nothing about it.

Most recently, the group has taken to setting large firecrackers off at night, frequently after 11 p.m. They are loud enough to wake my wife and I, despite our having our bedroom air-conditioner up to full speed, to shield us from the noise directly across the street. I have on several occasions telephone to request a police vehicle to come to the scene. On at least one occasion, within a few minutes of my call, the young people dispersed upon signal from one of the group, who apparently has a police radio monitor. They reappeared within a few minutes of the departure of the police vehicle.

In light of this pattern of abusive and destructive conduct, by persons who have no apparent relationship with the neighborhood, I request that my neighborhood be checked at least two or three times nightly, with particular attention paid to the period after 10:30 p.m., until these young people are persuaded to cease their nuisance. I am told by other neighbors that similar tactics were successful several years ago in forcing the same people, or at least the same type of group, to move their destructive activities elsewhere.

Senator Mathias, this is but the first of many letters that I know I will receive this summer, as we get into the summer season, with the many beaches we have in this county, and these are the kinds of frustrations that the citizens of this county, and I think throughout the State and probably the country are experiencing as it pertains to juvenile justice, and quite frankly, I am the first to admit the police department and my office, and indeed the Department of Juvenile Services, is practically powerless to combat problems of this type. We have insufficient police personnel, we have insufficient prosecutors, and certainly insufficient people with the department of juvenile services, to ever be able to combat problems like this, but until we do get a handle, and until we can address those kinds of situations, we simply are going to have to continue to have many, many of our constituents and neighbors totally frustrated, and feeling absolutely nothing is being done to protect them.

To focus once again on the problem that we have in this county in the area of juvenile crime, I would like to present to you some statistics on how juvenile offenses have increased since the year 1971, and I am now talking about this county and the city of Annapolis.

In 1971, a total of 2,646 juveniles were taken into custody for any of a number of offenses. The total gamut, excluding capital offenses and also armed robbery, for those above the age of 17 who are immediately handled within our adult system, the figure was 2,646.

In 1975, that figure had raised to 5,384; more than double in that short period of time.

The city of Annapolis probably screams out louder than anybody. Their figure in 1971 was 399 juveniles taken into custody, where in 1975 over 1,000 juveniles were taken into custody. These could be any crime from robbery to assault, right down to shoplifting; any type of crime possible.

The recidivism rate in this county has been isolated. We have 219 juveniles that we have isolated with more than 5 arrests. And when you look at this list of juveniles, you even see some with as many as 32 or 40 arrests over a short period of time. All this tells me is that we quite frankly are failing in our responsibilities to our constituents in the area of juvenile law.

When I became State's attorney in July of 1973, my background, quite frankly as an assistant prosecutor, had been in juvenile law, having first received my job as a result of the *Gault* decision which established the procedure that juveniles should be treated evidentially and procedurally the same as an adult, and I was quite frustrated upon realizing, as an assistant prosecutor, that we were in fact paper processors; that all we were doing was moving kids through the juvenile system with very little bit in the way of substantive alternative positions available to either masters or judges to try to combat the juvenile crime. When I took the job as State's attorney, I soon met with David Larom, who is our local director of juvenile services,

who is here today, and he shared with me the same frustrations, our past failures.

The biggest failure we seem to have is it took us as long as 6 to 8 weeks to get juveniles from the date of incident into a courtroom to finally get some type of disposition as to whether they were in fact delinquent, and what type of rehabilitative program we should try to establish for them; 6 to 8 weeks where a juvenile was sitting back at home, not knowing what was to be done, not knowing if he was even going to have to go to court, not knowing anything about his situation. This frustration was coupled, as a matter of fact more than coupled, amplified almost tenfold by the feelings of the constituents, the feelings of the complainants out in the community, who had no idea what if anything was being done pertaining to the offense that involved them; either a broken window to their house, house burglarized or something to that effect.

We established a program here in this county which we have been promoting statewide, which we think, to a certain extent, is a tremendous answer to our problem of expeditious and fair juvenile justice on a local level, and that is the community arbitrator program which has been funded by moneys that are directly attributable to the legislation passed by this subcommittee.

What the community arbitrator system does is it takes a youngster who commits an offense, and within 7 days of that offense, it places him in a courtroom in a judicial setting before an individual whom we have earmarked as a community arbitrator, and this is an individual with legal training, who handles these cases on a quasi-judicial basis, and he works based upon police reports that are provided to him. It is at the intake procedure of juvenile justice, which means that the youngster who is involved in the program, does not get a juvenile record, and he indeed has to submit voluntarily to the program before he can qualify for it, but the main attribute of the program is that the victim, for the first time, is included within the system; the victim, who in the past, was never told what the disposition of his case was, is now given the opportunity to appear before the community arbitrator, tell his side of the story, and be present as he watches the offender, who has destroyed his property, or somehow violated one of his property or personal rights, to watch that offender be handled by the system.

The community arbitrator's main purpose, as is our total purpose, is the treatment, care and rehabilitation of the youngster, and as a result of which he takes this youngster, after making a determination that the boy or the girl in fact did do the offense alleged, and he renders them to one of many local agencies, which are enjoined in this program, for approximately a 45- to a 60-day period, where this youngster will work in this agency for the purpose of trying to establish his responsibility, and to realize he is at a crossroads of his life, and hopefully in the future not involve himself in any more serious offenses which might cause him to be brought before the juvenile judge or the juvenile master.

The recidivism rate for this program has been under 10 percent. The program has worked beautifully. It has now been adopted by Baltimore County, and for the first time this year will be placed in effect in Baltimore County.

For the past several years, we in this county, have appeared in this room before the house judiciary committee, as well as before the Senate judicial proceedings committee, to have it established on a statewide basis, which I believe will occur.

I serve on the Governor's Committee for Juvenile Justice, which was established last year, and they have shown a tremendous interest in the community arbitration program, as well as many other innovative ideas to revamp the entire face of juvenile law in this State.

I think for the first time, our legislators are now realizing what judges, masters, prosecutors, and indeed police officers, have been saying for quite some time, that we simply have to address the problem of juvenile crime; we have to address the problem of restitution.

In this county presently, our judges and masters have ordered a sum of \$94,227 in restitution for victims in juvenile cases. To date, the amount of money collected is a paltry \$11,214. That means we have due and owing from juveniles and/or their parents the sum of \$83,013, and my phone jumps off the hook on a weekly basis, as do my assistants and the department of juvenile services, hearing day in and day out from these people who have sat in court and heard a judge or masters say I order restitution in  $x$  amount, only to have nothing happen thereafter. As a lawyer and as an officer of the court, to have to tell a victim, when she calls, that the order of the court establishing restitution is practically a meaningless doctrine or document, is a very horrible thing to have to confront. This is a major problem we have on a local level in the area of restitution.

We here in the county I think have a county executive and a county council that recognizes the problems of juvenile justice. They have isolated \$25,000 in planning money to try to go forward to establish a juvenile rehabilitation facility in this county. I know that once we get this thing planned, the county will come to the Governor's Commission on Law Enforcement, as well as their local regional planning council, with the hope of getting Federal money. The hue and cry today is in connection with the community correctional facility, which I must say I am a staunch advocate of. I think we also need community correctional facilities and rehabilitation services for our juveniles. The juveniles have a right to stay within their community, when we do find there is a necessity for detention.

We found last year there were 300 detentions, 300 children, for the most part, sent out of the county for one reason or another. We in this county at least hope, within the next several years, we will have our own imaginative, innovative system of detention for juveniles, which will encompass programs in vocational training, educational training, as well as recreational pursuits, and we are moving forward, hopefully.

Probably my 15 minutes are up, and I will submit to any discussions or questions on behalf of the staff, you or the staff members.

Senator MATHIAS. I think I can bring a message of hope on the last point you made regarding the development of programs within communities—programs which will leave young people with an end product. The chairman of this subcommittee, Senator Bayh, has been one of its strongest advocates, and together, he and I have formed a team to get this done. We have had a disappointing history in this though. Former HEW Secretary and Attorney General Elliot

Richardson was one of the few people in the Federal Government who had a concept of both sides of this problem—about the precriminal and the postcriminal. While he was Attorney General, we were hopeful we could merge these two concepts and launch a national program.

I——— Senator Bayh and I pushed very hard for it; but then the Saturday Night Massacre occurred. That particular effort went off the track, but we are going to continue to press for it. I feel we can get much stronger support for both phases of rehabilitation programs than we have had—not simply for the judicial correctional aspect. I am encouraged that you are working with your community arbitrator in a prejudicial phase.

Mr. DUCKETT. Let me say one thing, Senator. I think all of us in this room recognize that juvenile justice and juvenile crime is primarily a local problem, one that we have to confront, one that we have to be able to handle, but I want to get the point across, not so much to you, but to other elected Federal officials, indeed the Congressman, who serves this district, that in order for us to do these things, that we have in mind, we are so dependent upon the moneys that do come from Washington, the moneys that are being made available to our Governor's commission, the LEAA, and through the juvenile bill that was recently passed by your committee, and I know today economy is a very vital thing. I think so often in Washington, people vote against legislation merely because of the dollar sign. The money that is being provided to us by Federal sources, I can tell you without a doubt, is being well spent. Sometimes we on a local level, who administer these moneys, get very frustrated by the redtape and bureaucracy and paperwork we have to comply with, but we recognize in dealing with the Governor's commission and staff members of the Governor's commission, this is a requirement that we have to meet.

Senator MATHIAS. This has been extremely important testimony for us because the Juvenile Delinquency Subcommittee, in pressing for greater support for these programs, needs to shed light on personal experience such as yours.

Now, you said a few minutes ago that you had reduced the recidivism rate among the subjects who had gone through the community arbitration procedure 8 to 10 percent.

Mr. DUCKETT. It is down beneath 10 percent now.

Senator MATHIAS. For the record, can you supply the subcommittee with statistics which would support that conclusion?

Mr. DUCKETT. In the audience today is David Larom, who, as director of our local department of juvenile services, has, on a quarterly basis, submitted the reports to our Governor's commission, which sets forth the total nuts and bolts of this program, as far as number of children handled, the recidivism rate, the number of agencies involved, and I am sure he can make all those available to you.

Senator MATHIAS. If Mr. Larom will make these reports available, we will incorporate them as part of the record at this point.

[EXHIBIT No. 2]

DEPARTMENT OF JUVENILE SERVICES,  
 JUVENILE COURT SERVICES DIVISION,  
 Annapolis, Md., June 25, 1976.

Senator CHARLES MCC. MATHIAS,  
 Russell Senate Office Building,  
 Washington, D.C.

DEAR SENATOR MATHIAS: We are forwarding some information from our Program to be included in the record of the Juvenile Justice Hearings at which you presided in Annapolis on June 22, 1976. Included is the latest quarterly report with our recidivism statistics and an office memo from our research consultant with a preliminary analysis of our recidivism statistics. The full report will be ready at the end of August 1976 at which time we will send your staff a copy.

Thank you for your interest.

Sincerely,

KAY PEACOCK,  
 Project Director.  
 DAVID LAROM,  
 County Supervisor.

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Memorandum

Re: Tentative Research Findings.  
 To: Kay Peacock, Project Director.  
 From: Merry Morash.  
 Date: June 21, 1976.

In response to your request that I let you know what the findings for the preliminary recidivism study look like, here are some tentative figures. Of course, they are based on only parts of the samples. Six months of recidivism were checked for the entire year of 1973 (all processed through Intake), for the months May to September 1975 for youth processed through Arbitration, and for the months May to September 1975 for the youth processed through the Intake Control Group. Recidivism was a simple count of every return to DJS or to adult Probation and Parole, as reflected by official records, during the six months after the Intake or Arbitration appearance.

COMPARISON OF 1973 (INTAKE) AND 1975 (ARBITRATION) GROUPS

Youth processed by Arbitration in 1975 had a lower rate of recidivism than youth processed by Intake in 1973. The average number of recidivistic offenses committed by misdemeanor youth in 1974 was .28; the average number of recidivistic offenses committed by misdemeanor youth in 1975 was .21. This would mean that about 70 fewer offenses are committed by 1,000 youth who are in the Arbitration Program than by 1,000 youth in the 1973 Intake Program—during a 6 month period after their arrest.

The correlation between Arbitration experience and the lower recidivism rate (.0513) is statistically significant at the .011 level. (This means that the odds are 11 to 100 that relationship occurred by chance.)

It was necessary to rule out the possibility that the decline in recidivism rate was due to differences in the type of youth arrested for misdemeanors in 1973 and 1975. This was done by obtaining a partial correlation between the type of intake program and the recidivism rate, controlling for the youths' prior record, type of offense, age and race. In effect, the procedure is to explain the differences in recidivism due to prior record, age, race and offense type, and then to see if there is still some difference in recidivism that can be explained by the type of program. The partial correlation obtained is .0876, which is significant at the .02 level. This suggests that when type of youth arrested for misdemeanors is taken into account, the relationship between Arbitration experience and low recidivism is even greater. This is consistent with our prior discovery that in 1975, more youth with serious offenses were arrested than in 1973.

QUARTERLY PROJECT NARRATIVE PROJECT

(This Form to be Completed and Signed by Project Director)

A. Title of project: Community Arbitration Program in Anne Arundel County.

B. Report covers period: January 1, 1976 to March 31, 1976.

C. In the space below (add additional sheets, if required), provide a comprehensive narrative indicating the progress that has been made in implementing this project. If the project has been fully implemented, explain the project's achievements in comparison to the goals, as outlined in the grant application on Pages 13 and 14 (Section IV, Paragraph D-2 and Paragraphs E and F).

In the last three months 476 youths were seen in Arbitration. Dispositions during this quarter were as follows: 114 or 24 percent denied for insufficient evidence; of the remaining 362 cases, 134 or 37 percent were closed at intake with warnings; 16 or 4 percent were referred to the State's Attorney's Office; 14 or 4 percent were referred to regular Juvenile Services intake or probation; and 194 or 55 percent were placed on informal supervision for assignment to either volunteer work, counselling, restitution, re-education programs, or a combination of these options.

The cumulative totals since the beginning of the program on June 6, 1974 are as follows: total youths seen: 4373; cases denied for insufficient evidence: 933 or 21 percent. Of the remaining 3440 cases, 1298 or 38 percent were closed at intake with warnings; 282 or 8 percent were referred to the State's Attorney's Office; 108 or 3 percent were continued; 102 or 3 percent were referred to regular Juvenile Services intake or probation; and 1645 or 48 percent were placed on informal supervision.

As of March 31, 1976, 1387 youths were placed on informal supervision and completed their assignments. Of these 1387 youths, 1225 or 89 percent completed their assignments successfully. Fifty one or 4 percent completed their assignments unsuccessfully for reasons beyond their control (illness, planned activity not carried through, agency failure to contact youth). Ninety-nine or 7 percent completed their assignments unsuccessfully.

A total of 5651 hours of volunteer work has been contributed toward the strengthening of the community since the program's inception. A total of \$6367.89 has been collected in restitution through this program.

Other significant statistical breakdowns for this quarter include the percentages of minorities, complainants, and no shows. 85 or 15 percent of the youths seen were black and 487 or 85 percent were white. 120 or 25 percent of the youths seen are female and 367 or 75 percent are male. 40 or 8 percent of the total youths seen (476) did not show for their first appointment. Of these 40 youths, 34 (85 percent) were seen during their re-scheduled appointments for an overall no-show percentage for this quarter of 1.3 percent. During this quarter 159 or 54 percent of the private citizen complainants attended Arbitration.

Recidivism statistics continue to be kept for the program on a total of 4246 cases. Of this total number of cases, 68.5 percent were offenses committed by youths with no prior contacts with JSA. 17 percent were committed by youths with previous offenses handled informally. 6 percent of these offenses were committed by youths actively on probation and 2 percent by youths formerly on probation. 4 percent were committed by youths with CINS priors and 2.5 percent by youths presently or formerly on continued status. Of the youths with no previous contact, only 8.7 percent have returned to Arbitration one or more times. Of the youths in other categories, 28.5 percent of youths with informalled priors have returned; 36.6 percent of youths actively on probation and 25 percent of youths formerly on probation have returned; 22 percent of youths with CINS priors and 32 percent of youths presently or formerly on continuance have returned. Of the total number of cases, 454 have returned which is an overall program recidivism rate of 12.61 percent.

During this quarter, the part-time social worker-researcher presented her first findings regarding the impact of the program on the various police departments in the County. It was found that the program saved the police departments time and money which was re-allocated for crime prevention activities. She and a county worker assigned to the staff are presently interviewing a sample of complainants and youths for the next series of studies.

Since August 1975 when the social worker-researcher joined the staff, a total of 13 cases or 27 families have been referred to her for inter-family feud counselling. Only one of these families has returned to Arbitration for further action. Referrals to other helping agencies resulted after contacts with five families. Approximately 41 home visits have been made.

A new community resource was developed this quarter with the help of the Annapolis Senior Citizen's Center: Youths would collect canned goods in their community to donate to the Center. During this quarter nine youths have collected 232 cans of food.



Work on a brochure for the program has begun and the staff expects to have 1000 copies printed by mid-summer 1976. A professional photographer and layout artist have donated their time to assist with the project.

The goals of this program (to increase the speed of handling misdemeanors, to involve youths quickly in positive experiences in the community, and to allow the complainant to participate in Arbitration) continue to be achieved. Cases, with the exception of a small percentage of re-sets and no shows, are heard on the date of referral. The youths placed on informal supervision continue to complete their assignments successfully with the help of many community groups. A large percentage of private citizen complainants attend the hearings and only 0.7 percent of the total cases heard have been appealed. With the two field supervisors freed from the daily docket and with the addition of a county worker to help lower their caseloads, a greater depth of work is done with the youths. Work continues to be done on improving the quality of our relationship with both youths and the community and to maintain the level of achievement already attained by the program.

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Senator MATHIAS. I am shocked by the figures you have provided on the rise of juvenile delinquency, which as you note, has more than doubled in the past 5 years. That tracks almost to the letter the article which I put in the record at the outset, showing it is double in the Washington metropolitan area alone. This simply underscores that delinquency is not a local problem, it is a national one which Congress must deal with. We must lend support to imaginative and creative local programs such as yours because the old system just has not worked. In the past we saw a dramatic and shocking rise in delinquency statistics under the old system. It is now time to address the results and take corrective action.

Mr. Duckett, unfortunately we have run out of time. I am very grateful for your leading off this morning. We thank you for being here and bringing us the message that something really can be done, and outlining the kind of support you need. Thank you very much.

Our next witness is Mr. Ted Lucas, assistant secretary, Juvenile Services and Mental Retardation, and Mr. Robert Hilson, director of Youth Services Administration. Mr. Hilson and Mr. Lucas, we are pleased to welcome you here. We have received written statements from each of you and without objection, those statements will be included, in full, in the record. If you wish to summarize your remarks, it might be useful.

**STATEMENT OF THEODORE G. LUCAS, ASSISTANT SECRETARY  
FOR SPECIAL PROGRAMS, MARYLAND STATE DEPARTMENT OF  
HEALTH AND MENTAL HYGIENE**

Mr. LUCAS. Mr. Chairman, and members of the Subcommittee on Juvenile Delinquency, my name is Theodore G. Lucas. I am assistant secretary for special programs with the Maryland State Department of Health and Mental Hygiene. In my present position, the Juvenile Services Administration, the Mental Retardation Administration, and Developmental Disabilities come under my supervision.

I have reviewed the Juvenile Justice and Delinquency Prevention Act of 1974 and am somewhat disappointed in the degree to which Maryland has been allowed to participate in this act. This is not due to our lack of interest or lack of support for the concepts contained within the legislation; rather, it is because of the severe fiscal constraints as applied by the Federal Government, and I would assume that many other States share this feeling and sentiment.

My experience over the past 30 years in the field of developmental disabilities has proven that many of these persons also manifest delinquent and other behavioral characteristics similar to and comparable to the problems of juvenile delinquency. There is no question but that the juvenile delinquency problem is one of the greatest problems facing our society today. Throughout the years, many somewhat isolated efforts have been made on Federal, State, and local levels. These efforts have been sincere but have failed to get at the root of the problem.

My experience has left me most concerned because of the lack of a well-orchestrated approach to the needs of troubled youth and the fragmentation of a system of services. Youth-serving agencies have been shunted from one bureaucracy to another. These agencies have been expected to operate in relative isolation which is illogical thinking. They cannot operate in a vacuum but must interface to varying degrees with all other human service programs. To meet the needs of the young offender, the clinical and legal systems must engage in a cooperative and coordinated effort. We must all become involved in the gestalt. A higher priority must be given and greater implementation of the Juvenile Justice and Delinquency Prevention Act of 1974 by the Federal Government.

The absence of a single agency on Federal and/or State levels has caused fragmentation, duplication, expenditure of unnecessary funds, and most import, has thwarted the efforts being made because of the lack of coordination and centralized direction. Youth in this country constitute a considerable portion of this Nation's resources as well as its problems. Something must be done to preserve these resources, and I am suggesting that due consideration be given to the establishment of a Federal agency whose primary, if not only interest, would be that of serving youth. This is, indeed, perhaps one of the greatest issues that those concerned with delinquency control must face.

Insofar as the Juvenile Justice Act's impact upon Maryland is concerned, I must say that the impact has been minimal at best. Not only is the inadequate funding a factor, but also the time-consuming maze of bureaucracy necessary to obtain and implement projects. In addition, guidelines developed for the receipt of juvenile justice funds too often effectively block their attainment and do not consider the needs of the State.

In spite of what might be considered as a substantial investment of funds in this area, much more needs to be done on Federal, State, and local levels. We cannot continue to pay lip service to the problem and expect it to be resolved. The Juvenile Justice and Delinquency Prevention Act marks the first step which has been taken. Now it is up to all of us to translate this legislation into action programs.

Thank you so much.

Senator MATHIAS. Thank you very much. Mr. Hilson, please proceed.

**STATEMENT OF ROBERT C. HILSON, DIRECTOR, JUVENILE SERVICES ADMINISTRATION, STATE OF MARYLAND**

Mr. HILSON. Mr. Chairman, I am very pleased to have the opportunity this morning to talk about Maryland's program and also talk about the impact of the Juvenile Justice Act upon the system.

Maryland is somewhat unique in its method of service delivery to delinquent and troubled youth. In 1966, the General Assembly of Maryland created the department of juvenile services as the central administrative agency for the delivery of services to delinquent and other youth. The department became operational on July 1, 1967, and is responsible for the operation of the court services functions such as intake, probation, and aftercare; the management and supervision of the institutional programs which include two training schools, four forestry camps, two detention centers, and a diagnostic facility; and for the operation of a myriad of community-based programs, including group homes, foster homes, shelter care homes, day programs, diversion programs, and youth service bureaus. Although many of the aforementioned programs are directly operated by the State, many others are indirectly operated through contractual arrangements with private community organizations and/or local units of government. Thus, through a statewide system—unique, as only a few of the States have such a system—a diverse array of services to troubled youths are available. Because our system is a statewide one, greater coordination of services is possible, as well as greater assurance of equality of services to youths irrespective of their geographic locale and the relative affluence of their local political subdivision.

In 1969, when the agencies of the State government were reorganized into cabinet-level departments, juvenile services was placed under the department of health and mental hygiene. Our primary focus in attempting to prevent, control and treat delinquent or deviant behavior is on the child and/or his family. At the same time, these efforts must be consistent with the interests and the protection of the public.

Whereas Maryland may be considered as unique in terms of its organizational and administrative structure, it is far from being unique in terms of the increasing juvenile delinquency problem. As has been true across the country, both the rate and incidents of juvenile delinquency have been increasing. The rate per thousand juveniles committing delinquent offenses has increased from 30 per 1,000 in 1973 to 47 per 1,000 in 1975. The number of delinquency cases served by the juvenile services increased from 30,824 in 1973 to 48,360 in 1975. In fact juvenile services experienced an increase of 19.3 percent in total number of cases handled in 1975 over the total number in 1974. The Maryland experience has been mirrored by most other States in the country.

When one tries to analyze the causes for this continuously increasing rise in delinquency, we find the entire spectrum of causative factors which have been well enunciated by practitioners and academicians for many years. Causation runs the gamut from family disintegration, unemployment, drugs, inadequate medical care, poor housing, lack of parental controls, to unfulfilling educational programs. It would be both foolish and futile to attempt to isolate one causative factor as being directly responsible for the result. More often than not,

it is several factors interacting with each other, which have caused the problems facing us today. One common thread, however, appears to be constant and that is, while nearly everyone in our larger society recognizes and verbalizes that juvenile delinquency is a major and serious social and economic problem, there has been relatively small evidence of these concerns going beyond intellectualizations. To be completely frank, we have been applying band aids to a cancer. The pint bottle into which we have been pouring quarts of water overflowed long ago, and the inevitable resulting flood is now with us.

When the Juvenile Justice and Delinquency Prevention Act was being heard and debated in Congress, we became excitedly optimistic that at last some major effort would be applied to the task of confronting and resolving the juvenile delinquency problem. When the act was passed, we took on even added optimism, when Congress authorized \$75 million for fiscal year 1975, \$125 million for fiscal year 1976, and \$150 million for fiscal year 1977. Our dreams, hopes, and illusions were crushed when an appropriation of \$40 million was made for this fiscal year, and with an appropriation, as recommended by the President, of only \$10 million for the fiscal year beginning October 1, 1976. Again, it would appear that the problem is not being addressed to the dimensions which it deserves. It is incredible to think that \$40 million, not to consider the \$10 million, for an entire country will even begin to reverse the current juvenile problems.

Little, if any, quarrel can be found with the meaning and intent of the Act itself. The objectives of the legislation as enumerated in the "purposes" of the act are in complete accord with the direction and focus of juvenile services in Maryland. We strongly endorse and support the declared policy of Congress of developing programs in delinquency prevention, diversion from the juvenile justice system, and providing alternatives to institutionalization. It is imperative, however, that adequate and sufficient funding of the act be made to make implementation as feasible and as meaningful as its wording.

The Juvenile Justice and Delinquency Prevention Act has had little, if any, impact upon Maryland's delinquency program. In part, this is because of its limited funding and in part due to the guidelines for administering the act as set by the Law Enforcement Assistance Administration. I have the enviable position of sitting as a commissioner on the Governor's Commission on Law Enforcement and the Administration of Justice—the State Planning Agency; a member of the advisory committee to the Juvenile Justice and Delinquency Prevention Act; and as director of the State administration providing services to juveniles. From these perspectives, a total and clear picture can be had of efforts made to reduce delinquency in Maryland. More specifically, from 1975, Juvenile Justice Act funds, \$179,237 was made available to Maryland. \$36,366 was made available to Juvenile Services Administration for the implementation of a small project in diversion. This grant is now in process and should be operational very shortly. A second grant of \$132,571 was made available to Baltimore City to implement a public employment program for Baltimore City youths, and this grant should also be operational in the very near future.

From 1976 funds, it is anticipated that Maryland will receive \$504,000, and I might add that these funds will be available as a

result of a similar reduction in block grant funds from the Law Enforcement Assistance Administration to Maryland.

At maximum, this means that a total of \$683,000 was made available over a 2-year period. Obviously, this comparatively minuscule amount can only be the beginning of attacking the problem, and the results can only be as good as the investment made.

#### PREPARED STATEMENT OF ROBERT C. HILSON

Mr. Chairman and other distinguished members of the Subcommittee on Juvenile Delinquency, I am Robert C. Hilson, director of the Juvenile Services Administration of the Maryland State Department of Health and Mental Hygiene. We are pleased to have the opportunity to appear before this committee to discuss Maryland's program in juvenile delinquency. More specifically, we welcome the opportunity to discuss the impact of the Juvenile Justice and Delinquency Prevention Act of 1974 upon Maryland's juvenile justice system.

Maryland is somewhat unique in its method of service delivery to delinquent and troubled youth. In 1966, the General Assembly of Maryland created the Department of Juvenile Services as the central administrative agency for the delivery of services to delinquent and other youth. The department became operational on July 1, 1967, and is responsible for the operation of the court services functions such as intake, probation, and after care; the management and supervision of the institutional programs which include two training schools, four forestry camps, two detention centers, and a diagnostic facility; and for the operation of a myriad of community-based programs including group homes, foster homes, shelter care homes, day programs, diversion programs, and youth service bureaus. Although many of the aforementioned programs are directly operated by the State, many others are indirectly operated through contractual arrangements with private community organizations and/or local units of government. Thus, through a statewide system—unique, as only a few of the states have such a system—a diverse array of services to troubled youth are available. Because our system is a statewide one, greater coordination of services is possible as well as greater assurance of equality of services to youth irrespective of their geographic locale and the relative affluence of their local political subdivision.

In 1969, when the agencies of State government were reorganized into cabinet-level departments, juvenile services was placed under the Department of Health and Mental Hygiene.

The philosophy of juvenile services in treating children and youth is in consonance with the juvenile causes statute as contained in section 3-802 of the courts and judicial proceedings article of the annotated code of Maryland which states:

(1) To provide for the care, protection, and wholesome mental and physical development of children coming within the provisions of this subtitle; and to provide for a program of treatment, training, and rehabilitation consistent with the child's best interests and the protection of the public interest;

(2) To remove from children committing delinquent acts the taint of criminality and the consequences of criminal behavior;

(3) To conserve and strengthen the child's family ties and to separate a child from his parents only when necessary for his welfare or in the interest of public safety;

(4) If necessary to remove a child from his home, to secure for him custody, care, and discipline as nearly as possible equivalent to that which should have been given by his parents.

Therefore, our primary focus in attempting to prevent, control, and treat delinquent or deviant behavior is on the child and/or his family. At the same time, these efforts must be consistent with the interests and the protection of the public.

Whereas Maryland may be considered as unique in terms of its organizational and administrative structure, it is far from being unique in terms of the increasing juvenile delinquency problem. As has been true across the country, both the rate and the incidents of juvenile delinquency have been increasing. The rate per thousand juveniles committing delinquent offenses has increased from 30 per 1,000 in 1973 to 47 per 1,000 in 1975. The number of delinquency cases served by juvenile services increased from 30,824 in 1973, to 48,360 in 1975. In fact, juvenile services experienced an increase of 19.3 percent in total number of cases handled in 1975 over the total number in 1974. The Maryland experience has been mirrored by most other States in the country.

When one tries to analyze the causes for this continuously increasing rise in delinquency, we find the entire spectrum of causative factors which have been well

enunciated by practitioners and academicians for many years. Causation runs the gamut from family disintegration, unemployment, drugs, inadequate medical care, poor housing, lack of parental controls, to unfulfilling education programs. It would be both foolish and futile to attempt to isolate one causative factor as being directly responsible for the result. More often than not, it is several factors interacting with each other which have caused the problems facing us today. One common thread, however, appears to be constant and that is, while nearly everyone in our larger society recognizes and verbalizes that juvenile delinquency is a major and serious social and economic problem, there has been relatively small evidence of these concerns going beyond intellectualizations. To be completely frank, we have been applying band-aids to a cancer. The pint bottle into which we have been pouring quarts of water overflowed long ago and the inevitable resulting flood is now with us.

Maryland certainly has all of the planning and program ingredients necessary for a viable delinquency prevention, control, and treatment program. New programs have been developed over the past few years and, on a relatively limited basis, these programs are proving themselves to be effective. However, because of the relatively limited approach, we are not making much of a dent in the total delinquency picture although one would shudder to think of what this picture might be without these programs. Our progress in meeting this problem is almost entirely dependent upon the resources made available, and fiscal constraints have dictated our ability to develop new programs and to expand effective older ones.

When the Juvenile Justice and Delinquency Prevention Act was being heard and debated in Congress, we became excitedly optimistic that at last, some major effort would be applied to the task of confronting and resolving the juvenile delinquency problem. When the act was passed, we took on even added optimism when Congress authorized appropriations of \$75,000,000 for fiscal year 1975, \$125,000,000 for fiscal year 1976, and \$150,000,000 for fiscal year 1977. Our dreams, hopes, and illusions were crushed when an appropriation of \$40 million was made for this fiscal year and with an appropriation, as recommended by the president, of only \$10 million for the fiscal year beginning October 1, 1976. Again, it would appear that the problem is not being addressed to the dimensions which it deserves. It is incredible to think that \$40 million, not to consider the \$10 million, for an entire country will even begin to reverse the current juvenile problem.

Little, if any, quarrel can be found with the meaning and intent of the act itself, the objectives of the legislation as enumerated in the "purposes" of the act are in complete accord with the direction and focus of juvenile services in Maryland. We strongly endorse and support the declared policy of Congress of developing programs in delinquency prevention, diversion from the juvenile justice system, and of providing alternatives to institutionalization. It is imperative, however, that adequate and sufficient funding of the act be made to make implementation as feasible and as meaningful as its wording.

The Juvenile Justice and Delinquency Prevention Act has had little, if any, impact upon Maryland's delinquency program. In part, this is because of its limited funding and in part, due to the guidelines for administering the act as set by the Law Enforcement Assistance Administration. I have the enviable position of sitting as a commissioner on the Governor's Commission on Law Enforcement and the Administration of Justice—the State Planning Agency; a member of the advisory committee to the Juvenile Justice and Delinquency Prevention Act; and as director of the State administration providing services to juveniles. From these perspectives, a total and clear picture can be had of efforts made to reduce delinquency in Maryland. More specifically, from 1975 Juvenile Justice Act funds, \$179,237 was made available to Maryland. \$36,666 was made available to Juvenile Services Administration for the implementation of a small project in diversion. This grant is now in process and should be operational within a few months. A second grant of \$132,571 was made available to Baltimore City to implement a public employment program for Baltimore City youths. This grant was awarded in May, 1976, and should be operational shortly.

From 1976 funds, it is anticipated that Maryland anticipates receiving \$504,000, and I might add that these funds will be available as a result of a similar reduction in block grant funds from the Law Enforcement Assistance Administration to Maryland.

At maximum, this means that a total of \$683,000 is made available over a two-year period. Obviously, this comparatively minuscule amount can only be the beginning of attacking the problem, and the results can only be as good as the investment made. It would be more than generous to say that the impact, at this point in time, of the act on juvenile services in Maryland has been negligible.

Of equal concern has been certain policies of the law enforcement assistance administration in regards to funding of State projects. The first major effort of the juvenile

justice office was to embark upon a program to deinstitutionalize status offenders. Maryland, following legislation enacted in 1973, deinstitutionalized status offenders by January 1, 1974. This process was accomplished despite the fact that an adequate array of services in the community to serve this group of youngsters were not in place. To date, there still remains many gaps in services, both in quantity and quality to appropriately serve the status offender. Certainly, deinstitutionalizing status offenders per se is only part of the process. The other part, and perhaps more important, is in providing services for them. It was with this hope that we applied for funds. To our dismay we were advised that we were not eligible because we had the foresight and initiative to do something which was now just being encouraged at the Federal level. The second major effort on the part of the juvenile justice office was to encourage the development of diversion programs. Again, the Juvenile Services Administration was excluded from participation as agencies with a direct involvement with the court system were being excluded. We have supported this phase of the program by encouraging groups throughout the State to apply for such funds. To my knowledge, none have received notification of their application acceptance. It would appear that a statewide agency has the capability of reaching and impacting upon a larger segment of the State's population; but for all practical purposes, we have been effectively eliminated from the grant process.

In conclusion and in summary, we feel that the mechanism for effectively combating the juvenile delinquency problem is present through the act. This is good legislation which can have both short-term and long-range impact in reducing delinquency. It certainly allows for innovative and creative approaches towards the resolution of an age old problem. While it may appear that I have stressed the inadequate funding of the act as the major problem, I do not see money as the only answer. Good monitoring and good evaluation also needs to be present as well as a mechanism for sharing the results of effective programs with all of the States. For the most part, this can be accomplished with the present provisions of the act. Although money is not the sole answer, it is an inescapable necessity. Current limitations on funding greatly restricts many States, including Maryland, from being an integral part of this problem-solving process. The Juvenile Justice and Delinquency Prevention Act of 1974 is a refreshing approach; it is not seen as a panacea but certainly one in the right direction and certainly worthy of full exploration in an effort to seek viable answers.

Senator MATHIAS. If I might interrupt you with a small bit of good news. Mr. Rector has called my attention to the fact that just yesterday the Senate Appropriations Subcommittee, which deals with this particular aspect of the budget, approved \$100 million for the Juvenile Delinquency Act for fiscal year 1977. Now, in my judgment, that is still a very inadequate sum to deal with a problem as major as this one, and it is one that Senator Bayh and I hope to see increased. Nevertheless, this is the largest sum ever approved by the Appropriations Committee for this purpose. This is considerably below the \$150 million authorization, but in terms of cash, it does represent an advance. This increase was realized only because of the constant pressure brought to bear by persons such as yourself and other witnesses here today, who have constantly brought the problem to the attention of Congress and the country.

Mr. HILSON. That is indeed good news, Senator, and I am an eternal optimist, but I will be enthusiastic when the full Congress will act on that.

Of equal concern has been certain policies of the Law Enforcement Assistance Administration in regard to funding of State projects. The first major effort of the juvenile justice office was to embark upon a program to deinstitutionalize status offenders. Maryland, following legislation enacted in 1973, deinstitutionalized status offenders by January 1, 1974. This process was accomplished despite the fact that an adequate array of services in the community to serve this group were not in place. To date, there still remains many gaps in services, both in quantity and quality, to appropriately serve the status offender.

To our dismay we were advised that we were not eligible for funding, under this part of the act, because we had the foresight and initiative to do something about this problem, which is now just being done at the Federal level.

In other words, what I am saying, Senator, because we had done this, although the services were not there, we were not eligible to apply for funding.

Senator MATHIAS. I understand. Let me ask both of you a question at this point. Suppose we had some sort of a magic wand, and we could get you \$5 million extra this year, what would you do with it? What do you think are the most acute needs to which you would devote a substantial amount?

Mr. HILSON. I think we need to make a long-term investment in trying to do something about the delinquency prevention. I say long term, because these results may not be seen for several years, but until we begin to attack the problem at its very early age in the youngster's life we will always be in the business of rehabilitating.

Senator MATHIAS. If you consider the figures Mr. Duckett just gave us for Anne Arundel County which reflects the nationwide trend, it appears we have done a terrible job of prevention in the last 5 years.

Mr. HILSON. Yes, sir.

Senator MATHIAS. We have let the figures double on us. Instead of preventing, we have let the figures double, which is a pretty shocking thing.

Mr. LUCAS. We would take some of those funds, too, and cooperate with other agents who have impact on other segments which are affecting the individual who is a juvenile.

Senator MATHIAS. What about the necessity for investment? What are we hoping for here? If we could prevent we could eliminate much institutionalization. Unfortunately there are already thousands of juveniles who have been institutionalized. What about the state of accommodation and overcrowding? Are institutions able to handle the problem at present?

Mr. HILSON. All of our State facilities are overcrowded. That in itself creates a rather vicious circle in that with the limited funding made available, we can at the same time develop alternatives to institutionalization and care for the youngster while institutionalized. Therefore, I suggest that we need to follow parallel tracks to develop alternatives and at the same time make our institutional programs truly rehabilitative.

Mr. LUCAS. You constantly have a human cry in our society, when it comes to residential facilities, where we keep a person. It takes a great deal to maintain that physical plant. We have Federal standards we must meet and so forth. Therefore, in many of your States, like Maryland, pours money into one direction, institutions. We ignore the community. If we poured all into the community, we would have institutions which are not adequate. Here again, as Bob has indicated, there must be parallel tracks. They must go simultaneous if we truly are going to displace individuals in our residential centers to go back into the community and rehabilitate them.

Senator MATHIAS. Do you think that a community based center is, No. 1, more expensive, and No. 2, any less acceptable than a large remote institution?



Mr. LUCAS. I think a community based center is somewhat less expensive if it is structured properly, by virtue of utilizing the resources in the immediate vicinity. I think here again, in most instances, the large isolated institution is more expensive because it is almost self-contained, and not an intricate part of the community or an intricate part of the systems of service, but it becomes a total system of service.

Senator MATHIAS. Of course, it separates the inmate from any of the influences of family, community, and church. We forget sometimes the horrible experience when the Federal Government built a huge juvenile facility at Chillicothe, Ohio. The theory was that it would be the greatest reform school in the history of the world. But it was such an abysmal failure, the Federal Government had to give it up to the State of Ohio a few years later, because it simply did not work. That is a pretty graphic example.

Mr. HILSON. In the interest of time, my statement<sup>1</sup> is before you, so in conclusion I will say that the Juvenile Justice and Delinquency Prevention Act of 1974 is a refreshing approach. It is not seen as a panacea, but certainly one in the right direction and worthy of full exploration in an effort to seek viable answers.

Senator MATHIAS. Thank you very much. I would like to ask you one additional question. There have been some questions raised regarding the Juvenile Services Administration and if it is properly positioned under the auspices of a super agency, such as the department of health and mental hygiene. Would you want to comment on that?

Mr. LUCAS. Briefly, it is my own personal feeling that if we are going to truly address ourselves to individuals who are juvenile offenders who are developmentally disabled, we can't continue to make it a part of a different kind of systems of service. We are a part of the existing system only because of the lack of needed resources. We are hoping that as a part of this particular system of services, developmental disabilities, local health services can be drawn and drawn quickly. That was one of the reasons that the Juvenile Services Administration became a part of the health department, but if we are truly going to move in the facets necessary, the treatment modalities for the juvenile, there must be an individual agent that addresses itself both on a State and Federal level.

Senator MATHIAS. I agree. You would be able to draw upon services which HEW provides as well as those of the Department of Justice.

Mr. LUCAS. Right.

Senator MATHIAS. Because all of these are components in the program, there should not be a sharp dichotomy between them as exists now. I will hold the record open for any additional information you can provide on the condition of juvenile institutions and the effect this has on the chance of success for rehabilitation, and its relationship to recidivism.

Mr. LUCAS. We would be very happy to. Mr. Hilson has an excellent unit plan for juvenile services for 1977-1981, and we would like very much for that unit plan to be a part of the record.

Senator MATHIAS. Our next witness is Mr. Peter Smith, an old friend of this subcommittee, and one who has testified before. Mr. Smith is from the University of Maryland Law School, and will be accompanied by Mr. Allan Stamper.

<sup>1</sup> See p. 17.

Mr. SMITH. Good morning.

Senator MATHIAS. Mr. Smith, do you want to make a statement and then introduce Mr. Stamper?

**STATEMENT OF PETER SMITH, UNIVERSITY OF MARYLAND LAW SCHOOL; ACCOMPANIED BY ALLAN STAMPER**

Mr. SMITH. Let me make a very brief statement. First of all, when I was asked by Ed O'Connell of your staff, to come down here and testify, I agreed, but I agreed with a special amount of enthusiasm because of the subject matter area and also because it is a pleasure to have a chance to speak in front of a subcommittee that is being chaired by such a decent person, and I mean that very sincerely, because one of the problems of what is going on in this country today is there aren't enough decent people like you.

Just for the record, let me say that I am a professor of law, I specialize in juvenile delinquency, and I am director of the program called Maryland juvenile law clinic, which represents juveniles in the juvenile courts in this State, and which does ongoing research in litigation and legislative work in the juvenile justice field.

The person on my left is Allan Stamper, whom Ed O'Connell has already met. Allan was a client of mine 2 or 3 years ago.

By way of preliminary remarks, Senator, I just want to be very brief and say that I think this system is a failure. I was reading last night a speech that was delivered by the chief judge of the U.S. Court of Appeals for the District of Columbia to the annual convention last year of the National Legal Aid Defenders Association. I just want to read you one sentence. He says, "You are in the grim and grimy front line trenches of the criminal courts, where the battle for equal justice is being fought and lost."

I subscribe to that and for the purposes of the hearing today, we can simply take the word criminal and remove it and put the word juvenile. The battle for equal justice is being lost. The battle for any meaningful rehabilitation is being lost.

The problem is very deep and it goes to the failure on the part of this society to develop the kinds of resources and the talents that these kinds of problems need.

We spent, and I will just end with this sentence or two, we spent I think more on one of those—what do they call them, B-2 bombers than we do on Mr. Hilson's entire annual budget, and it is a total absurdity, and until we are willing to make a commitment to the more important things in life, you can go on holding these hearings from now until the cows come home; and it is not going to do any good.

Senator MATHIAS. The Chair is very grateful for your personal references and I must say they are all the more welcome in the particular climate in which public servants are not the great heroes in America today. Unhappily, the Chair must concur in your other sentiments. We aren't winning any victories in this particular battle.

I announced as a sort of minor victory, on the part of Senator Bayh and myself, that we are going to get \$100 million to fund the Juvenile Delinquency Act in the coming fiscal year. Since you have raised the question of the cost of one bomber, I would submit that in terms of national security, domestic tranquillity, and the com-

mon defense, the question of the status of young people in America seems to be more in jeopardy than national security.

Mr. SMITH. I think I misspoke when I said a B-2 bomber. I can just imagine what that one is going to cost.

Senator MATHIAS. Well, you are looking ahead. Talking about losing the battle, several years ago I went to Ocean City and looked at the police blotter. As a resort community, Ocean City has special problems. But 8 out of 10 names that appeared on the police blotter at that particular time were juveniles—8 out of 10. That number represents 80 percent of all the arrests being made down there, which is a pretty shocking thing.

Mr. Stamper is with you, and perhaps you could describe his experience to the subcommittee. Perhaps he would like to say a few words for himself.

Mr. SMITH. Perhaps, Allan, you ought to do it yourself.

Mr. STAMPER. OK, I think it is three things wrong with the Juvenile Prevention Act, and No. 1 is not enough professionals in the community helping out the juveniles before they commit the crime.

Senator MATHIAS. Allan, may I ask you a couple of questions?

Mr. STAMPER. Yes, sir.

Senator MATHIAS. You have been in trouble; haven't you?

Mr. STAMPER. Yes, sir.

Senator MATHIAS. What kind of trouble?

Mr. STAMPER. From top to bottom.

Senator MATHIAS. Top to bottom?

Mr. STAMPER. Yes.

Senator MATHIAS. Well, what was the bottom?

Mr. STAMPER. Well, the bottom was rogue and vagabond charge, and the top was two attempted murders.

Senator MATHIAS. Two attempted murders?

Mr. STAMPER. Yes, sir.

Senator MATHIAS. Well now, when were you first arrested and for what charge?

Mr. STAMPER. In 1971 for possession of narcotics.

Senator MATHIAS. How long were you held when you were busted for narcotics?

Mr. STAMPER. Four days.

Senator MATHIAS. And then what happened?

Mr. STAMPER. I was released.

Senator MATHIAS. You were released?

Mr. STAMPER. Yes, sir.

Senator MATHIAS. How long were you pending trial on the narcotics charge?

Mr. STAMPER. Close to a year.

Senator MATHIAS. What was happening to you during that year's time? Were you seeing any probation officer or did you have any kind of supervision? Were you getting help of any sort during that year?

Mr. STAMPER. Well, the court didn't tell me to go to the drug program. I went on my own, and that was about it.

Senator MATHIAS. How old were you at that time?

Mr. STAMPER. I believe, 15.

Senator MATHIAS. While you were out awaiting trial during this period of nearly a year, did you get into any other trouble?

Mr. STAMPER. Yes, sir.

Senator MATHIAS. What kind of trouble?

Mr. STAMPER. Well, I had a burglary charge, shoplifting, about five assaults, and a burglary.

Senator MATHIAS. And all this happened during the time you were awaiting trial on the narcotics charge?

Mr. STAMPER. Yes, sir.

Senator MATHIAS. Was this the period in which these assaults took place, including the two attempted murder charges?

Mr. STAMPER. No, sir.

Senator MATHIAS. They came later?

Mr. STAMPER. Yes, sir.

Senator MATHIAS. Now, what about your present situation? What is your present status?

Mr. STAMPER. Well, I now work at the Maryland Training School for Boys in the kitchen, and I have my own apartment, and I am doing pretty well for myself.

Senator MATHIAS. As you look back over your experience, and you think of other kids who get into the same kind of fix, how do you view what happened to you? What would have made the difference, what would have prevented you from doing the things you did? What were the things that helped you?

Mr. STAMPER. Well, the first thing is at the time the recreation didn't even stay open long enough, and after the recs are closed, it is nothing to do, and I come from a pretty high crime area anyway, and there is just nobody there to talk to. You know, you don't have a father or anything, they don't have no big brother programs in the community or anything like that.

Senator MATHIAS. So one of the first things would be to have some sort of recreation area. How about the counselors within those areas? Is that useful or do the kids just turn off as far as counselors are concerned?

Mr. STAMPER. I don't consider anyone in the Cherry Hill area a counselor.

Senator MATHIAS. You say you don't see anybody there?

Mr. STAMPER. No.

Senator MATHIAS. If the right kind of people were there, do you think they would be helpful?

Mr. STAMPER. Yes, sir.

Senator MATHIAS. You don't think the kids would turn off on them?

Mr. STAMPER. No, sir.

Senator MATHIAS. What about the people who helped you get straightened out? What sort of people were they; what sort of people would you like to see in that program for other kids?

Mr. STAMPER. Well, they was really dedicated people, really.

Senator MATHIAS. Where were they?

Mr. STAMPER. At the Maryland Training School, Mr. Smith and Mr. Michael Elliott.

Senator MATHIAS. And what sort of program did you have there at the training school? What did you learn, what sort of training did you go through?

Mr. STAMPER. Well, they called it the help care assigned program, and you learned to help one another to bring out your problems,

to discuss your problems, and try to get help with your problems from your own group, and how to cope with your problems.

Senator MATHIAS. Did you have a feeling that you were an inmate or did you have a feeling that you were a person?

Mr. STAMPER. Well, at first I started off as a inmate. Then I, you know, later became a person.

Senator MATHIAS. How did you make that change?

Mr. STAMPER. Well, see at first, you just play along with the program, and what they call fronting. You are just going along with the program, but if you stay there long enough, you seem to really get the care, you know, really concerned about the rest of the people that is in the program, so that it is really a big concern at the program.

Senator MATHIAS. You began to feel somebody cared for you. Is that what you are telling me?

Mr. STAMPER. Yes, sir.

Senator MATHIAS. As you began to feel somebody cared about you, did you begin to think about the people with whom you had come in contact? Did you think about the people you had assaulted? Did you have some concern for them?

Mr. STAMPER. Yes, sir, and during the day, everytime I see them, I talk to them, you know, and—

Senator MATHIAS. Did you ever tell them you were sorry?

Mr. STAMPER. Sorry for what?

Senator MATHIAS. The assault we were talking about?

Mr. STAMPER. No, sir.

Senator MATHIAS. You haven't. The people that—

Mr. STAMPER. Were assaulted?

Senator MATHIAS. Yes.

Mr. STAMPER. No, sir.

Senator MATHIAS. You haven't seen them?

Mr. STAMPER. No, sir.

Senator MATHIAS. But how do you feel about them? I mean, do you understand their problems too?

Mr. STAMPER. Yes, sir, I understand it very much. I just wish I didn't have to go through it; that's all I really wish.

Senator MATHIAS. I would like to ask Mr. Smith to comment at this point, since Allan has named him as one of the strong influences in the process. I would like to know how you view this, Mr. Smith.

Mr. SMITH. How I view—

Senator MATHIAS. I am interested in the success that Allan has had. How do you feel the program at the Maryland Training School has helped bring about the success which Allan feels he has achieved?

Mr. SMITH. Well, let me give you a couple of views on that, and to some extent obviously they are guesses.

I think that one good thing that happened with Allan, when I represented him, which was for the assault with intent to murder, was that Allan, although he was found guilty of those offenses, I think felt for the first time that somebody really took an interest in him and fought for his interests.

I have hanging in my office, you may have seen those, Ed, a couple of letters that we received from the parents of the kids we have represented, saying some pretty nice things, and in each case

we lost the cases, the boys were found guilty, but that really is not the point. The point is that I think when Allan went to the training school this time, he went there with a more decent feeling about the system that he was being insinuated into, because somebody really sought to take an interest in him and fight for his interest.

Initially, as Allan indicated when he was there, he played with the system, and I am sure he realized that most people are at the training school for only a brief period of time. How long a person is at the training school really has nothing to do with the rehabilitative need. It has to do with various and sundry judges around the State are doing each day by sending people there. Who goes in one door determines who goes out the other door. Allan remained for a long period of time and eventually developed a very good relationship with the superintendent of the institution, and he brought him along, he gave him responsibility, and finally when his commitment was rescinded, actually gave him a job on the campus.

You are seeing a very lucky one. The tragedy, I think, is for every Allan Stamper you see, you know, there are about 50 or 100 who don't get the attention, who don't get the care, and who don't get the opportunity, who don't even get the job.

We train people at the training school for jobs, and then they are discriminated against by unions when they leave, and when they go back into the community, so they can't get a job in the community, and each little piece of success that you see in a way should make you even more discouraged, because——

Senator MATHIAS. Because there is so little of it?

Mr. SMITH. It is such a small part of the whole picture. I would be very glad to answer any questions, Senator, that you want to direct. The field is large and the time is small.

I am going to let you select it.

Senator MATHIAS. I do have one specific question for you. You are currently involved with a pending litigation in the U.S. courts on the State of Maryland's master system. Within the professional limits that are imposed upon you, would you comment briefly on that problem as it relates to our total concern?

Mr. SMITH. Yes; actually that case is now submitted to the court, so I feel that it is more appropriate to make a brief comment about it.

That case concerns narrowly the issue of whether or not a child can be tried before a juvenile court master and found not guilty, and then be tried again for the same offense by a juvenile court judge, something which most people in this room would say isn't that prevented by the U.S. Constitution, but this is the question that is being litigated.

There is a narrow issue involved, but it is really part of a much broader question. The reason the question comes about at all is because our juveniles, who are out committing more than half of the crime in the country, we have chosen what I refer to last year and which got a lot of headlines at the time and a lot of condemnation, as a secondhand system. I will repeat those words and also add the words second rate.

We have been unwilling to give juveniles judges. This is how ridiculous our whole approach to the juvenile justice system is. We wanted

to save some money, so we recruited nonjudges, people who, according to the Court of Appeals of Maryland, have no judicial authority whatever, and then because the State's attorneys can become as equally dissatisfied with some of the actions of masters as can defense counsel, they insist on having the right to take an appeal and seek a new trial, and so although the issue of the case is narrow, the real issue in the case is much broader. It has to do with whether or not we are going to have one kind of justice for adults and an inferior system for juveniles.

Would you suppose, Senator, that if I cut your salary in half, you would be as inclined to want to remain in the U.S. Senate? Well, maybe if you were independently wealthy you would, but if you weren't, you would be less inclined to. If I gave you a job description, and sometimes you probably think that you have it, which made your position seem as if it had no power, as if it was very low in prestige, do you think you would be as willing to be a U.S. Senator? You might even want to run for the House of Representatives in that event. This is what we do with the people whom we are putting in charge of hearing cases for juveniles.

Now, this is not uniformly the case in the State. In many more jurisdictions than not, judges hear cases, but on the other hand, in those jurisdictions which have the most cases, they are being heard mostly by masters, and the bulk of the cases in the State, as a consequence, are being heard by masters, even though the bulk of judicial officers, who in one way or another are involved with juveniles, are judges.

I might say, you can take this point and run with it in 50 different directions; that this is simply symptomatic of how the juvenile justice system gets the short end of everything, even at the same time that the criminal justice system is getting the short end compared to most of the other things of society, so you can imagine how short the juvenile justice system is. It gets the least in the way of judicial resources, it gets the least in the way of court and prosecutorial and defense resources. It gets the short end of money for treatment facilities; just on and on.

Senator MATHIAS. These are the points that Senator Bayh and I have made repeatedly—and I must say with much less success than we wished. We have a juvenile crime problem which comprises approximately half of the total crime problem—and the most important half in terms of recidivism. These are the kids who, unless they have some innate quality like Allan which helped him crawl back from the brink, are going to become desperate criminal cases the rest of their lives. This exerts a toll on society. Yet we still shortchange this whole area. The total effort is inadequate.

Mr. SMITH. Senator, Allan may or may not have an innate quality. We all have innate qualities. Some kids can't be saved, and I have to say that very frankly and honestly, because we don't know enough about how the human mind operates, but an awful lot of kids who aren't being saved can be, and they don't have any unique innate quality other than just being human, who want somebody to care about them.

Senator MATHIAS. When you say that these kids are not being saved, I think society must realize the impact of your statement.

Mr. SMITH. Let me tell you what I mean. I mean that we have a society in which from birth kids ingest lead paint because the housing codes aren't enforced, and as a consequence, suffer mental retardation. Families are not given adequate assistance when there is no ability in the family to get a job. We scream about the welfare mess, but when we cut all the emotion out of it, we know that at most there are 10 percent of the people who could even work, so that is the kind of environment we create.

We allow our school system to deteriorate, and as long as the upper middle class had the opportunity for good schools, the pressure is off, and then after we run somebody through a kind of life of that kind, where it is a one parent family, where there is inadequate heat, where there is inadequate food, and on, and on, and on, and he has nothing to do but commit crimes and rob people. What do you suppose, Senator, a kid 17 years old would do, if he had the choice of either gaining money, either to eat, if you want to make it less noble just because he wants to be a big spender, to do that by going and knocking off a little old lady who is carrying a purse, or to do it by cleverly embezzling some money from a bank? Which course do you think he would take if both were open to him? Obviously, the latter.

No. 1, it would be easier. No. 2, he would get less of a chance of getting caught, and No. 3, it wouldn't be as messy. But the Allan Stammers of the world don't have that opportunity, such as you and I do, to commit crimes in that way—so we put a person in that sort of environment and he commits street crime. That is the only kind of crime that people really want to talk about. Then he is brought to the juvenile court and there may be a delay or there may not be a delay, and he is brought into the waiting room, and a lawyer, not even a lawyer, a nonlawyer, comes up and says all persons in the room who have got these pink forms, come forward, and parents come forward from a dingy waiting room, that I invite you to examine in Baltimore City. I might say I was in the one in Montgomery County yesterday and that is exactly the opposite. It gives me food for a new lawsuit. The individuals have a certain amount of information taken from them as to financial eligibility, and somehow magically, a lawyer client relationship forms, not the way that you would form one, and then a few minutes later there is some discussion back and forth with the public defender or the State's attorney, and a few minutes thereafter he is in a courtroom, and a few minutes thereafter he admits the offense.

Now, I will assume for the purpose of this discussion right now, that he really is guilty. Fifteen minutes later, he is out of the courtroom, once again having been placed on probation. It all looks very efficient, doesn't it. It is all a big facade. The system is designed to serve the system, the defense counsel, the prosecuting attorneys, the judges, on and on, and on, and I can just feel the hot knife in the back of the room now that Judge Raisin is sticking in my back. You know, of course, there are exceptions, but generally speaking, the people in the system are serving the system. They are not serving the victims. They are not serving the defendants, they are not serving all the hurt in society, and things are just run through.



Now, this wouldn't happen if this was one of my kids, and it would happen if it was one of your kids. The system would slow down. There would be patience, there would be care, but there is not that in this system.

Senator MATHIAS. You have painted us a very grim picture indeed. I wish I could dispute you by quoting enough statistics to prove you wrong, but unhappily those statistics don't exist.

Mr. SMITH. Well, I invite you, Senator, and anyone else in this room, as I read from the quote at the beginning, to come into the grimy frontline trenches, come down to the court in Baltimore City, and sit there and watch and see what goes on in the community, the once a month meetings for 15 minutes in the probation officer's office, because there is no time.

Senator MATHIAS. This subcommittee will address itself to that challenge. We will accept your invitation and your challenge, and we will make those investigations. Incidentally, I would like to point out that the Juvenile Delinquency Subcommittee will hold another session in Baltimore on Thursday, June 24. We talk of the rule of law of this country, due process of law, and the equality of men and women under the law. I think that is what the majesty of the law is all about. But it has to be given some reality. It can't be just a theory, and it should not be rhetoric. The end product of that rhetoric is fear in our society, and a great deal of insecurity on the part of people in our society—the cost of that is very high.

Allan, in closing, I want to say a word to you. You certainly have responded. You are making it. This is good for you and it is good for all the people you will come into contact with for the rest of your life. Perhaps it was luck or perhaps it was fate that brought you and Mr. Smith together. But, in any event, you got his help, and that was a big thing for you in your life. I think all of us should consider the things that Peter Smith has said, particularly those of us who have had breaks in life of one kind or another. We should consider that the breaks we received as individuals growing up are the things that now place a responsibility on us to help pass that knowledge to someone else. I am sure you are going to do that in your own career. I am sure you are doing it now, and I hope you keep on. Thank you both very much.

Mr. SMITH. Thank you very much.

Mr. STAMPER. Thank you.

Senator MATHIAS. Our next witness is Jerry Klarsfeld, the director of Lighthouse, Inc.

Mr. KLARSFELD. Senator, I would like to thank yourself and the subcommittee for inviting me here today, and if I could, I would like to concur with Mr. Smith's remarks about yourself and my personal feelings toward you and toward your good work, based on a couple of our previous encounters.

Senator MATHIAS. Thank you very much.

Mr. KLARSFELD. And may I also say that for your staff, too, who I have enjoyed working with in the intervening time.

Senator MATHIAS. I can enthusiastically agree with that.

Mr. KLARSFELD. Also, I would like to correct the record here, if I could. I am here representing the Maryland Association of Youth Services Bureaus, of which I serve as vice chairman, and on my

left is Carolyn Rogers, my cochairman, who will testify briefly regarding the services.

**STATEMENT OF JERRY KLARSFELD, VICE CHAIRMAN, ACCOMPANIED BY CAROLYN ROGERS, COCHAIRPERSON, MARYLAND ASSOCIATION OF YOUTH SERVICES BUREAUS**

Mr. KLARSFELD. We are a statewide nonprofit organization consisting of 16 service bureaus located throughout the State of Maryland, and our purpose is basically for the development of youth bureaus and development of programs working with youth and working with their families. We also serve as a statewide advocate for youth needs.

I guess I would have to say that our perspective today is from the perspective of prevention program, I think from the perspective of alternative programs in Maryland.

What I would first like to do is go on record to say that our State group concurs and endorses the Federal legislative intent and philosophy of the JJDP Act, which is basically making prevention of delinquency a national priority of the Federal Government, and thus, more constructively working with young people.

We also concur with the procedure of providing block grants to States that submit comprehensive juvenile justice plans.

We feel, however, that we must admit that the intent of this legislation is sometimes thwarted, as it moves down through the Federal level down through the State and local levels. I will make my remarks brief in that we have a more comprehensive statement that we have submitted to the subcommittee.

Senator MATHIAS. Let me state at this time, the full statement<sup>1</sup> will be inserted as a part of the record.

Mr. KLARSFELD. I guess in terms of recommendations again, the philosophy of the Federal legislation, we definitely concur with the State and local control of programing, and of use of Federal resources. However, we make the following recommendations in that process, because it is our feeling that sometimes the intent of the legislation is thwarted as it moves down the linkages to the State and local level.

We recommend specifically that there be more technical assistance in monitoring of programs, and especially in the area of delinquency prevention. It is a new area, new procedures, new guidelines, and we ask for more in terms of technical assistance and help in that area.

We also ask for more closer adherence to regional recommendations that are made to our State planning agency for implementation. What I would like to do next, the third area we would really like to stress, is we are asking that in Maryland that the doors be opened to the development of true prevention programing, which we feel has not been encouraged enough nor allowed with the Federal funds that have come through Maryland before the act.

There is a strong need for diversion in community base treatment programs, and we need Federal funds for that purpose. Yes, it is a new area, and guidelines need to be developed, evaluation procedures need to be developed.

<sup>1</sup> See p. 31.

However, we feel that in Maryland the stress has been too much after the fact, the police courts, a lot of money for prevention of root causes of delinquency go into after the fact services.

Our association feels we must back up, we must look at the root causes, what is causing the problems today. This means resources, it means commitments, and it means a willingness to pursue primary prevention programs. And, may I say, that the Federal legislation, our own Maryland comprehensive plan concurs with this. However, to my dismay, the money allocation of Maryland does not for the promoting of true prevention programs.

I must say, I was also glad in terms of hearing about the \$100 million appropriation and I hope it makes it all through the process.

Finally, we would like to make a recommendation that the JJDP Act be extended for at least a 3-year period, so programs can get moving and have a chance of showing success, instead of just extended for the 1-year period recommended by the LEAA.

In conclusion, just very basically, I would like to move toward increasing the alternatives that we have to deal with in the juvenile problem today. It is obvious, as has been stated in testimony before, we must increase our priorities in that area and must show a real commitment to dealing with juveniles.

My last point is that we often look at the delinquency problem from very negative terms. Let's turn around. Let's look at it in terms of juvenile development and let's have a positive orientation. Maybe it might do us well to ask the question, why do most youths make it in our system, instead of those who don't. Ask the question why do most youths make it, and maybe let's model some of the strategies for dealing with delinquency by that. Thank you.

[The statement follows:]

#### PREPARED STATEMENT OF JERRY KLARSFELD AND CAROLYN ROGERS

##### THE IMPACT OF THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1974, PUBLIC LAW 93-415, IN THE STATE OF MARYLAND

The Maryland Association of Youth Services Bureaus, Inc. is a statewide, non-profit organization consisting of 16 Youth Services Bureaus located throughout the State. Its purpose is to further the development of Youth Services Bureaus and to improve the effective delivery of services to troubled youth and their families. The Association also serves as a statewide advocate for youth needs.

Originally, these 16 Bureaus were each funded independently by the Maryland Governor's Commission on Law Enforcement and the Administration of Justice to work in the area of juvenile delinquency prevention. These independent Bureaus discovered common needs and problems and the Maryland Association of Youth Services Bureaus, Inc. was formed, in order that Bureaus could share their experiences and work together towards a comprehensive Youth Services Bureau system.

The Maryland Association of Youth Services Bureaus, Inc. would like to go on record endorsing the Federal legislative intent of the Juvenile Justice and Delinquency Prevention Act's goal mandating that prevention of delinquency be a national priority of the federal government. It has been our experience that only through massive federal intervention such as the JJDP Act can there be impact on the problems inherent in the juvenile justice system and on the youth who often become victimized by the system.

The initiators of this Act had those goals in mind when they developed the Act. However, strong legislative oversight is needed in assuring proper implementation by the assigned agency. In Maryland, this agency is the Maryland Governor's Commission on Law Enforcement and the Administration of Justice. For example, what is the role of the Maryland Governor's Commission staff? We recommend that it be strongly

oriented toward monitoring programs and providing adequate technical assistance in developing comprehensive evaluation and data collection systems—so necessary in assessing effectiveness. Proven effectiveness is a pre-requisite to community support. The technical assistance function could be better implemented if staff were redirected from its strong involvement in influencing policy and in exerting controls beyond its designated power. We are speaking from the perspective of 16 formerly LEAA funded programs which sought technical assistance that was minimally available. We mention this as an area to oversee to assure that all of the assistance possible is given to newly funded programs to enhance their possibility of success.

We feel that monitoring also needs to be provided to assure that the intent of the legislation is maintained, since it is often mis-directed as mandates are passed from Federal to State to local levels and from local levels to the State. One good example of this is the role of the Region Boards to the State Planning Agency. Specifically in Maryland, our members attend a number of Regional LEAA meetings, and have observed that the recommendations of these Boards are not always considered by the LEAA staff, who have the power to select and edit the information submitted by Regional Boards. One instance of this occurred last summer with the Region IV Board, consisting of representatives from Montgomery and Prince George's Counties. P.G. County recommended the funding of a crisis-intervention program as their No. 1 priority for the FY '76 Comprehensive Plan the Region IV Board adopted it as their No. 2 priority. When the regional report was given to the full Governor's Commission, this item was eliminated and was restored only through heated discussion between one member of the Commission and the Chairman and staff. To all of those present, it appeared that the Commission staff was not interested in funding such a program and exerted much influence in attempting to defer its funding. We question the strong policy-making role of the staff and again reiterate the need for local oversight.

The last example also illustrates the minimal impact of citizens on the local LEAA level even when those citizens are duly appointed representatives. Another illustration of the lack of adequate citizen participation has been the Advisory Committees to the JJDPA. We question the criteria used for selection of the participants. Were they selected to represent themselves or a specific constituency? And even more important, will their recommendations be incorporated and utilized by the Governor's Commission staff? And, is this Committee the primary means of citizen input into this Act? If so, communication channels need to be clarified. Public information regarding the Act and the communication channels on a statewide level need to be well publicized. In the past, information in this regard has been limited to publicizing the time and place of meetings. This situation demands immediate correction. Without broad knowledge and support of individuals and local communities, the mandate of the Act cannot be carried out. Juvenile delinquency prevention and intervention, in order to be successful, requires community involvement and commitment, and adequate provision for such must be made. It is most inconsistent with the concept of community-based juvenile delinquency prevention activities to exclude the general community from participating in the development of such activities.

To assure the probability for success of the JJDPA, we recommend a continued Federal role in funding State-run programs as well as letting Federal standards serve as a worthy example for improved procedures in the states. One particular area where we are looking to Washington is the area of developing services to prevent juvenile delinquency. In the past, we in Maryland, have observed resistance on the part of our SPA to develop or encourage anything other than diversion services.

One example of this is the Maryland Youth Services Bureau experience. After concluding three years of funding, our State Planning Agency produced much after-the-fact criticism regarding Youth Services Bureaus and a moratorium, placed two years ago, on funding on new Youth Services Bureaus. Mr. Richard Wertz, Executive Director of the Governor's Commission on Law Enforcement and the Administration of Justice, testified before the Maryland Legislative Council that the Commission did not feel that the State should assume the fiscal responsibility for prevention of juvenile delinquency. While this was in regard to Youth Services Bureaus, will this orientation transfer to the implementation of the JJDPA? We hope not!

We, in Maryland, are asking that doors be truly opened to the development of true delinquency prevention programming which has not been encouraged, nor allowed, with Federal funds through Maryland LEAA. The need for diversion and community-based treatment services is evident, but Maryland programs have not been encouraged to use Federal funds for primary prevention service development. Yes, it is a new area and yes, evaluation criteria still needs to be more adequately developed, but innovative prevention programming must be funded in Maryland if the intent of the JJDPA is to be carried out. After-the-fact is not enough, if we are to gain insight

into the problem. We must back-up and look at the root causes. This means resources, commitment and a willingness to pursue primary prevention programming. The Federal legislation concurs with this; the Maryland Comprehensive Plan concurs with this; the money allocation in Maryland does not.

#### JDDPA ON A NATIONAL BASIS

While we have stressed the need for monitoring of the Maryland LEAA, such words are also advised in speaking of the Federal LEAA. There also appears to be problems concerning the flow of information from LEAA to the general public. For example, for the past year the Maryland Association of Youth Services Bureaus, Inc. has been requesting, both through verbal and written correspondence, a copy of the "Youth Services Bureau: National Evaluation Program Phase I Study", in which we participated. While we understand that there have been many problems with the preparation of this study, we were requesting a draft copy only to assist us in internal studies which we as an Association had undertaken. We gained access to this report only through the National Youth Alternatives Project which made a Freedom of Information Act request of LEAA for this study. If we, who are professionals in the field participating in integral parts of the juvenile justice system, cannot obtain copies of a report which potentially has a great impact on our existence and our funding, then it might follow that the public-at-large would find it even more difficult to obtain necessary information. We suggest that some better mechanism for information dissemination and communication between LEAA and local communities be implemented.

The Maryland Association recommends that the \$50,000,000 recommended by LEAA, for the continuation of the JDDPA be increased from \$50,000,000 to \$100,000,000. We have been advised that at the \$50,000,000 level, the Act would be negatively affected, resulting in serious cutbacks and that a minimum of \$75,000,000 would maintain the program at its present activity level. With an allocation of \$100,000,000 the program would be able to expand to provide some additional youth services, encouraging more states to participate.

It is recommended that the JDDPA be extended for at least three years, rather than one year as suggested by LEAA. In this way, there would be time for full implementation of the Act and adequate time for it to prove itself.

The Maryland Association recommends that measures be taken to return the maintenance of effort requirement to a dollar basis rather than to a percentage formula as is now being proposed. We feel that the juvenile justice programs funded under the Crime Control Act should be given top priority, since they are aimed at the prevention of juvenile delinquency and intervention into juvenile crime patterns, forestalling more serious offenses. Activities aimed at juvenile delinquency prevention are truly crime control measures and thus, should be funded under the original LEAA legislation.

Our member Bureaus are also most concerned about the discussion to amend the de-institutionalization mandate, replacing it with a two-year deadline for achievement of that objective, with only a vague implementation policy. While we understand that states which have not been complying with the standard need some time to begin implementation, we fear that radically changing the two-year compliance may provide a loophole for states not to begin necessary action, nor to pass necessary implementation legislation. We have heard that a 75% de-institutionalization proposal is being discussed, however, conformance using this method would be most difficult to measure. Therefore, we caution you in taking this approach. Such percentages would also encourage states not to pass laws which would prohibit status offenders from being placed in institutions for delinquents. Even though this not a problem in Maryland, with the passage of Senate Bill 1064 mandating de-institutionalization of status offenders by July 1, 1974, as youth advocates, we must ask for such intervention. Rather than allowing states to accept money without complying with the requirements, we would suggest increased funding and adequate technical assistance be awarded to states to assist them in this implementation. The de-institutionalization of status offenders is one of the most commendable portions of the JDDPA and program implementation should be given a top priority.

Thank you very much for considering our comments and concerns in your deliberations. We would be happy to provide any additional information which would be helpful to you.

Miss ROGERS. I would like to make one or two comments in addition to that. One of the things that we think may be needed to be watched by the committee is the implementation of the act in Maryland. As

an individual program originally funded by the LEAA, we have an idea of how that agency works. All of the Youth Service Bureaus in Maryland have had some problems in terms of not receiving enough technical assistance while they were funded, and the Commission's not wanting to continue our funding after the 3-year cycle, giving very little support to encourage additional funding, and we hope that this will not be the case with new moneys coming in.

We hope that the LEAA staff, especially, will be helpful and will be responsible and be encouraged to work with the communities. The emphasis of the staff and the commission has definitely not been towards prevention. There has been a moratorium placed on funding Youth Services Bureaus which was encouraged by Commission staff. I think we are probably the only genuine juvenile delinquency prevention program that has ever been funded in Maryland and we question why this has been in the past. Hopefully maybe it was a money priority, maybe this new act will do some things, but there needs to be some strong oversight in seeing how the act is implemented. Is the State really going to follow the mandate of the legislation? We advise taking a cautious look.

Senator MATHIAS. You spoke of prevention programs. Do you have any models in mind?

Miss ROGERS. Obviously, one of the models we feel is important is the Youth Services Bureaus. I think there are other viable community services models. MAYSB, Inc. believes programs must begin in the local community receiving sponsorship on local levels. Ideally, these programs would be aimed at tying families together, with multiple services, not fragmenting here and there, but applying total service for the total family.

Mr. KLARSFELD. Senator, can I add to that the intent of it is to provide for innovative programing in the area of prevention, an area a lot of established agencies are very scared of, because evaluating criteria are still being developed. It is a new area. It is something we have not worked with in the past, and the legislation addresses that in terms of innovative programs, I think both of us could go on giving you prevention theory, but I think that the fact is we need to try to get some of this theory into fact, which is where we see the Federal role.

Senator MATHIAS. I asked Mr. Hilson and Mr. Lucas what they would do if they received \$5 million. When Allan Stamper was here, he told us the thing that made the greatest difference to him was finding that somebody had some personal concern about him as a human being. Now, even if you received \$5 million—10 times what you really expect to get—is that going to create the kind of leadership and the kind of human investment and human resource that is required? How does funding alone create the people you need to make the system work?

Mr. KLARSFELD. I guess my strongest feeling is we have to look at that in perspective. In the past you had all the service agencies—the professionals—going out to save the community, and solve all the communities' problems. I think we have to move from that model into a model of a more system approach, where we deal with the community agencies, we deal with the local political structures we are working in, and we deal with the people in the community. So,

using the resources we input from all those three elements, I think we would have a chance to have impact with that \$5 million you are going to give us next year.

Senator MATHIAS. I would like to be able to give it to you.

Mr. KLARSFELD. I think we have a lot of resources in the community. I think we do not have to have Ph. D. counseling. We are finding people in the community can be trained to provide services, and volunteers, which I think in the relationship Pete Smith had with Allan, I think he also did things on a volunteer basis. This is the kind of thing.

Miss ROGERS. A lot of times, we start looking at the credentials, not the people. Efforts are misguided, with priorities set on what degrees are held by the staff. Often funding sources dictate exact restricting stipulations. For example, counselors should have a Masters degree or a BA with 4 years' experience.

Senator MATHIAS. You are talking about exclusionary kinds of regulations and redtape?

Miss ROGERS. Yes; a tremendous number of those regulations in the existing program from the State.

Mr. KLARSFELD. But rules and regulations matter, but the original intentions of the program, and we feel we have survived in spite of it in terms of the Youth Services programs, which is surviving the remedial approaches of the past which haven't worked. We have all kinds of statistics showing they haven't worked. I think this is one of our points, the fact that we feel delinquency is a community problem, the roots and causes are in the community and the community must come alive to deal with it. Maybe in conjunction with some of the political and professional structures, coordinated together, possibly impacting. Again, there is a need for resources. The community should look, I think, to the Federal and State government as a resource, although not coming in to solve their problem.

Senator MATHIAS. And you feel that the adequate funding of programs would act as a stimulus for developing some personal interest?

Mr. KLARSFELD. I fear we would get back to the 1960's method of solving problems with money. Then it wouldn't work. As long as it is seen as a stimulus and not as the Federal Government coming in to solve the problem, then I think we have a chance of impact.

Miss ROGERS. Communities need technical systems too. It is not fair to give it to a community group and say do your thing. They need guidelines and some direction, but help them implement the program *they* have developed. Let them come in with the program. If they need assistance in implementing it, fine; but neither the State nor the Federal Government should impose itself on the community and run a particular program. In these cases, the program is just as detrimental as not providing any assistance and then blaming the program when it fails to fulfill the unwritten expectations.

Mr. KLARSFELD. For instance, we had a vandalism grant proposal with the Law Enforcement Administration down in our part of southwestern Baltimore County. The planners of this grant—which was just an agency, people, some citizens, and educators—got together and picked a certain area based on the fact of community resources. It is a community thing that is somewhat mobilized, and we were

going to combine it with the community arbitration that Mr. Duckett talked about before. So, putting all this together, we felt we might have a chance to show success with this pilot program. However, our police statistics were only second instead of first in the county, and the program is not going to be allowed to go. It is going to have to go to another area where, I think because of the rules and regulations, it isn't going to show success. It could be a good pilot program. I think we could go on for 30 minutes where rules and regulations interfere with the implementation of the theory.

Senator MATHIAS. Let me add that if you have some specifics we would appreciate seeing them.

Mr. KLARSFELD. We have outlined some in our statement.

Senator MATHIAS. Fine. We often hear that the juvenile justice system is a nonsystem. One of the frequent complaints is that instead of using a system approach of coordination with schools, recreation centers and job opportunities, there is a total lack of coordination. What comment would you have?

Mr. KLARSFELD. I think I already made my statement on that; just the fact that the theory is there right now. There needs to be a coordination between political, local, and professional.

Senator MATHIAS. How about your own program approach; do you feel you have an adequate kind of coordination?

Miss ROGERS. Currently, there are 16 Youth Service Bureaus in the State, and one of our goals is to expand the number of these programs. We would like to suggest that for every 100,000 people in the community, that there be a Youth Service Bureau to serve that population. Currently, there is no systematic approach to youth services and those of us in the field try to provide coordination on an informal basis. Obviously, our effectiveness in this regard is limited, since there are only 16 programs that have a total combined budget of \$1,065,000. With these limited funds, there is no opportunity to have an impact on the problem of juvenile delinquency and to affect any change in overall delinquency rates. There is a lack of funds not only for prevention programs, but for youth services in general and this has had a major impact on the youth service system. For example, a bill that was signed during the last legislative session extended detaining juveniles in jail—because communities didn't have the detention facilities, nor transportation to send them to such. That law is regressive since the previous statute did not allow for such detention. Even while the previous statute was in effect, the law was being violated, since juveniles were being jailed. This happened because there was no enforcement of the law and no alternatives for young people. We see the JJDP as an opportunity to provide alternatives. Judges in many communities have been criticized for the placements they have made for youth. Where are they going to put kids if they don't want to put them in jail? The community has no place for them, the parents didn't want them—where were they going to go? It is our responsibility to develop options.

Mr. KLARSFELD. These options aren't all in the professional sector. It is in the combined community and political community.

Senator MATHIAS. Following that line, one of the most important institutions we have in many communities today is the public school system. Almost every family has some relationship with the public



school—every community as one. Is it the one almost universal institution in our society. How well do you think the public school system cooperates in this whole area? Are they playing as big a role as they could? Are they maximizing resources? Is society asking enough of the school system or are we letting the system off too easily?

Mr. KLARSFELD. There is a lot of talk these days about the basics and, especially in Maryland, that the kids are coming through and they are not getting the basic skills they need. Also statistics say 93 percent of the juvenile delinquents have some kind of basic skill learning deficiency. So I think that correlation—I know it has been sort of reversing my feeling about it—in terms the schools definitely do have to deal with the basic elemental subjects, not that that would cure delinquency, however. The schools are a vital part. Who can deny it. One of our clients refers to it as “cheapest babysitting service I could get for 6 hours a day, 9 months a year.”

Senator MATHIAS. My question is, are they doing enough? I think we agree they do a vital job. But could they do more within their capabilities? Should we encourage schools to do more?

Mr. KLARSFELD. There again, I wish the system would open, like the Board of Education to me is, many times, the monster. I wish we could open them to more community input, alternative prevention input; instead of, as is in Mr. Smith’s remarks about the court system, all too often the educational system is for the educational system, the administrators and the treatment. It is not for the young people of the community. Changing that orientation, to be honest, I haven’t come up with the alternative. Do you have any thoughts on that?

Miss ROGERS. Most programs have been receiving referrals from the schools, who reach out to the community resources, but often in some of our counties the local Boards of Education have set policies that do not incorporate the community; and, in fact, many would exclude the community from the schools. If that philosophy isn’t changed, it will be very difficult for programs to coordinate with the schools. Maybe, hopefully again, educating the teachers and counselors to the resources to the community, they can reach out to those resources even if the resources cannot come to them. For instance, in Prince Georges County, the school counselors are mandated to only handle school-related problems and are not allowed to work with other social problems the youth is having that are nonschool related. Such a policy puts limitations on the school and services; but, again, they have the option of referring the youth out to agencies—that is, if the school is lucky enough to have them available in their community.

Mr. KLARSFELD. If I can throw in an example that came up this week. We work in a local middle school and our counselor there has a group of about 9 teachers that have approached him in giving them skilled training in dealing with groups of kids. This he is now doing. So he has changed his orientation from going in and dealing with 25 cases to working with the teachers and administrators, who are showing a great willingness to work with him, which is unusual, enabling them to go in their own system and deal adequately with it. This is a much better use of resources, and the kind of thing of not having the Federal Government just handing down the money to make a lot of programs. It is with us, going out and making

more resources, I think, in terms of prevention programs. This is the area we have to move in. Not just individual cases, but impacting some of the causes by teaching nine teachers how to better deal with groups is an ideal way.

Senator MATHIS. Thank you both very much for being here.

Miss ROGERS. Be glad to give you any additional information we have.

[EXHIBIT No. 3]

MARYLAND ASSOCIATION OF YOUTH SERVICES BUREAUS, INC.,  
September 17, 1976.

Re JJDPA—1974

Hon. BIRCH BAYH,  
*U.S. Senate, Committee on the Judiciary, Subcommittee To Investigate Juvenile Delinquency, Washington, D.C.*

DEAR SENATOR BAYH: The Maryland Association of Youth Services Bureaus, Inc. which consists of 16 Youth Services Bureaus located throughout the State, is a non-profit organization whose purpose is to further the development of Youth Services Bureaus and to improve the effective delivery of services to troubled youth and their families.

The members of the Association have reviewed the Juvenile Justice and Delinquency Prevention Act of 1974 and offer the following comments for your consideration. In addition to these comments, we refer you to the transcript of our testimony and the Maryland Association of Youth Services Bureaus, Inc. position paper which were presented before the Subcommittee to Investigate Juvenile Delinquency on June 22, 1976, at Annapolis, Maryland.

The Maryland Association's position has not changed since that date. The main theme of our testimony offers caution as to the implementation of the JJDPA by the designated State agency. In the past, our programs in Maryland have had negative experience with the Maryland Governor's Commission on Law Enforcement and Administration of Justice, and we feel that no matter what the content of the Bill, if its spirit is not embodied by the implementing agency, then the rhetoric is superfluous.

With regard to grantees, we would like to suggest that, in addition to the large number of grants given to runaway projects, that there be a provision for mini grants to be awarded to programs whose services extend to a broad youth population which includes running away behavior as well as other acts of assertiveness. We also suggest that funding be provided for those programs who are working with pre-runaways, i.e., those young people who come to an agency announcing that they are about to run away, but who are willing to discuss alternatives and are willing to live at home and involve themselves (and hopefully their families) in counseling in lieu of running away.

Similarly, we recommend that the term prevention be defined, since to many prevention means official identification by juvenile authorities. We, therefore, suggest that the definition be clearly stated to include the philosophy that prevention is aimed at assisting youth who are in conflict and in enhancing their problem solving ability. Prevention, in this sense, occurs prior to any official intervention by the juvenile justice system. We feel that additional funds should be delegated to programs working in that area, since at present the majority of resources are aimed at those youth already involved. Thus, the focus is on rehabilitation rather than prevention. If we are to impact on the problem cycle, then additional funds need to be allocated, and specific percentages designated, for prevention activities.

In addition, the Juvenile Justice and Delinquency Prevention Act of 1974 can be strengthened by the expansion of those programs which would receive direct Federal funding, i.e., the grants would go directly from the Federal Government to programs. Such programs should be viewed as pilot programs, innovative in nature, which would then be closely monitored to discern their effectiveness and applicability to other states.

We also suggest that, if prevention services are to be provided, they need to be included in a state plan which would be approved by those agencies on whom the plan would impact so that prevention programs would be assured a percentage of the funding.

We feel that the above would be the most important items to be stressed in considering improvements in the Juvenile Justice and Delinquency Prevention Act of 1974,

but, most important is to continue, and hopefully to increase, the current level of funding, so that on-going and additional runaway programs can be funded. Even with the current inadequacies, the Act has been instrumental in providing funds to begin programs which would not be funded otherwise, and has raised the consciousness of decision makers to the need for additional services for troubled youth.

The Maryland Association of Youth Services Bureaus, Inc. thanks you very much for all of your efforts in the development and promotion of the Juvenile Justice and Delinquency Prevention Act and for your sincere interest in youth.

Yours in mutual human concerns,

CAROLYN ROGERS, *Chairperson.*

Senator MATHIAS. Our next witness is Mr. Richard C. Wertz, who is executive director of the Governor's Commission on Law Enforcement and the Administration of Justice. He is a familiar witness to the Senate Judiciary Committee.

**STATEMENT OF RICHARD C. WERTZ, EXECUTIVE DIRECTOR, GOVERNOR'S COMMISSION ON LAW ENFORCEMENT AND THE ADMINISTRATION OF JUSTICE**

Mr. WERTZ. Thank you Mr. Chairman. For the record, my name is Richard Wertz. I am executive director of the Governor's Commission on Law Enforcement and the Administration of Justice, which is the Criminal Justice and Crime Reducation Planning Agency for the State of Maryland. I am also a member of the National Advisory Committee on Criminal Justice Standards and Goals, which is attempting to develop objectives and goals for the reform of the Juvenile Justice System to be recommended to the 50 States of the Union. We hope to have that report done this fall.

I have prepared a statement which I submit for the record. I won't go over it.

Senator MATHIAS. Your statement will be included in full in the record, at this point.

**PREPARED STATEMENT OF RICHARD C. WERTZ**

Mr. Chairman, I appreciate the opportunity to appear before you today to discuss the impact thus far in Maryland of the Juvenile Justice and Delinquency Prevention Act of 1974.

As you know, the Governor's Commission on Law Enforcement and the Administration of Justice is the State Agency charged with comprehensive criminal justice planning and for administering the Federal Crime Control Act program in Maryland. In addition, the Commission has the legislatively mandated responsibility for administering the Juvenile Delinquency Act.

We are all too well aware that juvenile crime is a serious and ever-increasing problem both nationally and here in Maryland, and while the Juvenile Delinquency Act has served to focus additional attention on the problem, the Governor's Commission has historically, placed considerable emphasis in the juvenile area. As part of our yearly comprehensive planning process, the Commission has become acutely aware that a great deal of effort and money must go toward finding prevention and treatment alternatives for the growing number of young people who are committing serious crimes.

While we recognize that many of the root causes of juvenile crime cannot be effectively addressed by the juvenile justice system, the Governor's Commission has sought, through its block grant funding programs, to improve the system's ability to handle juvenile offenders and to provide the impetus for innovative ways to handle juveniles who have not yet become delinquents.

Over the years, the Commission has allocated approximately 25 percent of its available block grant funds to juvenile programs.

Providing community-based treatment for adjudicated delinquents in lieu of institutionalization has been the Commission's major priority in the juvenile area. During the last five years, the Commission has funded a total of 23 new group homes with

a total capacity of 248 youths. In addition to group homes, funds have supported youth service bureaus and various other innovative community-based programs. Examples of these are delinquency prevention specialists in urban areas, volunteer coordinators throughout the State, a community arbitration program in Anne Arundel County, and youth diversion programs in Prince George's County and the Town of Seat Pleasant. Additionally, the Commission has funded a special school and counseling program for youths referred by Juvenile Services staff in Washington County.

Efforts aimed at reducing the number of juveniles held in existing detention facilities have resulted in a number of Commission grants for shelter and foster care programs. Emphasis has been placed in Baltimore City, where, for example, an innovative "House Detention" project has recently been operating. Under this project, youngsters who are awaiting court proceedings are placed in their own or surrogate homes under intensive supervision. During its first year of operation (1973), services were provided to 228 youths, with approximately 93 percent being available for their scheduled court hearings. A similar program is now being implemented in Prince George's County.

Data compiled by the Commission indicates that the aggregate number of youths detained in State institutions has increased every year since 1968; however, the rate of increase has been decreasing since 1972. The data also shows that there has been a steady decrease in the percentage of cases in which a youth is detained.

Drug abuse prevention and treatment programs for juveniles have also been a Commission priority. One such project, implemented by the Juvenile Services Administration, is designed to provide drug information to youths under supervision in State institutions. A second project, funded in Baltimore City, provides non-residential school and family counseling for youths whose drug problems are so serious that the students' needs can no longer be met exclusively by the school system. A third project has been funded in Baltimore County and is designed to provide individual and family counseling, an outreach program, and a crisis intervention services to youths involved in drug abuse.

In Maryland, there is no lack of regard for juvenile delinquency problems, only the lack of resources to repond to them. Since the Commission's charge under the Crime Control Act is to deal with the entire criminal justice system, we must therefore, apply our limited block grant resources across the board so as to be responsive, not only to juvenile delinquency, but to each of the system's functional parts.

When Congress passed the Juvenile Justice and Delinquency Prevention Act of 1974, we looked upon it as a valuable additional resource to supplement over juvenile programming efforts. The State of Maryland was one of the first states to move ahead to implement the Act's administrative provisions by appointing a special juvenile justice board and developing initial plans for Juvenile Delinquency Act programming.

But to date, we have often been frustrated in our attempts to mount a concentrated attack on juvenile delinquency. This frustration is born of a funding dilemma.

As you no doubt are aware, funding for the Juvenile Delinquency Act has remained at levels substantially below those authorized by Congress. That situation alone is cause for serious concern. The problem is compounded, however, by Congressional cutbacks in the overall block grant program administered by the States. If we are to have a real impact on juvenile delinquency, Juvenile Delinquency Act funds must be coordinated with the State's block grant programming, and funds must be sufficient in both areas. But this is not happening.

In Fiscal Year 1976, for example, the Congressional Juvenile Delinquency Act appropriation for Maryland was \$510,000. But at the same time these new funds were being made available, Congress was cutting back on the State's block grant appropriation. The end result of this action was to dissapate the effect the Juvenile Delinquency Act could have had in increasing the pace of reaching the goals of the Governor's Commission on Law Enforcement and the Administration of Justice and Congress. Simply put, because of reductions in the planned federal allocation in the Crime Control Act funds that can be used for juvenile delinquency, we are no farther ahead today in terms of juvenile funding than we were prior to passage of the Juvenile Delinquency Act.

Now, there is talk of even greater cuts in the block grant program as much as 30 percent, according to some estimates. This is absolutely intolerable. I cannot emphasize strongly enough that Juvenile Delinquency Act funds and block grant funds go hand-in-hand, and that both must be maintained at reasonable levels if we are to begin reducing juvenile crime.

In closing, let me re-iterate that Maryland supports the Juvenile Justice Act, that we are anxious to expand our juvenile programming, and that we are committed to our continuing efforts aimed at the prevention of juvenile delinquency.

Mr. WERTZ. The preliminary part is the usual about what a good job the Governor's Commission is doing and what a fine fellow I am.

Senator MATHIAS. The subcommittee will accept all of that as stipulated.

Mr. WERTZ. I have about five major points that I would like to very quickly make for the subcommittee, and then try to answer any questions you might have.

First, very simply, is a reiteration of what has already been said by a number of other witnesses this morning. There is no doubt, I think, in anybody's mind that juvenile delinquency and our inability to prevent juvenile delinquency are two of our State's major criminal justice problems. In fact I very quickly say that it is not only the State's major criminal justice problem, but it is our State's major problem bar none.

Senator MATHIAS. I am not sure you were in the room when Mr. Warren Duckett was testifying. He provided us with very disturbing figures that in 1971 there were 2,646 juvenile arrests in Anne Arundel County and in 1975 there were 5,384—more than doubled in a 5-year period.

Mr. WERTZ. I was in the room, and those statistics are very typical throughout the State of Maryland.

Senator MATHIAS. Do you feel that is really a true profile of the growth of the juvenile delinquency problem throughout the State of Maryland?

Mr. WERTZ. I do, sir. The problem is not confined to Anne Arundel County nor the urban corridor, but it is statewide, including some of the more rural areas of the State.

Senator MATHIAS. So we do not get any inferiority complex in Maryland, let me say that the subcommittee is cognizant that this is a nationwide problem.

Mr. WERTZ. That's correct, sir.

Senator MATHIAS. That is what gives me such a personal sense of urgency in dealing with the problem—that we are going backwards instead of forwards.

Mr. WERTZ. I believe you are right, and I think that there is another important facet of this problem that I would like to relate to you.

Every 2 years, the Governor's Commission conducts a public opinion poll of selected groups of approximately 1,000 people throughout the State to collect their views in terms of current problems with particular reference to the criminal justice system. We are currently in the process of collecting data for our second poll. We have very preliminary data at this point. We don't intend to publish it for another month or so; but the preliminary data indicates that juvenile justice reform is one of the few areas of governmental services that the people, that were interviewed by our pollsters, would ask that substantially additional money be spent. In most areas of concern, the people are saying that Government should spend less money for services, given the anti-Government trend today. This in itself speaks to both the extent of the juvenile justice problem and the concern that, I think, our people have for trying to do something about this problem. Very simply put, juvenile justice is a major problem within our State and something needs to be done about it very quickly.

The Governor's Commission, as I pointed out in my statement, has long been concerned about these issues. Juvenile justice has been included in our mandate for planning; and even prior to the passage of the Juvenile Justice Act, we established a 5 year objective aimed at the institutionalization and separation of adults and juvenile offenders in our correctional institutions.

Historically, more than 25 percent of our total block grant resources, which have averaged approximately \$10 million a year from the LEAA program, have gone into pure juvenile delinquency type programs—that is treatment programs or prevention programs. That figure does not include, for example, police programs that would serve both juveniles and adults.

We made a very heavy commitment both in terms of dollars and resources to this area of concern traditionally, and I would like to emphasize this point because it will come up later. Out of our block grant resources alone from the Crime Control Act, we are putting approximately \$3 million a year into juvenile delinquency programs; this aside from the Juvenile Justice Act resources of 1974.

In all honesty, when the Juvenile Justice Act was passed by Congress in 1974, we saw this as an opportunity to rapidly expedite our activity in the juvenile justice area. It was a very promising piece of legislation, and the legislative history and the mandate of Congress, as has been indicated earlier, is broad, and really gave us the opportunity to address a number of issues that we were not able to address in the previous legislation that we had administered.

We found very quickly, in all candor, that there were major problems associated with the act, and the most important problem related primarily to appropriations.

As you pointed out, the appropriations for this act have never equalled the amounts authorized by Congress, and even the amounts authorized, if fully appropriated, would not even begin to scratch the surface of the needs we have here within the State of Maryland.

Let me give you an example. A \$40 million appropriation for the Nation in 1976 netted Maryland \$510,000 for the implementation of the Juvenile Justice Act. Assuming \$10,000 a year cost per bed for a group home, which is what our projects have tended to average over the last few years, you are talking about enough money to house 51 children in group homes for 1 year. And our needs, gentlemen, far exceed that, as you are well aware.

Senator MATHIAS. Please review that again, because it is a dramatic figure.

Mr. WERTZ. The \$40 million national appropriation for the implementation of the Juvenile Justice Act by Congress in 1976, meant that Maryland's per capita allocation, amounted to \$510,000. Our experience for example, with group homes we have funded in the last 5 years has been that it costs approximately \$10,000 a year to maintain one bed in a group home. Several children might be through that bed, but let's say—

Senator MATHIAS. Let's say if you had one inmate who stayed for 12 months?

Mr. WERTZ. For 1 year.

Senator MATHIAS. It would be \$10,000?

Mr. WERTZ. That's correct.

Senator MATHIAS. Approximately the same that it would cost to go to Harvard, with all the trimmings.

Mr. WERTZ. That's right, and approximately what it cost to maintain a person in a secure juvenile institution. The point is very simply that the \$510,000 allocation for the entire State of Maryland in 1976, from the Juvenile Justice Act, would allow us to pay for 51 beds in group homes. There are other types of programing, but that 51 beds, compared to what we need is—

Senator MATHIAS. Fifty-one to one in terms of a real product?

Mr. WERTZ. That is approximately correct. I point out this problem because the amount available in terms of appropriations is just grossly insufficient.

The other problem that I would like to point to is the inseparability of the resources available under the Crime Control Act from the resources available under the Juvenile Justice Act.

Senator, under the provisions of the Crime Control Act, the State of Maryland receives \$10 million a year. Approximately 30 percent of that—in round figures, \$3 million a year—goes to pure juvenile types of projects—prevention and control sort of projects. Other moneys go into combined projects; but let's just talk about that \$3 million a year going into juvenile programing under the resources available in our Crime Control Grant program.

That \$3 million a year is 6 times the amount we had available in 1976 under the Juvenile Justice Act. Congress, in providing that \$40 million for the implementation of the Juvenile Justice Act nationally, took part of it out of the block grant program. You robbed Peter to pay Paul. Not you personally, because I know your position in this area, but Congress collectively robbed Peter to pay Paul. We got \$510,000 under the Juvenile Justice Act, but we had to cut our block program by almost an equal amount, slightly over \$500,000.

It was the decision of our commission, based on the recommendation from our Juvenile Justice Advisory Committee, that the cuts that we had to take out of our block grant program, come equally across the board from all areas of concern. Juvenile justice was about a third of our program and suffered about a third of the cuts. Therefore, instead of \$510,000 of new funds for new juvenile delinquency programing, we had only about two-thirds of that amount.

Senator MATHIAS. In other words, what would be presumed to moneys for prevention came out of the moneys for control?

Mr. WERTZ. Well, not quite as simple as that. The moneys from the juvenile justice, for the implementation of the Juvenile Justice Act in part came out of general crime control moneys, which in Maryland are very heavily oriented for juvenile justice, because criminal control category moneys are far greater than the Juvenile Justice Act category of money. A cut there is much more meaningful and has much more of an impact. What I am saying, very simply, is that increasing the appropriations for the Juvenile Justice Act at the expense of appropriations for the Criminal Control Act, will end up hurting us in our overall efforts in juvenile delinquency more than helping us.

Now, you have indicated the good news in terms of the Senate action on the Juvenile Justice Act for the coming year.

Senator MATHIAS. I want to enter a note of caution regarding our subcommittee action.

Mr. WERTZ. I was about to enter the same note of caution.

Senator MATHIAS. We still face the hurdle of full committee action in the Senate, and then, of course, the requirement of concurrent action with the House of Representatives. If there is any divergent view between the two Houses, we face the additional hurdle of a Conference Committee between the two Houses. So there is a long way to go.

Mr. WERTZ. Let me say that I think through your efforts, and those of Senator Bayh, and through the efforts of people who have supported the juvenile program in the House, that the appropriations for the Crime Control Act and the Juvenile Justice Act are a bit more reasonable than they started out to be.

The administration's proposal, I think, was inadequate. But as you are aware, the preliminary action of the House Appropriations Subcommittee would have cut the LEAA appropriation to \$600 million from approximately \$800 million. At the same time, they earmarked \$40 million for juvenile delinquency.

We had a situation, coming out of the House Committee on Appropriations, where they would give us \$500,000 for the implementation of the juvenile delinquency program in 1977 but would require us to cut \$1 million out of the juvenile programming in our block grant program for the same year. The point very simply, Senator, is that there is no difference as far as we are concerned between the Juvenile Delinquency Act and the Crime Control Act in terms of the need, to use the money to move ahead broadly for juvenile justice reform.

Senator MATHIAS. You say you cannot cut one without hurting the other, from your point of view?

Mr. WERTZ. Well, if you cut one at the expense of the other, the end result is that we don't have the new money that we need to implement the needed programs that have been talked about here this morning.

Senator MATHIAS. One of my great frustrations, which I do not hesitate to express, is that among members of congress who participate in making these decisions, some of those who make the loudest speeches on law and order, crime in the streets, and fear in the cities, are among those who are the toughest to deal with in terms of adequately funding the programs which might make an impact.

Mr. WERTZ. I would like to make one other comment, generally. It has been indicated several times this morning that the Governor's Commission is fairly tough in terms of review of projects, and that we have some redtape. A lot of that is true. We very carefully control our programs, and we very carefully work with our grantees to develop information that is used in the evaluation of these activities. Many of the programs, particularly in the juvenile delinquency area, are new, experimental, and have the impact if they are successful, or the potential, if they are successful, to radically change the way in which we deal with juveniles who come in contact with our system.

A good example is the program that Warren Duckett told you about earlier today. The Community Arbitration program is a new concept for the State of Maryland. The data that has been collected has allowed us to thoroughly evaluate the impact of that program, and to prove both to our Commission and, I think, the public officials



in Anne Arundel County and the general public, the worth of this totally new approach towards dealing with these first-time minor offenders. I think that sort of evaluation is absolutely essential if we are going to institutionalize reform, and it is absolutely essential to selling the individuals in Congress that you were talking about earlier.

We have data available on virtually every project that we have funded; and, if you have any need for any of those evaluation reports, they are available and we would be happy to provide them.

Senator MATHIAS. The subcommittee staff will be in touch with you on that. As you know, under the Juvenile Justice and Delinquency Prevention Act of 1974, there is a requirement that there be a maintenance of effort on juvenile programs of normal LEAA funds as of the fiscal year 1973.

Mr. WERTZ. Yes, sir.

Senator MATHIAS. Could you submit to the subcommittee the funding on juvenile programs for the intervening years?

Mr. WERTZ. Yes. I would be happy to. The LEAA decision was to spread out that maintenance of effort requirement for all the States. They arrived at a per capita figure times the number of juveniles to determine how much your maintenance of effort would be. I am very happy to say that our actual allocation to juvenile delinquency from our block grant program exceeded by about two times our maintenance of effort target figure—and has consistently.

Senator MATHIAS. Mr. Wertz, I want to thank you very much for being here, for your statement, and for the material you will provide. Thank you very much.

Mr. WERTZ. I thank you, sir.

Senator MATHIAS. Our final witness this morning is Ms. Marion Mattingly. She is a former chairperson of the Montgomery County Juvenile Court Committee, and is a distinguished member of various other organizations in the State of Maryland. She has had extensive experience statewide, and we are glad to welcome her again to this subcommittee.

#### STATEMENT OF MARION MATTINGLY, MONTGOMERY COUNTY JUVENILE COURT COMMITTEE, BETHESDA, MD.

Mrs. MATTINGLY. Thank you very much. As you have mentioned, I am the former chairman of the Montgomery County Juvenile Court Committee. I am also a member of the Governor's Commission on Juvenile Justice and the Montgomery County Criminal Justice Coordinating Commission. I have been a speaker at and participated in many conferences on the national, State and local levels.

I am delighted that you are holding these hearings. I think it gives us a whole lot of hope. Juvenile delinquency has not been getting nearly enough attention. Juvenile problems have not been getting enough attention.

I am especially delighted because inviting me here as a citizen hopefully demonstrates your recognition of the need for effective and informed citizen support. It is the citizens who, as parents, taxpayers and property owners, business people, as your constituents, have the greatest stake in the outcome of any programs that result in the improvement of Government, in this case the juvenile justice system.

Senator MATHIAS. Let me say, at this point, your full statement will be included in the record.

Mrs. MATTINGLY. I thank you.

PREPARED STATEMENT OF MARION MATTINGLY, MONTGOMERY COUNTY  
JUVENILE COURT COMMITTEE

Mr. Chairman, Members of the Subcommittee, I am Marion Mattingly of Bethesda, Maryland. I am a member and immediate past Chairperson of Montgomery County's Juvenile Court Committee. This is a citizen committee created approximately forty years ago by an act of the Maryland legislature and which serves as an advisory body to the Government and Juvenile Court of Montgomery County. I am also an appointed member of the Maryland Governor's Commission on Juvenile Justice and the Montgomery County Criminal Justice Coordinating Commission. I am involved in a number of other committees that work in the Juvenile Justice field and, in addition, I have participated in a number of National, State and local conferences. My activities have also included P.T.As, church, Red Cross and other community projects.

I am delighted that you have requested me to testify before this subcommittee. I am especially delighted because inviting me here as a citizen clearly demonstrates your recognition of the need for effective and informed citizen support. It is the citizens who, as parents, taxpayers and property owners, business people—as your constituents—have the greatest stake in the outcome of any programs that result in the improvement of Government, in this case, the Juvenile Justice system.

My presentation is from the viewpoint of a citizen concerned about the alarming rise in the incidence of crime. As you know, juveniles comprise approximately thirty per cent of our population, yet they commit over one-half of the criminal offenses. Most of the adults who commit serious crimes have a history of earlier involvement with the juvenile court system. Statistics prove that the deeper one goes into the criminal justice system the less likely he or she is able to emerge whole and productive, and the more often a child is involved in the system, the more likely he or she is to return. It is true that some children need the social control of the juvenile justice system and for those children it must be the best system possible—with adequate funds—programs and services—for the great majority of children the system has proved counter-productive. It is in most cases (perhaps 80 percent) only because of failure on the part of other service agencies that the child is thrown into the system. It seems to me that those agencies must be held responsible. They must no longer be allowed to dump all their failures into the juvenile justice system.

I find it outrageous that the human service professions are allowed to simply work with those children with whom they can succeed. For most of these children, the juvenile justice system, because of the training of those who work in it, is the worst possible place. Crime is an event, children need services before the event, as well as after. They are the same services found in the community. Social Services, Health, Mental Health, Vocational training and education receive enormous funds to deal with problems. These service providers must be held accountable. It is, therefore, my firm belief that reformation and reallocation of resources must be our number one priority.

It is only logical to concentrate on prevention and early intervention. We were thus greatly encouraged when the Juvenile Justice and Delinquency Prevention Act of 1974 became law. One positive result of this Act has been the creation of juvenile advisory committees to the state planning agencies. Also, some funds have been provided to Maryland which hopefully will result in new programs. But, it seems to me totally unrealistic to expect the sum of \$500,000 the amount allocated to Maryland under this Act, to come anywhere near accomplishing the stated objectives of the Act. If the President and the Congress really intend to adhere to the purposes of this Act then more adequate funding must be provided and maintained.

In FY 1976 the appropriation level for this program was \$40 million. The President's budget for FY 77 is \$10 million. I cannot take the President's budget figure seriously and must also say that the Congress must not only equal the FY 76 figure of \$40 million, but must increase the figure manifold if it wishes to be serious and responsible about reducing and preventing Juvenile Delinquency. In my judgement a budget of at least \$100 million is necessary for FY 77 and that figure be considered a minimum to be increased each succeeding year. Children and public safety are far too important with which to play the politics of false economy.

Even when Maryland had some funds provided to it an inordinate delay in the approval by the Regional Office in Philadelphia of the State plan caused these funds to lie idle for many months.

I suggest to you that one answer to the problems that I have referred to lies in citizen awareness and involvement. Citizens can lobby for needed legislative, regulatory

and administrative changes. Citizens can demand where agency representatives can only request. Citizens can represent you to the community and the community to you.

Elected and appointed officials should not only encourage but actively sponsor organized citizens' groups who can in turn, stimulate, involve and educate the community as a whole. Citizens to be really effective must be an integral part of the planning process and not called in after the fact.

As an example of what organized citizens can do, for over forty years, in Montgomery County, we have had a Juvenile Court Committee operating under authority of a state statute. This Committee consists of twenty citizens of the County appointed for three year terms by the local governing body. Its role is, in broad terms, to advise and consult with the judges of the Juvenile Court and with other local and State officials and related agencies in all areas of the juvenile justice system, its needs, problems and programs of prevention and rehabilitation. This has been an active working Committee with an extensive record of accomplishments, its more significant being (1) in lobbying before the State Legislature for an additional judge for the Juvenile Court, for deletion of certain unacceptable provisions in a proposed juvenile law revision and organized and stimulated statewide citizen groups to participate therein for defeat of certain juvenile measures and support of others, especially in the area of confidentiality of juvenile records; (2) in persuading the Governor to budget funds for a long-advocated regional detention diagnostic center in the County and to revise the plans therefore, to be more in keeping with modern juvenile institutional concepts; (3) brought before the County Government the need for community resources which resulted in the local establishment of and payments to shelter and group homes, increased payments for foster care, the creation of youth service centers, drug programs, and a court attached diagnostic team; (4) facilitated the first government and private interagency meeting and discussion on juvenile problems; (5) worked with existing and helped organize new citizen groups to achieve community awareness of the needs of the juvenile justice system, and involved the press, conducting educational programs for these citizens and providing for volunteer services to children and families. Representatives of the Committee have been participants in several national conferences on juvenile justice and, conferences and meetings of local and State committees and agencies in this field. A current and major task of the Committee is studying the need for prevention programs in this community, including any new concepts in this very vital area being proposed or undertaken in other communities. As a further example of what organized citizen groups can accomplish I refer you to the copy of our recent Annual Report which accompanies this statement.

But not withstanding what citizens can do and are accomplishing there is an apparent lack of sufficient and informed citizen representation on State Planning Agencies Supervisory Boards. It is of course essential to have professional and agency representation, but without a proper balance these representatives are often self-serving. Citizens, on the other hand, do not have the prejudices of a particular department or agency. Citizens are not trying to build empires, to obtain more employees, to acquire more power and funds for their own agency. What citizens want is what will work best—what will improve their community.

Informed citizens will insist that the system work and where they perceive problems they will try to help solve them.

ANNUAL REPORT  
OF THE  
MONTGOMERY COUNTY  
JUVENILE COURT COMMITTEE  
FOR  
MAY 1974 THROUGH APRIL 1975.

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## ANNUAL REPORT OF THE MONTGOMERY COUNTY JUVENILE COURT COMMITTEE

(for May 1974 through April 1975)

## I. INTRODUCTION

The Montgomery County Juvenile Court Committee has had a long history of studying juvenile needs and communicating our concerns to local and state officials. This history was due, in part, to the way our former Juvenile Code--the Code before May 1975--defined the functions of the Committee. The Code defined our functions as: "to advise the judges for juvenile causes regarding policies and procedures on all matters within the jurisdiction of the court; to study and recommend to the judges and the county council legislation relating to child welfare and the prevention and control of juvenile delinquency." In order to carry out these functions, we try to examine every service for juveniles in the county. Subcommittees are formed, on the recommendation of the Executive Committee, to make reports and recommendations regarding particular topics needing continuous study. The subcommittees for this past year were Prevention; Intake; Court Procedures; Facilities and Programs; Legislation; and Juvenile Court Committee History. Monthly meetings were held at which the juvenile court judges; sub-committee chairpersons; representatives of the Department of Juvenile Services, Office of Human Resource, Juvenile Section of the county police, and the Department of Social Services; and other invited speakers reported on current juvenile needs in the county. <sup>1</sup>

The main activities of the Committee this past year were:

- A. Studying and responding to the numerous bills introduced in the state legislature and a court order affecting juveniles;
- B. Learning about existing and needed prevention and treatment programs and facilities for juveniles and working for the development of needed programs and facilities;
- C. Reviewing the functioning of the Juvenile Court and the Juvenile section of the county police and working to increase their effectiveness.

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<sup>1</sup> See Appendix A for a list of the officers, chairpersons, and members of subcommittees.

## II. STATE LEGISLATION AND A COURT ORDER AFFECTING JUVENILES

### A. State Legislation Affecting Juveniles

Much of the legislative work of the Committee as a whole, and its Legislative subcommittee, dealt with H.B. 483 and S.B. 291, the Governor's new Juvenile Code. We learned about the provisions of these bills and their meaning by meeting with various legal experts and then held meetings with county and other delegates to acquaint them with our reasons for a highly unfavorable position. Members of the Legislative subcommittee contacted interested persons in several counties to acquaint them with our position. Testimony was given before the House Judiciary and Senate Judicial Proceedings Committees and letters were sent to the Chairmen of these committees, our delegates, and the Governor. Amendments to the bills were drawn up by the Legislative subcommittee and were given to the House and the Senate when the bills seemed likely to be approved. The Committee took an unfavorable position on these bills because the bills dealt almost exclusively with delinquents with little attention given to the needs of children in need of supervision and neglected and emotionally disturbed children; the bills took away features of the Montgomery County Juvenile Code which the Committee felt should have remained; and the bills continued use of the masters system with no mention of gradual phasing out of this system. H.B. 483 and S.B. 291 were revised and, when passed, reflected some of the changes the committee had advocated. One change that was not made that we advocate involves the advisory role of Juvenile Court Committees; we urge our county delegation to amend Section 3-833 Local Juvenile Court Committees of the Courts and Judicial Proceedings Article of the Annotated Code of Maryland 1974 so that the advisory role of a Juvenile Court Committee is described as advising the local governing body of its county and its county delegation, as well as its juvenile court.

Outcomes of H.B. 483 and S.B. 291 and the other bills we became involved with are charted in Appendix B.

Many bills pertaining to juveniles, in addition to H.B. 483 and S.B. 291, were introduced in the 1975 legislative session. The Legislative subcommittee communicated to the legislature via testimony and/or letters our favorable views regarding the following bills:

S.B. 17	Uniform Child Custody Jurisdiction Act
S.B. 18	Interstate Compact on the Placement of Children
S.B. 126	Juvenile Causes--Confinement of Delinquents
S.B. 193	Juvenile Waiver--Direct Appeal
H.B. 334	Licensure and Regulation of Children's Camps
H.B. 791	Income Tax Exemptions--Mentally Retarded or Physically Handicapped
H.B. 902	Parents' Liability for Acts of Child

H.B. 895	Mandatory Cost of Living Increase for AFDC, Group, and Foster Homes
H.B. 1654	Juvenile Causes--Waiver of Jurisdiction
H.B. 1655	Juvenile Causes--Testimony of Professional Persons

H.B. 334 and H.B. 895 were two of the bills introduced which we favored, did not pass, and which we feel are urgently needed to safeguard the physical and emotional well-being of the children affected. We urge our county delegation to support sound bills in these areas in the next legislative session.

The Legislative subcommittee communicated to the legislature via testimony and/or letters our unfavorable views regarding the following bills:

S.B. 149	Juvenile Causes--Runaway Children
H.B.'s 188, 313, 497	Juvenile Causes--Lowering Age to 16
H.B. 220	Admissibility of Proceedings
H.B. 249	Reporting of Information
H.B. 494	Review by State's Attorney
H.B. 495	Termination of Juvenile Jurisdiction
H.B. 733	Detention of Delinquent Children
H.B. 800	Juvenile Records--Disclosure

Telegrams were sent to the President of the Senate, Governor Mandel, and the Chairman of the House, opposing the maximum security facility for delinquents. The Committee favored the concepts of H.B. 586: Licensing of Juvenile Care Facilities; H.B. 1320: Neglected Children; and H.B. 869: Minors or Dependent Children: Guardian *ad Litem*, but had doubts regarding their specific wording and applicability. We communicated our doubts and concerns to the drafters of H.B.'s 586 and 1320 and to the House Judiciary Committee. None of these bills passed. The Committee would like to see sound legislation passed in the 1976 session in these areas since we believe mechanisms are needed to secure competent care and treatment of children placed in Department of Juvenile Services facilities; identification and provision of help to neglected children; and rights of parental support and care for children in need of assistance (dependent, neglected, mentally handicapped) and children in need of supervision. We urge our county delegation to introduce and/or support such legislation.

The Committee approved the general intent of H.J.R. 50, which set up a Juvenile Justice Commission, but recommended to the drafters that more attention be given to the needs of the non-delinquent children that the Juvenile Court handles in defining the role of the Commission, and that certain changes be made in the makeup of the Commission (such as increasing the number of members from the general public and members who are Juvenile Court judges).



RECOMMENDATIONS FOR THE COUNTY DELEGATION REGARDING LEGISLATION:

1. AMEND SECTION 3-833 OF THE COURTS AND JUDICIAL PROCEEDINGS ARTICLE OF THE ANNOTATED CODE SO THAT JUVENILE COURT COMMITTEES WILL BE DESCRIBED AS ADVISING THEIR LOCAL GOVERNING BODIES AND COUNTY DELEGATIONS, AS WELL AS THEIR JUVENILE COURTS.
2. PROVIDE FOR LICENSING AND PERIODIC EVALUATION BY THE DEPARTMENT OF JUVENILE SERVICES OF ITS JUVENILE CARE FACILITIES.
3. PROVIDE FOR LICENSING AND REGULATION OF CHILDREN'S CAMPS.
4. PROVIDE COST OF LIVING INCREASES IN PAYMENTS TO AFDC, GROUP, AND FOSTER HOMES.
5. PROVIDE FOR THE DETECTION OF NEGLECTED CHILDREN AND PROVISION OF HELP TO SUCH CHILDREN AND THEIR FAMILIES SO THAT THEY MAY FUNCTION ADEQUATELY, WHILE OBSERVING THE CONSTITUTIONAL RIGHTS OF FAMILIES NOT TO BE SUBJECT TO UNREASONABLE SEARCH OR LIBEL WITHOUT CIVIL REMEDIES.
6. PROVIDE GUARDIANS *AD LITEM* IN JUVENILE COURT FOR THOSE CHILDREN IN NEED OF ASSISTANCE AND CHILDREN IN NEED OF SUPERVISION WHO NEED INDEPENDENT LEGAL REPRESENTATION.

B. A Court Order Affecting Juveniles

In the spring of 1974, the Committee was informed by Judge Moore of a Baltimore Circuit Court ruling, made in response to a motion by the Attorney General, that Maryland Children's Center records of juveniles studied at the Center must be furnished to Patuxent Institute when requested. Judge Moore described the efforts of himself and Mr. Hilson to find a solution to the problems of confidentiality and conflict with the existing Juvenile Code raised by the ruling. Mr. Hilson was not able to get the Attorney General to reconsider his motion or to seek modification of the order. The Juvenile Court Committee then wrote to the Attorney General expressing our concern about Maryland Children's Center records of Montgomery County juveniles being sent to Patuxent and requesting a meeting with the Attorney General or his opinion as to whether the order could be modified so that only the court of original jurisdiction would have control over access to juvenile records. The Committee received a reply from the Attorney General stating that representatives from the Attorney General's Office and Mr. Hilson would meet regarding possible modification of the Patuxent ruling.

### III. PREVENTION AND TREATMENT PROGRAMS AND FACILITIES

#### A. General

The Prevention subcommittee found, in studying prevention and treatment programs, that it could not draw a clear-cut distinction between prevention and treatment since prevention strategies often aim not only to prevent juveniles from first committing offenses but also to prevent juveniles who have committed offenses from committing more; prevention in the latter instance often involves early treatment of the offender. (Thus, prevention and treatment needs are discussed together in this section.)

Three Prevention subcommittee members attended a conference on "Juvenile Delinquency Prevention and the National Interest" in Baltimore, with funds provided by the County Executive. They found a variety of approaches and problems described; pre-trial intervention; alternatives to traditional education; reform of juvenile justice statutes and courts; and information systems and the computer were a few.

The Prevention subcommittee held five meetings during the year at which they learned about local needs from people involved in county prevention programs or plans. Speakers at these meetings were Lorna Putz, Resource Consultant, Department of Juvenile Services; William Myers, Pupil Personnel Supervisor; Charles Short, Youth Services, Office of Human Resources; Alan Benson, head of planning for Region 4 of the Governor's Commission on Law Enforcement; and Richard Ferrara, head of Youth Services, Office of Human Resources.

At several of the monthly Juvenile Court Committee meetings, prevention and treatment needs were discussed by Betty Gibson, Chief of Child Welfare Services, Department of Social Services; Rosemarie Moulton, Supervisor of Child Welfare Intake and Institutions, Department of Social Services; Bennett Connelly, Director of Caithness Shelter; Charles Brambilla, Director of Family Services; Jeffery Winter and Robert Brager, youth counselors; Richard Ferrara, Youth Services Coordinator of the Office of Human Resources, and Captain Gabriel LaMastra, Juvenile Section of the county police. From our subcommittee and Committee discussions with these speakers, we have gained impressions of some of the needs for prevention and treatment programs and facilities for juveniles in the county. In presenting our recommendations, we want to point out that we have not been able to obtain substantive data for some of the recommendations partly because we lack staff to do the necessary research and because comprehensive, objective data on what is needed for juveniles and how well existing programs and facilities are accomplishing their goals often do not exist. Thus, we cannot give a comprehensive picture of juvenile needs or priorities. We agree with Youth Services' recommendation and the Montgomery County Criminal Justice Annual Action Plan for 1976 that the county urgently needs to establish an office with the capability to gather comprehensive, objective data and the capability to plan, coordinate, and evaluate programs and facilities for juveniles.

RECOMMENDATION FOR THE COUNTY EXECUTIVE AND COUNCIL  
REGARDING PLANNING, COORDINATION, AND  
EVALUATION OF JUVENILE PROGRAMS AND FACILITIES:

ESTABLISH AN OFFICE WITH THE CAPABILITY TO GATHER COMPREHENSIVE, OBJECTIVE DATA REGARDING JUVENILE NEEDS AND THE FUNCTIONING OF EXISTING PROGRAMS AND FACILITIES AND WHOSE RECOGNIZED FUNCTIONS ARE TO PLAN, COORDINATE, EVALUATE, AND APPROVE FUNDS FOR SUCH PROGRAMS AND FACILITIES.

Regarding particular program areas, we conclude from our meetings that prevention and treatment approaches are needed in Montgomery County which help schools and families deal with their troubled or troubling juveniles.

**B. Schools**

Many juveniles appearing in our juvenile court have had marked learning problems and/or lack motivation or ability for academic achievement. Early diagnosis and effective treatment of learning, motivational, and behavioral problems and provision of vocational education without stigma seem needed. Now only thirteen of our 143 elementary schools have guidance counselors to help children with learning and other problems and the vocational education courses offered in our junior and senior high schools are sparse. Intensive help for pre-adolescents and adolescents who develop chronic school problems (like truancy, marked underachievement, disruptive behavior, extreme withdrawal) seems needed also, perhaps in the form of alternative programs or schools. The recently established alternative schools, Chautauqua School, and The Other Way might serve as models if they are shown to be effective in accomplishing their goals.

RECOMMENDATIONS FOR THE COUNTY EXECUTIVE AND COUNCIL  
REGARDING COUNTY SCHOOLS:

ASK THE BOARD OF EDUCATION TO EXAMINE THE DESIRABILITY AND FEASIBILITY OF:

1. PROVIDING TRAINED GUIDANCE COUNSELORS IN EVERY ELEMENTARY SCHOOL WHO CAN DIAGNOSE AND HELP THE CHILD, HIS TEACHER, AND FAMILY, IF NECESSARY, DEAL WITH LEARNING, MOTIVATIONAL, OR BEHAVIORAL PROBLEMS;
2. PROVIDING COMPREHENSIVE VOCATIONAL EDUCATION FOR EVERY JUNIOR AND HIGH SCHOOL AREA;
3. ESTABLISHING MORE ALTERNATIVE PROGRAMS AND SCHOOLS FOR PRE-ADOLESCENTS AND ADOLESCENTS WHO HAVE MARKED DIFFICULTIES IN COPING WITH TRADITIONAL PROGRAMS OR SCHOOLS.

### C. Families

Speakers from various agencies stressed that they are seeing more seriously disturbed juveniles and families now—especially juveniles who have long-term problems and alcoholic parents. Some run away from home when faced with intolerable situations; some become involved in delinquency. It was emphasized that there is a critical need for more outpatient treatment services for disturbed juveniles and their families, especially those with low incomes, and a secure residential treatment center (like RICA II, the proposed Regional Institute for Children and Adolescents) for disturbed juveniles who cannot live at home. It was also suggested by the juvenile court judges that family counseling is needed at Juvenile Court, especially for low income families; efforts of the judges and the DJS staff to secure timely family counseling for their cases are often frustrated because of the cost and/or long waiting lists of existing counseling programs.

Guest speakers emphasized that the problems of children-in-need-of-supervision, whether runaways or children seen as out of control, are family problems, and for a successful outcome the family needs to be treated. The Juvenile Section of the police and the Juvenile Court, burdened with increasing delinquency cases, lack the time and resources to deal with CINS family problems. Youth Services, of the Office of Human Resources, has proposed a commendable project to the Governor's Commission on Law Enforcement which would provide special Intake workers and Youth Counselors to work intensively with children in need of supervision and their families.

#### RECOMMENDATIONS FOR THE COUNTY EXECUTIVE AND COUNCIL REGARDING SERVICES FOR FAMILIES WITH TROUBLED JUVENILES:

1. PROVIDE INCREASED OUTPATIENT TREATMENT SERVICES FOR EMOTIONALLY DISTURBED JUVENILES FROM LOW INCOME FAMILIES.
2. PROVIDE FAMILY COUNSELING AT JUVENILE COURT.
3. APPROVE AND ASSIST IN THE IMPLEMENTATION OF YOUTH SERVICES' PROPOSAL TO ESTABLISH SPECIAL INTAKE WORKERS AND YOUTH COUNSELORS TO WORK WITH CHILDREN IN NEED OF SUPERVISION AND THEIR FAMILIES.

### D. Facilities

From our discussions with various speakers, we conclude that the facilities described below need to be built and/or monitored and evaluated as to functioning.

The need for a third shelter home in the county was brought out by several speakers. Bennett Connelly, for example, past director of Caithness shelter, informed us that Caithness had to refuse placement of 125 juveniles over the past year because of lack of bed space.

In September 1977, the Committee was shocked to learn of the suicide of a juvenile at the holding facility of the Juvenile Court. Steps were

taken subsequently by the Court to reduce the likelihood of more suicides in the holding facility by changing the partitions and removing the vertical bars and by having an Intake Officer talk to each juvenile brought into the holding facility and assess whether the juvenile seemed a suicide risk. We are not confident, however, that substantial progress has been made in another area which seems to have been a critical factor in the boy's suicide, namely, the lack of emergency and long-term medical and psychiatric treatment for juveniles with serious drug problems. The boy's history showed that repeated attempts to secure treatment for him, whether at a private psychiatric facility or the emergency rooms of local hospitals, had failed. The Juvenile Court Committee sent a letter to the county Comprehensive Health Planning Board and Mental Health Advisory committee outlining the boy's history and requesting those organizations to establish criteria for required emergency and long-term service by our medical and psychiatric facilities for drug-abusing juveniles. We received no replies to our letters. We feel data should be gathered as to whether our hospitals and psychiatric facilities are providing adequate emergency, inpatient, and outpatient care to juveniles with serious drug problems (including alcohol) and, if they are not, to see that they do. Also, if there had been a secure residential treatment center, like RICA II, this boy, and the many other disturbed juveniles who have needed secure psychiatric care, might have received the help they needed. According to figures sent by Judge Moore in November 1974 to the Office of Comprehensive Health Planning, the Department of Social Services reported having 57 children needing placement in a residential treatment facility and the Department of Juvenile Services reported having 45 juveniles needing such care. About one-third of these children were placed in out-of-state residential settings (many of which could not be described as treatment facilities), one-third were contained in their own or foster homes because of the lack of an appropriate facility or funds, and one-third were sent to training or military schools, forestry camps, or group homes. RICA II is sorely needed.

The Committee has continued its efforts to stimulate architectural and program plans for RICA II that would be therapeutic. The Chairman and another member of the Facilities and Programs subcommittee testified regarding RICA II at meetings of the Comprehensive Health Planning Advisory Board stressing the great need for a residential treatment center for emotionally disturbed juveniles and for a center which has comprehensive programs and services. A member of the Facilities and Programs subcommittee set up a meeting at which state, county, Juvenile Court Committee, and mental health representatives discussed the architectural plans for RICA II with the state's head architect. She kept the Committee informed periodically about the building plans of RICA II and the detention center.

The Committee has also continued its efforts to obtain a liveable facility and beneficial programs for the new juvenile detention center. The Chairman and another member of the Facilities and Programs subcommittee attended meetings arranged by Youth Services to discuss the budget and program plans for the detention center. We were told by the Governor's Office that air conditioning would be provided initially only in the special areas requiring it (administrative areas and classrooms) and that additional air conditioning could be installed later. The Committee

Chairperson sent a letter to the Governor pointing out that putting air conditioning in the administrative areas and not in the dormitories was putting the cart before the horse.

We hope that once the buildings are constructed for RICA II and the detention center that the County Executive and Council will keep informed, hopefully via an office for planning and evaluation, regarding the operation and functioning of both facilities so that they do not become warehouses or revolving doors for problem juveniles.

**RECOMMENDATIONS FOR THE COUNTY EXECUTIVE AND COUNCIL  
REGARDING FACILITIES:**

1. CONTINUE YOUR SUPPORT FOR A THIRD SHELTER FOR JUVENILES.
2. ASK THE HEALTH DEPARTMENT TO REPORT, PUBLICLY, ON WHETHER LOCAL HOSPITALS AND PSYCHIATRIC FACILITIES ARE PROVIDING PROMPT AND ADEQUATE EMERGENCY, INPATIENT, AND OUTPATIENT TREATMENT TO JUVENILES WITH SERIOUS DRUG PROBLEMS, INCLUDING ALCOHOL, AND TO MAKE RECOMMENDATIONS TO CORRECT THE SITUATION, IF NEEDED.
3. KEEP INFORMED, AND COMMUNICATE YOUR CONCERNS TO THE RESPONSIBLE STATE AGENCIES, REGARDING THE ARCHITECTURAL AND PROGRAM PLANS, AND FUNCTIONING, WHEN OPERATIONAL, OF RICA II AND THE JUVENILE DETENTION CENTER.

**IV. FUNCTIONING OF THE JUVENILE COURT AND JUVENILE SECTION OF THE POLICE**

Our main "informants" regarding the functioning of the Juvenile Court and the Juvenile Section of the police were Juvenile Court Judges Douglas Moore and John Tracey; John Manley, head of the Department of Juvenile Services for Montgomery and Frederick Counties; Captain LaMastra, head of the Juvenile Section of the Montgomery County Police; and our Court Procedures and Intake subcommittees.

**A. Functioning of the Juvenile Court**

Intake officers of the Juvenile Court still lack adequate space and privacy to conduct their jobs of fact-finding, counseling, and supervision. Eleven DJS and two county employees in Intake now occupy 697 square feet in cramped, unenclosed offices at the District Court. In order to perform their jobs properly, DJS estimates Intake should have 1560 square feet. Judge Moore kept the Committee up to date on the outcome of efforts to find suitable quarters for the whole Juvenile Court. A new location or building for the entire Juvenile Court does not seem attainable

in the near future. We urge the County Executive and Council to continue their aid in finding sufficient space for Intake now while trying to aid state planners in obtaining or building a new facility for the whole Juvenile Court.

Judge Moore also kept the Committee informed as to the status of the Director of Court Services for the Juvenile Court. This position was approved by the Chief Judge of the District Court but has not been filled because of lack of funds. The position involves such needed functions as helping to formulate efficient and equitable policy and procedures in the court; hiring, training, directing, and evaluating staff personnel; coordinating staff and services; monitoring and evaluating programs and court services; preparing the court budget; planning for future court services; organizing volunteers; and conducting community relations efforts. We believe having a Director of Court Services could substantially improve the efficiency and effectiveness of our Juvenile Court and we urge the County Executive and Council to support and aid the Court's efforts to secure a Director of Court Services.

Periodically during the year, Juvenile Court clerical or secretarial positions needed to be filled or kept; the Committee sent letters to the responsible agencies requesting their aid in fulfillment of proper staffing.

Judge Tracey and the Chairman of the Court Procedures subcommittee kept the Committee informed about the status of guardians *ad litem* for non-delinquents. In the spring of 1974 there were about 100 attorneys who had been appointed guardians *ad litem* for non-delinquent juveniles and who had not been paid for their services. Judge Tracey described his unsuccessful attempts to obtain compensation for these attorneys through the Attorney General and Maryland Legal Aid. Attempts are now being made through hearings and briefs to seek funding from the Department of Social Services, the court, and the Department of Mental Health and Hygiene.

The benefits and likelihood of having a Family Court system in Maryland were discussed by the Committee. The Chairman of the Court Procedures subcommittee talked with other interested lawyers, including the Bar Association's Committee on Family Courts, and presented his findings to interested County Council members.

RECOMMENDATIONS FOR THE COUNTY EXECUTIVE AND COUNCIL  
REGARDING JUVENILE COURT:

1. CONTINUE AIDING THE STATE TO MAKE APPROPRIATE ARRANGEMENTS FOR HOUSING THE JUVENILE COURT IN AN ADEQUATE FACILITY;
2. CONTINUE AIDING THE JUVENILE COURT IN FINDING ADEQUATE SPACE FOR INTAKE OFFICERS IN THE INTERIM;
3. SUPPORT AND AID EFFORTS TO SECURE A DIRECTOR OF COURT SERVICES FOR JUVENILE COURT.

**B. Functioning of the Juvenile Section of the  
Montgomery County Police**

In the winter of 1975 the Committee was asked by the County Council to give them our views on a proposal to raise the legal drinking age in Montgomery County to 21 years. We asked Captain LaMastra to give us information on the extent of the problem of drinking juveniles and his views as to what should be done. He told us there had been a dramatic increase in arrests of juveniles for the use of alcohol in 1974, after the legal drinking age had been lowered, and an increase in arrests for vandalism which he attributed to alcohol use. Since the majority of the Committee could not reach consensus at that time, the Chairman of the Intake subcommittee volunteered to talk with Captain LaMastra further as well as the Board of Education. He reported his findings to the Committee. A motion was made for the Committee to recommend lowering the legal drinking age to 18 and was defeated. Judge Moore suggested we find alternative ways to deal with the problem such as examining whether there was laxity in enforcing the laws regarding selling or supplying liquor to juveniles and contributing to delinquency. A member of the Court Procedures subcommittee suggested that the Department of Motor Vehicles could take more interest in sanctioning juveniles found drinking in their cars. A fact-finding commission was formed to make inquiries into the enforcement practices regarding drinking juveniles and contributing adults of the Department of Motor Vehicles, Department of Licenses, the Liquor Control Board, the police, and the State's Attorney's Office.

**V. FUNCTIONING OF THE MONTGOMERY COUNTY JUVENILE COURT COMMITTEE**

In order that our advisory role to the County Executive, Council, and delegation, as well as to the Juvenile Court, be explicitly stated in law, we request the County Executive and Council to pass legislation so defining our role.

We found over the past year that sharing information with each other and with other citizens, and communicating with the delegation and appropriate legislative committees, was hampered by the lack of an office with regular secretarial help, a filing cabinet, and a telephone. We request that the aforementioned be provided for Committee use.

A high absenteeism rate on the part of some of our members still hampers the Committee's capability to function efficiently. We request that when the County Executive notifies the public of vacancies on the Committee he describe the functions of the Committee and stress that regular attendance and commitment to do the work of the Committee are expected.



RECOMMENDATIONS TO THE COUNTY EXECUTIVE AND COUNCIL  
REGARDING THE JUVENILE COURT COMMITTEE

1. PASS LEGISLATION DEFINING THE COMMITTEE'S FUNCTIONS AS ADVISING THE COUNTY EXECUTIVE, COUNCIL, AND DELEGATION AS WELL AS THE JUVENILE COURT.
2. PROVIDE OFFICE SPACE WITH REGULAR SECRETARIAL HELP, A FILING CABINET, AND A TELEPHONE FOR USE OF THE COMMITTEE.
3. WHEN NOTIFYING THE PUBLIC OF VACANCIES ON THE COMMITTEE, DESCRIBE THE FUNCTIONS OF THE COMMITTEE AND STRESS THAT REGULAR ATTENDANCE AND COMMITMENT TO DO THE WORK OF THE COMMITTEE ARE EXPECTED.

VI. GOALS OF THE MONTGOMERY COUNTY JUVENILE COURT COMMITTEE  
FOR MAY 1975 THROUGH APRIL 1976

1. Respond to crises in the county's juvenile justice system and to new legislation affecting juveniles;
2. Monitor and foster development of the detention center and RICA II;
3. Foster the development of programs and facilities for children in need of supervision, children in need of assistance, and delinquents;
4. Establish better communication with the County Executive and Council;
5. Help other interested counties form Juvenile Court Committees.

## VII. SUMMARY OF THE COMMITTEE'S RECOMMENDATIONS

RECOMMENDATIONS FOR THE COUNTY DELEGATION REGARDING LEGISLATION:

1. AMEND SECTION 3-833 OF THE COURTS AND JUDICIAL PROCEEDINGS ARTICLE OF THE ANNOTATED CODE SO THAT JUVENILE COURT COMMITTEES WILL BE DESCRIBED AS ADVISING THEIR LOCAL GOVERNING BODIES AND COUNTY DELEGATIONS, AS WELL AS THEIR JUVENILE COURTS.
2. PROVIDE FOR LICENSING AND PERIODIC EVALUATION BY THE DEPARTMENT OF JUVENILE SERVICES OF ITS JUVENILE CARE FACILITIES.
3. PROVIDE FOR LICENSING AND REGULATION OF CHILDREN'S CAMPS.
4. PROVIDE COST OF LIVING INCREASES IN PAYMENTS TO AFDC, GROUP, AND FOSTER HOMES.
5. PROVIDE FOR THE DETECTION OF NEGLECTED CHILDREN AND PROVISION OF HELP TO SUCH CHILDREN AND THEIR FAMILIES SO THAT THEY MAY FUNCTION ADEQUATELY, WHILE OBSERVING THE CONSTITUTIONAL RIGHTS OF FAMILIES NOT TO BE SUBJECT TO UNREASONABLE SEARCH OR LIBEL WITHOUT CIVIL REMEDIES.
6. PROVIDE GUARDIANS *AD LITEM* IN JUVENILE COURT FOR THOSE CHILDREN IN NEED OF ASSISTANCE AND CHILDREN IN NEED OF SUPERVISION WHO NEED INDEPENDENT LEGAL REPRESENTATION.

RECOMMENDATIONS FOR THE COUNTY EXECUTIVE AND COUNCIL:

1. ESTABLISH AN OFFICE WITH THE CAPABILITY TO GATHER COMPREHENSIVE, OBJECTIVE DATA REGARDING JUVENILE NEEDS AND THE FUNCTIONING OF EXISTING PROGRAMS AND FACILITIES AND WHOSE RECOGNIZED FUNCTIONS ARE TO PLAN, COORDINATE, EVALUATE, AND APPROVE FUNDS FOR SUCH PROGRAMS AND FACILITIES.
2. ASK THE BOARD OF EDUCATION TO EXAMINE THE DESIRABILITY AND FEASIBILITY OF:
  - a. PROVIDING TRAINED GUIDANCE COUNSELORS IN EVERY ELEMENTARY SCHOOL WHO CAN DIAGNOSE AND HELP THE CHILD, HIS TEACHER, AND FAMILY, IF NECESSARY, DEAL WITH LEARNING, MOTIVATIONAL, OR BEHAVIORAL PROBLEMS;
  - b. PROVIDING COMPREHENSIVE VOCATIONAL EDUCATION FOR EVERY JUNIOR AND HIGH SCHOOL AREA;
  - c. ESTABLISHING MORE ALTERNATIVE PROGRAMS AND SCHOOLS FOR PRE-ADOLESCENTS AND ADOLESCENTS WHO HAVE MARKED DIFFICULTIES IN COPING WITH TRADITIONAL PROGRAMS OR SCHOOLS.

3. PROVIDE INCREASED OUTPATIENT TREATMENT SERVICES FOR EMOTIONALLY DISTURBED JUVENILES FROM LOW INCOME FAMILIES.
4. PROVIDE FAMILY COUNSELING AT JUVENILE COURT.
5. APPROVE AND ASSIST IN THE IMPLEMENTATION OF YOUTH SERVICES' PROPOSAL TO ESTABLISH SPECIAL INTAKE WORKERS AND YOUTH COUNSELORS TO WORK WITH CHILDREN IN NEED OF SUPERVISION AND THEIR FAMILIES.
6. CONTINUE YOUR SUPPORT FOR A THIRD SHELTER FOR JUVENILES.
7. ASK THE HEALTH DEPARTMENT TO REPORT, PUBLICLY, ON WHETHER LOCAL HOSPITALS AND PSYCHIATRIC FACILITIES ARE PROVIDING PROMPT AND ADEQUATE EMERGENCY, INPATIENT, AND OUTPATIENT TREATMENT TO JUVENILES WITH SERIOUS DRUG PROBLEMS, INCLUDING ALCOHOL, AND TO MAKE RECOMMENDATIONS TO CORRECT THE SITUATION, IF NEEDED.
8. KEEP INFORMED, AND COMMUNICATE YOUR CONCERNS TO THE RESPONSIBLE STATE AGENCIES, REGARDING THE ARCHITECTURAL AND PROGRAM PLANS, AND FUNCTIONING, WHEN OPERATIONAL, OF RICA II AND THE JUVENILE DETENTION CENTER.
9. CONTINUE AIDING THE STATE TO MAKE APPROPRIATE ARRANGEMENTS FOR HOUSING THE JUVENILE COURT IN AN ADEQUATE FACILITY.
10. CONTINUE AIDING THE JUVENILE COURT IN FINDING ADEQUATE SPACE FOR INTAKE OFFICES IN THE INTERIM.
11. SUPPORT AND AID EFFORTS TO SECURE A DIRECTOR OF COURT SERVICES FOR JUVENILE COURT.
12. PASS LEGISLATION DEFINING THE COMMITTEE'S FUNCTIONS AS ADVISING THE COUNTY EXECUTIVE, COUNCIL, AND DELEGATION AS WELL AS THE JUVENILE COURT.
13. PROVIDE OFFICE SPACE WITH REGULAR SECRETARIAL HELP, A FILING CABINET, AND A TELEPHONE FOR USE OF THE COMMITTEE.
14. WHEN NOTIFYING THE PUBLIC OF VACANCIES ON THE COMMITTEE, DESCRIBE THE FUNCTIONS OF THE COMMITTEE AND STRESS THAT REGULAR ATTENDANCE AND COMMITMENT TO DO THE WORK OF THE COMMITTEE ARE EXPECTED.

## APPENDIX A:

MEMBERS OF THE MONTGOMERY COUNTY JUVENILE COURT COMMITTEE  
(May 1974 through April 1975)

Mattingly, Marion 8801 Fallen Oak Drive Bethesda, Md. 20034	COMMITTEE CHAIRPERSON Legislation committee--member Prevention committee--member
Fisher, Dr. Kenneth D. 17815 Mill Creek Drive Rockville, Md. 20855	VICE-CHAIRMAN Prevention committee--member
Cuthbert, Dr. Adele 12026 Coldstream Drive Potomac, Md. 20854	SECRETARY-TREASURER Prevention committee--member Legislation committee--member
Adams, Willard J. 15324 Delphinium Lane Rockville, Md. 20853	Prevention committee--member
Cramer, M. Michael, Esquire 4 Whisperwood Court Rockville, Md.	Court Procedure committee--member
Drury, Mary 9250 Persimmon Tree Road Potomac, Md. 20854	Prevention committee--chairperson Facilities and Programs committee--member Legislation committee--member
Dunn, Dr. Frederick L., Jr., 10230 Parkman Road Silver Spring, Md.	Facilities and Programs committee-- chairperson Intake committee--member Legislation committee--member
Fortuna, Joe W. 7218 Wisconsin Avenue Bethesda, Md.	Prevention committee--member
Goeden, James P. 1623 Marshall Avenue Rockville, Md. 20851	Legislation committee--member
Jagoe, A. L. 9519 East Stanhope Road Kensington, Md. 20795	Intake committee--chairperson Prevention committee--member Legislation committee--member
Lamb, Rev. Herbert W., Jr. 3228 Ludham Drive Silver Spring, Md. 20906	Facilities and Programs committee--member Committee History committee--member

McShalley, Betty  
10910 Jolly Way  
Kensington, Md. 20795

Legislation committee--chairperson  
Prevention committee--member

Morehouse, Elizabeth S.  
2005 Glen Ross Road  
Silver Spring, Md.

Committee History committee--  
chairperson  
Intake committee--member  
Legislation committee--member

O'Bryon, David  
4228 Leland Street  
Chevy Chase, Md. 20015

Court Procedures committee--  
member

Royer, William  
4 Columbia Court  
Rockville, Md. 20850

Legislation committee--member

Russell, LaVerne M.  
12 Bentana Way  
Rockville, Md. 20850

Prevention committee--member

Tietz, Gilbert, Esquire  
3313 Oberon Street  
Kensington, Md.

Legislation committee--member  
Intake committee--member

Turem, Dr. Jerry  
5510 Charles Street  
Bethesda, Md. 20014

Prevention committee--member

Walker, Larry E., Esquire  
13 Wade Court  
Gaithersburg, Md. 20760

Court Procedures committee--  
chairperson  
Legislation committee--member

Noyes, Hon. Alfred  
Barnesville, Md.

Honorary Member

Moore, Hon. Douglas  
Judge in Charge  
Juvenile Division  
District Court

Member Ex Officio

Tracey, Hon. John  
Judge  
Juvenile Division  
District Court

Member Ex Officio

## APPENDIX B:

OUTCOMES OF BILLS PERTAINING TO JUVENILES  
INTRODUCED IN THE 1975 SESSION OF THE MARYLAND LEGISLATURE

I. Senate Bills

<u>Number</u>	<u>Description</u>	<u>Juvenile Court Committee Position</u>	<u>Legislative Action</u>
S.B. 17	Uniform Child Custody Jurisdiction Act	Favorable	Passed
S.B. 18	Interstate Compact on the Placement of Children	Favorable	Passed
S.B. 126	Juvenile Causes-- Confinement of Delinquents	Favorable if funds and facilities are provided	Failed
S.B. 149	Juvenile Causes-- Runaway Children	Unfavorable	Failed
S.B. 193	Juvenile Waiver-- Direct Appeal	Favorable (2nd. draft)	Failed
S.B. 689	Mandatory Cost of Living Increases for FY77 for AFDC, Group, and Foster Parents	Favorable	Failed
S.B. 600	Parents Liability for Acta. of Child	Favorable	Failed

APPENDIX B:  
(Continued)

OUTCOMES OF BILLS PERTAINING TO JUVENILES  
INTRODUCED IN THE 1975 SESSION OF THE MARYLAND LEGISLATURE

II. House Bills

<u>Number</u>	<u>Description</u>	<u>Juvenile Court Committee Position</u>	<u>Legislative Action</u>
H.B. 483 (and S.B. 291)	Juvenile Causes-- Juvenile Code  Committee: Allowing the Juvenile Court in Montgomery County to remain at the District Court level with appeals going to the Court of Special Appeals; deleting wilful violations of court orders from the definition of delinquent acts; raising the age of discretionary waiver from 14 to 15 years; defining a waiver order as immediately appealable; providing for the creation of local Juvenile Court Committees.	Highly Unfavorable	Passed with amend- ments, some of which approximate changes recommended by the
H.B. 188 313 497	Lowering Age to 16	Unfavorable	Failed
H.B. 220	Juvenile Causes-- Admissibility of Proceedings	Unfavorable	Failed
H.B. 244	Juvenile Records-- Reporting of Information	Unfavorable	Failed
H.B. 334	Children's Camps-- Licensure and Regulations	Favorable	Failed (in Senate Finance Committee; passed House Environ- mental Matters Committee)
H.B. 494	Juvenile Causes-- Advice by State's Attorney	Unfavorable	Failed
H.B. 495	Juvenile Causes-- Termination of Juvenile Jurisdiction	Unfavorable	Failed
H.B. 726	Juvenile Causes-- Revising Juvenile Code	Better bill than H.B. 483; both should be referred to the Legis- lative Council.	Failed

II. House Bills (Continued)

<u>Number</u>	<u>Description</u>	<u>Juvenile Court Committee Position</u>	<u>Legislative Action</u>
H.B. 733	Delinquent Children-- Detention	Unfavorable	Passed
H.B. 800	Juvenile Records-- Disclosure	Unfavorable	Failed
H.B. 869	Minors or Dependent Children--Guardian <i>ad Litem</i>	Favorable (with suggested amendments)	Failed
H.B. 902	Parents Liability for Acts of Child	Favorable	Failed
H.B. 931	Social Worker-- Standards of Qualification	No position taken	Failed
H.B. 586	Juveniles--Licensing of Juvenile Care Facilities	Favored concept, but felt there were so many exemptions listed, bill lost its impact	Failed
H.B. 1320	Neglected Children  unreasonable search and blanket immunity raised. Committee requested Attorney General's opinion before coming out of Judiciary Committee.	Favored concept, but constitutional issues of possible	Referred to Legislative Council
H.B. 791	Income Tax Exemption-- Mentally Retarded or Physically Handicapped Children	Favored concept	Failed
H.B. 1654	Juvenile Causes-- Waiver of Jurisdiction	Favorable	Passed
H.B. 1655	Juvenile Causes-- Testimony of Professional Person	Favorable	Failed



II. House Bills (Continued)

<u>Number</u>	<u>Description</u>	<u>Juvenile Court Committee Position</u>	<u>Legislative Action</u>
H.B. 299	Courts--Jurisdiction of the District Court	Favorable	Failed
H.B. 895	Mandatory Cost of Living Increase for FY77 for AFDC, Group, and Foster Parents	Favorable	Failed
HJR 50	Commission on Juvenile Justice	Favorable with qualifications on Commission makeup and more attention to CINS, neglected, etc.	Passed, with amendment changing date from July 1977 to Jan. 1, 1977

Senator MATHIAS. We should point out that it is also the citizens who pay the cost and bear the burden. It is shocking to realize, as the Washington Post reported yesterday, and as Warren Duckett reported earlier in this hearing, that the rate of juvenile crime has doubled in the past 5 years. The price of that crime is exacted from people on the street, from householders, from everyone who comes in contact with the problem.

Mrs. MATTINGLY. You might be interested to know then that in Montgomery County, crime, juvenile crime, is very slightly down, and we feel that that might have something to do with the heavy involvement of citizens in the county, and demands for programs and so on.

Senator MATHIAS. I think it is very important for the subcommittee to hear those statistics. May we hear your thoughts on how this came about? The subcommittee is looking hard for answers nationwide.

Mr. MATTINGLY. First of all, they are very slightly down. The juvenile offenses for last year were slightly down over the year before. I was very, interested, naturally, in this, and checked with our people who are experts in population, and how many people in which age group and so on and so forth, and they said there was not the change there, so we feel that perhaps some of the programs in the county are working.

Senator MATHIAS. Let me act as devil's advocate. You say there is no change in the statistical base which could have brought about the change?

Mrs. MATTINGLY. Right.

Senator MATHIAS. Was there any change in the accounting method?

Mrs. MATTINGLY. No; I don't think so.

Senator MATHIAS. We sometimes find in dealing with statistics in Government that there has been a change for the better. But you later find out a particular agency has gone to a different system of accounting, and that makes the difference.

Mrs. MATTINGLY. No. We have no new system of accounting that anyone in the county knows of anyway. I think that that certainly is always worth studying, because you can do anything you want with statistics. At least that is what I was told. I don't know very much about statistics, but I was very happy because I have been watching the statistics for a number of years. I think the great concern is that juveniles comprise only 30 percent of the population and yet as you said, they were committing over half the offenses. I think that there is the truth, that children need the social control of the juvenile justice system, some children, and for these children it must be the best system possible. Every part of that system must work, and we must have the best judges, best State's Attorneys, defense attorneys, police and so on and so forth.

I think that for the great majority of children though, this system has proved counterproductive. I think in most cases, perhaps even 80 percent of the cases, it is only because of failures in other agencies that children are landing in the juvenile justice system. It has become a dumping ground. These agencies must no longer be allowed to dump all their failures into the juvenile justice system. I think it is completely outrageous that the human service professionals are

allowed to simply work with those children with whom they can succeed. For most of these children, the juvenile justice system, because of the training of those who work in it, is the worst possible place.

Crime is an event. Children need services before that event as well as after. Those children aren't really any different. They are the same children. They are the same services which are found within the community, social service, health, mental health, vocational training, education, all receive enormous amounts of money.

It is my firm belief that reformation and reallocation of these funds and of these resources must be our number one priority. No one really seems to be holding these agencies responsible.

It is logical to concentrate on prevention and early intervention, and we were very encouraged by the Juvenile Justice and Delinquency Prevention Act of 1974, but we were very disturbed at the amount of money appropriated, and it is very interesting, in my statement, I say that I think we need at least \$100 million, so I am delighted to hear that your subcommittee feels that that is true too.

Children and public safety are far too important to play the politics of false economy. I think that one answer to the problem, as I said, lies in citizen awareness and involvement. If citizens are not aware, are not involved, then they just can't see spending money in these fields. They don't understand the problems. There must be greater encouragement of that citizen participation. Elected and appointed officials should not only encourage but actively sponsor citizen groups who can in turn stimulate and involve and educate the whole community. Citizens, to be really effective, must be an integral part of the planning process, not called in after the fact. So often, everything has been done and someone goes out and says, "OK, now you support this." Well, if you haven't been on the planning, why should you support it. You need a whole lot of education.

As I have said, in Montgomery County, juvenile offenses are down, and in Montgomery County there is a Juvenile Court Committee, which was created by State statute originally over 40 years ago. This committee advises the judges of the Juvenile Court, the County government, the State government, and anyone who works in the juvenile area.

Senator MATHIAS. What is the composition of this?

Mrs. MATTINGLY. Twenty citizens appointed by the County Executive, approved by the County Council. Because they are appointed by the local governing body, the local governing body will indeed listen to them, and I think that is very valuable. Obviously, the committee is only as good as the members, and what they bring to the committee, and we have all types of people on that committee. We are, of course, very lucky to be in a county where they will listen to citizens, but I think in any county citizens can be effective. After all, they are the people that elected the leaders of the county.

In Montgomery County, the Juvenile Court Committee was very effective in lobbying for another judge for the Juvenile Court. It was a difficult thing to do, but we were successful. After many years, the Governor was persuaded to put funds in his budget for juvenile detention facilities to be built in the county. We have done a lot of lobbying on the State and local level and some Federal.

Senator MATHIAS. What about the question that Peter Smith raised regarding the status of the juvenile judges in relation to other members of the court?

Mrs. MATTINGLY. You are talking about whether or not the juvenile judge is thought to be the most important judge in the system?

Senator MATHIAS. Not necessarily the most important.

Mrs. MATTINGLY. As important as anyone else?

Senator MATHIAS. Is he thought to have the same importance and same prerogatives as other members of the court or is the status one of stepchild of the court?

Mrs. MATTINGLY. I think it is neglected. I think that children have the right to have their cases heard before a judge. They are more important than anyone else. I think that in Maryland, there has not been the leadership I would like to see as far as the Juvenile Court Judges are concerned. I think that obviously, with the figures the way they are, with the facts, the deeper you get into the system, the more likely you are to return to that system. Juveniles must have the most attention, they must have the best judges and those judges must be given everything they need to work with.

Senator MATHIAS. How does that affect the ability to recruit the right kind of people to be Juvenile Judges?

Mrs. MATTINGLY. Well, in Maryland, of course, we only have three full-time juvenile court judges, and I think that is a shame. I believe that juvenile court judges should be full time and I believe they should work on a nonrotating basis, so that they will know what is available for children and understand them. I do not think judges should be social workers, psychiatrists. I think they should be like any other judge, intelligent, sensible, and concerned about what happens and what will be best.

I have submitted with my statement a copy of the annual report<sup>1</sup> of the Juvenile Court Committee. Another thing that we managed to do in the county was get everyone together that worked in the juvenile area. Until that time, they had never gotten together. We had county council members, some members of the delegations, social service, health, police, judges, State's Attorney, everyone in the same room, and they said it was the first time it had ever happened. It seemed rather extraordinary at the time. It was 7 years ago, something like that. They are now meeting quite regularly. Also, when there was no space at the courthouse for a diagnostic evaluation team, which we had something to do with, the landlord did not want to rent space to a juvenile program upstairs in the building, and we went and met with the landlord, and they agreed as a result of our meeting with them, that they would indeed rent space, and they have had no big problems.

Notwithstanding what citizens can do and are accomplishing, there is an apparent lack of sufficient and informed citizen representation on the State planning agencies, supervisory boards. That bothers me. On our own Criminal Coordination Justice Commission, I see it as sort of you vote for my program, I will vote for yours, and what Federal funds are available, rather than taking a whole look at the system and see what the needs are, and if there is one in that area going after the funding, anytime it is an ounce of money available

<sup>1</sup>See pp. 48-69.

in the area, everybody suddenly decides that is the need. I am not sure that is always the need. I think there needs to be more citizens on State Planning Advisory boards, in order to keep them honest, not just concerned about their own problems. Citizens don't have the prejudices of particular departments or agencies. Citizens are not trying to build empires to obtain more employees, to acquire more power and funds for their own agencies, but what citizens want is what will work best, what will improve their community. Citizens will insist that the system work, and where they perceive problems they will try to help solve them. I think citizens are concerned about tax dollars and I think we are all concerned about them. I think it is necessary to see that programs are evaluated and that good programs are funded, but the programs that aren't working aren't funded. There really isn't enough money in the area of evaluation.

Senator MATHIAS. I know you have been personally critical of some of the specific programs which are ongoing in Maryland. Do you want to comment on your feelings regarding that aspect?

Mrs. MATTINGLY. I am not quite sure which program. Well, for instance, there are some programs I think it is not necessary to legislate. For instance, I think this Community Arbitration program is a great program, but I think that should be an intake function, and I would like to see intake offices throughout the State handling this. I really think that is what intake is all about. I think that perhaps we could talk about maximum security facilities for juveniles. I think that is absolutely the wrong way to go. Enormous amounts of money are required and then the money is never there for funding of proper programs.

If you are going to use your tax dollars wisely and have your programs be successful, it is much better to do things on a local or regional level.

Senator MATHIAS. Am I correct in assuming that you are reflecting on what Dick Wertz said a moment ago about the 51-to-1 ratio.

Mrs. MATTINGLY. Right. I think in our present facilities it would be much more sensible to have a secure area in that or to have small facilities on a regional or county basis.

Senator MATHIAS. What about the Children In Need of Supervision program?

Mrs. MATTINGLY. Children In Need of Supervision? I think we get back to my feelings about all these other agencies that aren't doing their jobs. I think that the schools are pitiful. It is a very sad thing when you look at schools today and hear them talk about well, don't bother sending that child to school, it is all right if he stays home. He is causing some problems at school, it might be better for you to keep that child at home. Usually there is no one at home to stay with that child. It is very sad to see the junior high school near my house. I talked to the guidance counselor and the guidance counselor told me it was perfectly true, what I had heard, that the boys were smoking pot in the boys' bathroom, and therefore they had the door taken off the bathroom and the boys were apparently standing in the doorway exposing themselves to people as they walked by; so the next move was that the boys moved into the girls' bathroom and smoked pot there, and they told the girls don't worry about us, we are just smoking pot. I told this story to the guidance counselor.

He said it is perfectly true, so I said I think it is outrageous. He said it is simply what the community will accept. I don't think the community will accept it. I don't think the community knows about it. To me it is absolutely—

Senator MATHIAS. There was no corrective effort at all being made?

Mrs. MATTINGLY. Well, they took the door off the bathroom.

Senator MATHIAS. Was there disciplinary action taken?

Mrs. MATTINGLY. No. I mentioned something to him about the importance of police being involved with children at the junior high level. We have a fantastic juvenile aide section with the police, and they go to some schools and sit around and rap with the children, and it is really great. I suggested this might be a good thing to do at that particular junior high school. He said, "Oh, you know, that sort of thing is for Project Headstart." Well, it is needed at Project Headstart, but it is needed at very level, but if you have respect for them, you have hope for them, hopefully.

Senator MATHIAS. Do you have the statistics on the Montgomery County situation in your statement?

Mrs. MATTINGLY. I don't have them in my statement. I will be glad to supply them to you.

Senator MATHIAS. Would you supply them to the subcommittee?

Mrs. MATTINGLY. I would be delighted to do that.

[EXHIBIT No. 4]

MONTGOMERY COUNTY, MARYLAND,  
Rockville, Md., June 28, 1976.

*Memorandum*

To: Hon. Charles Mathias, Judiciary Committee on Sub-committee on Juvenile Delinquency.

From: Mrs. Marion Mattingly, Juvenile Court Committee.

Subject: Statistical Reports—Montgomery County Police, Juvenile Section.

As per your request, attached please find the Montgomery County Police Juvenile Section's statistics for 1974 and 1975, together with the report of January through April for 1975 and 1976.

Please note that there is a slight decrease in Montgomery County in juvenile arrests. We feel this is due, among other things, to the involvement of the citizens' group.

Enclosures.

**JUVENILE SECTION—OFFENSE/ARREST REPORT**  
**DISTRICT—MONTGOMERY COUNTY CUMULATIVE**  
**Month—January—December 1974**

Offenses reported	CLSD JS	Under 11		11-12		13-14		15		16		17		Race		Total arrests	
		M	F	M	F	M	F	M	F	M	F	M	F	White	Other		
Murder .....	1										1			4	5		5
Rape .....	75	1	3	3	1	33	2	14	2	15		21	4	59	39	98	
Robbery .....	74	4	2	3	1	13	1	10	3	12	1	14	2	50	11	61	
Aggravated assault .....	283	31	8	16	3	36	19	33	7	62	5	81	5	222	53	275	
Assault—not aggravated .....	675	4	14	2	51	2	155	10	149	7	138	3	110	3	546	98	644
Burglary—statutory .....	67	2	1	5		10	1	11	1	12		16		51	6	57	
Burglary .....	171	4	6	4	1	25	4	13	3	20	4	34	1	84	31	115	
Larceny—over \$100 .....	248	6	7	21	1	45	13	32	19	48	14	52	18	154	116	270	
Theft \$51-\$100 .....	999	12	39	3	99	26	242	123	164	68	198	83	157	59	915	346	1,261
Theft \$1-\$50 .....	202	4	1	1		49	3	54	11	59	6	39	4	197	30	227	
Auto theft .....																	
<b>Total part I offenses .....</b>	<b>2,800</b>	<b>68</b>	<b>81</b>	<b>5</b>	<b>203</b>	<b>34</b>	<b>608</b>	<b>176</b>	<b>480</b>	<b>121</b>	<b>565</b>	<b>116</b>	<b>528</b>	<b>96</b>	<b>2283</b>	<b>730</b>	<b>3,013</b>
Out of control .....	121	44	1	2	4	8	10	17	9	19	13	12	10	90	15	105	
Juvenile runaway .....	1,673	959	5	16	17	65	126	70	126	69	74	38	38	592	52	644	
Suicide .....																	
Suicide attempt .....	13	4										1		1		1	
Miscellaneous calls .....	102	31															
<b>Total other calls .....</b>	<b>1,909</b>	<b>1,038</b>	<b>6</b>	<b>18</b>	<b>21</b>	<b>73</b>	<b>136</b>	<b>87</b>	<b>135</b>	<b>88</b>	<b>87</b>	<b>51</b>	<b>48</b>	<b>683</b>	<b>67</b>	<b>750</b>	
Contributing to delinquency of minor .....	12	2												60	2	62	
Arson .....	46	2	10	9	3	11	9	8		8		4		7	1	8	
Forgery—counterfeiting .....	5									3		4	1		2	2	4
Fraud .....	5							1	1	1		1		2	2	4	
Stolen property .....	46		1	2		6	1	15		12		15		42	10	52	
Vandalism .....	501	9	44	66	1	141	8	69	5	77	7	60	6	454	30	484	
Weapons .....	105		1	3	1	14	2	13	3	22	1	24		73	11	84	
Sex .....	95	13	3	3		13	1	12		20	1	10	1	58	6	64	
Narcotics—opium—cocaine .....	9	1								2		5	2	9		9	
Narcotics—marijuana .....	178	21	1	4		26	10	51	11	45	9	69	9	222	13	235	
Narcotics—synthetic .....	1	1				33	14	54	14	52	15	86	12				
Narcotics—other .....	54	10		1	2	7	4	3	3	5	6	12	1	44		44	
Gambling .....	1									2				2		2	
Family offenses .....	421	299				1						1		2		2	

**JUVENILE SECTION—OFFENSE/ARREST REPORT—Continued**  
**DISTRICT—MONTGOMERY COUNTY CUMULATIVE—Continued**  
**Month—January-December 1974—Continued**

	Offenses reported	CLSD JS	Under 11		11-12		13-14		15		16		17		Race		Total arrests
			M	F	M	F	M	F	M	F	M	F	M	F	White	Other	
Loitering .....	41						9		6	2	11	1	22		45	6	51
Endorsed summons .....	134	80			2		4	1	8	2	7	3	10	3	36	4	40
Liquor laws .....	271	2			2	1	31	4	51	27	133	34	150	26	453	6	459
Disorderly conduct .....	197	2			1		17	10	38	2	60	7	87	5	221	6	227
All other offenses .....	470	42	10	3	19	17	112	48	94	21	96	29	108	21	517	61	578
<b>Total part II offenses .....</b>	<b>2,592</b>	<b>484</b>	<b>70</b>	<b>3</b>	<b>112</b>	<b>25</b>	<b>392</b>	<b>98</b>	<b>369</b>	<b>77</b>	<b>504</b>	<b>99</b>	<b>581</b>	<b>75</b>	<b>2,247</b>	<b>158</b>	<b>2,405</b>
<b>Total part I (forward) .....</b>	<b>2,800</b>	<b>68</b>	<b>81</b>	<b>5</b>	<b>203</b>	<b>34</b>	<b>608</b>	<b>176</b>	<b>480</b>	<b>121</b>	<b>565</b>	<b>116</b>	<b>528</b>	<b>96</b>	<b>2,283</b>	<b>730</b>	<b>3,013</b>
<b>Total other calls (forward) .....</b>	<b>1,909</b>	<b>1,038</b>	<b>6</b>		<b>18</b>	<b>21</b>	<b>73</b>	<b>136</b>	<b>86</b>	<b>135</b>	<b>88</b>	<b>87</b>	<b>51</b>	<b>47</b>	<b>681</b>	<b>67</b>	<b>748</b>
<b>Grand total .....</b>	<b>7,301</b>	<b>1,590</b>	<b>157</b>	<b>8</b>	<b>333</b>	<b>80</b>	<b>1,073</b>	<b>410</b>	<b>935</b>	<b>333</b>	<b>1,157</b>	<b>302</b>	<b>1,160</b>	<b>218</b>	<b>5,211</b>	<b>955</b>	<b>6,166</b>

\*Rape—Unfounded (3)  
Rape—Attempt (2)



**JUVENILE SECTION—OFFENSE/ARREST REPORT**  
**DISTRICT—MONTGOMERY COUNTY CUMULATIVE**  
**Month—January—December 1975**

	Offenses reported	CLSD JS	Under 11		11-12		13-14		15		16		17		Race		Total arrests	
			M	F	M	F	M	F	M	F	M	F	M	F	White	Other		
Murder .....	6								2			2	1			3	2	5
Rape .....	4					3			1		1		1				6	6
Robbery .....	84	2	2		4	1	20	4	18	1	20	3	20			49	44	93
Aggravated assault .....	51	4	1	2	1	4	9	3	6	2	5	2	12	1		34	14	48
Assault—not aggravated .....	292	19	8	1	11	8	62	11	40	8	49	13	81	8		236	64	300
Burglary—statutory .....	607	6	20	1	44	7	142	11	117	6	101	3	103	5		464	96	560
Burglary .....	65	1			1	1	11	2	10		12	1	11	2		48	3	51
Larceny—over \$100 .....	197	3			4		10	5	13		23	3	22	4		54	30	84
Theft \$51-\$100 .....	234	4	8	1	31	2	44	14	35	17	46	14	46	22		169	111	280
Theft \$1-\$50 .....	1,006	12	37	12	87	36	205	130	190	88	164	79	134	79		819	382	1,201
Auto theft .....	184	4	1		8	4	51	10	60	4	52	2	44	1		209	28	237
<b>Total part I offenses .....</b>	<b>2730</b>	<b>55</b>	<b>77</b>	<b>17</b>	<b>191</b>	<b>63</b>	<b>557</b>	<b>190</b>	<b>452</b>	<b>126</b>	<b>473</b>	<b>122</b>	<b>475</b>	<b>122</b>		<b>2,085</b>	<b>780</b>	<b>2,865</b>
Out of control .....	138	52			6	2	24	14	17	10	23	14	12	8		120	10	130
Juvenile runaway .....	1,787	941	13	2	21	8	101	131	84	115	79	100	57	35		675	71	746
Suicide .....	25	6																
Suicide attempt .....	125	30																
Miscellaneous calls .....	2,075	1,029	13	2	27	10	125	145	101	125	102	114	69	43		795	81	876
<b>Total other calls .....</b>	<b>4</b>	<b>2</b>																
Contributing to delinquency of minor .....	30	5	2		8		9	2	7		6		7			35	6	41
Arson .....	8	1					2		1		1		2	1		5	2	7
Forgery—counterfeiting .....	3								2	2						4		4
Fraud .....	36				3		4		9	1	4	2	10			27	6	33
Stolen property .....	303	8	36		64		102	8	61	5	56	2	51	2		351	36	387
Vandalism .....	107	2	3		3		18	1	29		42	3	39	1		127	12	139
Weapons .....	104	18	5		6	2	17		7		13	1	8	1		46	14	60
Sex .....	7												3	4		7		7
Narcotics—opium-cocaine .....	285	24			4	1	52	16	66	8	84	18	104	23		351	25	376
Narcotics—marijuana .....	3	1									1					1		1
Narcotics—synthetic .....	50	3			1	4		4	1	6	3	8	2			29		29
Narcotics—other .....	3										3		1				4	4
Gambling .....	456	335			1											1		1
Family offenses .....																		

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**JUVENILE SECTION—OFFENSE/ARREST REPORT—Continued**  
**DISTRICT—MONTGOMERY COUNTY CUMULATIVE—Continued**  
**Month—January-December 1975—Continued**

	Offenses reported	CLSD JS	Under 11		11-12		13-14		15		16		17		Race		Total arrests
			M	F	M	F	M	F	M	F	M	F	M	F	White	Other	
Loitering .....	30						1	1	5		7	2	27	3	45	1	46
Endorsed summons .....	138	74					2	2	3		4	5	12	3	23	8	31
Liquor laws .....	200	10			1		35	10	43	15	102	28	121	23	375	3	378
Disorderly conduct .....	179				2	3	16	5	33	8	39	7	81	5	176	23	199
All other offenses .....	420	23	4	1	23	10	89	43	89	28	86	31	102	12	464	54	518
<b>Total part II offenses .....</b>	<b>2,366</b>	<b>506</b>	<b>50</b>	<b>1</b>	<b>115</b>	<b>17</b>	<b>351</b>	<b>88</b>	<b>359</b>	<b>68</b>	<b>454</b>	<b>105</b>	<b>577</b>	<b>76</b>	<b>2,067</b>	<b>194</b>	<b>2,261</b>
<b>Total part I (forward) .....</b>	<b>2,720</b>	<b>55</b>	<b>77</b>	<b>17</b>	<b>191</b>	<b>63</b>	<b>557</b>	<b>190</b>	<b>452</b>	<b>126</b>	<b>473</b>	<b>122</b>	<b>475</b>	<b>122</b>	<b>2,085</b>	<b>780</b>	<b>2,865</b>
<b>Total other calls (forward) .....</b>	<b>2,084</b>	<b>1,029</b>	<b>13</b>	<b>2</b>	<b>27</b>	<b>10</b>	<b>125</b>	<b>145</b>	<b>101</b>	<b>125</b>	<b>102</b>	<b>114</b>	<b>69</b>	<b>43</b>	<b>795</b>	<b>81</b>	<b>876</b>
<b>Grand total .....</b>	<b>7,170</b>	<b>1,590</b>	<b>140</b>	<b>20</b>	<b>333</b>	<b>90</b>	<b>1,033</b>	<b>423</b>	<b>912</b>	<b>319</b>	<b>1,029</b>	<b>341</b>	<b>1,121</b>	<b>241</b>	<b>4,947</b>	<b>1,055</b>	<b>6,002</b>

JUVENILE SECTION—OFFENSE/ARREST REPORT

DISTRICT—MONTGOMERY COUNTY CUMULATIVE

Month—January—April 1975

Offenses Reported	CLSD JS	Under 11		11-12		13-14		15		16		17		Race		Total Arrests		
		M	F	M	F	M	F	M	F	M	F	M	F	White	Other			
		Murder	1					1										
Rape	26	2	2		1	5		3		9	2	8				19	11	30
Robbery	24	2	1	2	1	4	4	1	3	2	2	1	5	1		17	10	27
Aggravated assault	82	8	1	1	2	2	18	2	15	1	14	4	27	2		68	21	89
Assault—not aggravated	225	1	1		4	1	46	5	47	1	24	2	34			146	19	165
Burglary—statutory	33					2		7			5		3			17		17
Burglary	18	1			2		2	1	5		6	1	8			16	9	25
Larceny—over \$100	59	3	1		5	1	15	8	8	5	15	5	11	7		47	34	81
Theft \$51-\$100	350	9	11	3	39	10	79	41	52	27	53	30	49	25		320	99	419
Theft \$1-\$50	58	1			3		16		22	2	16	1	11			62	9	71
Auto theft																		
<b>Total part I offenses</b>	<b>876</b>	<b>27</b>	<b>17</b>	<b>6</b>	<b>56</b>	<b>19</b>	<b>188</b>	<b>58</b>	<b>162</b>	<b>38</b>	<b>144</b>	<b>46</b>	<b>156</b>	<b>35</b>		<b>712</b>	<b>213</b>	<b>925</b>
Out of control	39	16				1	10	3	5	1	2	2	5	3		28	4	32
Juvenile runaway	601	322	2		11	4	23	24	31	41	28	26	17	6		191	22	213
Suicide	10	4																
Suicide attempt	35	12																
Miscellaneous calls																		
<b>Total other calls</b>	<b>685</b>	<b>354</b>	<b>2</b>		<b>11</b>	<b>5</b>	<b>33</b>	<b>27</b>	<b>36</b>	<b>42</b>	<b>30</b>	<b>28</b>	<b>22</b>	<b>9</b>		<b>219</b>	<b>26</b>	<b>245</b>
Contributing to delinquency of minor	3															17	1	18
Arson	14	4	1		5		6		5					1		4		4
Forgery—counterfeiting	5	1					1		1		1		1			4		4
Fraud	3								2	2						9		9
Stolen property	11								2		2	1	4			9		9
Vandalism	121	5	22		24		41	2	20	3	23	2	14	2		139	14	153
Weapons	45	2			2		7		8		16	2	16			49	2	51
Sex	34	10			2	6		4			4		1			13	4	17
Narcotics—opium-cocaine	2												1			1		1
Narcotics—marijuana	87	7			1		15	1	19	2	23	4	35	3		93	10	103
Narcotics—synthetic	2						1		1		1		1			1		1
Narcotics—other	11	3							1		1		1			4		4
Gambling																		
Family offenses	161	110																

JUVENILE SECTION—OFFENSE/ARREST REPORT—Continued

DISTRICT—MONTGOMERY COUNTY CUMULATIVE—Continued

Month—January-April 1975—Continued

	Offenses Reported	CLSD JS	Under 11		11-12		13-14		15		16		17		Race		Total Arrests
			M	F	M	F	M	F	M	F	M	F	M	F	White	Other	
Loitering .....	9								1				10	1	12		12
Endorsed summons .....	56	29					1	2		2	2	4			6	5	11
Liquor laws .....	99	1		1		13	4	18	3	50	9	51	7		155	1	156
Disorderly conduct .....	58				1	4	1	13	4	16	1	26			57	9	66
All other offenses .....	150	9	1		10	4	36	10	30	7	26	8	21	1	137	17	154
<b>Total part II offenses .....</b>	<b>871</b>	<b>181</b>	<b>24</b>		<b>43</b>	<b>7</b>	<b>130</b>	<b>19</b>	<b>126</b>	<b>21</b>	<b>165</b>	<b>29</b>	<b>186</b>	<b>14</b>	<b>701</b>	<b>63</b>	<b>764</b>
<b>Total part I (forward) .....</b>	<b>876</b>	<b>27</b>	<b>17</b>	<b>6</b>	<b>56</b>	<b>19</b>	<b>188</b>	<b>58</b>	<b>162</b>	<b>38</b>	<b>144</b>	<b>46</b>	<b>156</b>	<b>35</b>	<b>712</b>	<b>213</b>	<b>925</b>
<b>Total other calls (forward) .....</b>	<b>685</b>	<b>354</b>	<b>2</b>		<b>11</b>	<b>5</b>	<b>33</b>	<b>27</b>	<b>36</b>	<b>42</b>	<b>30</b>	<b>28</b>	<b>22</b>	<b>9</b>	<b>219</b>	<b>26</b>	<b>245</b>
<b>Grand total .....</b>	<b>2432</b>	<b>562</b>	<b>43</b>	<b>6</b>	<b>110</b>	<b>31</b>	<b>351</b>	<b>104</b>	<b>324</b>	<b>101</b>	<b>339</b>	<b>103</b>	<b>364</b>	<b>58</b>	<b>1,632</b>	<b>302</b>	<b>1,934</b>

JUVENILE SECTION—OFFENSE/ARREST REPORT

DISTRICT—MONTGOMERY COUNTY CUMULATIVE

Month—January—April 1976

Offenses	CLSD JS	Under 11		11-12		13-14		15		16		17		Race		Total Arrests		
		Reported		M	F	M	F	M	F	M	F	M	F	M	F		White	Other
Murder																		
Rape	2					2		1							1	2	3	
Robbery	18			1		4		6	1	3	1	7	2		14	11	25	
Aggravated assault	10	1		1				4		1		1			5	2	7	
Assault—not aggravated	74	1	2		4		13	5	9	2	15	3	19	3	68	7	75	
Burglary—statutory	136	4		1	8		63	3	42	2	34		23	2	161	17	178	
Burglary	13							2		3		5			11	4	15	
Larceny—over \$100	23					3	1	6	2	7	2	2			13	10	23	
Theft \$51-\$100	73		3	1	8	3	17	6	12	6	11	6	12	3	54	34	88	
Theft \$1-\$50	236	2	12	2	27	9	47	27	39	17	46	19	31	16	220	72	292	
Auto theft	66	2			2		16	2	31	4	20	3	12		70	20	90	
<b>Total part I offenses</b>	<b>651</b>	<b>10</b>	<b>17</b>	<b>4</b>	<b>51</b>	<b>12</b>	<b>167</b>	<b>44</b>	<b>153</b>	<b>34</b>	<b>142</b>	<b>34</b>	<b>112</b>	<b>26</b>	<b>617</b>	<b>179</b>	<b>796</b>	
Out of control	71	29			1	1	8	14	6	10	10	2	6	4	52	10	62	
Juvenile runaway	607	301	2		4	2	26	53	26	42	30	34	23	16	231	27	258	
Suicide																		
Suicide attempt	6	3																
Miscellaneous calls	51	9																
<b>Total other calls</b>	<b>735</b>	<b>342</b>	<b>2</b>		<b>5</b>	<b>3</b>	<b>34</b>	<b>67</b>	<b>32</b>	<b>52</b>	<b>40</b>	<b>36</b>	<b>29</b>	<b>20</b>	<b>283</b>	<b>37</b>	<b>320</b>	
Contributing to delinquency of minor	3	2																
Arson	14		4		4		4		1		1		2		13	3	16	
Forgery—counterfeiting	10									1	3	3	3	1	7	4	11	
Fraud	3								3					1	3	1	4	
Stolen property	5				1				1		1		2		3	2	5	
Vandalism	76		9	2	17		44	3	17	3	21		17		127	6	133	
Weapons	29	1					6	1	7		9	1	11		31	4	35	
Sex	21	2	2		1		6		5		3		1		12	6	18	
Narcotics—opium-cocaine	3							2							2		2	
Narcotics—marijuana	112	5			5		16	20	36	5	34	6	42	4	160	8	168	
Narcotics—synthetic	1													2	2		2	
Narcotics—other	8	2								2	3	2	1		8		8	
Gambling																		
Family offenses	183	152											1		1		1	

**JUVENILE SECTION—OFFENSE/ARREST REPORT—Continued**  
**DISTRICT—MONTGOMERY COUNTY CUMULATIVE—Continued**  
**Month—January-April 1976—Continued**

	Offenses Reported	CLSD JS	Under 11		11-12		13-14		15		16		17		Race		Total Arrests	
			M	F	M	F	M	F	M	F	M	F	M	F	White	Other		
			Loitering .....	2								1				1		
Endorsed summons .....	24	18							3		1	1	4			7	2	9
Liquor laws .....	28	1					2		8	1	14	4	10	3		42		42
Disorderly conduct .....	34	1	1		1		7	4	8	1	9	2	10	2		42	3	45
All other offenses .....	127	30	4	1	7	3	31	10	20	10	29	8	29	5		142	15	157
<b>Total part II offenses .....</b>	<b>683</b>	<b>214</b>	<b>20</b>	<b>3</b>	<b>36</b>	<b>3</b>	<b>116</b>	<b>40</b>	<b>110</b>	<b>23</b>	<b>128</b>	<b>27</b>	<b>134</b>	<b>18</b>		<b>603</b>	<b>55</b>	<b>658</b>
<b>Total part I (forward) .....</b>	<b>651</b>	<b>10</b>	<b>17</b>	<b>4</b>	<b>51</b>	<b>12</b>	<b>167</b>	<b>44</b>	<b>153</b>	<b>34</b>	<b>142</b>	<b>34</b>	<b>112</b>	<b>26</b>		<b>617</b>	<b>179</b>	<b>796</b>
<b>Total other calls (forward) .....</b>	<b>735</b>	<b>342</b>	<b>2</b>		<b>5</b>	<b>3</b>	<b>34</b>	<b>67</b>	<b>32</b>	<b>52</b>	<b>40</b>	<b>36</b>	<b>29</b>	<b>20</b>		<b>283</b>	<b>37</b>	<b>320</b>
<b>Grand total .....</b>	<b>2,069</b>	<b>566</b>	<b>39</b>	<b>7</b>	<b>92</b>	<b>18</b>	<b>317</b>	<b>151</b>	<b>295</b>	<b>109</b>	<b>310</b>	<b>97</b>	<b>275</b>	<b>64</b>		<b>1,503</b>	<b>271</b>	<b>1,774</b>

Senator MATHIAS. We thank you very much for being here.

Mrs. MATTINGLY. Thank you.

Senator MATHIAS. I also thank you for your continuing interest.

At this time, the subcommittee wants to thank all the witnesses who appeared today. We have an unhappy picture to confront. As I said at the opening of these hearings, crime is up 25 percent in the Baltimore area alone. The testimony today indicates that, over a 5-year period, juvenile crime is up 100 percent in the Annapolis area. The purposes for which the Juvenile Delinquency Subcommittee has sponsored legislation have not been served as fully as we had initially hoped. We must find out why, and do something about it. In further pursuit of this subject, this subcommittee will hold a hearing on Thursday morning, June 24, 1976, at 9 a.m. in the Federal Building in Baltimore. The opening witness on that day will be Dr. Milton Eisenhower, the President Emeritus of Johns Hopkins University, and the Chairman of the National Commission on the Causes and Prevention of Violence. The subcommittee will stand in recess until that hour.

[Whereupon, at 12:30 p.m., the subcommittee was recessed until 9 a.m., June 24, 1976, Federal Building, Baltimore, Md.]





## MARYLAND: JUVENILE JUSTICE

### Implementation of the Juvenile Justice and Delinquency Prevention Act (Public Law 93-415) in Maryland - 1976

THURSDAY, JUNE 24, 1976

U.S. SENATE,  
SUBCOMMITTEE TO INVESTIGATE JUVENILE DELINQUENCY,  
COMMITTEE ON THE JUDICIARY,  
*Baltimore, Md.*

The subcommittee, composed of Senators Bayh, Hart, Burdick, Kennedy, Mathias, Hruska, and Fong, met, pursuant to notice, at 9 a.m., in the Federal Office Building, Baltimore, Md., Senator Charles McC. Mathias, Jr., presiding.

Present: Senator Mathias.

Also present, John M. Rector, staff director and chief counsel; Mary Kaaren Jolly, editorial director and chief clerk; Robert Kelley, minority counsel; Alan Dessoiff, minority press secretary and Dan Zaccagnini, minority assistant.

Senator MATHIAS. We will reconvene our hearing this morning.

Ladies and gentlemen, the subcommittee will come to order. As you know, this is a hearing of the Subcommittee To Investigate Juvenile Delinquency of the U.S. Senate Committee on the Judiciary. We are meeting today under the authority of the subcommittee chairman, Senator Birch Bayh of Indiana. Senator Bayh has made a notable record as a result of his interest in the problems of young people and juveniles. Unfortunately, Senator Bayh is unable to be present today, but has delegated me to preside over this hearing.

#### OPENING STATEMENT OF SENATOR MATHIAS, PRESIDING

Senator MATHIAS. We have a distinguished list of witnesses today. I want to begin hearing from them without delay; but by way of a brief introduction, I would like to read two short poems written by boys who have "done time" in our so-called juvenile justice system.

The first of these poems was written by a young man in a youth center in Arizona. It ends this way:

"My life was wasted the day I was born,  
My life, my heart, it was all torn.  
Why did everything go wrong?"

The second of these poems was scratched on the shatterproof glass window of a solitary confinement cell by a boy who killed himself very soon afterwards. It's very short. He said:

"As you are, I was once.  
As I am, you shall be."

No matter what these boys had done, the wasting of their lives sits very heavily on the conscience of a civilized society.

In 1974 Congress took one short step toward saving young people like these when we passed the Juvenile Justice and Delinquency Prevention Act. Today I hope to explore the condition of the juvenile system in Maryland, and find out how influential that act has been on the system.

Senator Bayh and I, along with the other members of the subcommittee want to know if the act has mitigated the tragedy of juvenile justice. If not, we want to ascertain what more can be done to restore hope and purpose to the lives of young people in trouble.

We are very fortunate that Dr. Milton S. Eisenhower has agreed to be our leadoff witness today. He really needs no introduction anywhere in the United States. Dr. Eisenhower is president emeritus of Johns Hopkins University. But far beyond that, Dr. Eisenhower has headed the President's Commission on Violence, and for years, he has taken an interest in education and in the lives of young people as the head of a number of academic institutions. And he's a great American.

Dr. Eisenhower, would you come forward?

**STATEMENT OF DR. MILTON S. EISENHOWER, PRESIDENT EMERITUS, JOHNS HOPKINS UNIVERSITY, BALTIMORE, MD.**

Dr. EISENHOWER. Senator Mathias, gentlemen, I'm first going to make a formal statement, then I'll make a few extemporaneous remarks.

Since I'm not a specialist on juvenile delinquency, the only justification for my accepting your invitation to meet with you this morning is that total criminal activity in the United States, a problem which I have studied in depth, includes a disturbing number of young people.

The report of the Federal Bureau of Investigation for 1974 analyzed 10.2 million crimes. We may confidently assume that the actual number of crimes was about 15 million, since many are not reported to the police or the FBI.

The problem centers in the large cities where the rate of crime is 11 times that of rural areas, 8 times the average rate for all areas outside major cities.

In the cities, the most criminogenic group is 15 to 24 years of age. These young people commit three times as many illegal offenses as any other age group. But the 10-to-14-year age group is becoming a serious threat. Criminal activities by these youngsters increased 300 percent in the 1960's and each subsequent year the problem has become more pronounced.

A high percentage of young offenders live in the ghettos, but I emphasize that one race is no more criminogenic than another. This has been substantiated by research over a long period of years.

Before I suggest causes, let me point out that the rate of crime in this country, after declining from 1900 to about 1950, increased slightly during the 1950's, suddenly doubled in the 1960's and increased another 50 percent in the 1970's.

Specifically, from 1960 to 1974, the murder rate increased 90 percent, rape 175 percent, armed robbery 248 percent, and the national average of all so-called index crimes 157 percent.

Why are we suddenly faced with criminal activity that threatens the very character and quality of American life? Why are juveniles prominent in this tragic development?

The answers are found in no single circumstance but in interrelated developments too numerous for me to discuss this morning. I shall mention only a few highlights.

We are now an urbanized society. Including their suburbs, major cities contain more than 70 percent of the total population. Since the highest rate of crime is in the cities, the shift of people from the countryside and small towns to urban environments is relevant to the problem you are considering.

The welfare system must accept some of the blame. In 1960, 50 percent of ghetto families had fathers as well as mothers. By the end of the decade, only 20 percent had fathers. Many fathers, including those with jobs, left home and the mother and children went on relief. Mothers worked as much as possible without impairing relief payments. This left children with little home supervision. The children spent more time before television screens, mainly watching programs of violence, than they spent in school. The life of the street and the life of television were strikingly similar. Children did not distinguish between fact and fiction. Psychiatrists insist that the attitudes and behavior of young persons are powerfully affected by television. We now have a television generation and criminal activity of this group is high.

The spirit of lawlessness which is abroad in the land is prevalent among the young. When juveniles learn that Governors defy court orders, that fraud is widespread in local, State and Federal Governments, that even a President and a Vice President violated the public trust, that crime pays, and this knowledge blends with other conditions I am mentioning, it is little wonder that they are stimulated to steal handbags, then cars and next join peers in armed robberies in which violence may result.

I said crime pays. At the end of the decade of the 1960's, when there were more than 10 million crimes in 1 year, only 12 percent resulted in arrests, 6 percent in convictions or confessions, often at reduced charges, and only 1.5 percent in incarcerations. As the distinguished lawyer, Lloyd Cutler, executive director of the President's Commission on the Causes and Prevention of Violence, of which I served as chairman, said: "The criminal justice system does not detect, does not convict, and does not correct." The last word in this phrase is based on the fact that 65 percent of all crimes are committed by recidivists, a fact which applies to both juveniles and adults.

Still another cause of the increased rate of crime in the 1960-74 period, including criminal activity by the young, was the intense disappointment by minorities that followed a spectacular rise of expectations. Political leaders and others, beginning in the mid-1950's and reaching a height in the early 1960's, promised justice for minorities in our country, promises which could be achieved even under the best of circumstances only over a considerable period of time. Temporarily, these promises brought hope, even elation to vast numbers. The bitter disappointment which followed, guaranteed an increased rate of crime, as all research by sociologists, criminologists and psychologists proves.

The flight of many city residents to the suburbs was another cause. Many who could afford to do so moved to the suburbs, which themselves became armed camps and electronic sanctuaries. This decreased city tax bases and threatened the solvency of cities, thus reducing the volume and quality of essential services.

The developments which caused increased crime also led to a greatly increased use of drugs, especially among the young. Drugs themselves are not a direct criminogenic influence. It is the cost of the drugs that drives users to lives of crime.

Finally in this abbreviated list of causes, I must mention the unprecedented increase in the inventory of concealable handguns—handguns available to all, including juveniles. More than 46 million concealable handguns are in the hands of the American people, and at least 3 million are added to the inventory each year. Handguns are used in 54 percent of murders, a higher percentage in other crimes, such as robbery and assault.

In a few moments I have sketched a dismal picture. What should we do? I must emphasize again that I cannot suggest what must be done about all phases of juvenile delinquency. I can speak only about what needs to be done about total crime, including crime by juveniles.

First, we must expand and improve the criminal justice system so that it does detect, convict, and correct.

Second, we must overcome the social causes of crime. This requires, among many other things, eliminating ethnic and racial concentrations, providing better schools and better education, reforming the welfare system, equal job and promotion opportunities, finding an acceptable way to check the glorification of crime by television, and gradually eliminating white racism and the responding black racism.

These two attacks will cost a great deal, probably \$4 billion a year for the expansion and improvement of the criminal justice system, and as much as \$20 billion a year to eliminate as quickly as possible the social causes of crime. A good deal of the social causes can be met by changing present laws and programs and appropriations under them. But the total cost will be feasible only if we have the courage to insist upon austerity in government and to reorder national priorities, for if we merely add costs such as these to what we now spend, we shall face a national bankruptcy and gain chaos, not a peaceful society.

But the third thing we can do would involve only modest cost and could be done quickly. We should eliminate by purchase the entire inventory of concealable handguns, save those in the possession of persons who could prove the need for licenses to have such weapons.

I know all the blatant objections which fill the mails and legislative halls when this point is made. But as the commissioner of police of Boston said last year to a Senate committee:

I do not understand why we work for universal arms reduction on the theory that this *will promote universal peace* but stubbornly refuse to do anything about domestic disarmament on the theory that such action *will not promote domestic peace*.

Opponents say that the Constitution guarantees the rights of individuals to possess guns, including concealable handguns. This is not true and those who say it know it is not true. The Supreme

Court settled that question 100 years ago and State courts have upheld most gun-control laws.

It is said that handgun are essential in the home for family protection. In only three-tenths of 1 percent of all intrusions into homes is a protective weapon used to injure or frighten away the intruder. Yet these very guns are responsible for 80 percent of all murders, a high percentage of assaults, and it is usually these guns that are taken by juveniles to school where a classmate may be shot, not an uncommon occurrence in our disturbed society.

Opponents to the control of concealable handguns say that a law to eliminate them would be obeyed by good people, not by the criminally prone. Here it is important to remember that the police know the criminal recidivists, but normally they can act only after a crime has been committed or is being committed, and then a conviction can be obtained only with convincing evidence. The Supreme Court has ruled that police may frisk suspects. A recidivist with an unlicensed handgun could be arrested and convicted on the physical evidence alone. Thus, we would soon see a remarkable improvement. Certainly the murder and assault rate would drop precipitately.

We are the only advanced, civilized nation without gun control. Our rate of crime is 5 times that of Canada, 30 times that of the United Kingdom and 90 times that of the low countries and Japan.

Nothing I have said applies to shotguns, rifles and other sporting weapons.

Juvenile delinquency, total crime, persistent inflation, a fluctuating economy, unemployment, massive Federal deficits which remove from the money markets funds that ought to be used by private enterprise for production and jobs, a pervasive spirit of lawlessness and cynicism about democracy and representative government, threaten our future. It is imperative that we establish priorities so as to begin now to correct what we know is destroying our social fabric.

I congratulate you, Senator, and your subcommittee and thank you for giving real attention to this major project.

Now, a problem: I would like very informally to tell you that for some years I have been one of the modest supporters of a correctional system in California which has a remarkable success, and I therefore, from what I know about this field, believe that rehabilitation of the young is perfectly possible.

Senator MATHIAS. I think the subcommittee would be most interested in hearing about that system because it points in the direction of action we might be able to take nationally.

Dr. EISENHOWER. Boys Republic, located south of Claremont, Calif. has been in existence since 1902. It has a large acreage. Assigned to it are youngsters at about the beginning of high school age or a little younger. The courts offer Boys Republic 10 times as many as it can take with its facilities.

The young people work in producing meats and vegetables. As a matter of fact, they are almost self-sufficient so far as food is concerned. They produce what is pretty well known in this country, the Del Robbia Christmas wreaths. They work all year long in gathering the weed pods which they paint, in building the wire frames, and putting the perishable material on only at the last minute. This activity produces nearly 50 percent of the income. State help is a small fraction of Boys Republic total cost.

Well, the record is that from 1902 to 1975, 80 percent of those who went through this program—getting a high school education, too, took I should emphasize—never again had any trouble with the law, and there are some very distinguished graduates from this rehabilitation center.

One of the most famous movie stars, whose name I won't mention, is a graduate of this school and one of its greatest supporters.

Now, I know about a few others such as the one in Nebraska and elsewhere, but here's something done at modest public cost and, believe me, if you can have 80-percent rehabilitation, what a joy it is for those young people and what a great thing for our society.

Senator MATHIAS. That is an example we should examine very carefully.

Dr. EISENHOWER. I hope it's getting some aid under the Safe Streets Act, but I'm not sure. I haven't inquired.

Senator MATHIAS. I suspect that whatever the amount, it isn't as much as could be used to expand activities. The subcommittee will take a look at Boys' Republic because examples of success in this realm are scarce.

I was impressed with the last paragraph of your statement, because it sets up in all its starkness the problems that are before this country. I don't think there has been any period since the Civil War in which there have been so many problems confronting the fabric of government at one time. Clearly, there have been many serious problems in the last 100 years. But, again I cannot think of a time when so many problems confront and test the whole fabric of government as are contained in the list you have given us in that last paragraph.

Dr. EISENHOWER. You know, Senator, Lincoln said in 1863 that if we ever lose our freedom, our democratic system, it will not be because of influences from abroad, but from our own failures at home, and how tragically true this is this very day. I am convinced that the domestic threat to the future of our free society, with all its risks, is greater than any possible threat from abroad.

Senator MATHIAS. It seems to me there is an interrelation between the problems we face. It is not the problem of housing alone, or the lack of job opportunities. They are all related problems and must be viewed in a systematic way.

Dr. EISENHOWER. I note you have some excellent witnesses coming, such as Judge Hammerman, Commissioner Pomerleau and others who know much more about the problems of juvenile delinquency than I do.

Senator MATHIAS. You are far too modest. In support of your very helpful, although not very optimistic, statement I want to put in the record at this time a series of articles which appeared recently in the Baltimore Sun. These articles deal with the juvenile justice system. Even your sternest warnings are confirmed by the facts which are reported in this series of articles. I feel these articles should be part of the record because they bear so directly on what you have already told the subcommittee. So, this series of articles<sup>1</sup> will be placed in the record following your testimony.

Dr. EISENHOWER. Thank you, Senator.

Senator MATHIAS. Thank you very much, Dr. Eisenhower.

<sup>1</sup> See Exhibit 5, pp. 91-102.

Also, at this time, the subcommittee wishes to place into the record a statement from Betty K. Thompson, president of Citizens Concerned for Juvenile Justice in Baltimore. Betty Thompson is well known to the subcommittee and we are extremely happy to have the benefit of her statement on behalf of Citizens Concerned.

I also have a statement on behalf of the members of the Baltimore City Council and the members of the Committee on Juvenile Crime, which has been submitted to the subcommittee by Walter S. Orlinsky, president of the city council. The subcommittee will include the statement of the city council at this time. In addition, I have a copy of the interim report of the City Council Committee to Study Coordination of Youth Services, submitted by Councilwoman Barbara A. Mikulski of Baltimore. We're happy to have Councilwoman Mikulski's statement, which will go into the record at this point.<sup>1</sup>

[Testimony of witnesses continues on p. 123.]

[EXHIBIT No. 5]

[From the Baltimore Sun]

FROM EVERY VIEWPOINT, JUVENILE JUSTICE FALLS SHORT

(By Michael Wentzel and Joan Jacobson)

Maryland's juvenile justice system is a system in trouble. As seen through the eyes of police, prosecutors and juvenile workers in the Baltimore suburbs, the system suffers from a nightmare caused by a lack of funds, an overworked staff and the steadily expanding role of youths in crime.

High-ranking administrators as well as street-level counselors say the system is blunted further by a lack of coordination among the agencies that handle family problems and by a lack of knowledge on just how to best handle troubled and delinquent youths.

The juvenile justice system as it operates in the suburbs shows the same stark symptoms that clog and almost neutralize the system in Baltimore city.

These symptoms—from bureaucratic inefficiency to the swelling numbers of youths in trouble—erode juvenile justice across the state and the nation.

It is not simply an urban problem or a suburban crisis. It is seen by critics as the failure of every phase and step within the maze that makes up the state's juvenile justice system to reverse the darkening shadow of juvenile crime.

Each facet of the system has a philosophy and a set of problems that contribute to reducing the system's effectiveness:

Police and prosecutors, who each day must face both the juveniles on the street and the victims of crime, argue that the system lets the youth go too easily without punishment or actual treatment.

"The law clearly states that the first responsibility of the state is to the youngster," says Robert O. Mathews, Jr., Howard county police chief, "and the second one is to public safety. We've got to reverse that or at least make it equal."

The administrators of the Department of Juvenile Services, the office that attempts to diagnose and rehabilitate juvenile offenders, complain that theirs is not a system that has failed but one that never has been allowed to operate on an effective level.

The DJS budget for next year has no funds for additional counselors, for example, yet the caseload has increased 19 per cent. This is like asking the same staff to do a sixth day of work in the same five day work week.

Juvenile counselors, those who interview the youth and his parents after he has been charged with an offense, live in a crowded world that frequently demands they diagnose in 30 minutes problems that have been developing for 15 years.

Probation counselors throughout the metropolitan area must deal with caseloads of between 30 and 75 juveniles, a situation that an Anne Arundel county counselor says means that counselors deal only with emergencies and not with each youth who needs help to keep him from another burglary or shoplifting.

"We put our fires," Mildred B. W. Rayhart says. "And we just go from one fire the next."

<sup>1</sup> See Exhibits 6-8, pp. 102-123.

The juvenile masters, who administrate part of the system and hear cases, act with a weak, second-hand judicial power and characterize themselves as personifications of the low priority of the juvenile justice system in the state.

Most masters, along with judges and juvenile experts, believe that the master system should be abolished.

Judges in the state, while calling for a full-fledged court to handle juvenile and family cases, have heavy caseloads and avoid juvenile cases, perhaps for lack of glamour, and because, as Judge James L. Wray, of the Anne Arundel County Circuit Court, says, "There is just an endless parade of depressing, hopeless cases."

And, one common, insistent complaint comes from many quarters: There are not enough competent training camps, rehabilitation centers, foster homes, diagnostic facilities, psychologists and counselors.

Increases in crime by juveniles in suburban Baltimore counties are reflections of trends throughout the country.

The cases handled by the state Department of Juvenile Services have shown steady growth in recent years. And the department's figures don't include cases handled and cleared by police.

In Anne Arundel county 5,296 cases involving some offense by a juvenile were handled in fiscal 1975, an increase of 42.9 per cent over the 1974 figure. In Montgomery county, there was a 48.7 percent increase in juvenile cases.

Baltimore county handled 6,838 juvenile cases, a 23.6 per cent increase. Harford county experienced a 9.1 per cent increase in juvenile cases while Carroll county figures show a 21.9 per cent increase and Howard county a 19.4 per cent increase.

Baltimore city with 20,690 cases in 1975 still led the state, but the percentage shift is to the suburbs. In 1973, Baltimore city accounted for 42.2 per cent of the cases in the state involving juveniles. Last year, the city had 36.2 per cent of the cases.

The number of youngsters under 18 arrested in the United States in 1973 increased 144 per cent over the total arrested in 1960. The increase for those over 18 was only 16.8 per cent.

Of the 316,000 people arrested for burglary in the country in 1974, 54 per cent were under 18. At least a million youngsters under 18 were involved with the nation's juvenile courts during 1975.

The recidivism rate of juvenile offenders, a topic of great debate but one difficult to study accurately, also is a growing concern to Maryland officials.

The Department of Juvenile Services conducted a study of cases between 1968 to 1973 which showed a 24.5 per cent rate of juveniles in the state who are repeat offenders.

This means, a departmental study says, one out of every four get in trouble again while a juvenile.

A study by the Maryland Bar Association showed a 25.5 per cent recidivism rate statewide, but an intensive study by the bar group of a smaller group of cases in Baltimore city and six counties found a 45.5 per cent rate of recidivism.

Critics say this high rate show that the system is not working, while juvenile officials say a "750 batting average in any league is damned good."

Much of the controversy surrounding the juvenile justice system involves the philosophy of Maryland's "progressive" juvenile law, which say basically that juvenile should not be punished for their crimes.

The purposes of the law, outlined in the law itself, are: "To provide for the care, protection and wholesome mental development of children . . . and to provide for a program of treatment, training and rehabilitation consistent with the child's best interests and the protection of the public interest."

The law also lists as a goal the removal from children committing delinquent acts the taint of criminality and the consequences of criminal behavior.

The police, the Department of Juvenile Services and the courts administer the law's philosophy with input from a number of other agencies, including the Department of Social Services.

Yet, officials in all of the them admit there is little of no coordination and each of the agencies may be providing services to the same family and never contact each other.

While the size of police forces has increased the size of the police departments' juvenile divisions probably has not. The beat patrolman handling troubled youths and delinquents frequently has little training and little respect for "the social workers" he feels are easy on the kids.

The Department of Juvenile Services experienced a 19.3 per cent increase in cases across the state in 1975. The department's budget, which has remained at about 1.5



per cent of the state's total budget for the last five years, increased only 1.6 percent for fiscal 1977 with no increases in staff except for federally financed programs.

Robert C. Hilson, DJS director, says a major change in the low state commitment to juvenile justice will be needed to begin to turn the problem around.

"We have one of the best laws in the United States and not enough service to back it up," Mr. Hilson says.

This means that the 15-year-old arrested for a second or third time by police probably will survive a short interview by a juvenile counselor with a heavy schedule and be back to freedom. If he is placed on probation, the counselor will have little time for him unless it is an emergency or the youth is in serious trouble.

The result often is the 15-year-old feels he has beaten the system. And the police and the frightened community agree.

The obvious answers are more money, more staff and more services, things the state has been reluctant to fund. But the first answer, most critics agree, is coordination—perhaps the establishment of a family court to organize and administer all family-connected services, including juvenile delinquency.

Many experts feel that money isn't the only ingredient. These experts call for involvement on the community level.

The National Advisory Commission on Criminal Justice Standards wrote: "If this country is to reduce crime, there must be a willingness on the part of every citizen to give of himself, his time, his energy and his imagination."

Still, there seem to be real limits on how much anyone can understand or accomplish in the complex and often bleak world of troubled youth and juvenile crime.

[From the Baltimore Sun]

#### JUVENILE DELINQUENT SYSTEM FRUSTRATES POLICE

(By Joan Jacobson and Michael Wentzel)

Day after day police arrest juveniles for burglary, auto theft and other adult crimes. The law says the police must treat them as children.

Chronic juvenile delinquents know the juvenile justice system will keep them on the streets even after they are caught a few times burglarizing or vandalizing a neighborhood.

The Maryland juvenile delinquency law emphasized rehabilitation, not incarceration.

Delinquents today are starting out younger and committing more serious crimes. And police in once quiet suburbs of Baltimore are facing a delinquency problem that has overwhelmed their city counterparts for years.

With the changes, most police have become extremely critical of the juvenile justice system.

One of those critics, Robert O. Mathews Jr., Howard county police chief, cites county crime statistics:

"Here's a youngster born in 1961," says Chief Mathews, thumbing through a pile of files. "Two counts of burglary and one peeping tom, trespassing, runaway, rogue and vagabond, vandalism, burglary, trespassing—and this is all between September, 1974, to August, 1975. This youngster never served a day in training school. He never even went to juvenile court."

"I think more cases ought to come to us," says Howard Merker, deputy state's attorney for Baltimore county. "Kids today know their records have to be pretty bad before they'll be taken to court. But I think they ought to get that traumatic experience in court."

Police officers who cruise the streets day after day express outrage when they continually see the same youngsters they have arrested, sometimes more than once, for stealing, destroying property and breaking into homes and stores.

We've got to face the fact that there are bad boys but there are also animals at the age of 16, like there are animals at the age of 35. We cannot continually patronize and placate these kids," says Chief Mathews.

Anyone under 18 is considered a juvenile and cannot be put in jail after arrest. Exceptions to the age cutoff are 16 for armed robbery and 15 for murder and forcible rape.

Instead, when a juvenile is apprehended, the police officer, after reading the youngster his rights and writing a routine report, must call the youth's parents to take the child home to await a call from the Department of Juvenile Services.

From here, a juvenile services intake counselor will decide if the case will go to juvenile court, will be handled informally without court action or will be dropped altogether.

Many police officers and prosecutors argue that the intake officer is not trained legally for the decisions he makes in dropping cases or sending them to juvenile court.

"You see what happens now, you arrest the youngster, and within 30 days an intake counselor decides to adjudicate the case on an informal basis," Chief Mathews says. "Then you see the continual offenders. Our police officers become frustrated with the system because they keep arresting the same face over and over again for the same basic offense.

"And they have no idea why the person hasn't been confined."

Police and juvenile services have opposing definitions of juvenile delinquency. Police who are confronted daily by juveniles are looking for punishment as an answer to the crimes.

Juvenile services counselors, on the other hand, accuse police of ignoring the youngster' behavioral problems which are often the root of the crimes.

They criticize prosecutors for being too hasty in asking judges to waive juveniles into the adult system when the resources of the juvenile system—repeated probation and training school—have not been exhausted.

But the number of cases sent from the police to the juvenile services administration is climbing and exceeds both the manpower of juvenile services and the suburban police departments.

The system's malfunction, some police say, begins in the home and is only deteriorated further by the law "Once the family breaks down the system will not work," says Lt. John E. Koontz, of the State Police in Westminster.

Maj. Patricia A. Hanges, head of Baltimore County Police Department's youth bureau, says she worries the system does not make juveniles and parents accountable for crimes.

"It takes a week or two before Department of Juvenile Services even talks to the child after he is apprehended by police," Major Hanges says. "The juvenile justice system is so overcrowded it's becoming totally ineffective.

"Here's little Johnny Jones who gets picked up for stealing Joey Smith's \$70 bike. Police bring him in. They have a little interview with him. Jones is back out in the neighborhood that night and he's telling everybody, 'Man, I stole that bike and here I am out on the street.'"

Major Hanges' blunt arguments are repeated by police throughout Baltimore's suburbs.

Because of the frustration with the state juvenile law and with the overcrowded Department of Juvenile Services, the larger suburban jurisdictions, like Baltimore and Montgomery counties have turned to a program they call diversion.

Diversion applies to first-time offenders and is an alternative to sending a case to the intake counselors at the Department of Juvenile Services.

The police department takes the first-time offender, the teen-ager who smashes a neighbor's windows or shoplifts some lipsticks from a drug store.

The youngster is counseled by police department staff who try to find the root of the youngster's problem before he or she gets into more serious trouble. Police often urge the child and parents pay the victim either with money or services.

But Major Hanges cautions: We don't coddle these kids. If they come in here and they have a bad attitude, and they're arrogant . . . then the kids go to juvenile court."

Anne Arundel county does not use diversion because it has a community arbitration system, a quasi-judicial hearing that deals with misdemeanor offenses. An arbitrator meets with the young offender, his parents and the victim to find a way to deal with the problem, such as restitution by working in the community.

Diversion is not practiced in the smaller jurisdictions where all cases are sent to Department of Juvenile Services.

In the five counties that surround the city—Baltimore, Anne Arundel, Carroll, Harford and Howard—the number of cases sent from the police department to DJS between 1974 and 1975 has grown by 32 per cent—from 9,530 in 1974 to 12,593 in 1975.

Large percentages of the total arrests in the suburbs are juveniles, with burglary, assault and auto theft the most frequently committed crimes by juveniles. In 1975, 44 percent of the arrests in Baltimore county were juveniles; 25 per cent in Harford county; 25 per cent in Carroll county; 24 per cent in Anne Arundel county, and 21 per cent in Howard county.

However, despite the large percentage of juvenile arrests, suburban police departments utilize few if any of their officers to deal specifically with youth.

In Baltimore's five suburban counties, only two have youth bureaus in their police departments. Baltimore county has a staff of 19—detectives, officers and one counselor for the diversion program. Anne Arundel has three detectives.

[From the Baltimore Sun]

## FUNDS, STAFF LACK GIVES DJS FEELINGS OF FUTILITY

(By Michael Wentzel and Joan Jacobson)

*"The utter futility of articulating the chronic staff shortage and attendant problems has become obvious. Nothing will happen, no one who has the authority to correct the situation will respond."*

### MEMO TO STATE FROM DAVID W. LAROM, ANNE ARUNDEL COUNTY SUPERVISOR OF DEPARTMENT OF JUVENILE SERVICES

Dave Larom is a juvenile delinquent from New York who made good. He remembers being arrested and going to court, but most of all he remembers his probation officer.

"I was only one of a few cases he had," he recalls. "It's no wonder he was able to help me."

Mr. Larom now heads a county department that will handle more than 7,000 cases this year, nearly a 20 per cent increase over the last. The state did not fund any increase in staff.

Many of his probation officers will have 70 cases each, while the demand for the time of his intake counselors will be so much that they sometimes can spend only 15 minutes with each case.

The only new people he can get he obtains through what he calls "the creative art of writing federal grants."

But, federal grants run out. So there never are enough people.

"We don't have enough people to accurately diagnose and plan treatment for delinquents," he says. "We lose track of them, and they are out in the community and will finally come back in to us after they've done something else and will have to be put away because they haven't had the treatment the law says they deserve to have."

*"Ultimately, our judgment is a subjective judgment based on a feeling for the kid and the family and for the personality of the child. We are a bureaucracy dealing with an imperfect science."*

### LAURENS CARNER, ANNE ARUNDEL COUNTY INTAKE SUPERVISOR

The intake counselor has a great deal of power in the juvenile justice system. This counselor decides if there is a case against the juvenile and if the case should go to court.

In fiscal 1975 in Maryland, only 36.9 per cent of the 57,162 cases handled by the Department of Juvenile Services went to court.

Intake counselors across the state last year disapproved or closed 50.1 per cent of the cases. This means the counselors decided the legal case was insufficient or could be dismissed after a warning and without further supervision.

This crucial decision, because of staff problems in most of the metropolitan counties, is made after only a short interview.

"I regret saying this," says Ann E. Sentman, intake counselor in Anne Arundel county, but the number of bodies out in the hallway determines the amount of time I take. I try to take as much time as I can."

The hallways often are crowded with children and parents. On her first day at work in the county, Ann Sentman had 50 interviews.

"I try to find out what the act—a burglary or whatever—meant to the kid," she says. "I try to find out what is in his head, what his attitudes are, what kind of supervision he gets at home. I look at the attitude of his parents during the interview. I check prior records if I can. I try to make the interview as therapeutic as I can. I explain what the alternatives are and what might happen if he continues. I admit that what I decide is almost a gut reaction."

This is done in about 45 minutes.

The intake counselor also can put a youth on informal supervision and, if the counselor has time, work with the child and his family.

Intake counselors handled 13 per cent of their 57,162 cases this way in fiscal 1975. This is in addition to the 50.1 per cent closed or disapproved by the counselors.

It is this visible 63.1 per cent of 57,162 cases that intake counselors kept out of court that draws fire from police, prosecutors and communities.

"We are trained to work with kids and to know what is the best course of action and best treatment for kids," Dave Larom, the DJS supervisor in Anne Arundel, says. "Law enforcement officials have no business in treatment."

*"I would have a horrible time here and I would be terribly overworked if it were not for the great agencies in the county."*

#### JOSEPH E. WALTER, INTAKE COUNSELOR IN CARROLL COUNTY

Joe Walter is the only intake counselor in Carroll county. Last year he handled more than 800 referrals.

Since he is the only intake counselor, he also must handle night calls that roust him out of bed about twice a week.

"The Youth Services Bureau here is one of the very best agencies I have ever known," Mr. Walter says. "Junction, the agency that handles drug cases in the county is tremendous. Without them, I'd be lost."

Joe Walter knows the pressures of the job. He has worked in Flagstaff, Ariz., and Baltimore city as an intake counselor. In the 2½ years he has been in Carroll county, he has watched the rate of referrals increased.

"I get along great with about half the police and the other half hate me for not sending everything into court," he says. "We have a good state's attorney here and the police and the victim have the right to petition my decision to the state's attorney. He has reversed me more than previous state's attorneys but I trust his discretion.."

*"We only stamp out fires. If a kid isn't a fire, you don't do anything."*

#### MILDRED B. W. RAYHART, SUPERVISOR OF PROBATION IN ANNE ARUNDEL COUNTY

There are four probation counselors in Anne Arundel county who carry more than 70 cases. The other probation counselors have less but only because they are on grants and cannot go above a certain level.

The probation counselor gets a juvenile who has been through court. The juvenile knows the system and has had to be involved in a number of crimes before he reached the probation stage.

By the time probation gets involved, the youths are streetwise and the families are in trouble. The job asks for the probation counselor to handle both.

Charles Ford, who handles the southern part of Anne Arundel county, has a case load of more than 60 juveniles each month. He travels hundreds of miles every week.

Charles Pettibone handles the heart of the county. His caseload peaked at 67 in December, 1975. But, a federal employment program enabled him to split his territory. He now has 35 youths on his list.

"I aim to see everyone," Chip Pettibone says. "But, I never can. Some I see often. Others, I don't see at all. It makes a big difference having fewer cases. I can spend time with the kid and his family and I can spend more time with more people. If I can't spend time with them, they just go back with the friends they got in trouble with."

Chip Pettibone, who inherited a caseload of 25 on his first day at work and never received any training until the fourth month on the job, knows he can't do it all.

"We need more foster homes, group homes, vocational training, schools for re-education," he says.

"There are definitely some kids who take to rehabilitation. But when a kid comes to court over and over and he is sent to a counseling agency 10 time, I don't think it's been terribly successful.

"We have to rehabilitate, but at times you'd think the kid has no right to punishment. I can't see where it does any good to force \$10,000 worth of psychiatry down his throat if it doesn't help him."

#### GREG D. CORBIN, JUVENILE COUNSELOR, BALTIMORE COUNTY DEPARTMENT OF JUVENILE SERVICES

As long as the Maryland law calls for reforming delinquents instead of punishing them, juvenile counselors will keep referring them to tutors and family counselors with state money.

Only as a last resort are delinquents sent to training schools.

Most youths, who come to juvenile services by way of the police department or the school system, never come back after their first visit.

But sometimes a youth is referred one, two or maybe five times before juvenile services will send him to court. Then the court might put him on probation.

"So, the next day, he goes out and commits the same offense. He wasn't punished so he tried it again," says Rudolph J. Horried, a probation supervisor for Baltimore county.

"As long as we have a law that says they're delinquent (rather than criminal) we must help them."

*"CINS cases are almost impossible to deal with because we have no hammer, no alternative when dealing with these kids."*

#### ROBERT T. JACOBS, JUVENILE COUNSELOR IN BALTIMORE COUNTY

CINS, or Children in Need of Supervision, are youths who run away from home, are truant from school, or whose parents can no longer control them. In January 1974, a law was passed preventing courts from sending CINS to training school.

If a youth refuses to go to school, or continually runs away from home, it is an educational or a family problem. An outside counselor can do little to help if the family or school won't cooperate with the counselor.

"Maybe the kid is heavily involved in drug use, but he's never been caught for drug use, only for running away," says Mr. Jacobs.

*"A man came in here one day with his son. The man had two or three marriages. He's had 16 kids and he's tired now. He has trouble with his teen-age son. He doesn't want the responsibility anymore."*

#### JAMES L. SCAGG, SUPERVISOR FOR HARFORD COUNTY DEPARTMENT OF JUVENILE SERVICES

Mr. Scagg continues the story.

"He says, 'I've had this kid for 16 years and I'm tired of him.' Little does he know that for 16 years he's screwed the kid's mind up.

"Parents want to leave their kids here with us. They start walking out the door and we have to say, 'Hey, wait a minute, come back here, this is your responsibility.

"We're dealing with human nature, not with cogs and wheels you can put back together again."

Today's troubled teen-agers often are the products of irresponsible parents. Mr. Scagg says the Department of Juvenile Services has become a last resort for parents who have lost control of their children.

He argues that juvenile services also has become the dumping ground, not only for unwanted teen-agers, but for the Board of Education's acute truancy cases and for the Department of Social Services family cases that develop into juvenile delinquency cases.

"Not much is being done to make parents responsible. We've become a babysitting service. The Department of Juvenile Services is often thought of as a second-class citizen. We don't carry the clout that social services and the board of education carry."

*"My job is prevention. I go everywhere to talk to people—to schools, communities—I try to reach as many people as possible. We have to start early to prevent juvenile problems. We have to start in the schools, to teach kids how to be responsible parents when they grow up, and how to decide whether or not to be parents at all."*

"We have people coming in here with their kids. They say, 'We had no idea it would be this difficult to bring up a child. We don't want him anymore.'"

#### HARRY LANGMEAD, PREVENTION SPECIALIST, BALTIMORE COUNTY DEPARTMENT OF JUVENILE SERVICES

Mr. Langmead is paid as a prevention specialist through a federal grant. The money will run out this fall and his position will be eliminated.

His job is to go into the communities, to explain to people they can't run away from neighborhood youth problems. They must let rehabilitation agencies like group homes and Youth Service Bureaus come into their backyards.

"But communities don't want to deal with prevention," he says.

Mr. Langmead, the only prevention specialist in the county, says he is overwhelmed by the scope of his job.

"Yes, I guess my job is to change society," he says.

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[From the Baltimore Sun]

### STATUS, POWER SOMEWHAT LESS—MASTER'S DEMANDS FIRST-CLASS

(By Joan Jacobson and Michael Wentzel)

The juvenile master's courtroom looks like any other courtroom except that it is smaller, barely formal and less ornate.

In many ways, the courtroom is symbolic of the master's status in the justice system.

For although many serious cases will be heard by a master, the master's official power, like his courtroom, is not first-class.

However, the master's work has all the demands of a trial before a judge.

The scene is descriptive of a typical Prince Georges County hearing but it could be in Baltimore city or any county of suburban Baltimore.

There is a prosecutor preparing his case. Outside, on a narrow bench are several witnesses and a few policemen.

At the defense table are two young boys and their public defender. The charge is the theft of dozens of CB radios.

The atmosphere is not stiff but the musty air of legality has settled in.

The master sits behind the bench where a judge would sit. He will play the judge's role but the master is not a judge.

In the city and some of the counties, he may even wear a judge's robes.

During the hearings for the two boys, he makes the step-by-step decisions on legality that fall to a judge in a trial. He conducts each hearing with the demeanor and tone of a judge.

But, he is a juvenile master and in the technical eyes of the law, he is more of a referee than a judge.

It is this stepchild status and second-class judgeship that many see as a weak link in the juvenile justice system.

In the city and the suburban counties, the masters handle the majority of the juvenile cases because of the heavy caseloads of judges.

But, a master does not have the power to make his orders final. He is part of a judicial system rich in delays. Even the master's authority is deferred.

When the hearing for the two boys charged with stealing the CB radios is complete, the master will write up a full report, make his decision on the case and forward it to a judge for review and approval.

If the defense or the prosecution objects to the master's findings, another hearing is required—this time before a judge.

In any case, the master's decision is not final until the judge gives his written approval.

This reliance on masters in the city and eight counties in the state draws increased criticism each year.

Citing the duplication of work, delays in adjudication of cases and the appearance of incomplete justice in the masters system, a committee of judges from across the state recommended the elimination of masters and the appointment of full-time juvenile judges in a report that indicts the "second-class status of juvenile justice."

In the report of the Committee of Juvenile and Family Law and Procedure to the Judicial Conference of Maryland, the judges wrote:

"Do children in our society and the victims of crime committed by children deserve a level of justice below that of an adult? Are juvenile problems so insignificant that they do not require the full consideration of a judge, yet an ordinary contract or tort case does? Has the legislature made a policy determination that it will provide sufficient judicial resources to handle all cases except those dealing with juveniles?"

"The very existence of juvenile masters is illustrative of the low priority that is attached to the juvenile justice system."

The statewide judges conference adopted the committee's report and endorsed the abolition of masters in April.

The masters in chancery originally were officers in the court studying and making recommendations on problems growing out of the administration of trusts and estates. They were meant to hear equity cases, not cases of juvenile law.

When magistrates and justices of the peace stopped hearing juvenile cases, the circuit court judges appointed masters to act as aides in juvenile courts.

The system started with one master in Baltimore city but grew with the mushrooming workloads until 7 full-time masters worked in the city and 11 others were spread throughout eight counties.

There is one full-time master in Anne Arundel, Howard and Carroll counties. Baltimore county has one full-time and a part-time master while Prince George's county

has two full-time and a part-time master. Charles, Harford and St. Marys county each have a part-time master.

The total number of cases handled by the Juvenile Services Administration has increased steadily from the 19,782 cases disposed of in fiscal 1968 to the 57,162 cases during fiscal 1975, a 189 per cent increase.

The load on the courts and the masters also has increased, despite the emphasis in the state juvenile delinquency law on keeping juveniles out of the courts.

The courts in the state received 16,043 cases in 1968 and 21,079 in 1975, a 31.4 per cent increase since 1968 and a 12.5 per cent increase since 1974.

This increased workload has created a subtle change that many judges and masters in the metropolitan area agree is a major problem.

"The judge handling juvenile cases cannot, in light of the volume of his caseload, conscientiously review and make an adequate decision on an order adopting the master's recommendation," said Judge Rober L. Karwacki, the city's juvenile court judge. "So the master, in reality is the final authority unless there is an appeal."

Several masters in the metropolitan counties agreed, saying that they have "judicial power by default."

Judge Karwacki praises the masters in the city as highly competent and says that in 6,000 cases, he has had only 86 requests for review and has disagreed with a master only 7 times.

The situation in the counties is similiary, though statistically difficult to trace. All the masters are attorneys, except the master in Carroll county, who is a retired engineer. They appear to know the law and the judges rely on the knowledge of the master rather than their power to review a case.

To a number of national juvenile justice study groups, this means the juvenile is denied his constitutional rights because he is not being heard in a true court.

"What's wrong with the system is the system's image," Judge Karwacki said. "The idea is given that this can't be an important case if no judge deigns to hear it. There really is not a lack of justice, but there is an appearance of the lack of justice and that is just as important. The parents sense this and many of the juveniles certainly do. It is an impression of second class justice.

"How can we demand respect for the law unless you can show that the law respects the person hearing this case?"

The masters themselves complain their second-class power sets the status for the system.

"The prosecutor is almost always the youngest and most-inexperienced on the staff and the public defender is sometimes only a law clerk," said Master J. Edwin Hutchinson, of Prince Georges county. "I am not questioning the competence of these people but things happen before me than no lawyers would allow to happen before a judge.

"If juvenile crime is such a problem, why aren't full-times professionals, judges and attorneys, handling the problem?"

The U.S. District Court in Baltimore has questioned the structure of the masters system, saying the right of a judge to review a master's decision and conduct a new hearing could place the juvenile in double jeopardy, a violation of his constitutional rights.

The problem is compounded by the continual administrative duties of a juvenile master and heavy paperwork. At least one study of masters in the state suggested that paperwork, depending on the caseload, consumes between 10 to 50 per cent of a master's time.

The judges' family law committee said a full-time master is "only 50 to 75 per cent as functional as a full-time judge."

The Governor's Justice Commission said the fact that 5 or the 18 masters in the state are part-time can create other problems.

"They not only fail to gain the necessary experience on the bench," the commission's study said, "but risk potential conflict of interest if their business dealings and judicial pathes should cross."

The juvenile master system raises serious questions with regard to justice in individual cases and justice in an efficient manner, the judges' family law committee said.

The weaknesses of the master system and the appearance of insufficient justice, the committee suggested, has helped to create fear in the minds of citizens and to shatter the credibility of the juvenile justice system.

[From the Baltimore Sun]

## JUVENILE SERVICES CHIEF WANTS HIGHER PRIORITY, MORE MONEY

Robert C. Hilson has that quiet look a man who has learned to weather the storms of government.

He heads the Department of Juvenile Services, a state Health Department agency under attack and blamed for the increase in juvenile crime.

He faces a department that he feels is understaffed and often troubled with morale problems.

And each year he must go to the state almost begging for funds.

"The needs of the troubled youth and the youth in trouble, in Maryland must receive a higher priority within state government if we are to have any impact upon reducing the ever increasing incidents of juvenile crime and thereby make our society a safer place in which to live," Mr. Hilson wrote in a cover letter to his 1975 annual report to Dr. Neil Solomon, state health secretary.

It is a letter he has written many, many times.

"Our services are grossly inadequate," Mr. Hilson says. "Every aspect of the department is underfunded. We have not kept pace with the demands made by increasing juvenile crime or changing philosophies of treatment.

"The law we have is a very good law if we had the tools to implement it. There is no increase in our budget for fiscal 1977 for intake counselors, yet referrals to intake are up 19 per cent. That's like adding another day's work.

"Something has to give. Unfortunately, it's the quality of work that goes. An intake counselor can't spend a half hour with a family and get the job done."

On his desk he has a thick report with rumpled edges. It is a recently completed five-year plan for the department.

He describes it as "conservative, realistic and definitely not the ideal budget."

"This plan will only meet our minimum program needs," Mr. Hilson says. "It will not keep pace with the increasing workload. It is a realistic approach to money, not our needs."

Yet, this proposed five-year plan calls for budget increases the department has not seen in years.

For fiscal 1977, the department received a state-funded increase of 1.6 per cent. The department's budget has been 1.5 per cent of the total state budget for years.

The plan includes three budgetary option levels—a 5 per cent increase, an 8 per cent increase and a 10 per cent increase for each of the 5 years.

The 10 per cent budget alternative for fiscal 1978 calls for a total departmental budget of \$32,627,652 providing 124 new positions to the statewide staff of 1,462.

This is up from the current budget of \$29,436,390.

The 10 per cent alternative budget of \$35,940,448 providing 130 new positions.

The director predicts that with proper case load levels, the recidivism rate could be cut by as much as 10 per cent, down from a level that varies in the metropolitan area from 25 per cent to 45 per cent.

Mr. Hilson says the 10 per cent budget is the minimum increase the department must have to handle the expanding workload.

"Actually, we need to double our staff to do the job," Mr. Hilson says. "There must be a major turnaround in commitment of state funds if we are to do our job. If the state is concerned, they must stop paying only lip service to the problem. It's been a long time since we received a 10 per cent budget increase, but I'm optimistic."

On an equal plane with money in Mr. Hilson's eyes is coordination.

"We have a nonsystem," he says. "Everyone in the juvenile justice system, every component, has a responsibility and an interdependence upon the other. This implies coordination. And I don't see any.

"There is a real fragmentation of duties and duplication of duties. And I don't see anyone doing anything about it. I support anything that will end fragmentation and bring about coordination."

He will not say outright that his department should be separated from Dr. Solomon's far-flung Health Department. But he does support a family court concept and a reorganization of his department.

"I don't consider myself a health official," Mr. Hilson says. "Dr. Solomon knows that. A better answer might be a department of youth affairs."

He says the state must place juvenile problems higher in its list of priorities, but adds that communities must do the same.

"The tough test for the juveniles comes in living in the community not in living in institutions," he says. "We must have programs that show the troubled youth how to live in the community. And the community must accept these programs and become involved in them."



[From the Baltimore Sun]

### JOB DEMANDS TIME, COMPASSION, TOLERANCE FOR PROBLEMS

Francis T. Peach is 70 years old, a former Baltimore county state's attorney and county solicitor.

Bess B. Levine is 43, an attorney and former chief judge of the Prince George's county orphans court.

Robert Speaks is 58, a former Army colonel and veteran of 30 years of military service and a retired engineer.

All three also carry the term "Honorable" before their names—a title given to 18 masters in the state as well as judges.

The master conducts hearings for juveniles alleged to be delinquent. He makes a full record of the case, decides legal arguments during the hearing, writes up a report on the hearing, makes a decision on what to do with the juvenile and forwards it to a judge for approval.

It is a job that demands time, compassion and a tolerance for complex problems and paperwork.

Master Peach came to the position in 1958 after 28 years as an attorney.

Like most masters, he is damned by some police and prosecutors and praised by defense attorneys and juvenile counselors.

"They criticize criminal court judges too" he says. "I try to follow the philosophy of the law as best I can, I don't think about criticism."

After 18 years of watching a growing parade of delinquent children fill his courtroom, he says he believes in Maryland's juvenile delinquency law, which de-emphasizes punishment and prescribes treatment of delinquents.

"The law works and would work better if we had more facilities," Master Peach says. "No one will tell you we don't need more facilities. I suppose the children are getting younger than those that came before me 10 to 12 years ago. Of course, we never saw drug cases when I began."

Another change Master Peach has seen develop is the increasing procedures to protect the legal rights of juveniles that have come through United States Supreme Court rulings.

"These criminal procedures are totally unlike the informal hearings we had," he says. "If the philosophy is that the delinquent should not be viewed as a criminal, we shouldn't have criminal proceedings."

Even though five years past the customary retirement age, Master Peach says he is not thinking about retiring.

"I don't have any less sense now than I ever had and I enjoy my work," he says.

Master Peach and Master Levine both feel that full-time judges should replace masters to hear juvenile cases.

However, Master Levine is adamant about the need for judges.

"I don't care what you would call the position—judge or master," she says. "But the master can control the juvenile justice system. The master needs authority to deal with juvenile cases and provide the services necessary for rehabilitation.

"If a judge says he wants such-and-such done, it happens. A judge has authority. That's what the system needs. Authority. A master can't provide the same impetus as a judge."

Master Levine takes a visitor to the crowded room where delinquent juveniles await hearings. She complains about the small courtrooms and the poorly equipped attorneys.

As a juvenile judge, Master Levine says she would be an activist.

"I decry the state of the juvenile justice and juvenile services in the state," she says. "Perhaps, it will take a judge to turn things around. The heart of the system is the disposition of cases. We need professional judges and better services to strengthen the heart."

Master Speaks is the only master in the state who is not an attorney.

"I worked with young people and families in the Army," he says. "I knew the judge here and he asked me if I was interested in the job. Obviously, I was."

He is unique in other ways, too.

Master Speaks says he believes the master system is solid and workable.

"Any juvenile has the right of appeal," he says. "We do everything to protect the juvenile's rights. The master also allows someone to specialize in the field and have a feel for juvenile cases. Something a judge can't do if he is hearing juvenile cases in between civil cases."

Master Speaks says he has had only four exceptions taken to his decisions in five years of work.

He also says he believes—as do most people involved in juvenile justice in Carroll county—that the system is working.

"We are doing quite well," he says. "Our recidivism rate is well below the state's and we also have less cases per thousand of population. The philosophy of the law is a good one and we make it work here."

But each of masters sees a different shot, a different number of reasons why a child has gone bad.

They express them in phrases like: "The breakdown of the family structure," and "the loss of respect for authority and property," and "a lack of concern on the part of parents" and "the tendency to view violence as an every day matter to be tolerated."

It is a lament that is not confined to masters but masters must hear it every day.

[EXHIBIT No. 6]

CITIZENS CONCERNED FOR JUVENILE JUSTICE,  
237 WEST LANVALE STREET,  
Baltimore, Md.

To—Senator MATHIAS

Citizens Concerned for Juveniles, organized in 1973 after publication of The John Howard Association Report on juvenile justice in Maryland, is a loose coalition of organization members and other individuals.

We have gathered many to our banner in fighting the proposed 100-bed maximum security institution in pushing passage of S.B. 1064 which keeps non-delinquent children from being housed with delinquents, we persuaded Governor Mandel to allow Juvenile Services to purchase services for children in their own homes rather than place them in residential care, we have created community awareness of the conditions in training schools by showing some 50 times a movie we bought from CBS called *No one Coddled Bobby*. (Morley Safer-Mike Wallace 60 Minutes). All who saw it seemed convinced that community facilities are necessary, large institutions destructive.

Among the over 400,000 citizens represented by their spokesmen in Annapolis against the maximum security prison were the J.C.'s, The American Legion, Maryland Cong.—P.T.A.'s, NAACP, Greater Baltimore Com., Interdenominational Ministerial Alliance. We marshalled the group.

Among the important things *not* accomplished are adequate funding for court service personnel, funding for programs of prevention, sensible budgeting procedures in the administration and legislature. We have to add that co-ordination and co-operation between School, Social Service and Juvenile Service bureaucracies is minimal where it exists at all, with resulting waste, duplication and loss of help for children.

One example of frustrating non-activity may be enlightening. When Governor Mandel wanted to build the max. sec., he promised that \$450,000/year just for interest on the loan would be available in 1977. The max. sec. is not being built, the \$450,000 is somewhere.

Two inexpensive and successful pilot programs, *detention at home with intensive supervision* and *probation at home with same need* to be expanded. If they were, overcrowding would cease at training schools. The Governor should be able to find \$450,000 for expansion since he doesn't have to pay interest on loans. We think he can and should and do not accept any evasions about operating budgets having nothing to do with capital budgets.

In closing, let me say we are as one in giving first priority to prevention with services to start early, early, early. Your Juvenile Delinquency Prevention Act funnels most of its funds to this state through LEAA of Md. whose philosophy does not embrace prevention. Mr. Wirtz the spokesman seems to think LEAA should not be involved with a child who is not already in some trouble. This is not prevention. Perhaps the funds should go to some other agency?

Respectfully submitted,

BETTY K. THOMPSON,  
President, Cit. Concerned w. JJ

[EXHIBIT No. 7]

**BALTIMORE CITY COUNCIL COMMITTEE ON JUVENILE CRIME,**  
*June 22, 1976*

Hon. CHARLES MCC. MATHIAS,  
*Senate Judiciary Committee,*  
*Juvenile Delinquency Sub-Committee,*  
*Old Senate Office Building, Washington, D.C.*

DEAR SENATOR MATHIAS: On behalf of the Honorable Members of the Baltimore City Council and the members of the Committee on Juvenile Crime, I am enclosing a copy of the initial Recommendations of the Baltimore City Council Committee on Juvenile Crime. This Committee was charged by City Council Bill 1587, introduced on November 4, 1974, to study the problems of the high incidence of juvenile crime.

Prior to and during the deliberations of the Committee, it was apparent that real knowledge of what juvenile crime and offenders are all about is limited, and that many people easily talk about the crime problem and offer instant solutions to those problems. With this in mind, the Committee set out not to investigate the underlying socio-economic causes for crime, but to limit itself to addressing the systematic problems. The nature of the recommendations reflects this intention.

Recommendation No. 14 calls for a coordination of the present programs offered by the State, City and private agencies, and as a result of this recommendation, the Baltimore City Council instituted a City Council Committee to Study the Coordination of Youth Services. A copy of this Committee's report is being presented under separate cover.

Thank you for offering the Baltimore City Council Committee on Juvenile Crime the opportunity to present the results of its deliberations in this area of mutual concern.

Sincerely,

WALTER S. ORLINSKY.

Enclosure.

Initial Recommendations  
City Council Committee on Juvenile Crime

Recommendation No. 1

A community arbitration system similar to that established by the State Department of Juvenile Services in conjunction with the State's Attorney of Anne Arundel County and the court be established in Baltimore City.

Committee Note

The Committee strongly feels that dispositions of juvenile cases should be accomplished as soon as possible after the initial complaint is made. It is further understood that while serious juvenile offenders require some time before a final disposition can be made, most of the minor offenders can be dealt with summarily in an informal setting shortly after the offense occurs. These rapid dispositions allow for more time to be spent on the more serious cases as they arise by existing staff. A key to this process is the issuance of a "ticket citation" at the time of the arrest so that all parties concerned are notified of a time and date regarding disposition of the matter. In addition to the rapid disposition of these cases, much leeway is allowed by the arbitrator (a lawyer) in terms of fashioning a proper adjustment. Requiring juveniles who have been found to pull false alarms to polish fire engines for a certain amount of time is but one example of this.

As a result of the Anne Arundel County Community Arbitration Program, seventy-seven percent of all juvenile complaints are disposed of within five days after the arrest. Two-thirds of these result in warnings or a failure to substantiate charges and the remaining one-third result in informal adjustments under a forty-five day period of supervision. The remainder of the cases follow the usual process through the juvenile system. Only two days ago, the Department of Juvenile Services announced plans to seek LEAA support in implementing this program in Baltimore City.

Recommendation No. 2

The community arbitration system should be decentralized in several districts throughout the City.

Recommendation No. 3

The feasibility of holding community arbitration hearings during evening hours as well as on weekends be explored.

Committee Notes to Recommendations 2 and 3

In conjunction with speedy disposition of minor juvenile cases, ease of access to disposition hearings by witnesses and other parties is of concern to the Committee. On the basis of Anne Arundel County's experience, fully seventy-seven percent of all juvenile matters referred to the Department of Juvenile Services will be disposed of at this level. Because of the nature of the dispositions at this level, it is highly unusual for youth to be represented by counsel at this stage. In order for the arbitrator to have as much evidence as possible during these hearings, and, at the same time eliminate the need for postponements to either a later date or at a subsequent stage in the juvenile process, evening and weekend hours may be most conducive to the presence of parents and other witnesses in the matter. The nature of these hearings coupled with their decentralization as to location and their conduct during "non-business" hours may stimulate — increased — participation in the process. The Committee feels that this should be done on an experimental basis as a start.

Recommendation No. 4

The Department of Juvenile Services should be furnished with a copy of each and every complaint completed by an arresting officer on any juvenile, upon that juvenile's initial referral to D.J.S.

Committee Note

The Committee has recognized the great disparity between the number of juvenile arrests, and the number of cases actually referred to the Department of Juvenile Services. The Committee further believes at this time that this disparity is a reflection of informal adjustments by the arresting officer (e.g. taking a juvenile offender for a very minor offense home directly to his parents) should not be disturbed at this time. However, this results in an incomplete record on the part of either the initial intake officer or a community arbitrator when a juvenile is present at a hearing and there is no record of prior arrests. Written complaints are not completed by police officers following each arrest, but when they are so completed, the Committee is recommending that these complaints be forwarded to the Department of Juvenile Services at the time the juvenile is initially referred to the Department of Juvenile Services.

Recommendation No. 5

That the clerk's office of the Department of Juvenile Services be kept open to provide departmental officials with information so that they may make more intelligent decisions in terms of retaining custody of a juvenile.

Recommendation No. 6

The Committee further discussed the nature of the proposal for an LEAA study on the profile of the juvenile delinquency and endorsed such a study.

Baltimore City Council Juvenile Crime Committee RecommendationsRecommendation 7

Notification of the Court's actions to those complainants involved in cases where the juvenile is released and waiting trial should be made. This notification would be similar to the present system of notification to the complainant in the Closed at Intake actions.

Committee Note

The new system of Community Arbitration requires notification of the complainant at each stage during the entire process.

Recommendation 8

There should be emphasis on reducing the backlogs of juvenile cases pending in court.

Committee Note

It was felt that one of the best deterrents to crime is a speedy trial and a rapid disposition.

Recommendation 9

Legislation should be enacted that would revoke the requirements of House Bill 1427 that demand that names remain untraceable in the Department of Juvenile Services State Computer Program. Presently, the name exists only with the originating agency and information concerning individuals can only be compiled manually.

Recommendation 10

The Juvenile Clerk's office should be computerized.

Committee Note

Since more than 50% of the crimes are being committed by 34% of the population, this seems justification alone that the office that has to process these cases ought to have the same computer facilities as the other clerks offices.

Recommendation 11

The Committee recommends that there be established uniform systemwide policy and enforcement regarding absenteeism and truancy. The Committee also views with favor the recommendations of Dr. Scott for special schools, classrooms, and/or programs to deal with disruptive students and those that have been removed from the regular classroom. Concurrently the automatic passing should be eliminated.

Committee Note

After a Committee investigation it has been determined that there is no clear system--wide policy concerning absenteeism. Furthermore, there also appears to be no policy of enforcement of the absentee and truancy laws. The kind of action taken appears to depend on two factors (1) policy (orally or written) of the principal (usually in the form of suggestions) and (2) the motivation of the individual teachers. Follow-up action appears to be a function of the home visitor availability and/or specific action taken in a particular school.

The Committee strongly felt that these inconsistent practices be eliminated and that the entire system including the students would benefit from a uniform policy and implementation.

Recommendation 12

The Department of Juvenile Services should provide the Committee with information concerning the definition of "Closed at Intake", delineation of the options and the numbers in each category. Explanations of what these terms and numbers mean should be included in the report.

Recommendation 13

The number of personnel in the Police Department's Juvenile Division should be increased but not necessarily correlated with the number of juvenile crimes. Also, the Police Department should provide the Committee with (1) the definition and the duties of the Juvenile Division and (2) copies of the manual critique of what in fact they are doing.



Recommendation No. 14

The present programs offered by the State, City and private agencies should be coordinated in such a manner to facilitate ready and easy access.

Committee Note:

Well coordinated youth services are needed to alleviate the underlying causes of juvenile delinquency and crime. The present system offered by FRISBY seems to be more cumbersome than helpful. Information provided by the participants in the February 20 meeting strongly indicated that this program was of little or no help to them in servicing youths. The Committee did not realize that FRISBY existed and that it received such unfavorable reports.

**CITY COUNCIL OF BALTIMORE****BILL NO. 1587**

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**Councilperson Gallagher**

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**INTRODUCED NOVEMBER 4, 1974**

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**A BILL ENTITLED**

City Council Resolution requesting the President of the City Council to appoint a committee to study the problem of the high incidence of juvenile crime and to report thereon.

1 A recent report concerning the incidence of crime in Balti-  
2 more indicates that 52% of all persons arrested for major  
3 crimes are juveniles and that 38% of arrests for violent  
4 crimes involved juveniles.

5 Commissioner Donald D. Pomerleau has criticized the  
6 Juvenile Courts and Department of Juvenile Services for  
7 failing to cope with the problem in that the Juvenile Court  
8 and Juvenile Services are obviously not taking proper cor-  
9 rective measures. The Commissioner further asserted that  
10 many of the juveniles arrested are repeaters and that this  
11 indicates the lack of an effective program by the juvenile  
12 authorities.

13 Judge Robert I. Hammerman, the head of the Juvenile  
14 Court, has disclaimed any responsibility on the part of the  
15 court and of the Juvenile Service Division and has argued  
16 that the Police Department has failed to strengthen their  
17 Juvenile Squad which could effectively cut down the ju-  
18 venile detail.

19 Robert C. Hilson, the Director of Juvenile Services, has  
20 released figures to indicate that the rate of repeaters among  
21 juveniles arrested was 24.5% which in his opinion was a  
22 reasonably low rate.

23 Milton B. Allen, State's Attorney for Baltimore City, has  
24 described the juvenile crime problem as one of the major  
25 failures in our criminal justice system and that the rec-  
26 ord of the prosecutors office was dismal in dealing with  
27 juvenile crimes.

28 Baltimore is confronted with a terrifying problem in the  
29 high incidence of juvenile crime which forbodes a terrible  
30 future for life in Baltimore. Recriminations by those  
31 charged with protecting us from the criminal is of little

(Page 2—No. 1587)

32 value to the community. It is time that City Council play a  
33 role in this very serious problem that confronts our city;  
34 be it, therefore

35 *Resolved by the City Council of Baltimore, That the*  
36 *President of the City Council appoint a committee from the*  
37 *membership of the City Council to inquire into the problem*  
38 *of Juvenile participation in crime and report to the full City*  
39 *Council its recommendations concerning this matter.*

[EXHIBIT No. 8]

SELECT BALTIMORE CITY COUNCIL COMMITTEE  
TO STUDY YOUTH SERVICES,  
June 22, 1976.

Hon. CHARLES MCC. MATHIAS,  
*Senate Judiciary Committee,  
Juvenile Delinquency Sub-Committee,  
Old Senate Office Building, Washington, D.C.*

DEAR SENATOR MATHIAS: On behalf of the President and Members of the Baltimore City Council, I am enclosing a copy of the Interim Report of the City Council Committee to study the Coordination of Youth Services.

Thank you for offering the Committee the opportunity to present its findings. If I can be of any further assistance, please call on me.

Sincerely,

BARBARA A. MIKULSKI.

Enclosure.

INTERIM REPORT

COMMITTEE TO STUDY THE COORDINATION  
OF YOUTH SERVICES

# CITY COUNCIL OF BALTIMORE

## BILL NO. 1750

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Walter S. Orlinsky, President

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INTRODUCED MARCH 3, 1975

(Read and Adopted)

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### A BILL ENTITLED

City Council Resolution to study the coordination of youth services.

1 WHEREAS, well coordinated youth services are needed to  
2 alleviate the underlying causes of juvenile crime; and

3 WHEREAS, various services are offered by different State,  
4 City and private agencies; and

5 WHEREAS, large amounts of money are spent for these  
6 youth services; and

7 WHEREAS, the Baltimore City Council Juvenile Crime  
8 Committee endorses youth services and has found the need  
9 for better coordination of these said services; now, there-  
10 fore be it

11 *Resolved*, That a City Council Committee be designated  
12 to investigate the coordination of these youth services.

**SELECT COMMITTEE OF THE BALTIMORE CITY COUNCIL TO STUDY THE COORDINATION  
OF YOUTH SERVICES**

Hon. Barbara A. Mikulski, Chairperson, Hon. Nathan C. Irby, Hon. Carroll J. Fitzgerald, Hon. Mary B. Adams, and Hon. Charlotte D. Wheatley.

**INTERIM REPORT**

The Committee to Study the Coordination of Youth Services was designated by a Resolution of the Baltimore City Council on March 3, 1975. This Committee was an outgrowth of the City Council Juvenile Crime Committee which endorsed the need of well coordinated Youth Services in order to alleviate the underlying causes of juvenile crime.

The mandate to this Select Committee was to investigate the coordination of the various State, City and Private agencies that serve youth in the City of Baltimore. Included in this mandate and beyond the general concern with the welfare of young people, the Committee raised such questions as:

How many young people do the various agencies serve?

What do we spend on youth services?

What is the quality of the services presently provided?

What mechanisms for coordination of services exist on the Executive policy making level, the Neighborhood level and the Client delivery level?

What evaluation of the programs exist and who is responsible for this evaluation?

What methods of communication are available between these three agency levels and how well are they employed?

What coordination exists between the various State, City and Private agencies?

The method chosen to address these basic questions was to hold a series of meetings with direct service level personnel from major municipal, private and voluntary agencies. The Committee wanted candor from these agency workers and at the same time provide them with anonymity, therefore, making it necessary to hold these interviews in closed session. The first stage of these meetings was limited to those who worked in various programs on the client delivery level. The second stage, which will begin in the next few weeks, will encompass interviews with the Agency Directors.

Prior to the first agency worker interviews, the Committee met with members of the Health and Welfare Council. The Health and Welfare Executive Board provided the Committee with support of their endeavor and also guided the Committee in its effort to gather and analyze information concerning the coordination of youth services. The Health and Welfare Council was extremely helpful to the Committee.

At the same time, a questionnaire was sent to seventy-five (75) agencies that service youth in the City. This included all major municipal agencies as well as agencies such as Scouting, Hotlines, Youth Service Bureaus, and Neighborhood Centers.

There were thirty-four (34) responses to the questionnaire. This figure represents a return of almost fifty percent (50%), which is considered a representative sample. These responses included returns from all the major municipal agencies. The questionnaire and the list of those agencies that responded are included in the Appendix.

**PRELIMINARY FINDINGS**

The meetings with agency workers and an analysis of the responses to the questionnaire provided the Committee with information that led to the following Preliminary Findings:

(1) That there is a lack of coordination and cooperation between agencies that service youth.

The principal causes and facts that led to this finding include but are not limited to: Agency Administrators have not created strong policies favoring policy and program coordination and have until now paid lip service to this concept.

Many agencies reported their main vehicle for communication was the Mayor's Human Resources Cabinet. During a discussion with the new Human Resources Coordinator, it was revealed that this Cabinet did not meet during the regularly bi-weekly schedule, while the Acting Human Resources Coordinator reorganized the Unit.

The thrust of these Cabinet meetings has been that of reporting and accounting to the Mayor concerning various program activities and projects. The Human Resources office recently added as its major goal that of inter-agency program planning and coordinating.

The Mayor's Office of Manpower Resources, specifically the Youth Advisory Committee, was indicated as another vehicle of communication. However, this too has the same limitations as the Mayor's Human Resources Cabinet: That of reporting rather

than coordinating. In addition, the Mayor's Office of Manpower Resources oversees projects that are funded through this program.

A major hindrance in providing coordinated youth services is an unwillingness of the various agencies to share their autonomy. Also, agencies are pre-occupied with their own mission and are not oriented or interested in seeing the multiple effects of cooperation. As a result, there seems to be a lack of commitment to the extra coordination and collaboration.

The concept of "turf warfare" was expressed by several agency workers, interviewed by the Committee, as a major reason for the inability to effectuate meaningful collaboration with workers in other agencies, who were known to have involvement with the client. The effect of the lack of coordination and collaboration is that each agency deals with only part of the client, while no one agency is involved or concerned with the client's total needs.

(2) That there is fragmentation and duplication of services throughout the system.

This finding seems to be a natural extension of the preceding finding, since the absence of a well defined procedure for coordination on the Executive policy making level has led to a duplication of services and fragmentation of programs with a resulting loss of overall efficiency and effectiveness.

This finding is exemplified by "FRISBY" (Fast Referral Information Service for Baltimore Youth) which is a program operated under the auspices of the Mayor's Office of Manpower Resources and the Health and Welfare Council. The Committee through a personal experience, interviews with agency workers who have used FRISBY, and members of the FRISBY staff, has concluded that the FRISBY system is cumbersome and ineffective. One agency's worker reported several instances where the client's confidentiality was disregarded. Another worker reported that there is no way to follow-up on clients who enter the FRISBY system. At the initiation of the FRISBY system, a tracking component was part of the program. However, it was discontinued due to the lack of cooperation from participating agencies.

The sheer size of the FRISBY book discourages use as well as the lack of agency cooperation. This has led to the eventual termination of this effort of facilitating service to youth.

In many instances there are as many as twenty (20) different agencies which can provide services to the waiting client. However, this duplication does not mean more service, but seems to allow inhibitive restrictions which may or may not be included in the FRISBY book. These restrictions included such items as residency requirement number of impact offenses, and possibly the socio-economic situation of the family.

The operating procedures of the participating agencies are another indication of the fragmentation of access and service. Many of the agencies are only available to clients during the normal working hours (9-5).

In many instances, there is a lack of information on the part of the agency workers concerning the plethora of services and resources offered by other agencies. It is indicated that the lack of a coordinated information flow and excessive work loads make it difficult, if not impossible, for the case workers to familiarize themselves with the intricacies of other agencies. What information and collaborative ties exist have been developed by the well-intentioned but erratic initiative of the individual client workers.

Those agency workers interviewed indicated that they received little training, guiding or information in this area. Also, they are so pre-occupied with their own agency's intricacies that the comprehensive youth service seems to suffer because of emphasis on the individual parts.

The fact that agency programs are formulated and funded by category (legal, drug, recreational, health, etc.) rather than by a program which services the total needs of the client, specifically youth, contributes to over specialization thus increasing the fragmentation of these same programs. An example of the difference between these two types of programs is--the former would provide legal, drug, recreational or health services for a specific number of youths, while the latter would provide all necessary services for a specific number of youths.

To change the fragmented thrust of categorical programs and fulfill funding requirements will be difficult, however, this difficulty should not be used as an excuse to forego the coordination of youth services.

(3) That there seems to be a lack of effective evaluative tools to determine the viability and usefulness of existing programs.

The present evaluation of existing programs is done on the Executive level and "in house".

(4) That the city is not getting sufficient return for its financial input in youth services.

The following two (2) tables are very crude estimates prepared for this preliminary report attempting to measure the benefits of City expenditures accruing to that segment of the total City population under eighteen (18) years of age.



For estimation purposes a number of assumptions have been made with respect to the proportion of total expenditures which might be attributed to a particular sub-group of the population as defined by its age and dependency. It is recognized that this particular age group, because they are primarily composed of dependents, pays almost no taxes. In other words, they are assumed to be large beneficiaries of City expenditures, while at the same time contributing almost no direct revenue to these expenditures.

The estimates of benefit must be further refined before the final report of this Commission is issued and may be radically altered upon further testing of the estimating assumptions upon which these figures have been compiled.

A key question is whether the City of Baltimore—all the citizens of the City—are in fact getting "their money's worth" from the total City's expenditures which focus upon youth and services to youth. Can the benefits be better measured? Can the services provided—whether education, day care, or recreation, etc.—be more logically, more rationally, or more efficiently provided than at present?

The preliminary report suggests a great deal of spending and a number of serious problems of coordination in service delivery. The final report of this Commission is expected to focus in more detail upon the benefits received by youths in Baltimore. Specific suggestions will be formulated in order to improve areas of administrative weakness herein documented.

At this preliminary stage of events, it can be concluded that dependent youths seem to benefit significantly from total City expenditures. The continuing objective of this Committee is to improve, insofar as is possible, "the total City bang for each buck" spent in the youth service area.

Estimated budgetary impact on youths under 18 .....	\$692,878,953
Divided by number of youths .....	286,660
Dollars of expenditures impact per capita .....	2,417

**CITY AGENCY APPROPRIATIONS IN THE JUVENILE AREA  
FISCAL 1975 BUDGETED**

	<i>Total</i>
Civic Center Commission .....	\$2,068,375
Courts and Related	
Orphans Court .....	69,970
Courts Related—State's Attorney	
Juvenile Services-Division .....	280,120
Education* .....	232,810,711
Health Department	
Child Health Services .....	6,512,585
Health and Welfare Grants	
Boys Town & Echo House .....	32,500
Educational Grants .....	121,190
Community Justice Self Help	
Youth Group Homes .....	61,000
Boys' Town III .....	42,000
Mayoralty—Summer Lunch Program .....	1,000,000
Job Corps Services .....	246,587
Mayoralty—Youth Development .....	636,183
Police—School Safety .....	1,360,533
Recreation and Parks .....	21,058,939
Social Services:	
Clyburn Home .....	300,340
Day Care for Children .....	4,090,594
Special Care .....	1,092,624
Urban Services:	
MCA Health .....	158,498
MCA Soc. Services—Day Care .....	534,000
CAA Children's Services .....	1,548,405
MCA Education .....	763,051
CAA Youth Program .....	174,768
MCA Recreation .....	653,897
<b>Total .....</b>	<b>274,256,337</b>

\* Less \$2,213,364 for adult education.

		<i>Expenditures on youths</i>
Fiscal Year 1975 total budget .....	1,241,994,000	-
Less specific services listed in A above .....	(274,256,337)	274,256,337
All remaining expenditures .....	967,737,663	
Less 75 percent of public assistance payments .....	(100,851,052)	100,851,052
Less 50 percent of Police Department .....	(40,711,419)	40,711,419
Less 50 percent of Fire Department .....	(21,053,024)	21,053,024
Less 50 percent of Library .....	(3,494,362)	3,494,362
	810,627,806	
Less 31.5 percent of remaining subtotal of expenditures .....	(252,512,759)	252,512,759
Total .....	549,115,047	629,878,953

**ESTIMATED POPULATION OF BALTIMORE CITY 1974 (JULY 1)**  
(BALTIMORE CITY HEALTH DEPARTMENT)

		<i>Percent</i>
Estimated Total population .....	911,290	100
18 and over .....	624,630	68.5
Under age 18 .....	286,660	31.5

**ESTIMATED PERCENTAGE AND AMOUNT OF FISCAL YEAR 1975  
APPROPRIATIONS ALLOCABLE TO JUVENILES IN BALTIMORE CITY**

	<i>Fiscal year 1975 Budgeted</i>	<i>31.5 Percent Share</i>
Fiscal Year 1975 Subtotal operating budget .....	\$785,872,925	\$247,549,987
Fiscal Year 1975 Subtotal capital budget .....	456,122,000	143,698,430
Fiscal Year 1975 Total operating and capital budget ...	1,241,994,000	391,228,117

**PRELIMINARY OBSERVATIONS**

These Preliminary Observations are confined to the public sector, more specifically to the major municipal agencies.

(1) The Committee has observed the lack of urgency displayed by the municipal agencies to effectuate a coordinated youth service program in the City.

(2) The municipal government has made a serious commitment vis a vis the substantial monetary support to these agencies and every year these agencies request more funds. Yet, the Committee has serious reservations that the allocation of increased funds will in fact provide better services.

(3) If the problem of a unified youth service program is to be corrected, agency administrators must recognize, be committed to, and emphasize the importance of a coordinated and collaborative program. The agency administrators must think and clarify mechanisms for coordination and cooperation in policy and program planning and evaluation on the executive, neighborhood and client delivery level between the agencies that service youth.

(a) This effort towards coordination and cooperation must also include a uniform procedure for citizen participation. The nature of the mechanism will not be recommended by the Committee at this time, but the theme to follow will be to have community involvement that commands the respect and the cooperation of the service agencies. The community at the neighborhood level must be involved in the planning, monitoring, and evaluation process.

(b) At the client delivery level, the agency worker must be made aware of the resources and programs that are available in other agencies; and also, there must be a commitment to utilize these resources and programs.

Since this is an interim report, the Committee feels that it is necessary to delineate the future schedule and the next steps to be taken.

(1) Circulate the Interim Report to the Human Service Agencies.

(2) Convene meetings of the Municipal Human Service Agency Directors.

We will ask that they formulate:

(a) plans and remedies for correction pursuant to the problems identified in the Interim Report, and

- (b) statement of corrective actions.  
 (3) During the summer, the Committee will engage in an ongoing monitoring of the progress of implementation of the corrective actions.  
 (4) In the fall, the Committee will hold evaluation meetings that will encompass the status of the corrective actions.  
 (5) Publish the Final Report.

## APPENDIX

## QUESTIONNAIRE SUMMARY ANALYSIS

*Major Municipal Agencies*

Urban Services Agency.  
 Enoch Pratt Free Library.  
 Mayor's Office of Manpower Resources (MOMR).  
 Department of Recreation and Parks.  
 Department of Juvenile Services.  
 Department of Hospitals.  
 Department of Health (Maternal and Child Health).  
 Police Department.  
 Department of Education.  
 Department of Social Services.

The city agencies spend a total of \$47,654,209 (excluding the Department of Education and Social Services.) The Board of Education has a budget of \$232,810,711. The questionnaire response from the Baltimore City School Administration reported that it was impossible to calculate the amount of money spent on youths. This figure of \$232,810,711 was extracted from the FY 1975 Budget and includes funds allocated to Adult Education. It should be noted that not all of the Agencies funds are appropriated by the City. For instance, from a total budget of \$7,832,258 the Mayor's Office of Manpower Resources (MOMR) reported receiving only \$200,000 from the City.

The Urban Services Agency plans its activities on the Executive level through a City Wide Youth Advisory Council composed of youths. MOMR reported its planning is done through a different Youth Advisory Committee composed of representatives of City Agencies and Community Organizations. The Mayor's Office of Manpower Resources maintains a planning coordinating committee with representatives from major city agencies, and until now the committee functioned as a reporting body. The Urban Services Agency reported being on the MOMR planning committee, while other Agencies only reported interaction with the Mayor's Office. The Department of Hospitals reported a monthly meeting is held with representatives from Enoch Pratt, Department of Recreation, Street Club Service, and Police Community Relations.

*Recommendations* included the establishment of a multi purpose City-wide Youth Services Center. Also, a closer relationship between city government and state government in implementing and funding youth programs.

*Major Volunteer or Private Agencies*

SECO Youth Diversion Project.  
 Girl Scouts of Central Maryland (volunteer).

*Private Agencies*

Big Brothers and Big Sisters of Central Maryland.  
 North West Youth Service and Referral Bureau.  
 Prisoner's Aid Association of Maryland, Inc.  
 The Baltimore Urban League.  
 Legal Aid Bureau.  
 Associated Catholic Charities.

These agencies receive their funding from various sources, however no money was reported as coming from the City. Most policy planning on the Executive level is done through the Board of Directors of each individual agency. It was reported that there is no communication between the individual agencies, although each agency mentioned some contact with either the Mayor's Office or the Health and Welfare Council.

Four agencies *recommended* the establishment of some type of youth service bureau. One agency suggested a one-day conference to bring all groups together to exchange information on each agency's services

*Alternate Agencies*

Mantra Drug Abuse.

Child Abuse Project.  
 Women in Community Service.  
 Diversion of Youthful Impact Offenders Project.  
 Alateen.

No city funding is received by these agencies. At the Executive level policies are made primarily through the Board of Directors of each individual agency.

Mantra Drug Abuse reported coordination with the Mayor's Office of Drug Abuse Control. Two Agencies also reported cooperation with the Department of Social Services. On the neighborhood level the agencies contact community organizations and/or individuals directly.

*Recommendations* included the creation of a Youth Council composed of youth and adult members; and the creation of a liason between the Mayor's Coordinating Council of Criminal Justice and the Department of Juvenile Services.

#### *Small Private Agencies*

Woodbourne Center.  
 Fellowship House.  
 Childrens Guild.  
 German Children's Home.  
 Boys Town Home of Maryland.  
 Good Shepherd Center Day Program.  
 North Baltimore Center.  
 Boys Home Society of Baltimore, Inc.

Children's Guild was the only agency that receives funds directly from the City. The number of youths serviced by each agency in this category, is 100 at any given time.

On the Executive policy making level, programs are planned for the most part through a Board of Directors or at staff meetings.

There is no uniform pattern of inter agency communication, although 5 agencies listed some type of communication with the Department of Juvenile Services.

*Recommendations* included the establishment of some type of youth council. Three agencies also recommended the establishment of a centralized referral system.

#### *Health Services*

Adolescent Division University Hospital (state).  
 Adolescent Family Life Program, Sinai Hospital (private).  
 James Lawrence Kernan Hospital (private).  
 Neighborhood Family Planning Center (private).

One private agency receives some funds from the City (Neighborhood Family Planning Center.) Three agencies receive money from the state. On the Executive policy making level each agency has its own mechanism to plan programs ie. input from staff with approval by an executive board.

There is no uniform mechanism of coordination between agencies. Referrals are made to various agencies, and Sinai Hospital reported that it is a member of the State Family Planning Council. The agency that receives funding from the city reported communication with several city agencies (Urban Services Agency, and Department of Education.)

On the neighborhood level, Sinai Hospital reported that a Community Board originally existed but has ceased to function because of lack of interest. Community residents are members of the Executive Board of one of the agencies.

*Recommended* was the inclusion of more youths in planning and coordination.

#### RESPONDENTS TO QUESTIONNAIRE

Department of Education, 3 E. 25th Street.  
 Department of Health, 111 N. Calvert St. 21202.  
 Baltimore City Hospitals, 4940 Eastern Avenue 21224.  
 Mayor's Office of Manpower Resources, 701 St. Paul Street 21202.  
 Director of Recreation & Parks, 2600 Madison Avenue 21217  
 Urban Services Administration, 11 E. Mt. Royal Ave. 21202.  
 Baltimore Police Dept. Youth Section, Argonne Drive & Hillen Road 21214.  
 Baltimore City Dept. of Social Services, 1510 Guilford Avenue.  
 Baltimore City Enoch Pratt Free Library, 400 Cathedral St. 21201.  
 Baltimore City States Attorney's Office, 231 E. Baltimore St. 21202.  
 Juvenile Services, 212 N. Calvert St. 21202.  
 NBRHD Family Planning Center, 1515 E. North Avenue 21213.

**Comprehensive Adolescent Clinic, Sinai Hospital, Belvedere and Greenspring Avenues 21215.**

**Adolescent Medical Division, University Hospital, 22 S. Greene Street 21201.**

**Street Club Service, 1129 N. Calvert St. 21202.**

**Employment Security Administration Employment Services, 1100 N. Eutaw St. 21201.**

**Lighted House, 2510 St. Paul St.**

**New Directions for Women, 1100 N. Eutaw St. 21201.**

**Women in Community Services, 423 W. Monument St. 21201.**

**Diversion of Impact Offenders Program, 1102 Mondawmin Concourse 21215.**

**South-East Community organization-Youth Diversion, 10 S. Wolfe Street.**

**Child Abuse Project, 1708 W. Rogers Ave. 21209.**

**Baltimore City Mayor's Office, Drug Abuse Control, City Hall 21202.**

**CRAT Project, 401 E. Eager St. 21202.**

**Mantra Drug Abuse, 3547 Chestnut Avenue, Baltimore, Md. 21211.**

**Al-Anon Family Groups: Alateen, P. O. Box 6824 21204.**

**Big Brothers and Big Sisters of Central Maryland, Inc., 2220 St. Paul St. 21218.**

**Boys Home Society of Baltimore, Inc. 810 Park Ave. 21201.**

**Maryland Children's Aid and Family Service Society, 303 W. Chesapeake Ave., Towson, Md. 21204.**

**Prisoners Aid Association of Maryland, Inc., 109 Old Town Bank Building 21202.**

**Children's Hospital, Inc., 3825 Greenspring Ave. 21211.**

**Hearing and Speech Agency of Metropolitan Baltimore, 2220 St. Paul St. 21218.**

**James Lawrence Kernan Hospital, Windsor Mill Rd. and Forest Park Ave. 21207.**

BALTIMORE CITY COUNCIL SELECT COMMITTEE  
TO COORDINATE JUVENILE SERVICES

QUESTIONNAIRE

Agency: \_\_\_\_\_

Director: \_\_\_\_\_ Phone No. \_\_\_\_\_

1. What age group do you serve up to age 18? \_\_\_\_\_

2. How many youths do you serve in the City? \_\_\_\_\_

3. What boundaries within the City does your agency serve? \_\_\_\_\_

4. What type of agency? Municipal \_\_\_\_\_

State \_\_\_\_\_

Private \_\_\_\_\_

Other \_\_\_\_\_

5. What specific services and programs do you provide for youths?

Counseling \_\_\_\_\_

Day care \_\_\_\_\_

Recreation \_\_\_\_\_

Health \_\_\_\_\_

Education \_\_\_\_\_

Delinquency Rehabilitation \_\_\_\_\_

Other \_\_\_\_\_

6. What is the amount and source of your funding? (If funds come from various services, please list the sources and respective amounts.)

\_\_\_\_\_  
\_\_\_\_\_

7. How much of your agency's budget is spent on youths? (Dollars and Percentage)

\_\_\_\_\_

8. How does your agency plan the programs and services on the executive policy making level?

\_\_\_\_\_  
\_\_\_\_\_

9. What coordination efforts of programs and plans do you have with other agencies on the executive level?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What mechanism of communication do you have on the neighborhood level?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10. What mechanisms does your agency use to coordinate the services of clients or their families with other agencies?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What method of confidentiality is employed in this mechanism?

\_\_\_\_\_

Do you encourage case conferences? \_\_\_\_\_

Please explain. \_\_\_\_\_

\_\_\_\_\_

Do you consider this a valuable tool? \_\_\_\_\_

What recommendations would you make to the City Council for improving the planning and coordination of youth services?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

[Testimony continued from p. 91]

Senator MATHIAS. The subcommittee will now call Judge Robert Karwacki of Baltimore, Judge Karwacki is a distinguished member of the bench who has demonstrated his interest and concern and knowledge in this area.

**STATEMENT OF THE HON. ROBERT L. KARWACKI, ASSOCIATE JUDGE OF THE SUPREME BENCH OF BALTIMORE CITY, MD.**

Judge KARWACKI. Senator, how are you this morning? Mr. Chairman and staff of the subcommittee, I am Robert L. Karwacki, an associate judge of the Supreme Bench of Baltimore City, where I have been assigned since August of 1975 as the presiding judge of Baltimore City's Juvenile Court. This court with the assistance of seven masters or hearing officers will this year hear approximately 12,000 charges of delinquent behavior; that is, criminal conduct on the part of persons under the age of 18 years, against approximately 9,000 children. The Juvenile Services Administration of the Department of Health and Mental Hygiene of the State of Maryland is the agency with which the court principally works in effecting the attempted rehabilitation and care of the young people who come under its jurisdiction because of delinquent behavior.

At the outset, let me say that I have yet to meet any knowledgeable person who would seriously argue that we are currently fulfilling our mission to prevent delinquency or to rehabilitate the delinquent child. In making this observation, I do not want to be misunderstood. I certainly don't wish to condemn the hardworking and conscientious staff of either the court which I administer or the Juvenile Services Administration which is charged with the guidance, rehabilitation and care of the children who come under the jurisdiction of the court. What I am saying is that this area of the criminal justice system has been either ignored or relegated to second class status in the past. Maryland's neglect in this area is no more than which has infected the juvenile justice system throughout this country.

With the alarming increase in juvenile crime in this State and throughout the country, I am pleased to finally note indications of a reversal in this previous attitude. More time and resources are being expended on a Federal, State and local level currently to better the system than anytime in the past, and hopefully we will begin to see improvements in the near future. The Juvenile Justice and Delinquency Prevention Act of 1974 is certainly cast in this mold.

In the area of the administration of the Juvenile Court, we in Baltimore City are finally coming to grips with the problems of trial delay resulting from poor court management. Computer technology is being developed for the proper and efficient handling of records and the scheduling of cases.

Also, in the area of judicial administration has come the realization that much errant behavior is better dealt with in the community setting where it occurs through diversion programs which combine swift justice for the delinquent as well as the victim with the added ability of the community resources to lend direct supervision and aid to the rehabilitation of the young offender. The aim of these programs is to provide justice and rehabilitation for the minor offender without ever bringing him into the juvenile division of the criminal justice system, where in the past because of the increasing caseload, he has often left the system with little rehabilitation but worse with a feelin of having beaten the system. Removing these minor or hassling offenses from the juvenile justice system will permit the system to deal more effectively with the serious juvenile offenders who require its intensive attention. These modifications in the administration of justice for the juvenile offender in Baltimore City have resulted within 1 year in the proper adjudication of cases coming before the Baltimore Juvenile Court. But the problem of effective judicial administration of juvenile justice is but one small part of a much bigger problem.

We are simply not doing a job, in my judgment, with the adjudicated delinquent; and we are doing little to prevent the root causes of juvenile delinquency.

A study of the juvenile delinquent population in Baltimore will immediately reveal identifiable causative factors which have contributed to the continuous increasing rise in delinquency—family disintegration, unemployment, poor housing, lack of parental controls and unfulfilling educational experiences. These root causes have not been effectively addressed by our governments to date, and I strongly suggest that we cannot much longer afford the luxury of ignoring the problem.

Principal of the causes, in my view, is the continuously reoccurring cause of the delinquency cases which I hear attributable to truancy of the child from school, and I would enlist your support for this problem being the focus of intensive resource support pursuant to the Juvenile Justice and Delinquency Prevention Act of 1974. Our State has a compulsory school attendance law but the magnitude of the problem makes the same unenforceable without resources necessary to combat the problem. Truancy in the Baltimore City Public Schools from recent reports now averages about 35,000 pupils per day.

The resources to which I have reference should be directed to developing alternatives to present public school attendance for chil-



dren who are unable intellectually to deal with the academic regimen of required education. Vocational training must be expanded. Parents and custodians of children must be educated to their responsibility to supervise attendance. Poverty breeds delinquency and poverty largely results from lack of educational opportunity. On three occasions in the last 5 months, a juvenile delinquent sat before me with a child in her arms. In each case this young mother, a junior high school dropout, was of course unemployed as were her parents. The third generation of this lifestyle had recently begun.

Administration of the Juvenile Justice and Delinquency Prevention Act of 1974, in my opinion, could make an impact on breaking this cycle.

Before I close my remarks I would also urge upon this subcommittee that the administration of the Juvenile Justice and Delinquency Prevention Act of 1974 be more responsive to local needs within the State. What is a primary need in Baltimore City might be low priority in one of the rural counties in Maryland and local official input on the expenditure of resources keyed to the efficient implementation was the expressed goal of Congress under the act. I recognize your concerns and the concerns of your colleagues in the U.S. Congress for the youth of this country. I salute the ideals which prompted the passage of the act in 1974. I urge you not to permit this worthy piece of legislation to wither for lack of effective funding and administration, and I want to thank you for the opportunity of appearing before the subcommittee today.

Senator MATHIAS. Judge Karwacki, let me tell you that the closing line of your statement is music to my ears. Senator Bayh, the chairman of this subcommittee, and I have waged what has been a lonely fight on occasion to try to get effective funding. We have attempted to get more vigorous enforcement of the act. It is testimony like yours which represents the frontline of this area, and it can help us to shed light on the problem and achieve greater success than we have met in the past.

It is very discouraging to realize that the problems which you and Dr. Eisenhower described are simply not being recognized as the gigantic national problems they are. These problems affect the whole fabric of American society. I was most interested in your comments on the school system because you wear two hats in that respect.

Judge KARWACKI. I'm a former president of the Baltimore City School Board.

Senator MATHIAS I noticed your comments on truancy, with which I certainly cannot take exception. But, as former president of the school board, what is your judgment as to the role which the school, as an institution, can play in the problem of juvenile delinquency? The school is, after all, the one common institution in America. It is the one institution which almost every American family has dealt with and does not feel distant from. You may feel a distance from the tax collector; you may feel some distance from the draft board; you may feel some distance from law enforcement authorities. But everyone seems to have a school to which that person can feel close. What can schools do that they are not doing now?

Judge KARWACKI. Well, No. 1, I think schools have to become more attractive to the young people in the community. I think they

have got to reach out to the community. No longer can they sit back and take the attitude that the school's here, come if you will.

Part of the truancy problem I think could be met by just this kind of reach-out program. The Baltimore City school system back in 1970 and 1971, when I was the head of the Board of Education, I believe had a total of 30 home visitors, as they are referred to. We used to call them truant officers back in my day, for a school population which was then about 190,000 pupils. Obviously, purely a cosmetic attempt to enforce school attendance, and I think when it's not enforced—and it's not being enforced effectively in Baltimore City today—it becomes too easy for the youth to get used to not going to school, and once the pattern is set, and I suggest set at a very early age, certainly by junior high school age, if the truancy pattern is there it's going to continue.

I think we have to identify the problem early. I think we have got to have sufficient resources to go out and encourage attendance and to supervise attendance and, in the bigger picture, to have the programs developed within the schools which make the kids want to come to school. It's a big problem, but local resources, both State and city, just are insufficient to meet the need.

Senator MATHIAS. Is there a screening process which could be applied in schools? I feel it is dangerous to categorize young children and put them in one track for the rest of their lives as being low achievers. Is there a screening process which would at least give the schools some comprehension of a child's problem if a learning disability does, indeed, exist?

Judge KARWACKI. I think that's essential.

Senator MATHIAS. But we aren't doing it?

Judge KARWACKI. Not doing it.

Senator MATHIAS. Therefore, as a result, the child with learning disabilities who must conform to the pace of the class of more able children becomes a behavioral problem almost immediately. Isn't that correct?

Judge KARWACKI. That's true, and he feels the frustrations which are perfectly understandable, being pressed to attain a level which, because of certain problems which he might have, are just impossible for him to attain.

Senator MATHIAS. Then the child becomes a candidate for truancy and for other behavioral problems.

Judge KARWACKI. No question about it, Senator, and as far as the truancy relation to juvenile delinquency, it's been documented that it's just no question about the fact that in almost 100 percent of the cases I review you can see this direct relationship of a lack of school attendance to criminal behavior on the part of a young person.

Senator MATHIAS. Regarding the truancy question and the question of unsupervised juveniles on the streets, what comments would you make on the curfew concept?

Judge KARWACKI. Well, the nighttime curfew has been in effect in Baltimore City since, I believe, March 1 of this year and, as far as I know, there have been no negative implications from the enforcement of that act or ordinance of the city council.

Interestingly, I think, by merely enacting the curfew there has been a drastic reduction of young people on the streets after the hours of 11 o'clock during the week and 12 o'clock on weekends. From everything I hear from the Baltimore City Police Department, it's a very noticeable decline in people, young people on the streets, which I think is a very positive thing.

One of the problems, once again it's a resource problem, but one of the ways of looking at truancy is in a sense in the same fashion. Under our law, of course, it's not a crime for a child or even a delinquent act for a child to be on the street during school hours and, accordingly, our police departments take no notice of the fact that a young person is on the streets when most likely he should be in school.

I see as a possibility the enlargement of this curfew idea to school hours for children of school age. This would pose some administrative problems inasmuch as, of course, in Baltimore City in some of our schools we have split sessions, so that children only attend school half a day, but that's the great minority.

You and I can walk out of this building right now and walk up to Baltimore Street and in the sphere of a couple blocks, if this were a schoolday, we could see children who you and I would know should be in school and aren't, and I think if they were aware that their parents were going to be cited for their failure to appear in school, as is the procedure under the curfew ordinance which we're enforcing now, the nighttime curfew, I think it would be effective in removing the children from the streets during the day.

Senator MATHIAS. In this month's issue of the American Bar Association Journal there is an article by Judge Irving R. Kaufman, Chief Judge of the U.S. Court of Appeals for the Second Circuit. In the article, Judge Kaufman states that the standards profit from another unhappy experience. They recommend that all sentences must be for fixed terms. Any subsequent change of sentence may only be by the court, and then upon a showing of good cause. We were of the view that indeterminate sentencing, however attractive as a theoretical matter, had proved to be little more than a game of chance or a lottery, but was all too often determined by factors as potentially arbitrary as the intuitive inclinations of parole boards and administrators of reformatories. We learned that violent offenders frequently are released after only a few months of incarceration because the institution space is too limited, its budget inadequate or, ironically, because the youth is found too difficult to control.

I wonder if you would comment on Judge Kaufman's statements?

Judge KARWACKI. Much of what Judge Kaufman says about what's wrong with the present system is true insofar as it reflects on a lack of facilities. It's no question but that the fact that adjudged delinquents who require institutionalization in this State are frequently released too soon, merely because they have got to make room for the next young person coming into the institution.

Senator MATHIAS. Not because the youth offender has graduated?

Judge KARWACKI. That's right.

Senator MATHIAS. He's being ejected?

Judge KARWACKI. This is a reality which I think is there, but I don't like the solution posed by Judge Kaufman and his committee.

I think the indeterminate sentence in the juvenile area is a necessity. I think we address the problems which are pointed out by the committee by obviously increasing facilities.

I still think that there should be the flexibility in the juvenile services administration to recommend to the court a release after a period of time, which is dependent upon the youth's progress through the institution. Fixed terms, in my view, would be a mistake.

Senator MATHIAS. One of the themes I noted in your testimony, which Dr. Eisenhower cited before you, is the broad nature of the problem. It pervades our society, and it pervades a number of our institutions. The solution is not going to be found in one particular institution. Schools have to play a role; law enforcement agencies have to play a role; the courts and the rehabilitation system have to play a role; and society in general must become involved.

Judge KARWACKI. I certainly agree with that, Senator. It's a many-faceted problem and it's going to take all agencies of government on the executive, legislative, and judicial departments working together to turn it around, and I don't like to be an alarmist, but I think we're here.

Senator MATHIAS. I don't think you are in any danger of being called an alarmist when you look at the increase in crime. The first part of this series of hearings was held in Annapolis. At that time Warren Duckett, the State's Attorney, told us that the volume of juvenile crime in Anne Arundel County had doubled in the last 5 years. Keep in mind those are not the statistics of the inner city. Those are the statistics of Anne Arundel County—doubled in the last 5 years. The figures out of the Washington metropolitan area are essentially the same percentage. I don't think one can be enough of an alarmist about this thing. In his statement, Dr. Eisenhower estimated the appropriations he felt were needed to deal with the problem. He said it would cost a great deal—probably \$4 billion a year for the expansion and improvement of the criminal justice system, and as much as \$20 billion a year to eliminate the social causes of crime.

Do these figures shock you?

Judge KARWACKI. No; although I must confess I would have no idea of what the cost would be on a nationwide basis.

Senator MATHIAS. But do you agree with the estimates?

Judge KARWACKI. I don't think it's any question about the fact that we're going to have to spend an awful lot of money.

Senator MATHIAS. Therefore, when we hear huffing and puffing about funding the Safe Streets Act at current levels, we are not really scratching the surface, are we?

Judge KARWACKI. That wouldn't scratch the surface, I don't think.

Senator MATHIAS. Mr. Rector, would you like to add anything at this point?

Mr. RECTOR. Judge, I noted in your statement a comment that removing minor offenses—hassling offenses—from the juvenile justice system will permit the system to deal more effectively with serious offenders, and then you noted that there are some 35,000 young people truant from school on a daily basis in this community. Once the daytime curfew was implemented and fines imposed on parents, as I understand the system works—

Judge KARWACKI. First of all, it's a citation, as the ordinance probably is in effect now as to nighttime curfew, on the first time a child is apprehended after the hour a citation goes to his parents advising them of this.

It's only after the second occurrence that there is any possibility of a fine. I'm not aware, frankly, that there has ever been a fine levied in Baltimore City under this ordinance.

I think that the enforcement of the ordinance has come through a voluntary realization by parents that they now have additional duties of supervision of their children for nighttime curfew. I would hope that similarly this would have the effect for school attendance.

Mr. RECTOR. In the past in other communities where similar approaches have been pursued on occasion, because of the lack of resources for adequate alternatives for the young people who are truant for whatever reason, unfortunately the volume of cases in the justice system were increased and, in turn, exacerbating and overloading and even aggravating to a greater extent the ability of the system to deal with the serious offenders.

Judge KARWACKI. This was one of the fears at the time Baltimore City went ahead with its nighttime curfew, but what I'm saying is that has not happened. It's been largely voluntary compliance which has resulted in a very positive reduction of the number of young people on the streets after the hours described.

Senator MATHIAS. Judge, Betty Thompson, who is experienced and knowledgeable in this area, has suggested a question that I think is a thoughtful one

The question deals with the school lunch program. This is an area which we can improve. The level of nutrition seems to have a correlation with the delinquency problem.

In your judgment, would a school breakfast program have any effect on the efficiency and effectiveness of the educational system?

Judge KARWACKI. I couldn't say with any certainty that it would. Part of the problem in a lot of truancy cases, especially the young, where we're talking about the young truants, the first, second, third grader is really the fact that he's not even awakened and sent to school. So, it's not even a voluntary thing on a young person's part. It's a complete failure on the part of his parent.

Senator MATHIAS. This reflects the tragedy of our inability to awaken parental responsibility.

I was torn on the school lunch program. I hated to see us cut back on a provision for a hot, nutritious lunch for schoolchildren. On the other hand ideally, how much better it would be if each child had a brown paper bag from a parent which reflected concern, and love, and interest. That paper bag is a message between parent and child—with, perhaps, a surprise in it every day.

Judge KARWACKI. I completely support the school lunch program. I think in many cases in Baltimore City that's the one nutritious meal that child gets a day and I think that we owe that to the youth of our city.

What I'm saying is expanding that concept to a breakfast in the morning, I don't know whether we would see a relationship between that and a reduction of truancy.

Senator MATHIAS. Thank you very much.

Judge KARWACKI. Thank you, Senator.

Senator MATHIAS. Our next scheduled witness is Ann Jacobs.

Ann Jacobs is a staff assistant in the pre-trial intervention project. Perhaps you could tell us a little bit about the project, Ms. Jacobs.

**STATEMENT OF ANN JACOBS, STAFF ASSISTANT, PRE-TRIAL INTERVENTION PROJECT, BALTIMORE, MD.; ACCOMPANIED BY STEVEN WALKER**

Ms. JACOBS. I would like to. Senator Mathias, members of the subcommittee and staff, being here is a great pleasure for me because I remember accompanying Eddie Harrison, who testified before you 5 years ago at Pimlico Junior High School at similar hearings.

Senator MATHIAS. You have a good memory because there have been a number of hearings on this subject. The last one in Baltimore was held 5 years ago. We were interested in coming back here now because it gives us a benchmark against which to test whether we have made progress either way.

Ms. JACOBS. It's a particular benchmark for us because at that point we were involved with designing the pre-trial intervention project, which was then implemented in September of 1971. At that point we were full of enthusiasm because we had been funded by the Department of Labor to design the model juvenile diversion project.

We had sufficient funds at that point to include an education component, an employment specialist and a human services specialist on staff. We had the luxury of providing for a rather elaborate assessment mechanism. We had video equipment. We thought we had it all at that point. We also had just an 18-month budget.

Now I'm pleased to say, in addition to representing pre-trial intervention, I represent the Maryland Association of Pre-Trial Diversion Programs, which is a Statewide association of programs providing formalized diversion services to juvenile clients. That membership includes two youth service bureaus in Baltimore, four community-based programs for 10- to-14-year-olds in Baltimore; pre-trial intervention, Project MEND in Prince George's County and Another Way, also in Prince George's County, in Seat Pleasant. All these programs are providing counseling and referral services to youths charged with being delinquent. Those youths who successfully complete the program have their charges dropped and their penetration into the juvenile justice system has been stopped. Most of the programs are not limited to first or minor offenses but are taking cases that would probably otherwise go to court.

We had the active support in Baltimore City of the juvenile court under Robert Hammerman and under Judge Karwacki. We have had the cooperation of the States attorney and considerable commitment from the Department of Juvenile Services. We've been lucky because the police have been well-disposed to diversion as evidenced by their limited adjustment program. We've also found that, outside of the juvenile justice system the community has been responsive, too.

The Mayor's Office of Manpower Resources has been a completely supportive entity in providing the association and member programs with job slots through their summer programs, with subsidized work experience program, with an education component, and with all the services of their office.

Nationally we have benefited tremendously from enthusiastic Department of Labor support. The Department of Labor, as I think you know, has been pretty interested in diversion, particularly in the adult area. However, in addition to funding Baltimore PTI, it also committed itself to funding a model diversion project for juveniles in Pinellas County, Fla. In all this, we have been very fortunate, I think. Because of what I know to be your expertise and that of the other witnesses that you have heard from, I don't feel it's necessary to address the causes or extent of juvenile delinquency. I think that we probably all are largely in agreement about what those causes are and what needs to be done.

I would offer my opinion, however, that the problems of the youth we are seeing are social, not psychological. They are children who have been failed by our socializing institutions. They have been known to Department of Social Services for some time. They are known to the school system as being in need. They oftentimes have juvenile court records for being neglect and dependency cases or children in need of supervision. They are coming to us as 15- to 18-year-olds on the threshold of adulthood, and the explanations of their crimes are not unexpected.

Their crimes reflect conflicts with authority figures or simply wanting more than they can have. I think that the PTI approach has been pretty successful for a couple of reasons. One, our counselors are from the community that they serve. They are not that much unlike the clients we are serving, except they've got a good 10 years on them and all the insight that brings. And the basis for our program is not a medical model but that of developing survival skills in our clients.

In the 5 years the pre-trial intervention project has been operating we have enrolled 1,500 participants. We terminate close to 75 percent of them successful and have their charges dismissed.

To the extent we have been able to follow up on our kids, we have been able to establish a 14 percent recidivism rate, which sounds good. I think it's probably low, but I think the record will validate we are having an impact. Over the 5 years, however, we have seen a marked change—

Senator MATHIAS. You mean you may not have been quite so successful as 14 percent?

Ms. JACOBS. Yes. I would think that's realistic.

Senator MATHIAS. That is a very honest statement on your part.

Ms. JACOBS. In the last 5 years, however, we have been somewhat disturbed just seeing the change in the kids that we deal with. The parents seem to have lost control. We're seeing that the results of social promotions are graduating seniors who cannot read. Certainly the economy is more desperate. That has an impact both on families and individuals themselves. Our counselors are encountering more resistance and we have fewer resources to offer. This brings me to the perspective that I would like to share with you, that of being a project administrator for 5 years in a privately run community-based alternative program. This is, I think, acknowledged by many of us as being the direction we should be moving in.

I have felt much pleasure over the past 5 years in seeing our project accepted, in seeing the impact that I think it's had, and in

seeing the expansion of diversion that has occurred. But I've also felt myself and seen my peers battered by the survival ethic that permeates programs like ours, particularly after the first period of Federal funding. From the end of our initial 18 months Department of Labor funding, PTI has been funded by a combination of Department of Labor, Model Cities, and LEAA moneys, then under LEAA High Impact Funding; and most recently has been incorporated in the State budget. During that 5-year period, we have operated under seven contracts and six month-to-month extensions. Our shortest contracts were of a month's duration. One was 7 months, the longest was 18 months. Now we're on a yearly cycle.

Frequently we didn't know whether we would have a project Monday when we went to work. Much of my time and the director's time was spent just shuttling contracts between the Department of Labor in Washington and the city of Baltimore. Fortunately, we're in Baltimore, not Minneapolis.

There are other implications of those kinds of funding realities, too. All of the funding agencies have their own priorities, although the problems stay the same. We're dealing with juvenile delinquents or kids in need, but base on whether you're funded by the Department of Labor or LEAA, the game that we are forced to play as project administrators changes considerably. We wrote our reports during the first year and a half describing a long-range manpower development program. Then we changed rather abruptly to being most concerned with stranger-to-stranger street crime. You know that's a reality. That's the means by which programs survive and stay separate from the formal governmental system.

And we have survived a multitude of site visits and attempts at various kinds of retrospective and random evaluation of our program. At no time has there been any question about the quality of the program or the program's administration, but there's been a great deal of concern and uncertainty about whether we would continue to be funded. And, if so, at what level? It's difficult to accept that those kinds of decisions are not being made based on need or the quality of the program, but on external realities.

As an example, the annual budget of PTI in 1971 was \$350,000. In 1976-77 the budget has been reduced to \$220,000 a year. That is not because the problem has diminished, nor has the number of persons served annually been reduced. In fact, we have maintained the level of intake that we have had in the first year. Instead, we have been forced to change the service. Certainly we're fortunate in Baltimore to have the ability to serve 800 diversion clients a year. Whether that's enough is debatable, but what is clear is that we can do more.

Just as we learn through experience what service it is that we should be providing, we get a cutback in staff and can't even do what we were doing before, let alone what we'd like. In the broader picture, we're fortunate to have a number of youth services bureaus and diversion projects at all. But realistically, it's been SPA policy for the last 5 years not to fund new projects in this area. Only one has been funded. In fact, that program will lose one counselor next year, in only its second year of existence. The SPA has not felt Prevention or CINS areas of funding to be appropriate areas for their attention.



In fact, it seems to some of us in the field that the Juvenile Delinquency Prevention Act of 1974 has resulted in a drying up of our funds. Moneys available for prevention and diversion no longer are included in State plans because the assumption is made that specific Federal funding will come along to meet those needs. As a result, we're dealing with a hold situation rather than a continual building on what we've already established. As we have seen in the Federal deinstitutionalization and diversion programs, that money is limited. It's unlikely by itself it could have the impact it was intended in the act.

Surely all of us have our own interest in those funds. The association has proposed that it's worthy of experiment to build on what already exists in Maryland rather than start new diversion services. The state-wide association would develop a central coordinating mechanism where we could insure comprehensive and inclusive service to all needy age groups and geographical areas and provide supportive services that programs cannot provide to themselves because of funding realities. These could include an education component, which is sorely needed, an employment development staff, training for staff, and consultants for assistance in particularly difficult family counseling areas. We would particularly like to coordinate evaluation of our programs to really, I guess, test ourselves. I mean, our subjective evaluation is that we're having an impact, but I would feel more comfortable if I could tell you that our recidivism rate was something definite, even if it was 40 percent. Evaluation is a sore issue. It's almost never done reputably and it's frequently misused and used against us.

Senator MATHIAS. Let me ask you a question; how familiar are you with the Community Arbitration Program in Anne Arundel County?

Ms. JACOBS. I'm aware of it. I am not that familiar with it.

Senator MATHIAS. I am interested in your statement about evaluation. Have you made any comparisons of effort—which does not appear to be an unrelated effort. Would a comparison of two programs of this type, which are headed in the same general direction, be of value to each of you in an exchange of experience.

Ms. JACOBS. The exchange would certainly be valuable. I was talking specifically about diversion evaluation.

Senator MATHIAS. I am just thinking of the interchange. Perhaps you would like to introduce Mr. Walker at this time.

Ms. JACOBS. I would like to. Having spoken from the administrative perspective, I have brought Steven Walker with me to talk about another side. He's 18 and from Prince Georges County. He was counseled by staff members in Project MEND, not by someone in our program. He is the consumer of the system we're talking about.

Senator MATHIAS. Mr. Walker, we're very happy to have you here.

Mr. WALKER. Very nice to meet you.

Senator MATHIAS. Ann Jacobs says you are a consumer of the system. Would you explain what she means by that.

Mr. WALKER. Well, really I don't know too much about it, but I come down here to really voice my opinion on what I think the juveniles think of the whole thing and what they really need.

Senator MATHIAS. You were arrested, is that right?

Mr. WALKER. Yes, sir, I've been arrested several times.

Senator MATHIAS. Why were you arrested?

Mr. WALKER. Truancy in school, assaults, different stuff.

Senator MATHIAS. Your first arrest was truancy?

Mr. WALKER. My first arrests were assaults, then it was truancy from school, breaking and entering, and then just a few more assaults.

Senator MATHIAS. What happened to you after these arrests? What was the process you went through?

Mr. WALKER. Well, first they would take me to court, OK. I went to court seven times on assault charges, just on assault charges. I never had no say-so in court.

Senator MATHIAS. These were seven different incidents?

Mr. WALKER. Seven separate assault charges, and I never had a say-so in court, you know. I never got to stand up and really tell the judge how I felt. I could employ an attorney or go to a public defender, but all they did was find some legal loophole to get you out.

When you went back in they never really found out what the teenagers were really like. If they could sit down and let the teenager talk to them and tell them how they really felt and tell them what happened, then the teenagers wouldn't mind going to court. Right now the reason teenagers don't like court is because they can't get up and tell them how they feel. They can't get up and say that's not how it was, this is how it happened. They can't say that. They are told to shut up and sit there

Senator MATHIAS. Let me ask you something. If, after your first arrest for assault, you had had an opportunity in court to express your thoughts, would it have made a difference in preventing you from being there a second time?

Mr. WALKER. You mean to go to a place like Project MEND?

Senator MATHIAS. Yes.

Mr. WALKER. I don't think I'd have went back if I went to a place like Project MEND. I was put on probation for a year and a half. I've been locked up and nothing helped. I was on probation for a year and a half. My probation officer, he didn't help me, nothing.

Senator MATHIAS. Why not?

Mr. WALKER. I went to Project MEND on my own.

Senator MATHIAS. Why do you feel your probation officer failed?

Mr. WALKER. You couldn't communicate to him. He called you up and said be in at 10 o'clock, so you were home at 10 o'clock. He called you to make sure you were home, that was fine. He never came over and talked to you. He never found out how you were doing in school. He never tried to help you in school. If you were doing something wrong, if you were getting bad grades, if you didn't go to school, he didn't try to help. He'd just take you back to court.

I went to a project on my own. They helped me. I dropped out of school. They got me back in school. I wanted to become a specific person in my life. I wanted to become a steamfitter. I always wanted to be a steamfitter. They got me into the steamfitters' local. They helped me get through that since I've been in the project there and they have helped me. They did it all on their own time. I was never officially in the project. I asked for the help by myself. I went up and asked one of the counselors. He gave me the help on his own time. He's a very nice guy to me. He's helped a lot of people.

I went to a couple group sessions with him where he's asked me to come in and talk to his students that have dropped out of school and try to talk them into going back to school and tell them what, you know, what I went through, how I quit school and went back to school and tell them like what the programs are like, you know, because there are kids out there that aren't going to listen to people. They don't actually know what they're trying to do, whether they're for them or against them.

Senator MATHIAS. Did you have the feeling that the probation officer who was assigned to your case was simply filling out a form and, if he had a certain number of contacts with you by telephone or otherwise, he would just check those off for the record?

Mr. WALKER. I felt that he did his job the best he could. He really didn't know how to communicate with the teenagers, how to sit down and talk to them. He was only a probation officer. He didn't have time. They probably put too many people on him, like I know the probation department is very busy, OK. There's an awful lot of teenagers that are on probation, an awful lot of them that get in trouble and an awful lot that don't. Maybe he didn't have time for me, but I'm saying that projects like this do have time for people and they're willing to take them. They're willing to help the people, and I think that's great.

I think that a project that would sit down and talk to a person and help them is a whole lot better than a probation officer who calls them twice a week and finds out what they're doing.

Senator MATHIAS. I asked you what might have happened between your first arrest and the second which might have prevented the second. But let's roll it back one further step. What might have happened in your life to prevent the first arrest?

Mr. WALKER. What might have prevented it? Me not being so big. I'm going to be truthful with you. I've been big all my life and if I hadn't been so big I probably wouldn't have got arrested so many times for assault.

It seems like every time I got in a little kid fight it ended up in court, where other kids that got into a little kid fight wouldn't end up in court.

Senator MATHIAS. Life's funny. I have known kids who were unhappy because they weren't growing enough.

Mr. WALKER. I enjoyed being this big. Like I said, if I wouldn't have been 6 foot when I was 14 it would have been a lot different.

Senator MATHIAS. Did other kids tease you?

Mr. WALKER. I've been teased all my life.

Senator MATHIAS. Was that one of the principal reasons you began to get into these problems?

Mr. WALKER. No. I believe that what happened was I had a bad temper when I was young and because of the people teasing me, when somebody would say something to me I would jump on them about it because I was big and I knew I could handle myself. That's how come I got in a lot of assault charges and stuff.

Senator MATHIAS. How did you do in school generally?

Mr. WALKER. Well, I had an above average IQ. I was a very intelligent student. I just didn't like school. I had no interest in going to school whatsoever.

Senator MATHIAS. Did it give you problems? Were you not interested, or was it tough for you?

Mr. WALKER. School had never been tough for me. I just really never wanted to set my mind and stay in school. I wasn't really looking toward the future. I was kind of young. To me it didn't mean much then. All I wanted to do then was be outside. I didn't care if everybody went to school and I was outside. I just wanted to be outside.

That's why I had a truancy problem in school, but since I've gotten older I've tried to find a job and there's just nothing out there unless you got a high school diploma or high school education or something like that. So, I had to go back to school.

I didn't know about how to get back in school, because I had been thrown out of so many schools. Most of the schools didn't want me coming back. I dropped out in the tenth grade and I'd look awful funny going back into the tenth grade. I knew I'd have to find some other source of getting back in school. I couldn't take night courses because I couldn't afford to work a day and then go to school at night because I wouldn't be able to go to work in the morning. But there are some programs where you can go back to school and don't have to work because they pay you. I was fortunate to get into a program like that, so I was really lucky and, like I said, the project that I was in opened up a lot of doors for me, helped me a lot and got me into these things where I could help myself.

He told me all I had to do was help myself a little bit and they would help me all they could, and they did a lot for me. Right now I've gotten back into school. I've been accepted in the steamfitters' union and I could start work September 1st, as soon as I get my high school diploma, so I really feel if they give a kid a chance and don't be, you know, taking him into court and then putting him away and then putting him on probation. If they let somebody talk to him before they do all that and find out where the kid's coming from and let the kids talk, it would really help a lot.

Senator MATHIAS. Let me ask you this question. Did anyone talk to you in school when you were uninterested? Before your first arrest, was there any teacher or counselor in the school who gave you a chance to express what was going through your mind?

Mr. WALKER. No. I really didn't talk to any counselors or really get along too good in school with any of the personnel in school at all.

Senator MATHIAS. They knew you were having trouble because you had a bad attendance record, right?

Mr. WALKER. Before my first arrest I didn't. I didn't really start truancy from school until I hit junior high and, I don't know, then it hit me all at once. I just stopped going to school and I really didn't go back. I didn't go back hardly in the seventh grade, and in the eighth grade they gave me a home teacher where he come to my house twice a week for an hour a day. All right, that didn't help me much. He passed me, but I really didn't know the work.

All right, before I went into ninth grade I wouldn't go to school, so they put me away. When I got out of the reform school I was on probation for a year and a half. All they said then was if I

didn't go to school I would be put back in for 18 months, so I went to school. I went to school every day. I didn't learn nothing, but I sat there and went to school. They told me I had to go, they didn't tell me I had to sit there and learn, so I went to school and I played their games. My probation officer used to call me up twice a week and ask me how I was doing, ask me if I was going to school. He talked to the school and found out I was getting average grades and then he'd just drop it. He didn't come to see me. He didn't ask me if I was failing back in any of my work or if he could help me with my work or anything like that.

I was kind of slow in picking up some things in school. I was always good in math and stuff, but when I dropped out of school I kind of fell back on everything. I couldn't get a job because I didn't know everything.

OK., now I can look forward to having a career. I can get a job. I just believe if it would have happened sooner I probably would have gone back to school instead of quitting. I probably would have stayed in school. I never would have quit school and probably wouldn't have been in half the trouble I've been in through the juvenile system.

Senator MATHIAS. We're glad at any rate that the last line is a good one, and that things are looking up for you. I hope it stays that way.

We thank you both for being here this morning. It's very helpful for us to hear it first hand. Maybe we can help some others with the same kind of help you received.

Mr. WALKER. I hope so.

Senator MATHIAS. Thank you for being here.

The subcommittee will now call Colonel Robinson, who will testify on behalf of the Police Department of the City of Baltimore. Colonel, we're happy that you could be with us today. I know of your involvement in the juvenile crime problem and we would be glad to have your comments and your advice.

**STATEMENT OF COL. BISHOP ROBINSON, CITY OF BALTIMORE  
POLICE DEPARTMENT, BALTIMORE, MD.**

Colonel ROBINSON. Mr. Chairman, members of the committee, I do not have a prepared statement. I am speaking on behalf of the Police Department of Baltimore. My comments really are in support of the findings which preface your legislation, the Delinquency Act of 1974.

First of all, I have been in law enforcement for some 24 years. I began my career as a footman walking a beat in the inner-city of Baltimore, where I once lived.

I find today the same criminal patterns of behavior that existed when I began my career in law enforcement as a footman, except the volume of offenses has increased. With reference to the index crimes, murder, rape, robbery, burglary, larceny, auto theft, aggravated assault, in 1965 we arrested some 3,488 juveniles, persons under 18, for these offenses.

By 1975 we had arrested 11,727 juveniles for the same offenses.

Senator MATHIAS. Would you give me those figures again?

Colonel ROBINSON. In 1965, for the index offenses which I just named, we arrested 3,488 persons under 18. In 1975 we arrested 11,727 persons under 18 years of age.

We are finding that a small segment of our population is responsible for these criminal acts and we have begun to realize that we need to recognize the fact that these persons are criminals because they are involved in criminal behavior.

To denote or connote the term delinquency implies there may be two kinds of crime when there's only one. We find that there have been numerous efforts undertaken to rehabilitate offenders, with various treatments and in various settings. We have had milieu therapy, in-house therapy in our prisons, educational and vocational training, individual counseling and we have experienced community-based corrections facilities and all sorts of therapeutic measures of rehabilitation. Systematically, they have not worked.

We advocate today that the violent crimes offender, regardless of age, should be incarcerated until such time as we find that rehabilitative techniques will modify his behavior. The violent crimes offender that I speak of is not a first-time offender, because we have conducted samplings, in 1974, for example, we found that there is an escalation of offenses characteristic of juvenile offenders.

The juvenile begins his asocial behavior with minor or hassling type offenses and then escalates into more serious crimes. We are arresting the same persons for the same crimes in the same year, and the process continues.

A small number of persons in our communities are responsible for these crimes. To illustrate, we arrested an 11-year-old who had in his possession master keys to General Motors cars. He was responsible for stealing or removing some 50 automobiles. This person was incarcerated. Our auto theft problem diminished.

We have enjoyed a degree of success in our efforts in Baltimore. Of the major cities in the United States, we have the best crime reduction rate for 1975.

Senator MATHIAS. Colonel, I don't want to interrupt your train of thought. But if you don't mind, I will ask you a question now because you said a very interesting thing a minute ago. You were talking about a very small group of people who are responsible for a very large increase in the number of crimes.

Colonel ROBINSON. That's correct.

Senator MATHIAS. Now, when you gave us figures a minute ago of 11,727 arrests for "index crimes" under the age of 18, do those represent any multiple arrests for the same offender?

Colonel ROBINSON. They would include some multiple arrests for the same offender; yes, sir.

Senator MATHIAS. It might be very helpful for us to take a look at that profile and see how many of those are multiple arrests.

Could you comment on how many committed the second, third, or fourth offense after arrest, but before trial for the first offense?

Colonel ROBINSON. I do have figures to support our observations, and there are persons who have committed subsequent offenses between arrest and trial. There's no doubt about that. We have some individuals who have been arrested as much as 25 times in their short criminal careers.

Senator MATHIAS. Are we discussing offenders under the age of 18?

Colonel ROBINSON. Under the age of 18; yes, sir. One example: to illustrate the robbery problem, we find that in 1975 we arrested some 2,010 persons, 16 and 17, for the crime of robbery. Of those persons, that comprises 48 percent of the problem. That means that 52 percent of those persons arrested for the crime of robbery in 1975 were under 16 years of age, which is certainly a significant finding.

Senator MATHIAS. Could you comment on the motivation for those crimes? In his testimony this morning, Dr. Eisenhower stated that drugs per se were not the cause of crime, but the cost of drugs was involved.

Colonel ROBINSON. I think that is a contributing factor. There should be a multifactor approach to the causes of crime. We have identified certain contributing factors, which may be social, economic, or individual factors. Some persons have an infinitely complicated psychological makeup.

I think realistically we need to address another part of the problem, that is, crime may be profitable to some persons under 18.

We have always been perplexed with the old saying that crime does not pay. Perhaps it does in the minds of some of our criminal offenders, because we are unable to treat and rehabilitate these individuals and we find no other reason for their involvement in crimes for material gain other than profit, regardless of the small amounts taken, which may amount to sometimes from \$10 to \$50.

Senator MATHIAS. Of course, as Dr. Eisenhower also said, unfortunately, crime appears to pay for too many people.

Colonel ROBINSON. That's right.

Senator MATHIAS. That's one of the problems in getting that old age impressed on people's minds.

Colonel ROBINSON. That is correct. We do support comprehensive programs, diversionary in nature or rehabilitative in nature, as long as those programs are comprehensive and are broad based in that they serve large numbers of persons, and that is why we implemented in Baltimore, the police department's pre-intake limited adjustment program.

We believe that through the nine district stations utilizing the total resources of the police department's patrol division, we could impact on the diversion of juvenile offenders from those minor or hassling types of offenses and prevent some from becoming involved in serious offenses. This program was implemented on May 1 of this year and, of course, it is too early to give you an evaluation of the success of that program at present, but we will conduct an evaluation of the program in the very near future and try to determine whether or not we have effectively met our objectives, one of which is, of course, to lighten the workload with the Department of Juvenile Services so that they may deal more effectively, as Judge Karwacki has stated, with the more serious crimes.

Senator MATHIAS. The subcommittee would be grateful if you would provide us with a copy of that report when you have completed the evaluation. This is an ongoing interest of the subcommittee, and we need all the help we can get.

Colonel ROBINSON. Yes, sir, another reason for the program, we arrested some 25,000-plus offenders under 18 years of age, in 1975,

and I have already stated, of which 11,727 were arrested for index crimes, so we need to deal effectively with this large amount of persons who have been arrested for less serious offenses and, of course, included in that group would be the hassling offenses, such as malicious destruction of property, some of the disorderly conduct cases and drinking and this sort of thing.

So, we want to address that problem on a broad basis using the generalist-specialist concept. In other words, we know that 50 percent of all persons arrested for index crimes are under the age of 18, so we would not reorganize our police department and then place or assign 50 percent of our resources to the juvenile bureau. That would be organizing on the basis of clientele, which is duplication of effort and ineffective in sound management practices.

We believe the generalist-specialist concept is the best approach in law enforcement in this respect; we will train all our patrol officers to deal with juvenile problems. We have trained and assigned youth service officers and alternatives in each of the nine police districts. This approach we think is very effective. It's the same approach we used with respect to the narcotics problem. We used the generalist-specialist idea in that we trained all of our patrol officers, of which there are approximately 2,000 in the patrol division, in narcotics identification and recognition, investigative techniques and concepts, so this is the same approach we're using in addressing the juvenile problem, which is 50 percent of our workload in terms of arrest for index crimes.

Senator MATHIAS. Are you able to get ahead of the problem? As a parent I visited a school not too long ago where there was a discussion of drugs and alcohol among students. It was not organized for students. Rather, it was organized for parents to impress upon them their individual responsibilities in this regard. One of the speakers at the meeting was a police officer, and he was very good. I thought he was a wonderful spokesman for the officers' point of view. He pointed out the practical problems police face, and what police expect of parents.

Are you putting officers in that posture—where they can go before school groups comprised of parents or students?

Colonel ROBINSON. Yes. Our "officer friendly" program places the police officer in the classroom. The program has been in existence for approximately 5 years.

Senator MATHIAS. In these dialogues and communications, is the message getting across?

Colonel ROBINSON. This is a part of our balanced approach to the problem. Now, with respect to the pre-intake program, the officer also contacts the parent as well as the victim or complainant, and he receives concurrence from both parties that the child may voluntarily participate in the program. So, we are making contact with the parents. Also the parent responds to the station house to receive the child once the child is taken into custody by a police officer.

In addition to that, we have also focused on the victim and complainant with our "crime prevention through community awareness program." This program, of course, is one in which we provide a service to victims, and to complainants of property crimes particularly burglary, whereby we conduct surveys and give advice concerning crime



prevention techniques. We try to involve the community in this process.

We believe that crime prevention is a total community responsibility and it necessitates the involvement of the total community, and I think that is one factor which contributes to our success and crime reduction efforts which we have enjoyed over the past year and a half, in that we have been able to enlist the support of the community through community councils, radio watch groups, the community awareness program, and the pre-intake program among other activities involving community participation directed toward crime prevention.

We have also sought out cooperation from parents to enforce the curfew ordinance, and this has been very helpful and results have been positive.

Senator MATHIAS. Very briefly, would you explain to the subcommittee the participation of victims which you mentioned a minute ago.

In your diversion program, do you require the victim to agree to the program?

Colonel ROBINSON. Absolutely, give the victim something to say about what should happen to the offender.

Senator MATHIAS. Let's say a kid has snatched a purse from a woman on the street; that woman could say, "No, I insist that he go before a judge under the standard process." Or the woman could say, "Well, as long as the diversion process may work, then it's all right with me." Is that correct?

Colonel ROBINSON. Not in a purse-snatch offense. I consider that a crime of violence, a serious crime, but in the minor offenses the answer to the question would be yes.

Senator MATHIAS. What type of offense?

Colonel ROBINSON. The child may be eligible for enrollment in the program if he or she commits any of 34 listed minor offenses such as malicious destruction of property, these hassling type of offenses, disorderly conduct, disturbing the peace, drinking in the streets, assaults which are minor in nature, false fire alarms, glue sniffing, and so forth. There are 34 offenses which fall into the purview of the pre-intake limited adjustment program, and the victim does have a say in determining whether or not the child should be accepted into the program.

If he says no, then the child is not placed in the program.

Senator MATHIAS. I'm going to ask the committee staff to get the list of 34 offenses.

[EXHIBIT No. 9]

CITY OF BALTIMORE POLICE DEPARTMENT

LIST OF ELIGIBLE OFFENSES TO GENERAL ORDER

1. Assault and battery, nonaggravated.
2. Cruelty to animals.
3. Destruction of property under \$500.
4. Disturbing the peace and/or disorderly conduct.
5. Consumption of alcohol.
6. False alarm of fire.
7. False statement to police.
8. Glue sniffing.
9. Hindering or obstructing a police officer, security officer, guard, etc.
10. Impersonating a police officer.
11. Indecent exposure.

12. Interfering with firemen.
13. Killing and injuring animals.
14. Larceny under \$100 (including shoplifting).
15. Littering.
16. Loitering.
17. Telephone misuse/harassment.
18. Placing injurious substance in street.
19. Possession of alcohol.
20. Possession of pyrotechnics (fireworks).
21. Receiving stolen goods valued under \$100.
22. Resisting arrest.
23. Unlawful removal of grocery carts and personal property.
24. Rogue and vagabond.
25. Threats and threatening letters.
26. Tampering with autos.
27. Throwing trash on land of another or public property.
28. Trespassing on private or public property.
29. Wrongful opening of mail.
30. Public nuisances.
31. Playing ball unlawfully in the streets.
32. Violations—minors in public places of amusement (bowling alleys, pool rooms, etc.).
33. Minors gambling.
34. Refusing to pay mass transit or other public conveyances.

Colonel ROBINSON. We supplied your office with a copy of the general order. This implements the program and sets forth the guidelines for the entire program.

Senator MATHIAS. Colonel, I have one further question. From your standpoint as an officer with 24 years' experience living with this problem day after day, and seeing it more than double, almost triple in the last 10 years, what would be your highest priority for change in the juvenile justice system?

Colonel ROBINSON. I think the juvenile justice system needs more resources, both material and human.

We need maximum security facilities to incarcerate violent crime offenders until we find something better to do with them. Corrections is in need of additional resources to achieve desired goals.

Additionally, I believe that we need more community involvement programs for youthful offenders. The police, I believe, are very limited in the role of juvenile crime prevention. We are first and foremost enforcement officials.

As I have earlier stated, the community has total responsibility for crime prevention, including delinquency. I should also like to see the status offenders dealt with differently, such as truants and runaways. These persons do not belong in incarcerated facilities. They should not be incapacitated, but I believe all of our social institutions must fulfill their responsibilities in dealing with the problem and not abdicate their responsibilities to the police.

Senator MATHIAS. We thank you very much for being here today.

The next witnesses before the subcommittee are Michael Kaminkow, chairman of the Juvenile Justice and Delinquency Prevention Advisory Committee, and James Doolan, director of Carroll County Youth Services Bureau. Gentlemen, we are happy to have you here.

Have you determined which of you will speak first?

Mr. KAMINKOW. I'll allow my colleague on my left to go first.

**STATEMENT OF JAMES DOOLAN, DIRECTOR, CARROLL COUNTY  
YOUTH SERVICES BUREAU, WESTMINSTER, MD.**

Mr. DOOLAN. First of all, Senator, I would like to say, first of all Senate Bill 821 I support and the association representing the Advisory Committee supports. However, I personally believe the intent of the bill itself when it gets down to the application level, the grass-roots program, the intent is not being fulfilled. I hope to explain my comments on that through my statement.

I also think there are areas of the bill that are extremely vague. In explanation, there's areas where advanced techniques, specialists in the field of delinquency and different types of programs to meet certain needs in the bill, and throughout the conversations we're having with the State planning agency on the advisory board, when the question comes up there are certain comments made that the bill is made and they are not stated, therefore, we can put that program in there. I think one of the things we have to do is clarify the issues in the bill that are vague. The length of the comprehensive plan is 1,134 pages long. Now, personally sitting on the Advisory Board and reviewing 1,100 pages and being a full-time worker is almost impossible. What we need to do is to concentrate those efforts down to what is the mission that—the Governor's Commission on LEAA, the State planning agency and each individual program, let them design their mission, what are their objectives and goals and whether it's effective or not. If it's not effective, then change it or remove it.

Youth service bureaus that were funded in the past were never determined whether they were effective or not effective. There's an attempted evaluation, but it was done very much in a criminal justice type of way. The emphasis was on court referrals, police and juvenile services, yet the bill and its intent point to alternative type of resources.

The fight that has to be gotten or take place was to even recognize that a kid that walks in off the street for help, to direct that that referral is as important as the judge referring someone, particularly if you're talking about prevention, and you have to deal with those basic kind of concepts to get people to recognize sensitivity if you're talking about prevention, and in the past it has not been in the State of Maryland. We have not been allowed for that innovation, that creativity to draw in on the prevention level.

There was a moratorium 3 years ago in the Youth Services Bureau. The bill itself outlines point-by-point and specifically mentions Youth Services Bureau. Three years have gone by and the moratorium is still on.

My question is why has the regional LEAA and even District of Columbia level allowed the moratorium to stand without even questioning it?

Now, if the bill itself mentioned youth service bureaus and there's a moratorium on them, then why has that been allowed to go for 3 consecutive years?

Senator MATHIAS. That is one of the reasons I'm here.

Mr. DOOLAN. Good. One of these things, it was a new concept, new approach. What they needed, and still need, is support to grow not to die, and that's exactly what the concept is when you stop it for 3 years with no new programs.

Yet the bill outlines—then the other thing is the evaluation of programs. LEAA throughout has mentioned the 10-percent reduction in crime. That's kind of an unreasonable situation to place three youth services, particularly in Baltimore City, and to say you're going to reduce the crime by 10 percent, or any geographical area. The emphasis needs to be on the clientele you work with.

I guess an interesting comment made the other day was, I guess if a community-based, oriented and operated program can do as well as sending a kid away, then it's better off because the kid stays intact with his family, the environment and the peer group and he doesn't get stigmatized. It's not this 10 percent is necessary. If it's as good it's better, because the kid stays in his home environment.

The Juvenile Justice Advisory Board, the appointments that were made for the Juvenile Justice Board is made of specialists in delinquency. The group that I represented worked very hard sending a lot of letters and support, yet many of the people appointed to that particular Advisory Board had no idea of what Senate Bill 821 was until the day they opened up the letter and read they were appointed to the Advisory Board.

My point for bringing these out is if we allow these type of things to go on, it's those people who are not—now, they have a great concern and a desire and willingness to learn, but they're not the people with the know-how as to what is going on in programs.

Many of the youth involved were not the consumers of the program in the past but were, in fact, lawyers who just graduated or Hopkins graduated people who were in the system. The establishment had not been consumers of the programs. It goes without saying.

Senator MATHIAS. You got very little of the viewpoint we saw from Steven Walker this morning, for example?

Mr. DOOLAN. You get none of that except through people who work in the programs. We need to involve the youth, the consumers of the program in making changes. We sit on advisory boards—I'm as guilty as anyone else—we make decisions for youth, what is best for them. Now, we need to get youth involved to help make decisions as to what their needs are and to get them involved.

Senator MATHIAS. Do you have some sympathy with the point of view that Steven Walker expressed this morning? Is a failure to find out what is on the mind of the offender part of the problem?

Mr. DOOLAN. Unquestionably, unquestionably. I'll get to that in a minute. How can you make programs for kids when you're not aware of what the kids are even desiring or will take part in?

Another thing that, I think, has to be looked into is not only the composition, the monetary giving out for the programs lies within the Governor's Commission itself, and if you look at the makeup of the Governor's Commission, most of it is after the fact type of performance by the people. The jobs that they have represent after the fact.

A good example is I personally have sat in commission meetings where maybe as high as \$6 million will be spent in maybe an hour and a half, but it take 45 minutes to discuss one alternative program.

Senator MATHIAS. You're getting to the Federal level in Washington.

Mr. DOOLAN. OK, that may be true, but it doesn't justify it at that level. An alternative program under this new bill outlined takes

for 45 minutes to discuss, but they ask questions like evaluation and effectiveness, but not one time on \$6 million did they worry about evaluation and effectiveness. The only person who gets ripped off on that is the youth in the end.

The one thing that has to come about, the one thing—in our JD money we have \$22,000 in Maryland for citizen involvement. That's kind of ridiculous. We have to get lots of involvement, the professionals and youths in the community together into a community care situation, whether it's at Cumberland or Annapolis or where. To say here's your needs, we'll give you a program, it's rather absurd.

Go into the city first and say what are the needs and develop a program accordingly, not develop the program and bring it in.

Teacher training, one of the things we're talking about is school. I remember your comments in New York about the kids and truancy, kids being locked out of their own schools. I don't know how many times we've been through that, that we need training for teachers, sensitivity. I personally before I came to work in this field was a teacher. I spent 4 years in learning how to get the knowledge out of a book from my head to their heads, but never how to deal with human beings, yet that's the primary job they have. We need teacher training. There are kids within the system—we also need to move towards alternative projects. We have special programs for mental retardation, blind people, but there are unsettled juveniles who—the system doesn't fit them, not they don't fit the system. The system doesn't fit them.

Double standards, we need to realize in business if your opinion is asked and you give it, you're very beneficial, you're helpful towards the community. If a kid gives his opinion in a classroom it's in defiance and insubordination. The principals in the State of Maryland were asked to list what they considered the greatest classes of disruptive youths. Defiance and insubordination were one and two.

You asked about guidance counselors in one of your comments earlier. Guidance counselors have caseloads of 500 to 700, even higher, and cannot personally deal with personal problems, cannot possibly deal with a kid that's having a problem, hassle. There are two school psychologists on an average of 20,000 kids. How can they do anything effectively with that breakdown?

It's only one other thing, two points. One is the diagnosis and screening, diagnostic and screening programs that are brought about. One of the things that I personally fear is we're diagnosing too many kids. We're putting too many labels on kids. It's an unholy attitude.

How many times have you read an evaluation that says positive points? If we send a young person to an evaluation we don't say tell us what's good, tell us what's wrong, tell us what areas of weaknesses the child has, not tell us what strengths we can build on. Most evaluations of strength I have read, in my opinion, do not reflect positive evaluations.

The alternative programs—we openly admit we need resources and direction and one of the questions is that before, in the past you could not admit to the weakness because your survival is short. Nationwide the survival is nil and, in short, we're admitting to the fact we need that resource and direction and growth to improve.

Senator MATHIAS. Mr. Kaminkow?

**STATEMENT OF MICHAEL KAMINKOW, CHAIRMAN, JUVENILE JUSTICE AND DELINQUENCY PREVENTION ADVISORY COMMITTEE, BALTIMORE, MD.**

Mr. KAMINKOW. Senator, my remarks would be brief. Unlike my colleague on my left, who is also vice chairman of the Governor's Juvenile Justice and Delinquency Prevention Advisory Board, I am not a day-to-day worker in the juvenile justice area. I'm a private practitioner of the law. I am chairman, however, of the Governor's Committee and I would like to focus, if I can for a couple of minutes, not on specific programs as such, but on a couple of things that I consider to be important to the functioning of our committee.

I have prepared a statement, but I will not read it at this time, for inclusion in the record.

Senator MATHIAS. It will be included as if you had read it.<sup>1</sup>

Mr. KAMINKOW. I don't want to dwell too long on funding an appropriations. I'm sure we all here know that we need more funds in the juvenile justice area. I'm sure that many of the witnesses that appeared before this committee have spoken to that point.

One of the aspects that concerned me when I took the chairmanship of this committee more than any other was the aspect of the committee being advisory in nature. That is, we could only recommend to the Governor's Commission actions to be taken on their part, and I think that very nature—that was created by statute—left a lot of the committee members extremely skeptical about what our role was going to be and whether or not we could be effective.

Initially, our first major test I think of our advisory nature was on the question of funding. As you know, approximately \$500,000 or more was funded initially for Maryland through the Juvenile Delinquency Act. It had been suggested to us as the advisory committee by the Governor's staff that the \$500,000 possibly would be channeled back into the commission to make up for what was taken out of the left pocket and then put into the right. That is, the \$500,000 had come out of LEAA money and now we were going to take the JD \$500,000 and put it back into LEAA money and only approximately \$30,000 would go into juvenile delinquency programs and the rest would go back into funding of programs that had no relation, or very little relation to juvenile delinquency programs.

However, we as a committee, an advisory committee for the Juvenile Delinquency Act took a different position. We felt it was important not only to enforce the letter of the statute, but the spirit of the statute, and we took the position that the entire \$500,000 that was appropriated under the Juvenile Delinquency Act should be used for juvenile delinquency functions and we made that recommendation to the Governor's Commission and we were pleased when the Governor's Commission affirmed our recommendation and agreed to take the cuts that had been made in juvenile justice programs and to bring them back up to par with the juvenile delinquency money and also to use the balance of those funds, which was approximately \$343,000, for new programs in the juvenile justice area. I think that was an important and a major step that the commission took to

<sup>1</sup> See p. 147.

give us an advisory committee credibility to show to us that what we were doing was not fruitless and that our recommendations as an expert body advising the commission would be taken seriously by them and that they would not act on their own to meet their own self-interests. We have had many meetings since. I guess since January we have tried to meet almost once a month. We are well on our way now.

We had some early problems as a committee as to structure and some internal problems, but we are now well on our way to becoming an integral part of the planning process, and it is my hope as chairman that after we involve ourselves in the planning process for 1977 that we can begin to reevaluate a lot of the things that have been going on in the juvenile justice area beyond just being involved in the regular planning process that goes on day-to-day, but go beyond that.

I hope that we too can hold our own hearings in many areas and I hope to be able to establish a number of subcommittees using the expertise of the various members of the committee to work on the programs ourselves. But at this point we are new, we are young and we have a lot to learn and a lot of growing to do and we need your help. We need the money from Washington, because if we don't have it we would just be spinning our wheels.

#### PREPARED STATEMENT OF MICHAEL KAMINKOW

Mr. Chairman, my name is Michael Kaminkow, and I am Chairman of the Juvenile Justice and Delinquency Prevention Advisory Board to the Maryland Governor's Commission on Law Enforcement and the Administration of Justice. Our Board has been established in response to the Juvenile Justice and Delinquency Prevention Act of 1974, and our primary responsibilities are to provide advice to the Governor's Commission on matters related to juvenile delinquency planning and programming.

The State of Maryland has shown enthusiasm in its support of the Juvenile Justice and Delinquency Prevention Act and in fact, was one of the first states to move ahead to implement the Act's provisions. Our Board is composed of 28 members representing all geographic areas of Maryland as well as a variety of juvenile justice interests, both as professionals and laymen.

Our membership is diverse. For example, Robert Hilson, the Director of Maryland's Juvenile Services Administration, is a member of our Board, as is Judge Robert Karwacki of the Juvenile Division of the Supreme Bench of Baltimore City. On the other end of the spectrum are Alice Abrams, a member of a citizens group concerned about juvenile justice, and a large number of young members under the age of 26 with a strong commitment to preventing juvenile delinquency.

The members of our Board are quite anxious to move forward and meet the challenges our growing juvenile delinquency problems are causing. We fully recognize that juvenile delinquency has become a serious problem in Maryland's jurisdictions, and believe that we can assist in developing the kinds of innovative approaches needed to stem the rising juvenile crime rate.

Quite frankly, we would like to see a substantially greater volume of funding support provided in the juvenile area, but we recognize that a limited amount of funding is available, especially under the block grant program administered by the Governor's Commission. We had hoped that the Juvenile Delinquency Act would provide a significant funding boost to the State's juvenile programming efforts, and that our Board could provide valuable planning assistance to the Commission because of its specialized nature.

Unfortunately, we have been somewhat disappointed because funding support simply has not materialized. We are very concerned about this situation, Mr. Chairman, and we strongly urge Congress to appropriate more funds under this Act.

One example of the sort of difficulties we in Maryland are facing lies in the area of separation of juveniles and adults while awaiting court disposition. As you know, the Juvenile Justice and Delinquency Prevention Act contains provisions stating that juveniles awaiting trial shall not be detained in institutions where they have regular contact with adult offenders.

Maryland saw no problem in meeting this provision a year ago, and in fact, the Maryland Legislature passed an Act specifically mandating that children may not be detained in local jails while awaiting further court disposition. We had hoped that Juvenile Delinquency Act funds would assist us in finding alternatives to such incarceration. But a lack of overall resources have prevented the State from achieving its goals in this area. As a result, the Legislature during its 1976 session delayed implementation of the measure until 1978.

In spite of these problems, our Board has initiated aggressive productive activity in the past few months. We have been involved in the Commission's comprehensive planning process, focusing on such problems as the need for criteria to be developed for referral to diversion programs, the need for a mechanism for local communities to assess their needs in the juvenile area, and the need for better information on dispositional alternatives for juveniles.

We have recommended five year funding objectives in areas such as public awareness and access to prevention programs and development of a system of service delivery to youths and their families.

Thus far, two projects have already been funded in Maryland with Juvenile Delinquency Act funds. The first of these, an aftercare alternatives project, is being implemented in Baltimore City under the direction of the Mayor's Office of Manpower Resources. Under the grant, academic and vocational training will be provided for 60 Baltimore City youths who have been released from either the Maryland Training School or the Montrose School and are on aftercare supervision. In addition, youths enrolled in the program will be employed 60 hours per month in a public service agency.

A second project, funded just last week by the Governor's Commission, will be implemented in Anne Arundel County and is designed to develop a law related education program for children in County schools. Curriculum materials will be provided for Kindergarten through 12th grade which would give students a better understanding of their rights and responsibilities under the law and the criminal justice system in a free society. The project has the support of the Maryland Bar Association and various other education agencies and professionals and will eventually be carried out throughout the State.

We feel that projects such as these are desperately needed in Maryland if an impact is to be made on juvenile crime. But to have an impact, adequate funds must be made available. We look forward with continued enthusiasm to further development of the Juvenile Delinquency Act program in Maryland, but strongly urge you and your colleagues in Washington to recognize that more funding is needed—both for the Juvenile Delinquency Act and the overall block grant program in Maryland. There is no question in our minds that the two programs complement one another, that they must continue to be coordinated and that both deserve high funding priority if the objectives of Congress and the Board in reducing juvenile delinquency are to be met.

Senator MATHIAS. If the efforts of our chairman, Senator Bayh, myself and others who are committed to increasing funds are successful, we will be able to do a little better. This year we hope to do better than we did last year. But I don't think you should be under any delusion that Washington is going to be a cornucopia of funds for this problem. There must be a broader community understanding of the depth of the problem, an awareness of the urgency to solve the problem, and the future costs involved. We are not just talking about kids who are in trouble today. We are talking about what they will be like in 5 and 10 years' time.

The future problems could present a much greater social problem than those we face today. Leaving aside the waste of their own lives, I am talking about the sheer economic cost to society at large. Part of the solution must be public education. We must not view the situation from only a technical or mechanical point of view. The process must involve education of the community as well.

When Mr. Doolan was speaking, my mind went back. There used to be a very active organization in Maryland called the Children's Aid Society which had branches in many counties. It played a very, very active role, and successfully for a long period of time. Most



importantly, it did what is difficult today—it was able to involve all sorts of people. I remember one of the leading figures in a purely private capacity was Judge William Coleman, who was a U.S. District Court Judge. All types of people belonged to the Children's Aid Society, and got right down to the nitty-gritty of helping kids. This is a capacity which has been weakened. Because these were people who had interest throughout the entire community, they became a bellwether that got the word out when there were problems. I hope you will take on part of this role—of arousing the public, because Congress is reactive.

Sometimes, in Washington, we think we get good ideas. But very often the best ideas thought up in Washington do not become realities until the public pushes them to become realities. So, you have a vital role in this respect.

Mr. DOOLAN. One note of comment; what we have to do both in the District of Columbia and at home is deal with causations and not effects, and what we have been doing is dealing with the effects, and we have to get down to the grassroots of what is the causations, and in doing that, just a small one of the things that the national PTA has taken on is the planning. If you think about it, probably 95 percent of the kids graduated from high school become parents, but what training or knowledge do they have of that parenthood and child rearing?

One of the things we have to do is get into causations of the total problem and not just after effects.

Senator MATHIAS. Clearly it's something we have not been doing right. When you look at the figures that Colonel Robinson gave us—of a jump from 1965, when you had 3,488 arrests under 18 to 11,727 by 1975—that's clear proof that we have not been doing something right.

Mr. KAMINKOW. I would think, Senator, that Colonel Robinson's statistics that 50 percent of the crime being committed today is being committed by juveniles should be frightening enough to wake up Washington.

Senator MATHIAS. I will be the witness for the moment. I will tell you Washington is not frightened yet, and it is not really a question of fear. It's a question of the impact those statistics should have on legislators as intelligent, reasonable people. The concern for our constituents and for their safety and property should be enough.

I would like to ask Mr. Doolan one parochial question. What is your view of the level of crime in Carroll County? That is a community which, although it feels the impact of the urban sprawl, is still largely a rural community.

Mr. DOOLAN. It's no doubt one of the factors. As I said before, urbanization problems were nonexistent prior to urbanization. But an interesting thing is in the local paper last night. Instead of the heading of the paper, it just said "Juvenile Crime Skyrocketing." That's an interpretation of one of the assistant State's attorneys. When that type of literature gets out we don't look at the fact that crime has risen. There are other variables. Parents have a right to take their kids in to juvenile services. What they look into are about what programs that are dealing with that, are they effective or not?

One of the statements made is that we have tried all the programs, we have tried the alternative programs, now we have to crack down on the kids and take them to court and send them away. That's kind of prehistoric thinking. We have to look at all the variables.

We have to look at the conditions and causations. Evaluations have never been done on that, on juvenile crimes. That's kind of why the statistics are not clear.

Statements made by such people as the State's attorney, that's taken as gospel.

Senator MATHIAS. Can you give us the statistics you think are relevant? If you don't have them at hand, could you supply them for the record?

Mr. DOOLAN. Certainly. I also can give what I feel, and what perhaps many feel, is an effective evaluation. We don't have the right answer, but a more effective way rather than determining how many kids we see and how often.

[Subsequent to the hearing the following was received.]

[EXHIBIT No. 10]

CARROLL COUNTY YOUTH SERVICE BUREAU, INC.,  
CARROLL PLAZA SHOPPING CENTER,  
WESTMINSTER, MD., June 29, 1976.

Senator CHARLES MCC. MATHIAS, JR.,  
Russell Senate Office Building,  
Washington, D. C.

DEAR SENATOR MATHIAS: The following statements will relate to the Juvenile Justice & Delinquency Act of 1974: I feel that the bill itself is vague in many of the terminologies that are used throughout the bill. In my opinion the intent of the bill is tremendous, however at the local level the intent is not carried through. To further explain this I point to words in the bill like advanced techniques with no further explanation. I also feel that the amount of paperwork that is necessary to complete a comprehensive plan is entirely too lengthy to be read and initiated. The comprehensive plan in Maryland is 1,134 pages long. There is no way in my opinion that review boards at the regional level or the federal level in Washington would read in detail this large number of paperwork.

It is in my opinion that the monies flow each year without a thorough evaluation of the previous comprehensive plan. I would suggest that such an evaluation take place prior to new funding. The evaluations that have been done by the State Planning Agency in Maryland in regards to Youth Service Bureaus never in three years determined effectiveness. This is not to say that they were not effective, but rather that the type of evaluation and the individuals from the State Planning Agency were of a criminal justice background and therefore place great emphasis on criminal activities rather than on prevention activities.

I have read throughout the Juvenile Justice & Delinquency Act literature at the State Planning Agency level a desire for a reduction in crime by 10 percent. They have used this percentile to determine success or failure of their programs. In my opinion this is absurd and is not a practical way of determining success or failure. There are too many variables to affect an entire population because of a program serving that population. A program could however determine success or failure with the population that they *actually* serve.

There has been a very low priority for prevention programs in the State of Maryland and considerably low funding levels for these programs. An example of the attitude of the State Planning Agency as well as the Governor's Commission on Law Enforcement and the Administration of Justice is the moratorium placed on Youth Service Bureaus for the past three years. I question why hasn't the regional or the federal level noticed this moratorium and have allowed the moratorium to exist. The fact is that the Juvenile Justice & Delinquency Act specifies Youth Service Bureau as a priority in the bill.

Youth Service Bureaus as well as other prevention programs have a need not only to grow, but also a need for support. The support in Maryland did not come from those who were in a position to give support, specifically the State Planning Agency

and the Governor's Commission on L.E.A.A. where the funding and the technical support have been.

It is in my opinion that the State Planning Agency, as well as the Governor's Commission, ought to initiate programs after the programs have submitted their mission, their objectives, their goals and their measures of effectiveness and to eliminate the amounts of useless paperwork. At the end of each period of funding the programs could then be determined in an effective way whether they are in fact successful or not. What has happened in the past has been in my opinion funding has been upon whether or not you were able to be a good grant writer.

I would like to address your attention to the composition of the Advisory Board appointed to the Juvenile Justice & Delinquency Act of 1974. The appointments were made in my opinion of some people who were not involved in youth programming or had never been involved in youth programming. I feel that there are many, many qualified and dedicated people in the field of youth work who are overlooked in an appointment to the Advisory Board. There were people who did not know that they were even being considered for an appointment until the day they received the letter congratulating them on their appointment to the Board. There have been new young people added to the Advisory Board in order to "meet the conditions of the bill". These young people are not representative of consumers of youth programming in the field of Juvenile Justice. I personally feel that youth appointed to a board of this nature is extremely vital, however I feel when youth are appointed who do not have a feeling for or a knowledge of youth programming it defeats the bill's purpose. I would like to further ask why has the regional and the national level allowed this type of composition "to meet the conditions of the bill".

It is in my opinion that the sensitivity of Maryland's Governor's Commission on L.E.A.A. does not meet the intent of the Juvenile Justice & Delinquency Act of 1974. An example of this to me was during a commission meeting it took only approximately one hour for passage of several million dollars while it took over forty-five minutes for passage of a \$50,000 Youth Service Bureau. There were questions asked which were relevant to the services rendered in the past-by the bureau as well as whether it was effective or not. My point is that none of these relevant questions were asked of the several million dollars worth of programs.

I feel that the bill does go into enough depth as to the need for local involvement. I feel that it ought to make it mandatory to have not only the community government agencies and professionals, but should have the youth of that community involved prior to the program being funded. This same group ought to be involved in the evaluation of a program and we should no longer allow those who do not live in the community or work daily with the programs to determine whether they are effective or not.

I feel that monies spent for programs of diagnosis and screening encourage sophistication of levels and in-depth records on young people. An example of this might be if a young person twenty years ago were to upset an outdoor bathroom with a person in the outhouse, the child probably would have been punished by his parents and looked upon as a prankster. Today if the same situation were to occur, it might be that the young person would be sent for a psychiatric evaluation and probably would be labeled as a felonious, aggressive person with an anal complex. My point for bringing out this type of an example is that we must start putting an emphasis on causations of delinquency and not on what is wrong with someone.

There is a greater need for involvement of programs within our school system. We need not only money but technical assistance in the field of alternative education, as well as better methods in handling the disadvantaged and the disruptive youth. Many of the youth who are labeled disruptive and uncontrollable within the school system are kids who are truant, hooking, smoking in the school building, and are being thrown out of their own schools. We must face the fact that the system might not fight all kids rather that the kids have to fight the system. In my opinion there needs to be a greater emphasis in the field of teacher training which will enable a better understanding of the needs of youth. I feel that this additional training will cause a greater reduction in the number of problem kids in the school system, as well as a reduction in the number of problem kids in the community.

I would like to conclude by reiterating that the intent of the bill needs to be carried even further. I do feel, however, that the intent has not been carried out. Alternative programs need help, resources and direction to grow and improve. Prevention programs are new and have different ways and ideas to in fact prevent. These types of programs need the federal as well as the state and local support rather than the past practice of attempting to determine which programs we need to get rid of rather than how can we improve programs. Programs in prevention have been

fearful to admit of any weakness because their survival was determined on unrealistic and non-evaluative methods. Their weaknesses if admitted to would have eliminated their existence.

If you would request or have a need for further information or clarification, please do not hesitate to call upon me.

Sincerely yours,

JAMES L. DOOLAN

*Director, Carroll County Youth Service Bureau, Inc. Vice Chairman,  
Juvenile Justice & Delinquency Advisory Bd.*

Senator MATHIAS. Excuse me, Mr. Doolan, Mr. Rector wanted to ask one question.

Mr. RECTOR. There was mention of the fact that the State Planning Agency or the Governor's people had suggested that there be a cut-back in the allocation of the Juvenile Delinquency Act moneys commensurate with cutbacks in the Safe Streets moneys generally. That's of special interest to us, because the 1974 Juvenile Justice Act not only provides the authorization—the mechanism for specific prevention moneys—but it requires the State planning agencies to persist in their fiscal year 1972 level of spending. So, not in any way to deprecate the role of the committee that was established, but the results that were reached were in compliance with the law and any other result would have been in contravention of the law.

Mr. KAMINKOW. Well, we felt that way, Mr. Rector. That's why we took the position that we did, but there had been a suggestion—I think Mr. Doolan certainly was there and I think his recollection is probably as good as mine—that it had been suggested the possibility to taking that \$500,000 and not doing what we did do.

Mr. RECTOR. You acted precisely in the fashion that the members had anticipated when they wrote the section that created the committee.

Mr. DOOLAN. What if the advisory board had not been in existence? Then the State planning agency, who was in the business for a long time, should know the intent of the law and follow through and recommending there would be no new moneys at all that would go into the adult programs and everything else. That was their intention. That's the type of headset I was talking about we have to get sensitivity into.

Mr. KAMINKOW. It's not only a question of waking up Washington, but also the Governor's Commission to some extent.

Mr. RECTOR. The Governor's crime commission on State planning agencies as a collective unit opposed the 1974 act. Thus, you're bound to have some spill-off or residual opposition.

You mentioned the necessity and importance of consumer involvement. Today we had an opportunity to hear from youths such as Steven, and Allen Stamper in Annapolis. The act requires, in the definition of community-based treatment, that there be consumer involvement in the operation, planning, evaluation of programs. It required one-third of the members appointed to the advisory committee and groups be under age 26, and in the conference committee the distinguished Republican ranking member of Education and Labor Committee in the House, Congressman Quie, had urged a specific requirement—that young people such as Steven and Allen and young women and others who have been in the system be required to be

placed on the State planning agencies. That was modified, but there's a strong thrust for input from the perspective of the consumers. The act is, in many respects a recognition that the system has failed to respond to their needs, and that's why some of these facets were incorporated in the act.

Mr. DOOLAN. We had with our committee, we had that. They found out some people under 26 weren't on. They went out and gathered three more, but no one on the board was ever approached about who he recommended, and there were many people involved who were not appointed, and the three people who got appointed afterward were not consumers at all, never involved.

It's no way you can have input of the youth if they're not appointed.

Mr. KAMINKOW. Let me say I think the point you're making is an important point and we have met the mandate of the statute, but perhaps we should go further, and to that extent I will take back to the Governor and to Mr. Silver your suggestion to involve the consumer under the age of 26 on the committee, with the hope that we can have some additional young people who have been involved in the system appointed to the committee.

Senator MATHIAS. I think that would be a very useful procedure and one that we might—as a result of this interchange—inquire about in other States and other parts of the country. Thank you both again.

Mr. KAMINKOW. Thank you, Senator.

Senator MATHIAS. The next witness is Judge Robert Hammerman. We are happy that Judge Hammerman has taken time to be with us. He is a veteran before this subcommittee, as well as a veteran on the subject of juvenile problems.

The judge was a witness during earlier hearings which the subcommittee held in Baltimore approximately 5 years ago, and he has had an opportunity to view the manner in which various acts of Congress dealing with juvenile problems have worked. He knows if they have been effective or a failure. We appreciate his comments.

**STATEMENT OF HON. ROBERT I. HAMMERMAN, ASSOCIATE  
JUDGE, CITY OF BALTIMORE, BALTIMORE, MD.**

Judge Hammerman. Thank you very much, Senator Mathias. I only wish that I had sufficient expertise and wisdom to feel that I could add some new thought and new perspectives to the many which you have already received.

I have been following closely, in the media, the fact this subcommittee has held hearings on Tuesday in Annapolis and the comments of those who testified before the subcommittee; and I know the distinguished witnesses you have had already this morning and I feel, quite frankly, that there isn't too much new or original that I could add. My purpose would be to merely reinforce the gravity of the problem as described to you by the other witnesses.

I think that there is great unanimity in what the problems are and some of the things we should do, but perhaps not too much beyond that.

It is my own personal view, Mr. Chairman, that the money which has been spent through the acts of Congress has not filtered down to the street level and has not had any meaningful impact on the juvenile crime problem. I think that already has been well documented

before the subcommittee and it will serve no useful purpose for me to reemphasize that point.

Money is absolutely essential to be able to develop the type of programs we need. However, I think we have lacked a proper evaluation and a sufficient evaluation of how this money is spent. Also I think a lot of it has been poorly spent.

There is no question that in this area you need a lot of experimentation. You have to spend money on programs and see if they work. But I submit that the wasting of money has gone beyond that point, and that many programs have been existing for a number of years which are nonproductive—but there is not a sufficient evaluation component to judge this.

I am particularly concerned about the problem of violent crime by juveniles. This is an area that I think has not been dealt with sufficiently in the planning and program stage. Not only do we see extreme violent crime by juveniles, but we see the evaluation from psychiatrists and psychologists every day which talk about the coldness of these youths, about their coldness toward violent crimes. This is a many-faceted problem and I think we have to recognize that the current generation of young people, and those that we have had of the last 10 or 15 years, have grown up in an atmosphere of violence unknown to any previous generation of young people. The generation of young people in their teens and those now in their 20's were the first generation of young people ever to be able to grow up and watch a living war in color on television every night as they did of the Vietnam war.

A study has shown that the average child, by the time he's reached the age of 11, has witnessed 14,000 murders on television—not to mention what he sees in movies, news broadcasts and what many of them see in the streets. I think we have become inured to violence as a way of life and we're reaping the harvest from this.

Obviously, we need more money spent on prevention. Everybody emphasized that. I submit to you that if we are going to deal effectively with the great majority—the overwhelming majority of youths who get in trouble—that it has to be in the community through probation officers or like workers. This is where the greatest output of money is, in probation staff and community resources of that nature.

However, I think, to a great extent probation has been a failure. I say to a great extent. There have been successes; but whenever you have probation officers who have to deal with 50, 75, 100, 150 cases at a time and only for a few months, not much in-depth work can be done. I think there has to be money spent in the area of intensive probation where there could be a much greater one-to-one relationship in the community.

I think that much greater promotion has to be done in the area of volunteer work. Unless we get the total community involved in volunteer programs to work with young people, I don't think we're going to effectively work and deal with the young people in the community. And, I think it takes money to promote the volunteer program.

Areas of truancy and illegitimacy are two places that are often overlooked as strong contributing factors to juvenile crime. We have, as studies indicate, a truancy rate of 35,000 chronic truants in Baltimore City at a given time, and we must realize the nature of truancy.

This is a powder keg in the community. These truants, who have no money, who have no job or educational skills, are going to become bored and frustrated. They will act out, most of them, in an antisocial way. Then, as adults they will either be dependent upon society for their maintenance and sustenance or they will lead lives of crime.

The rate of illegitimacy in Baltimore City today, by the rate I have seen, is 45 percent. When you have 11,000 births a year in Baltimore City you see the tremendous number of children each year who are born in this fashion, and thus have the handicaps that are greatest in this regard.

We have done very little to take care of the juvenile who is emotionally disturbed—and they comprise a very, very large percentage of those young people in our communities. Treatment facilities on a long-term basis are practically nonexistent. Even to those who have the ability to pay, they are practically nonexistent. Without resources we're not going to make much of a dent. Drug and alcohol treatment for young people is practically nonexistent.

I feel that a program that has not been funded enough is a program similar to the streetworkers of the bureau of recreation of Baltimore City. There you actually have workers out on the street—young men in their late teens, early 20's—to work with the kids in the neighborhood, on the street corners, in the pool halls, wherever their gathering points are. This has been a very poorly funded program, and it's an area of prevention that we just don't get enough grassroots money spent.

I think that we have too many young people who treat the whole juvenile system with disdain. They feel that the system can be beaten and beaten very easily. I think they're right to a very great extent and this hurts considerably.

Senator MATHIAS. A point Dr. Eisenhower made earlier was that crime does pay for a lot of people.

Judge HAMMERMAN. It does, it does. I am convinced that they are convinced that it pays. The figures show that only 19 percent of all reported crimes in the United States ever result in an arrest. That's 1 out of 5. Of those, many never get convicted. That's only 19 percent arrests. You may have ultimately, at the end of the line, maybe five or six people convicted out of every 100 reported crimes. Recent studies of the LEAA show that there are about 300 percent more unreported crimes than there are reported ones. So, if you were dealing with 5-, 6-, or 7-percent convictions of those crimes that are reported, you're dealing maybe with 1 or 2 percent of those who are convicted or actually commit crimes in our community. I think crime does pay in the eyes of juveniles and this is a very serious problem.

Senator MATHIAS. How do we turn around that proposition? How do we change the perception that crime pays?

Judge HAMMERMAN. Well, I think one thing we have to get away from sometimes is this idea of quantitative justice. This is to measure how the system of justice is progressing by the volume that we have and how quickly we might move it, and our obsession with statistics. I think that many more children should actually come into the courtroom than now do.

Now, of course, to turn around this statistic it goes further back. I mean, the courtroom only sees those who are arrested and brought to trial. If only a very small percentage of those that commit crimes are brought into the courtroom there's nothing the court system can do about that. That has to be law enforcement, public education in order to have more arrests. But, I submit that even with those who are brought into the judicial system, more are perhaps diverted from facing the hammer of the judge, so to speak, than should be diverted.

Senator MATHIAS. What about plea bargaining?

Judge HAMMERMAN. I'm opposed to plea bargaining on the juvenile level.

Senator MATHIAS. Why?

Judge HAMMERMAN. Because I see no need for it. I think it's very harmful to the juvenile. There are two rationales generally for plea bargaining. One is if you don't have plea bargaining you will have the system so overburdened that you will never be able to try all the cases. This may have validity in the criminal system, but I submit from my experience in the juvenile court, it has no validity in the juvenile court. In the juvenile court—I'm talking about Baltimore City, the court I'm familiar with—we do have the facilities, the judicial manpower and the physical facilities to try all of the cases without plea bargaining.

Now, it may very well be true that it will take us longer to try them. It very well may be that from the time of arrest to the time of trial may be 6 months, where if you plea bargain he will come into court and get his deal in 1 or 2 months. It obviously takes longer to do without plea bargaining, but I submit that a trial within anywhere from 2 to 6 months is not an unreasonable period of time and that there will not be the breakdown of the system that there might be in the criminal system.

The second rationale for plea bargaining is that the State might have a weak case. Let's take the bird in hand rather than take a chance on two in the bush. If he's willing to plea on this, we're not so sure about our charge and so forth. I don't think this is a valid basis at the juvenile level. Where I think it has an insidious effect is that it makes the juvenile feel he's able to beat the system. I think for a juvenile to feel he can bargain on these things—

Senator MATHIAS. It gets back to the making-crime-pay concept.

Judge HAMMERMAN. Exactly right. I think it makes him feel that I can do it, I can get away with it if I can cop a plea on a lesser charge, I'll cop a plea on assault rather than robbery and I'll get on probation for 2 years.

Probation means nothing to most of these kids. They're only concern is walking out of that courtroom and going home. They don't care what the probation terms are. I think that it teaches them lessons about the criminal justice system that will only hurt them; and it does teach that crime pays.

I'm opposed to plea bargaining at the juvenile level. I see no need for it. I think the normal rationales for it are not present here; and I think it hurts the juvenile's whole image of justice and its effect.

Senator MATHIAS. It's not pertinent to our inquiry this morning, but I have some serious reservations about it generally.

Judge HAMMERMAN. I do, too.



Senator MATHIAS. I voted against it when it was proposed by Attorney General Mitchell several years ago. I do not think the operation of it has really proven its indisputable value.

Judge HAMMERMAN. I would agree with you, Senator, and I think particularly at the juvenile level it's no place for it. I really feel that way. I might also say that I think we have in the juvenile justice system too much of a proliferation of groups, agencies and commissions—all of which are well intentioned. But, I think, the net effect is a lack of a unified and coordinated effort. Everybody has his own turf. I don't see the unity and leadership in the field that we need, I really don't.

Senator MATHIAS. Judge, I have one other question to ask you which relates to the condition of the courts. In an article which appears in the June American Bar Association Journal, Judge Irving R. Kaufman notes that in many States juvenile courts are ranked below courts of general jurisdiction. Under new standards, that is the standards Judge Kaufman recommends on court reorganization, the family court would be a division of the highest trial court of the State. It would have jurisdiction over all family matters, including juvenile offenses, child abuse, adoption, divorce, and offenses against children. In light of your extensive experience, do you feel that recommendation would be a positive step?

Judge HAMMERMAN. Very much so. I'm very pleased that in Maryland, as you know, Senator—except for Montgomery County, which has its own situation—the juvenile court is on the highest level.

We are one of the few States where this prevails, and I think it is definitely a positive step. I would also say of the family court concept itself, I think it's a laudatory one and one we ought to work toward. However, I think there are too many people who look upon the family court as being a panacea for the problem. I don't think it is the panacea for the problem; it doesn't go toward solving the problem. It goes toward a slightly more efficient way for the court dealing with these many problems. I think too many people look upon it as the end in itself, and I submit that it's not. It's merely a more efficient way, perhaps, of dealing with the problem.

But, you know, there's more that is needed, if we're talking about the judicial and legal structure, than having a court on a highest trial level. It is disturbing to me that not only the public but, also, the legal and judicial fraternity look upon the juvenile court as a second-rate court. There are very few judges, unfortunately, who want to sit in the juvenile court. Very few have an interest in that court. Very few lawyers have an interest in the practice of juvenile law. It's been improving in this regard. I think a few more judges gradually are developing an interest, a few more lawyers are gradually developing an interest, but it's been a stepchild in the judicial and legal system and it's been most unfortunate.

Senator MATHIAS. I was going to raise a caveat to what you said earlier about the Maryland system. Unfortunately, I think you're right. Although the Maryland juvenile system has been part of the circuit court jurisdiction, very often it was treated like a stepchild. The judges, rather than seeing this as an opportunity for some of the greatest service, would try to avoid it.

Judge HAMMERMAN. That's right. It's still that way, unfortunately. I think it's seen some improvement. I think there's a greater awareness and interest, but we still have a long way to go. If the judges and lawyers don't look upon this court as being the most important court in our system, or at least one of equal stature and importance of service, then we're in trouble. But we in Maryland, I think, are a lot better off in this and many other regards. But that doesn't give us cause to feel so satisfied with ourselves that I don't think we should base our own performance on a comparative basis.

The most recent statistics I saw—maybe 2 or 3 years ago—show that in the United States today there are approximately 400,000 juveniles who are institutionalized; and 100,000 of these are institutionalized in jails with adult, hardened criminals. This, to me, is an appalling fact. I think this is one area, frankly, that congressional money, if it's dispensed to States, this should be a condition of a dispensing of Federal money, that it cannot go to a jurisdiction where any juveniles are allowed to be confined in adult penal institutions. I think it needs this kind of sledge hammer effect.

We had them confined in Baltimore City, the 16- and 17-year-olds, for detention purposes. I wasn't happy with it. The conditions were brought to my attention, and under the powers that I had under the statute I said, "This Friday they are all coming out," and they did come out.

I think the only way you can deal with this serious problem of mingling children with hardened, adult criminals is to say "no, that's it," and you will get the action you need. The same figures indicate to me that of all the juvenile courts in the United States, one-third of them have no probation officer at all, not a single one. Two-thirds of them don't have the services of any psychiatrist or psychologist.

I think if the Federal money would also require the courts to meet certain standards along that line, as well as forbid any mingling of juveniles with adults, it could serve a very useful purpose—moreso than just the money itself.

Senator MATHIAS. Judge, we are very grateful to you, sir.

Judge HAMMERMAN. Thank you very much, Senator.

Senator MATHIAS. As always, we appreciate your being here.

Judge HAMMERMAN. Thank you.

Senator MATHIAS. Our last witness this morning is Mr. Edgar M. Boyd. Mr. Boyd is a member of the Greater Baltimore Committee, and he is associated with Baker, Watts & Co.

**STATEMENT OF EDGAR M. BOYD, FORMER CHAIRMAN, GREATER BALTIMORE COMMITTEE'S CRIME AND JUSTICE SUBCOMMITTEE; ACCOMPANIED BY MARSHA CLARK, BALTIMORE, MD.**

Mr. BOYD. Gentlemen, ladies, I'm here to offer testimony as the former chairman of the Greater Baltimore Committee's Crime and Justice Subcommittee.

For your information, the Greater Baltimore Committee is an association of 100 businesses in the Baltimore area which takes a rifle-shot approach to urban problems through working subcommittees of its members. Well known for its work in transportation and downtown physical redevelopment, we have also been active in areas

of community development, education, economic development, housing and criminal justice.

The deliberations of the Crime and Justice Subcommittee which led to the recommendations which I will give you later are described in a preamble. It was decided early that, in the interest of time and limited resources, concentration should be placed on the disposition of juveniles once they had been through the adjudicatory process. The recommendations reflect thier emphasis, but other issues which received considerable discussion were the desirability of assigning judges rather than masters to hear juvenile cases—recently supported by the Maryland Commission on Juvenile Justice—and the need for effective delinquency prevention measures.

With reference to the latter concern, GBC has become involved in a technical assistance program for Maryland's Youth Service Bureaus, about which you have already received testimony. The program is being carried out through a steering committee composed of representatives of the Youth Service Bureaus, the Greater Baltimore Committee, the Governor's Commission on Law Enforcement and the Administration of Justice, the State Budget Bureau and the State Juvenile Services Administration. Using the State's training resources and the expertise of private industry, the program is seeking to provide the Youth Service Bureaus with training in the areas of measurement, operations and volunteer coordination. The management training took place last week and will be evaluated at a steering committee meeting next week; preliminarily, it appears to have been a well-received and worthwhile endeavor. It has been felt throughout the planning process that the assembly of and exchange of viewpoints within the steering committee has been a valuable experience in and of itself.

I have two excerpts here; one, the preamble, the recommendations and following that I'll give you a brief summary of action or lack thereof which has taken place to date.

The Crime and Justice Subcommittee of the GBC was formed in October 1970, under my chairmanship. It has met regularly since its formation to address varying topics, including court facilities, drug abuse, expenditure of LEAA funds and community-based corrections. Recently in response to growing public concern the group has focused upon the juvenile justice system.

Guests who provided the subcommittee with their perspectives on the issue were: (1) Juvenile Court Judge Robert I. H. Hammerman; (2) Robert C. Hilson, director of the Juvenile Services Administration; (3) Michael J. Kelly, dean, University of Maryland School of Law; (4) Robert C. Murphy, chief judge of the Maryland Court of Appeals; (5) Baltimore City Police Commissioner Donald D. Pomerleau; and (6) Peter S. Smith, professor at the University of Maryland School of Law and the director of the Maryland Juvenile Law Clinic.

It's known, of course, that juvenile crime has become a truly serious problem in Baltimore City and the metropolitan area. Whether it is a result of the bulge in the population of juvenile age caused by the baby boom—in 1973, for instance, it was estimated that 32.4 percent of the region's citizens were below the age of 18—or by other social factors, about 50 percent of the arrests for index crime in Baltimore City were juveniles in 1974. The cost of this criminal activity in terms of property damage and human suffering as well

as in the processing and treatment of offenders, is incalculable but clearly immense. Crime, both juvenile and adult, has a debilitating effect on all phases of the city's life, from attendance at sporting and cultural events to attraction of new businesses and industry; from retail vitality to encouragement of home ownership.

Although homicide and rape cases are tried in adult courts regardless of the age of the offender, the juvenile justice system is still left with the monumental task of dealing humanely and yet effectively with all other juvenile offenders, while nevertheless protecting public safety. The difficulty of this responsibility in an urban area is evidenced in the findings of President Johnson's Commission on Law Enforcement and the Administration of Justice's Task Force on Juvenile Delinquency:

That violent crime is primarily a phenomenon of large cities,

That violent crime in the city is concentrated especially among youths between the ages of 15 and 24,

That by far the highest proportion of all serious criminal violence is committed by repeaters,

That generally a juvenile delinquency record is a forerunner of an adult criminal record,

That the younger a juvenile is when apprehended, the more likely he or she is to repeat.

We found that the juvenile crime problem in Baltimore is extremely complex—as it obviously is throughout the entire country—and its causes are multifaceted and densely interrelated. Poverty, inadequate educational programs, poor housing, illegitimacy, unemployment, welfare law difficulties, juvenile corrections consisting of warehousing without treatment—all of these have been identified as components of the juvenile crime syndrome. No easy solutions for underlying social problems this basic and of this magnitude can or will be offered by this committee, but the influence of these larger causes must be realized and kept in focus in any attempt to deal with specific manifestations thereof.

There are discrete identifiable areas in which the Greater Baltimore Committee, after 6 years of study, believes there are possibilities for improvement. Such action, if undertaken efficiently, may serve as a beginning for an ongoing effort to ameliorate somewhat the inadequacies of the juvenile justice situation.

At the same time that we make these recommendations and offer the continued services of the Greater Baltimore Committee to support their implementation, we also pledge to continue to address this and related societal challenges.

#### SUMMARY OF OUR RECOMMENDATIONS

Crime and the fear it creates are problems reaching crisis proportions in our city and State. Fifty percent of the worst forms of this criminal activity, in Baltimore at least, is directly attributable to juveniles. If public safety is to be assured, a far greater portion of both financial and other less tangible resources available for crime prevention, detection and control must be applied to this critical area—juvenile justice.

*Point No. 1, probation.*—The magnitude of the problem as indicated above and the extent of public concern leave little excuse for failure

by the State to support research in probation and related fields by abundant and adequate financing.

More effective probation should be a priority. As part of the movement toward this goal, more officers are needed to provide for longer periods of probation and to maintain reasonable caseloads. Salaries of probation officers need to be upgraded in order to attract and retain personnel of the highest possible caliber. Additional in-service training is needed to increase the efficiency, effectiveness, morale and confidence of these men and women.

More funds are needed to purchase services needed by juveniles on probation and to support a new truancy proposal. These services should include child guidance clinics, day care, job training and placement, drug information and addiction treatment, et cetera.

Children in need of supervision—commonly known as CINS—should be supervised by a social agency rather than juvenile services as a first step toward removing them from the juvenile justice system entirely.

Lastly on this point, child labor laws should be thoroughly reviewed to determine their contemporary applicability and the possible hindrance they may pose to providing full employment for juveniles.

*Point No. 2, Community-based residential facilities.*—The State of Maryland should purchase residential services within the State for all juveniles who require it, paying the full amount of the cost of their care.

All children presently in training schools who do not require secure care should be transferred to group homes or other rehabilitation-oriented programs.

In every case but one, we found that State-operated training schools and group homes serve predominantly black juveniles and the purchase of group home care from private providers is for predominantly white juveniles. We feel this situation is completely unfair and must not be allowed to continue.

*Point No. 3, maximum security juvenile institution proposed for the State.*—\$8.6 million has been appropriated for a maximum security institution for juveniles, and it is our recommendation that it should not be spent for that purpose and that the institution should not be built.

Training schools in this State should be closed as our recommendations for more community-based facilities are implemented.

Small areas in the training school campus should be made more fully secure and the possible purchase of secure care in the community itself should be explored.

An independent secure care committee should hear cases which seek secure care for specific juveniles.

Funds should be made available at once to develop a superior staff at the secure treatment facilities.

We have offered our services to convene and service a task force of management professionals, from the business and private sector, which would respond to the needs identified by the juvenile services administration and others in a coordinated effort to improve services to the State's children.

## GOALS FOR A FULLY SUPPORTED JUVENILE SERVICES ADMINISTRATION

One, a wide range of services matched to the individual, the specific needs of juveniles. Two, feedback on treatment efficacy to judges, masters and court services personnel. Three, greatly increased proportions of LEAA funds for juvenile services. Four, effective use of innovative federally funded projects to constantly improve and upgrade the State's overall program.

Those recommendations were made to the Governor in December of 1975, and I have briefly and finally the followup on these recommendations.

### PROBATION

The Governor did not submit a supplemental budget, which would have included \$1.9 million for juvenile services. The additional funds were to have been used primarily for court services staff—intake and probation personnel. Complaints increased last year from 47,000 to 57,000 with no concomitant increase in staff.

### COMMUNITY-BASED FACILITIES

A bill which would have provided individually negotiated costs for each child based on his or her needs—psychiatric, medical, et cetera—was vetoed by the Governor. This bill was designed to keep the negotiated costs within the budgeted amount for group home care. A veto appeal is being prepared.

We know that through the use of Federal title 20 funds and a local match, the juvenile services administration is now able to pay \$690 a month per child for the purchase of group home care. This figure is up from \$600. This is regarded as full funding of care, although actual costs, we understand, to group home operators continue to range from somewhere around \$900 to \$1,100 a month. Several operators have closed homes and are using money received from the sale of physical plants to subsidize other homes which they have.

### MAXIMUM SECURITY JUVENILE INSTITUTION

GBC joined other concerned groups in lobbying against this facility in the 1976 session of the legislature and before the board of public works.

The general assembly approved the construction of the facility in 1975, but the authorization required that it be built on State-owned land. In November 1975, the board of public works, which encountered considerable community resistance to several State-owned sites it considered, asked the legislature to remove this restriction. A bill was introduced to do so in the 1976 session, but no action was taken.

There has been no movement toward closing the training schools.

Also regarding the offer of GBC services to form a management task force to help the JSA, no response has been forthcoming from the JSA.

That completes my testimony. I appreciate the opportunity to have presented the Greater Baltimore Committee's conclusions and I will

be happy to try to answer any questions you might have regarding our involvement in the juvenile justice area.

One of the GBC's administrative people, Marsha Clark, is here with me and if I can't answer you, perhaps she can. Thank you.

Senator MATHIAS. I am shocked to hear that your offer of greater involvement has not been readily accepted. Witness after witness who have testified before this subcommittee, not only today, but in other sessions and in other cities, have stressed the need for total community involvement. The Greater Baltimore Committee, which has had success in a wide number of fields, has a record which would indicate that an offer of this sort should be taken seriously. While you were speaking, I was looking over your shoulder at some of the professionals who are in the room. Their ears picked up when you made your statement offering help. I would hope that as a result of this additional airing of that invitation, you will have a response. I cannot think of a group which has greater impact than the Greater Baltimore Committee. It has an enormous capacity to reach out into industrial organizations, the financial community, and all aspects of community life to open doors and create opportunities.

I am interested in the question of involving a wider area of the community. I am interested in what motivated the Greater Baltimore Committee to set up a task force on juvenile delinquency—what attracted the interest and concern?

Mr. BOYD. The task force itself, sir, was set up originally as an overall crime and justice subcommittee. It did not evolve into a study of the juvenile delinquency problem for about 3 years, and I have said before publicly, and I have no hesitation in repeating, I have never had such a frustrating experience in my entire life.

For 3 years we picked at all aspects of it. We listened to Pomerleau and we listened to everybody and we couldn't get anywhere.

We worked at the drug problem for a while, and I think the basic problem there was that the criminal justice system is made up of several different components. It's like anything else in this world today, each strives to further its own causes. Ultimately we determined—because of the mounting attention, media and the public, to the juvenile delinquency problem—that this was something that we might be able to sink our teeth into and come up with some firm recommendations. It took us 2 years, but remembering that this is a volunteer organization giving of its time, we met frequently. Ad infinitum is too strong, but we met frequently and finally did come up with something.

To go all the way back to the beginning, the Criminal Justice Subcommittee was formed in 1970. I had just completed attending a series of seminars sponsored by the Johns Hopkins. I got to talking with Bill Boucher, who's the executive director of the GBC shortly after that. We spent a long weekend in review and we got to talking about the crime and the justice problem, the system, and that was the very beginning of it.

It was something that needed to be done and, as I pointed out earlier, that GBC takes this approach to individual problems.

Senator MATHIAS. It is obvious that you have a personal commitment in this area. You had the perception to identify the problem that needed to be solved. As I have said repeatedly this morning, the

problem is severe not only from the standpoint of the lives of the kids in the net now. The ultimate problem is the impact of these juveniles on society as they advance on the criminal ladder. One can only guess the ultimate cost to society.

In that connection, I have one additional question. Obviously, we are going to have to spend more money on the problem if we are to make an impact on it. That has been the common theme of each witness before us. It is not something that Senator Bayh has to be persuaded to do, nor that I have to be persuaded to do. I do think the rest of the country has to be persuaded though so they can put pressure on Congress to make it happen.

When Dr. Eisenhower testified, he mentioned figures on the order \$4 billion which should be directed into the criminal justice system, and \$20 billion to attack some of the social problems associated with juvenile crime. Without asking you for a commitment of support for these specific figures, do you believe that the business community generally is aware of the problem? More importantly, is the business community ready to support expenditures of that size if such sums are clearly indicated to be necessary?

Mr. BOYD. Obviously I can only speak from a parochial, if you will, or local standpoint, but there are people in this town, including myself, who are absolutely convinced that if we don't spend the money—whether we get it from the Government, the State, the city or furnish some of it privately—that the major cities, which are already in deep trouble, whether you talk about Detroit, New York, Baltimore, are going to be in deeper trouble. I won't name men who have said in committee meetings that this is something that we must grasp, we must do something about and who are willing to make the commitment. They have already made the commitment of time, willing to make a financial commitment, if necessary, in the future.

I think an important point is in something that you said, "every witness has testified that more money must be spent on this problem." The important word there is "this." It's "this" problem on which more money must be spent. It doesn't necessarily follow that more money overall must be spent, but just as our recommendations say somewhere in here, a greatly increased proportion of the LEAA funds for juvenile services. I think you know how the private community feels about Government spending, so we're not asking for more spending. We're asking for more money for "this" program.

Senator MATHIAS. You're asking to put a sight on the rifle to hit the target.

Mr. BOYD. Yes, sir.

Senator MATHIAS. I certainly agree with that. We have made repeated attempts in the Senate to target specific funds at the juvenile problem. We have not been successful yet. But I think with a greater awareness throughout the country we can gain support in the Senate to do exactly that. We have come pretty close on some occasions. Your help is going to be critical and I think it can turn the tide.

We thank you very much, not only for being here today, but for the sustained interest you have taken in this problem over the years.

Mr. BOYD. Good luck to you.

Senator MATHIAS. Thank you very much. Thank you all for being here. This subcommittee will stand adjourned, subject to the call of the Chair.

[Whereupon, the hearing was adjourned at 11:55 a.m., subject to the call of the Chair.]



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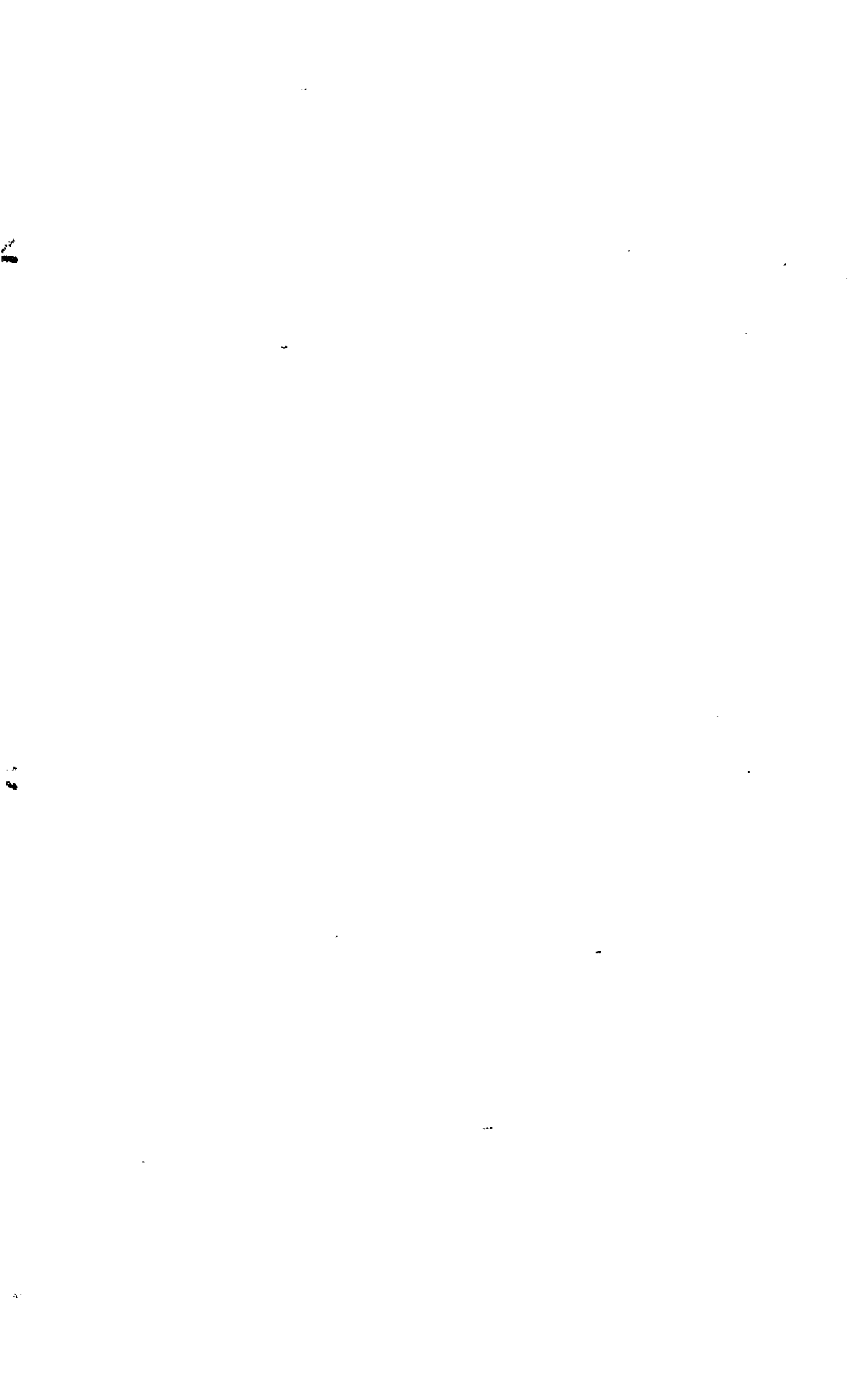
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## **APPENDIX**

**Additional statements and material supplied for the record**

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**PART 1—STATEMENTS FOR THE RECORD**

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**GOVERNOR'S COMMISSION ON JUVENILE JUSTICE  
301 WEST PRESTON STREET, SUITE 1513  
BALTIMORE, MARYLAND 21201**

**HON. ROBERT L. KARWACKI  
CHAIRMAN**

June 10, 1976

**TO: All Members of the Commission on Juvenile Justice**  
**FROM: Jeanette Boyd, Intern**  
**DATE: June 10, 1976**  
**RE: REPORT ON OUTSTANDING COMMUNITY-BASED PROGRAMS FOR JUVENILES**

Enclosed is a copy of the Report on Outstanding Community-based Programs for Juveniles. Due to time constraints additional project summaries will be presented in the form of one-page synopses.

Since the Commission on Juvenile Justice is mandated to concern itself with the programs and services provided in the state of Maryland for juveniles, please consider the following recommendations:

That members of the Commission review this report keeping in mind its function as a "how to manual".

That the Commission adopt the format for program analysis as a way of analyzing and reporting on Maryland programs for juveniles.

That the Commission direct its attention toward defining the programmatic needs of juveniles, particularly juvenile delinquents.

I would appreciate hearing your comments and criticisms of this report and the foregoing recommendations.

**REPORT ON OUTSTANDING COMMUNITY-BASED**

**PROGRAMS FOR JUVENILES**

**The Commission on Juvenile Justice  
301 W. Preston St., Suite 1513, Baltimore  
The Honorable Robert L. Karwacki, Chairperson**

**June 9, 1976**

**by Jeanette M. Boyd  
Intern**

INTRODUCTION

This is a report on three outstanding community-based programs for juvenile delinquents. The projects included in the report are: the Providence Educational Center, the Philadelphia Neighborhood Youth Resources Center; and the Community Arbitration Program in Annapolis, Maryland.

The purpose of this report is to be a "how to manual". Therefore a reader of the report should be able:

1. to determine whether a similar program would be beneficial to the community;
2. to identify the resources necessary to replicate the program;
3. to develop an operational design;
4. to implement the program.

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PROVIDENCE EDUCATIONAL CENTER



## 1. PROJECT SUMMARY

### A. Description of problems that led to the development of the project.

According to the St. Louis (Missouri) Police Department, in 1971, juveniles—under the age of sixteen—accounted for 25.4% of all arrests for stranger-to-stranger crimes. Follow-up studies of juveniles committed to the Missouri State Institution indicated that 81% of those committed between 1965-1969 were arrested and charged as adult offenders within three years of release. Analyses of recidivism rates for juveniles placed on probation showed a 70% recidivism rate. The majority of juveniles adjudicated by the court, committed further offenses.

Court records portrayed the typical delinquent as behind in school—often several years behind his/her normal grade level in math, reading, and language arts; perceived as a "behavior problem" and a "failure" by his/her teachers and family; and, chronically truant.

The Providence Educational Center was designed to work with young boys (12 to 16 years old), who were charged with stranger-to-stranger crimes and who reflected those characteristics revealed in court records.

### B. Overview of:

1. Philosophy (goals)
2. Objectives
3. Approach (methodology)
4. Accomplishments (evaluation)

#### Philosophy:

The PEC program is based on the premise that the long-term rehabilitation of delinquents who are charged with crimes against strangers and who have histories of academic and social failure, is contingent upon the development of the skills they need to experience success in school, in their family and social relationships, and on the job.

#### Goals:

- To reduce street crime among those students enrolled in PEC;
- To reduce truancy and improve educational skills, especially in reading;
- To engage students in a therapeutic program which will rehabilitate students by developing a more positive self-concept and thus increase social adjustment;
- To work with parents of all students; and,
- To orient each youth towards a successful placement in public schools, vocational schools, and employment.

Methodology:

The PEC Program is comprised of three (3) functionally inter-related components. PEC reports that each of these components has been tried elsewhere; and, the unique aspect of the project is the close coordination of all three components under one program. The components are:

1. Educational Component - This component is a "highly" individualized approach to providing instruction and remedial assistance in reading, mathematics, and other academic subjects. Classes are ungraded and the student-teacher ratio is approximately six to one.
2. The Social Services Component - This component performs diagnostic assessments, provides regular group and individual counseling to youth enrolled in PEC; provides counseling and assistance to families; and acts as liaison with juvenile court officials on each case.
3. The Aftercare Component - This component is responsible for easing the transition back into the community—the public schools, a job, or various training programs—after a youth "graduates" from PEC.

Accomplishments:

PEC is a non-residential program—youth live at home—which is able to offer intense supervision and individualized treatment.

The Missouri Law Enforcement Assistance Council (Region 5), evaluated PEC and concluded that youth enrolled in PEC "were less involved in crime than in the year prior to joining Providence. PEC's recidivism rate appears to be only 28%. In addition, truancy has been substantially reduced, achievement levels in mathematics and reading have increased, and changes in students' behavior have resulted. Because PEC is a non-residential program, it provides services at a lower cost than other institutional alternatives.

II. CHARACTERISTICS OF YOUTH BEING SERVED

The characteristics used by PEC to provide a profile of the youths the project serves are: family structure, the socio-economic status of the student's families; ethnicity; prior arrest records of the students and their siblings; and, academic performance levels.

**Family Structure** - According to PEC Reports, the families of PEC youth are often unstable and have had past problems. Of students enrolled at PEC, 18.6% lived with both parents at the time of their admission. Most families of PEC youth are large (approximately 66% have five or more children). Of these, 24.6% are families with ten or more children.

**Socio-Economic Status** - The average annual income of the families of the boys at PEC was found to be only \$5,284. Unemployment was high among PEC

families, with only 38.2% having a working parent. Since most families are large, the effective income is even lower.

**Ethnicity** - The majority of boys enrolled in PEC are black youth.

**Prior Arrest Records of Students and Siblings** - Only 6.6% of youth enrolled in PEC have no prior referrals while the average number of referrals among PEC students is 4.0 referrals per youth.

Over two-thirds of the youth in PEC have been referred to the Court for a stranger-to-stranger crime or a burglary.

In 44.9% of the families with boys in PEC, one or more siblings were also known to the court.

**Academic Performance Levels** - Although 57.6% of the enrolled youths in the fifth, sixth, or seventh grade in public school prior to entering PEC, only 1.7% were achieving at their correct grade level. In fact, 55.1% were one to four years behind in school.

### III. THE PROGRAM

#### A. Chart a child going through the program (Systems Analysis)

(See Attachment A)

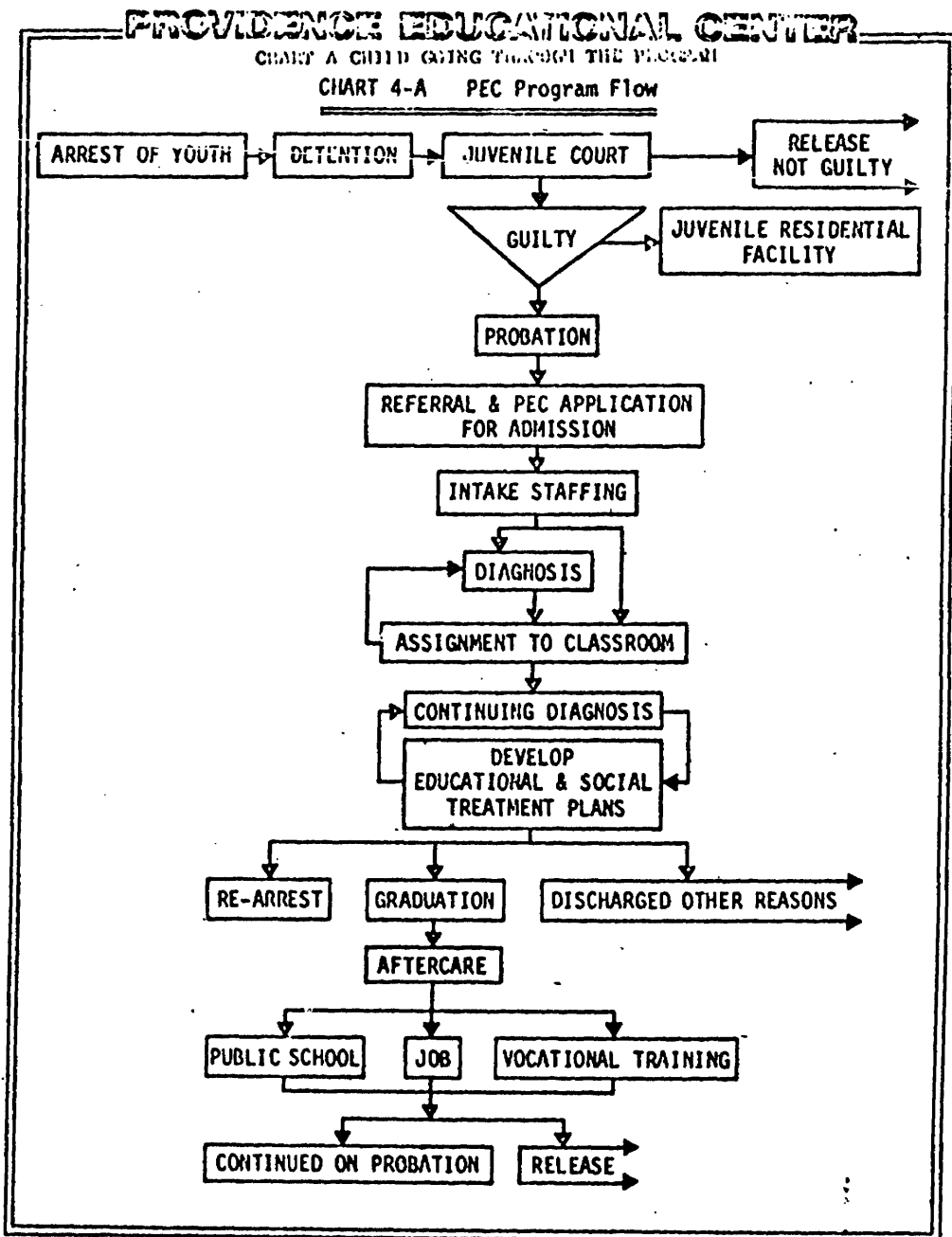
Qualifications for Entrance - Attachment "A" depicts the major stages in the process of a student's arrest, referral to PEC, and return to the public schools or employment.

Referral Sources - The St. Louis Juvenile Court has been the primary source of referrals to PEC, although other referral sources have included a group home, the public schools, the Division of Children's Services, and a state-operated residential facility for delinquents. Youths referred to PEC must be adjudicated juveniles who are either on open case status at the court, or who have been placed at a juvenile institution. Other criteria for referral are unspecific.

Eligibility Criteria - The following are eligibility criteria for admission to PEC:

1. She/he must have had prior involvement with the Juvenile Court and be under the active supervision of a Deputy Juvenile Officer and/or a Caseworker;
2. She/he must be between 12-16 years of age;
3. She/he cannot be either seriously emotionally disturbed, retarded, or severely handicapped;
4. She/he must be functioning on a "pre-high school achievement level" in reading; and,
5. The referring agent, parent, and child must agree to an ongoing and active involvement with the program.

It is important to note that these criteria are not rigid.



## B. Description of KEY Components

### Educational Component

In describing their program components, the Providence Educational Center emphasizes that education is at the core of its program. PEC's educational program is specifically designed for the "misfits" and is seen as a means for resocialization. PEC's aim is to help enrollees develop the skills they need in order to be successful in the public schools.

PEC has identified six (6) features of the educational component which enable it to achieve its educational goals. They are:

1. Small classes;
2. A non-departmental approach;
3. Ungraded classes;
4. A non-traditional approach to curriculum development;
5. An emphasis on the development of fundamental skills; and,
6. Individualized instruction.

### Social Service Component

The purpose of the Social Service Component is to support the educational component. A member of the Social Service Component is assigned to work with a classroom team and is responsible for:

1. Establishing the social treatment goals that are included in each student's treatment plan;
2. Implementing actions designed to meet these goals; and,
3. Evaluating and assessing each student's progress and development.

The functions of the social work staff include leading counseling sessions; serving as a liaison with the students' families; and, maintaining contacts between PEC, the Juvenile Court, and other service agencies.

### Group and Individual Counseling

Counseling is a regular part of PEC's program for all students, both individual counseling and group counseling. Individual counseling sessions are held at least once a week. Group counseling sessions are led by the social worker, but other classroom staff attend and participate. The goals of counseling, specifically group counseling are:

to develop a more positive self-image on the part of the students;

to develop new ways of relating to peers—particularly non-delinquent peers—and to parents and other adults;

to develop a sense of responsibility on the part of students for their own behavior and action;

to develop an understanding on the part of students that their problems are not unique;

to develop peer group support for positive changes in self-image and behavior; and,

to provide students with information about problems that commonly confront teenagers (i.e., drug abuse, venereal disease, etc.), or to help them develop skills in dealing with common "life situations" (e.g., applying for a job, meeting a girl, coming to class late, etc.).

#### Aftercare Component

The Aftercare Component is responsible for helping to assure that each student's transition from PEC back into the public schools or employment and the general community is successful.

The Aftercare team works directly with students during and after enrollment in PEC, with the public schools, employers, and other agencies working with PEC's ex-students and their parents. One other important function is to provide "feedback" that may be useful in improving the content and methodology of the PEC program.

The Aftercare staff begins to work with a student when a student approaches the point of "graduation." The criteria for "graduation" are:

1. A student must score at the fifth grade level on the Iowa Test of Basic Skills if he is going to re-enter the public schools at the high school level. That level of achievement is desirable, but not required, if he is going to re-enter elementary school or seek employment;
2. Based on a student's performance at PEC, the staff must conclude that the student is likely to be able to adjust to the public schools behaviorally, socially, and academically.

In assisting the PEC student to successfully manage the transition back into the public schools or an employment situation, the aftercare staff helps the student develop realistic expectations about the new situation. The aftercare staff provides information about what to expect in the way of common rules, procedures, and appropriate behavior. The staff may take a student to the school to introduce him to the principal and other staff and may arrange for him to attend the school on a "trial basis" for several days.

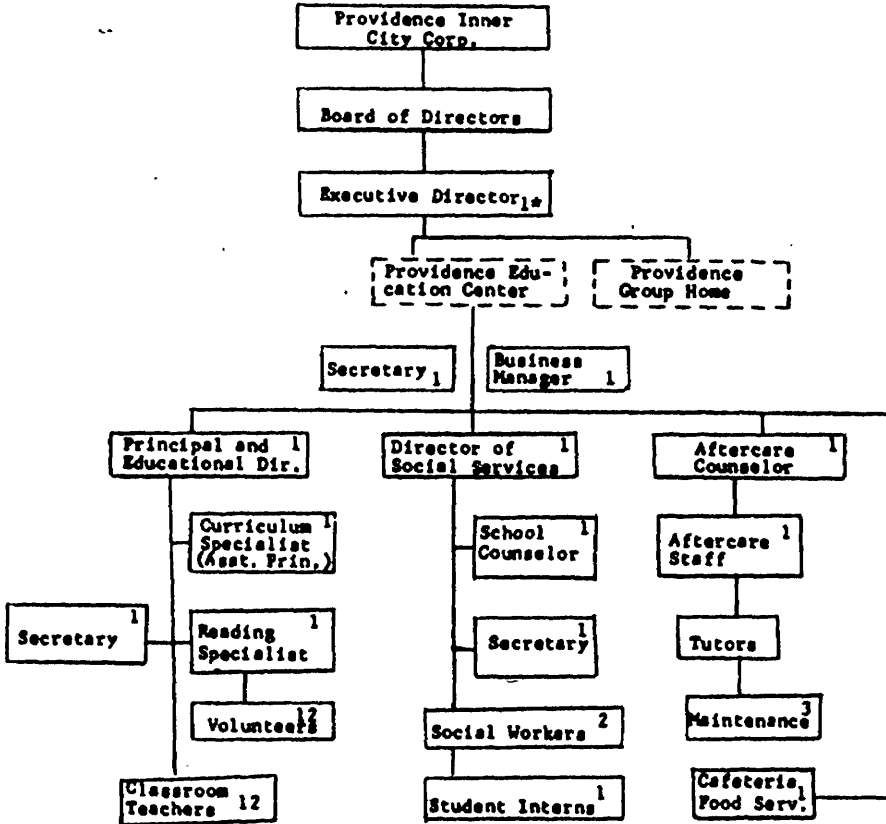
The aftercare staff provides active assistance in finding jobs; and may accompany the youth to employment interviews and tutor him on how to fill out job applications and function in an interview.

The PEC administration informs the Juvenile Court when a student is "graduating" requesting approval when appropriate. After the youth has graduated, the aftercare link is maintained for at least six months, helping to prevent the recurrence of behavioral patterns like truancy and to help graduates deal with frustration and anxiety.

IV. ORGANIZATION—ADMINISTRATION (Explanation of Sponsorship)

"The Organization and Administration of PEC involves the overall planning of the program, development of operational procedures, staffing and coordinating the use of staff, maintaining and operating the facility, raising and allocating funds and other resources, and structuring and maintaining effective relationships with the larger community. The parties responsible for carrying out these functions include the Board of Directors, the Executive Director and his immediate support staff, and the Administrators who head up each of the programmatic components."

Following is an organizational chart:



Administrative Philosophy

L.E.A.A. reports in its evaluation that PEC has an "open" administrative structure. This judgement is based upon factors such as the level of staff participation in decision-making and program formulation. Most staff are knowledgeable of PEC's goals and objectives and share a commitment to the program. Administrative control and accountability are also high. This is attributed to functional delegation of authority, establishment of sound administrative procedures (purchasing procedures, record keeping, etc.), and dissemination of clear policies (personnel policies, grievance procedures, etc.).

V. PLANT—FACILITY—EQUIPMENTFacility and Plant

PEC is located in a predominately Black, low-income, residential neighborhood on one of the area's main streets and convenient to several bus routes. The building consists of three stories and a basement, and formerly housed a catholic high school. The facility houses:

- a. carpentry shop
- b. arts and crafts workshop
- c. electronics shop
- d. student lounge
- e. lunchroom - cafeteria
- f. kitchen
- g. maintenance, custodial repair shops
- h. full-sized gymnasium, bathrooms, shower rooms
- i. administrative offices
- j. classrooms
- k. reading lab
- l. curriculum resource center
- m. the "time-out" room, used as a disciplinary aid

Equipment

In general, PEC is well equipped. The shops are furnished with appropriate tools, machinery, and supplies. Additional special equipment available as resources to the staff of PEC include:

- a. machines for delivering individualized programmed instruction in reading and language arts;
- b. other instructional and curriculum resource materials and supplies for language arts, social studies, arithmetic and science; and,
- c. projectors, tape recorders, and other audio-visual equipment.

PEC also has two vehicles that are used for class trips and other programmatic purposes.



VI. PROGRAM COSTS AND BUDGETBudget Overview

PEC's budget for the one year grant period from March 15, 1973 to March 14, 1974 called for a total of \$421,969. Of this total, \$315,993 or 74.9% was in the form of a federal grant from the Law Enforcement Assistance Administration of the U.S. Department of Justice. The remaining \$105,976 or 25.1% was a "local share" contribution; \$20,050 or 4.7% of the total budget was in the form of cash. The balance of the "local share", \$85,926 or 20.4% of the budget was the value assigned to "in-kind" contributions by PEC.

PEC's budget was allocated to five general categories. Those categories conform to those "cost categories" used on federal budgetary forms: Personnel, Consultants and Contract Services, Travel, Supplies and Operating Expenses, and Equipment. The chart below summarizes the allocation of funds to each of these categories.

Budget

	<u>Federal</u>		<u>Cash-Local Share</u>				<u>Total</u>	
		%		%		%		%
Personnel	\$274,789.00	89.2	\$8,454.00	2.7	\$24,738.00	8.0	\$307,681.00	72.9
Consultant	7,680.00	17.8	4,316.00	10.0	31,390.00	72.9	43,086.00	10.2
Travel	1,350.00	44.4	-0-	-0-	1,690.00	55.5	3,040.00	.7
Supplies & Op. Exp.	29,814.00	51.1	7,280.00	12.5	21,164.00	36.3	58,258.00	13.8
Equipment	2,670.00	27.7	-0-	-0-	6,944.00	72.3	9,604.00	2.3
<b>Total</b>	<b>\$315,993.00</b>	<b>74.9</b>	<b>\$20,050.00</b>	<b>4.7</b>	<b>\$85,925.00</b>	<b>20.4</b>	<b>\$421,969.00</b>	<b>100.0</b>

VII. EFFECTIVENESS (Achievement)

Objective - To Reduce Truancy

Achievement - Public school records indicate that youths enrolled in PEC had an average truancy rate of 55% prior to entering PEC. In addition, 33% of all students were not enrolled in any school at the time of their admission to PEC. During enrollment in PEC, the average truancy rate was reduced to 16.4%

Objective - To maintain close and cooperative contacts with students' families.

Achievement - PEC was able to maintain fairly regular contact with the families of over 60% of the youths.

**Objective - To increase enrollees' levels of academic achievement.**

**Achievement -** Although one of PEC's explicit objectives is to increase the level of academic achievement of youths in the program to eighth grade equivalency test levels, MLEAC found that many youths were so far behind grade levels that it was unrealistic to expect them to reach eighth grade performance level.

**Program Goals:**

**Goal: To prevent juvenile recidivism and reduce street crime among youths enrolled in the program.**

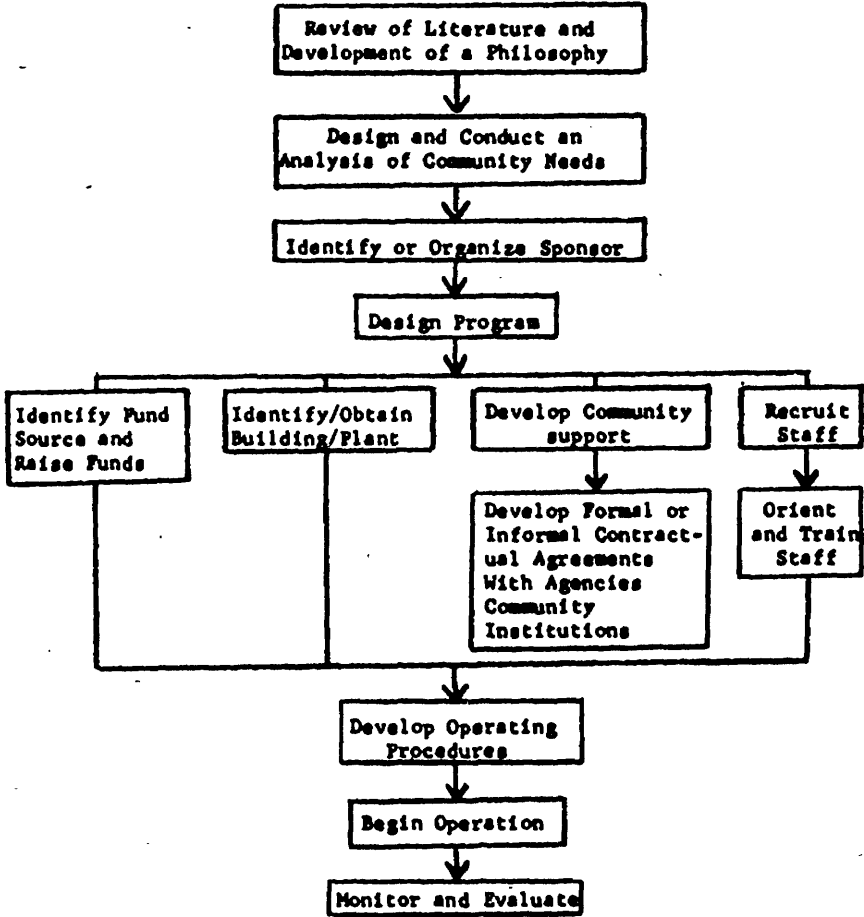
**Achievement: Recidivism Rates—**according to a report done by the Missouri Law Enforcement Assistance Council, youth enrolled in PEC "were less involved in crime than in the year prior to joining Providence." PEC's recidivism rate appears to be only 28% for all offenses, and for impact offenses alone it was 11.9%. MLEAC also found that there is a relationship between referral rates and length of enrollment in PEC. MLEAC discovered, for example, that 41.5% of all referrals occurred during the first two months of enrollment. MLEAC also found that the likelihood of another court referral increases directly with the number of absences from the program.

**Goal: To help juveniles adjust to and function effectively in the public schools, the community, and on the job.**

**Achievement: A total of 62.0% of those discharged or "graduated" from PEC are engaged in activities consonant with PEC's social adjustment goal, (55.7% are enrolled in public school; 6.3% are enrolled in a vocational program or employed). Average mathematics achievement levels increased from 3.6 to 4.5; and average reading achievement levels increased from 4.4 to 4.8. However MLEAC does contend that a clear picture of PEC's performance in raising academic achievement levels has not been determined.**

**Objective: To develop new coping skills and more positive modes of behavior.**

**Achievement: Assessments of behavior changes has been the responsibility of the classroom team, the principal, and the school counselor. It was concluded that there has been a "substantial and positive change in the behavior" of the PEC's students.**

VIII. A GENERIC PLANNING PROCESS (Chart)

COMMUNITY ARBITRATION PROGRAM

## I. PROJECT SUMMARY

### A. Description of problems that led to the development of the project.

In 1973, the Community Arbitration Program reported in its Past Progress Report that two functions of the Maryland Juvenile Code are: 1) to establish a screening and informal adjustment procedure to divert appropriate troubled youth from the Juvenile Court; and, 2) to establish a means for a swift and equitable response to youths charged with misdemeanor offenses.

The Community Arbitration Program contended in that report that neither of those functions was satisfactorily being fulfilled, due to a number of constraints such as insufficient funding for implementation.

### B. Overview of:

1. Philosophy (goals)
2. Objectives
3. Approach (methodology)
4. Accomplishments (evaluation)

#### Philosophy (goals):

The goals of the Community Arbitration Program, as stated in the program's Grant Application (March 11, 1975) to the Maryland Governor's Commission on Law Enforcement and the Administration of Justice, and from quarterly reports, are:

- to provide a means within the present structure of the existing Maryland Juvenile Code for a swift and equitable response to youths charged with misdemeanor offenses;
- to establish a "formal" court-like intake procedure to screen and divert youth from Juvenile Court; and,
- to reduce recidivism.

#### Objectives:

The objectives of the program are:

1. To increase the speed of handling a misdemeanor case from four to six weeks to seven working days;
2. To involve youths quickly in a positive volunteer work experience, providing the opportunity to develop good working relationships with community groups and agencies;
3. To allow the complainant to see that something is done to correct the youth, and make it clear (to the youth) the offense is important;
4. To provide impact on youths through an immediate experience in a quasi-court room setting; and,

5. To collect data on the impact of the program upon agents within the juvenile justice system (i.e., the Court, the Police).

Approach (Methodology):

The key methodological components of the Community Arbitration Program are: Citations, Arbitration, Community Assignment, and Field Supervision.

**Citations:** The citation system is a means of referring misdemeanants to the juvenile justice system by issuance of a citation (ticket) by police to the youth, his/her parents, and the complainant.

**Arbitration:** Arbitration is a specialized intake procedure for "hearing" the cases referred through citations. The purposes of arbitration are to screen referrals on the basis of laws governing sufficiency of evidence, admittance or denial of the offense, seriousness and nature of the offense, prior record, right to legal counsel, the rights of appeal by the complainant, and signatures for the agreement of informal adjustment, and to decide upon formal or informal adjustment of the case, or closure of the case.

**Community Assignment:** Among the alternatives available to the Arbitrator are an informal adjustment or formal forward of the case to the State's Attorney's Office for petitioning. Children for whom an informal adjustment has been agreed to, are matched with an appropriate work resource in the community, and any agreed upon restitution made.

**Field Supervision:** Youth on assignment to a community resource are monitored in their field assignments, and receive appropriate counseling. Additionally, where referrals have arisen from police-referred neighborhood feuds, an attempt is made to assist feuding families to resolve difficulties and to avoid further referrals to the court.

Accomplishments (evaluation):

Prior to the establishment of the program, time lapse between the complainant report to the police and response by the juvenile justice system at intake was approximately four to six weeks. The rate of "no show" (i.e., failure of the youth to appear at intake) was estimated to be between 15-20%.

Under the Community Arbitration Program the number of days between issuance of a citation and appearance before the specialized division of intake (arbitrator) is seven working days. The rate of "no shows" is 10% for the first appointment, and narrows to only 2% following the issuance of a warning letter and a rescheduling.

As of February 29, 1976, 4,233 youths have been seen in arbitration hearings. The following dispositions were given: twenty-one percent (21%) denied for insufficient evidence; thirty-eight percent (38%) closed at intake with a warning; eight percent (8%) were sent to the State's Attorney; four percent (4%) were continued; three percent (3%) were referred to intake or probation; and forty-seven percent (47%) were kept on informal supervision.

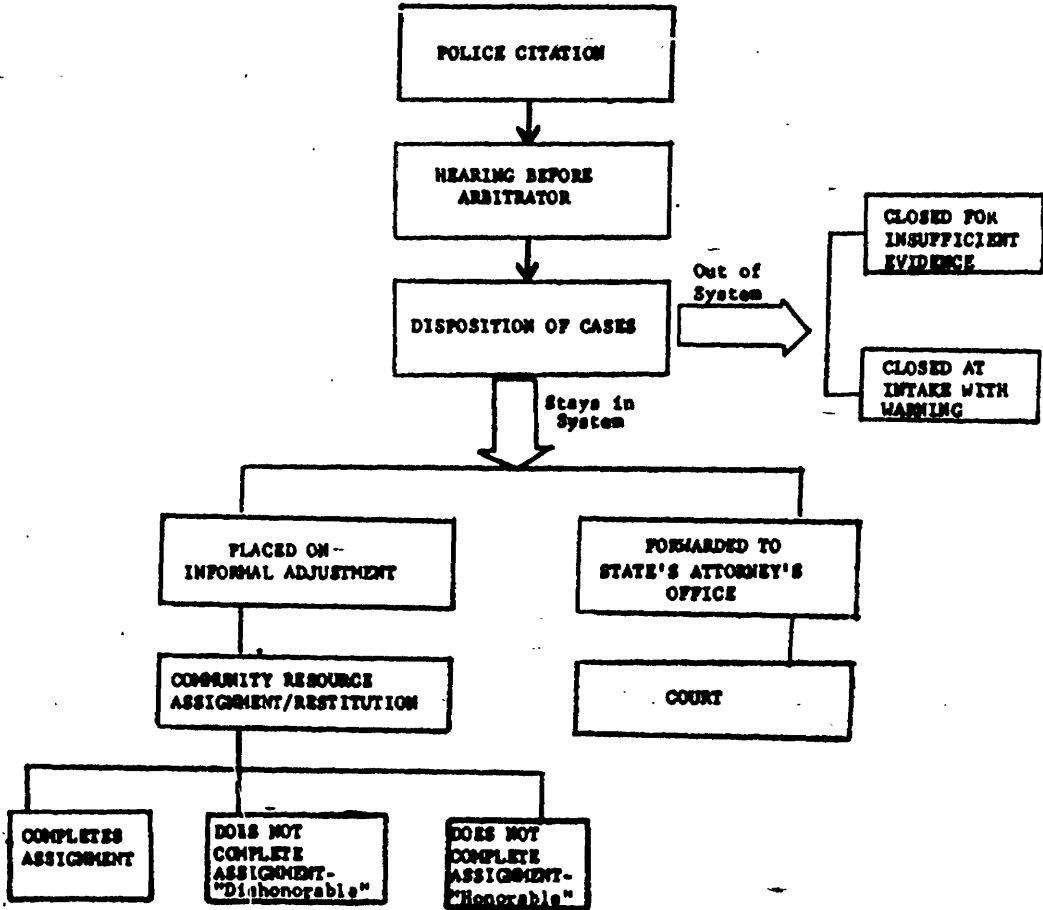
Based on the total numbers of youths seen in the program, statistics kept for the period of July 12, 1974 through February 29, 1976, indicate that the overall recidivism rate of youths who have returned through the Arbitration system is 12.5%.

II. CHARACTERISTICS OF YOUTH BEING SERVED

Data not available at this time.

III. THE PROGRAM

A. Chart a child going through the program (Systems Analysis):



**B. Description of KEY Components:**

The Community Arbitration Program is composed of four major methodological components: Citation, Arbitration, Community Assignment, Field Supervision. These components are described in conjunction with the flow chart tracing a child through the program.

**Citation:**

The police of Anne Arundel County are authorized to issue citations to youths arrested for misdemeanor or felony offenses. The citation records the nature of the offense and the time at which the case will be heard before the Community Arbitrator. The citation, resembling a traffic ticket, is forwarded to the Community Arbitrator and copies are given to the youth, the parents of the youth, and the complainant. The citation informs the complainant of his/her right to attend arbitration. The police also provides the Arbitrator with copies of the police report.

Data has been kept on the offenses referred to Community Arbitration according to the type of offense noted on the citation. Following is a record of that data. Since a youth may be charged with more than one offense, the total number of offenses recorded and referred to Community Arbitration is greater than the total number of youth seen through the Arbitration Program.

**Referrals to Community Arbitration According to Offense Recorded on Citation:****Referral-Offenses-**

Disorderly Conduct-	303
Assault-	291
Destruction of Property-	283
Shoplifting-	258
Larceny-	254
Possession of C.D.S.-	177
Possession of Alcohol-	147
Trespassing-	124
Breaking and Entering-	92
Unauthorized Use-	57
Minibike Offenses-	54
Interference with an Officer-	43
Loitering-	42
Receiving Stolen Goods-	38
Tampering with Motor Vehicles-	31
Possession of Fireworks-	26
Misuse of Phone-	26
Driving without a License	20
Possession of a Deadly Weapon-	15
Indecent Exposure-	10
Inhaling harmful Substances-	8
Dangerous Substance on Roadway-	6
Vandalism-	7
Hitchhiking-	4



Public Intoxication-	2
Forgery & Uttering-	2
Peeping Tom-	2
Incite Riot-	1
False Alarm-	1

Total is more than 1,924, as many were charged with more than one offense.

NOTE: Specific data regarding what types of offenses that are referred to the State's Attorney's Office are not presently available.

The important aspects of the citation component are: police cooperation; notification of the hearing date; advising the victim of his/her right to attend hearing. An additional aspect of the citation component is the opportunity allowed for recording incidences related to neighborhood feuds.

#### Arbitration:

The youth's participation in the arbitration process is voluntary. Of the 4,233 youths seen in Arbitration hearings, prior to February, 1976, 1,570 volunteered to participate in the Community Arbitration process. The alternative to participation is referral to intake.

Within seven working days from the issuance date of the citation, the case is heard before the Community Arbitrator. Prior to the hearing, the Arbitrator may review the citation, a copy of the police report, and a report of any previous record the youth may have. During the hearing, the Arbitrator functions in a quasi-judicial manner, and presides over the hearing. "The Arbitrator must adhere to the law regarding informal adjustment of cases and must consider laws governing screening such as sufficiency of evidence, admittance or denial of the offense, seriousness and nature of the offense, prior arrests, right to legal counsel, right of appeal of the complainant, and signatures for agreement to informal adjustments."

The arbitration hearing is held in a formal setting; and, the arbitrator, in the quasi-judicial role, is required to inquire as to the nature of the problem, family background, amenability to treatment. These factors are weighed against the offense and the needs of the community, and the availability of resources. The complainant may be solicited to describe the problem from the victim's perspective.

The disposition alternatives available to the Arbitrator, who does function as a specialized Intake unit are to:

1. Close for insufficient evidence
2. Continue for further investigation
3. Plan an informal adjustment and all attendant ramifications
4. Forward to the State's Attorney's Office for petitioning.

**Closed for Insufficient Evidence:** With regard to the laws governing sufficiency of evidence, the Arbitrator determines that there is insufficient evidence to warrant continuance of the case through the juvenile justice system.

**Continued for Further Investigation:** The Arbitrator, on the basis of available evidence, admittance or denial of offense, or the seriousness of the type of offense for which a youth has been accused, decides that there is a need for more evidence prior to final disposition of the case.

**Informal Adjustment and Restitution:** The Arbitrator, pending agreement by the youth to informal adjustment, may dispose of the case through assignment conditions of informal adjustment. The conditions include assignment to an appropriate community work program, restitution, and referral to other community resources (e.g., counseling) or to Intake. Disposition decisions are made according to the availability, appropriateness, and realisticness of the conditions for informal adjustment.

**Forward to State's Attorney's Office:** In those cases involving a serious offense, or in those cases for which the conditions of informal adjustment cannot be met, the Arbitrator refers the case to the State's Attorney's Office for petitioning. The result of that referral is that the case is brought before a Juvenile Court Judge or Master.

The important aspects of the Arbitration Component are: the speed with which the case is brought up for disposition; the quasi-judicial role of the Arbitrator; the alternatives available to the Arbitrator; and, the opportunity for community involvement and the alleviation of system overload.

The quasi-judicial role of the Arbitrator is recognized by the Community Arbitration Program as essential to the successful operation of the program for the following reasons:

1. The quasi-judicial role ensures the inclusion of a trained legal perspective, capable of providing legal knowledge appropriate to reaching the best disposition;
2. The quasi-judicial role typifies the final balance between the legal aspects and the social work aspects of cases coming into Community Arbitration; and,
3. The quasi-judicial role contributes to the program's ability to establish creditability with the courts, the police, and the community.

The alternatives available to the Arbitrator are important to the program since:

1. Allows the development of a number of community resources, expanding treatment alternatives. The consequences of this are to reduce overload of the court system, and to facilitate rapid treatment of offenders;
2. By having a wide range of informal disposition referrals available, the Arbitrator has an opportunity to both define the limits of social tolerance for certain behaviors, and to re-enter acting-out youths into a community setting which will further underline socially responsible behavior; and,

3. The Arbitrator has many treatment alternatives, providing greater opportunity to "make the punishment fit the crime," in both the eyes of the youth and the community.

The opportunity for community involvement contributes to the success of the program by:

1. The community involvement exposes citizens to the actual workings of the juvenile justice system, which both demystifies that system and, hopefully, increases citizen confidence in the system;
2. Community involvement also enhances community responsibility to act on behalf of its youth, and to actively integrate youth into socially supportive services;
3. The community has increased opportunities to define its social mores by utilizing social service and educational settings; and,
4. The resources of the entire juvenile justice system are expanded—a much needed development.

The reduction of system overload is important to enabling the system to respond equitably and rapidly to juveniles entering the juvenile justice system. Examples of this would be the freeing up of police time to devote to other responsibilities, and the relief in the number of cases brought before the court.

#### Community Assignment:

In reference to the flow chart analysis of the Community Arbitration Program, there are four channels of disposition available. These are: 1) Closed for insufficient evidence; 2) Closed at Intake with a warning; 3) Forwarded to the State's Attorney's Office for petitioning; and, 4) Placed on Informal Adjustment. All but the last of these, "Placed on Informal Adjustment" are usually intake functions. Therefore, the purpose of this section is to describe the functions of "Placed on Informal Adjustment."

Youths placed on informal adjustment voluntarily submit themselves to one or a combination of assignments including community service work assignment, counseling (e.g., drug counseling), restitution for the offense, education program (e.g., academic tutoring, mini-bike-handling program).

The Community Arbitration has developed extensive resources in the community. The categories of resources to which cases are referred for community assignment and restitution are: Community-based Service Groups, Governmental Agencies, Social Services' Programs, and Work for complainant or in the local area.

**Community-based Service Groups**—Twenty-six percent (26%) of youths placed on informal adjustment were referred to community based service groups. These groups include the Jaycees and their auxiliaries, Kiwanis, Men's and Women's Clubs, and Youth Clubs. Work projects have included recycling

projects, neighborhood park projects.

Work for complainant or in local area—Eighteen percent (18%) of youth placed on informal adjustment were referred to individual work projects for the complainant, or in a local area. Assignments have included community improvement associations and senior citizen groups. Work projects have included collecting canned goods, clean-up of local housing projects.

Governmental agencies—Fourteen percent (14%) of youth placed on informal adjustment were referred to governmental agencies for assignment. Assignments have been made to elementary schools, libraries, police departments, fire departments, recreation and parks.

Social Services Program—Forty-two percent (42%) of youth placed on informal adjustment were referred to social service programs for assignment. Social Service sponsors have included, among others, nursing homes, community action agencies, day care centers, and the Society for the Prevention of Cruelty to Animals. Assignments have included, stuffing envelopes, doing janitorial work, and doing tutorial work.

#### IV. ORGANIZATION—ADMINISTRATION (Explanation of Sponsorship)

The Community Arbitration Program retains a core staff of seven persons, including one Community Arbitrator. Following are descriptions of those core positions.

##### Project Coordinator - Director

To develop relationships with community resources for the purpose of placing youth in community-service work; and for the purpose of referring youth.

To maintain relationships with community groups in order to increase ties between the program and community residents.

To develop and maintain the program's concept with the various police departments, the State's Attorney's Office, the Courts, and the local Department of Juvenile Services for the purpose of coordinating the program within the juvenile justice system.

To supervise and provide on-the-job training for staff.

##### Community Arbitrators:

To hear all cases coming before the Court on citations issued for misdemeanor offenses and disposing of cases.

To conduct the initial interview with the youth and his/her family (with the complainant present) in order to expose the community to work of the court, and to impress upon the youth the seriousness of the offense.

To plan for a youth's work assignment, should one be deemed appropriate.

Social Worker:

To provide counseling for neighborhood families with their inter-family disputes (feud-counseling).

To collect research data about the program and its operation; and, to organize and intrepret the data.

Work-Site Field Supervisors:

To supervise and counsel youth assigned to them (approximately 75-100 youth per Field Supervisor).

To visit job sites for purpose of maintaining relationship with agency setting; and to monitor youths performance.

To manage referrals at the time of Arbitration and during the ninety-day informal supervision.

Secretary - Clerk/Typist:

To manage all secretarial duties, including court reports and research data.

Docket Clerk:

To act as court clerk and bailiff.

To assist in managing and systematizing the volume of material related to the program.

Administrative Chart

The Administrative Chart for the Community Arbitration Program is on the following page. Included in the chart are the horizontal and vertical ties of the program within the Maryland Juvenile Justice System and the Community.

## VII. EFFECTIVENESS

The purpose of this section is to report on the effectiveness of the Community Arbitration Program according to measurements of achievement of the program's objectives.

**Objective:** To increase the speed of handling of misdemeanor cases from four to six week to seven working days.

**Achievement:** All misdemeanor cases handled through the Arbitration program are heard within seven working days of the registration of the complaint.

**Objective:** To involve youths quickly in a positive volunteer work experience, providing the opportunity to develop good working relationships with community groups and agencies.

**Achievement:** The Arbitration Program has developed referral resources with sixty-eight (68) community organizations. Approximately fifty-four percent (54%) of youth not directed out of the system at the time of disposition, have been placed on community assignment, as compared with twenty-eight percent (28%) in the past year. Of these, ninety percent (90%) have successfully completed the assignment.

**Objective:** To allow the complainant to see that something is done to correct the youth, and make it clear (to the youth) that the offense is important.

**Achievement:** The complainant is given a copy of the citation; and, is invited to be present at the hearing. Approximately fifty percent (50%) of complainants are present at the time of the hearing, as compared to        percent of complainants whose cases are not directed into the Arbitration Program.

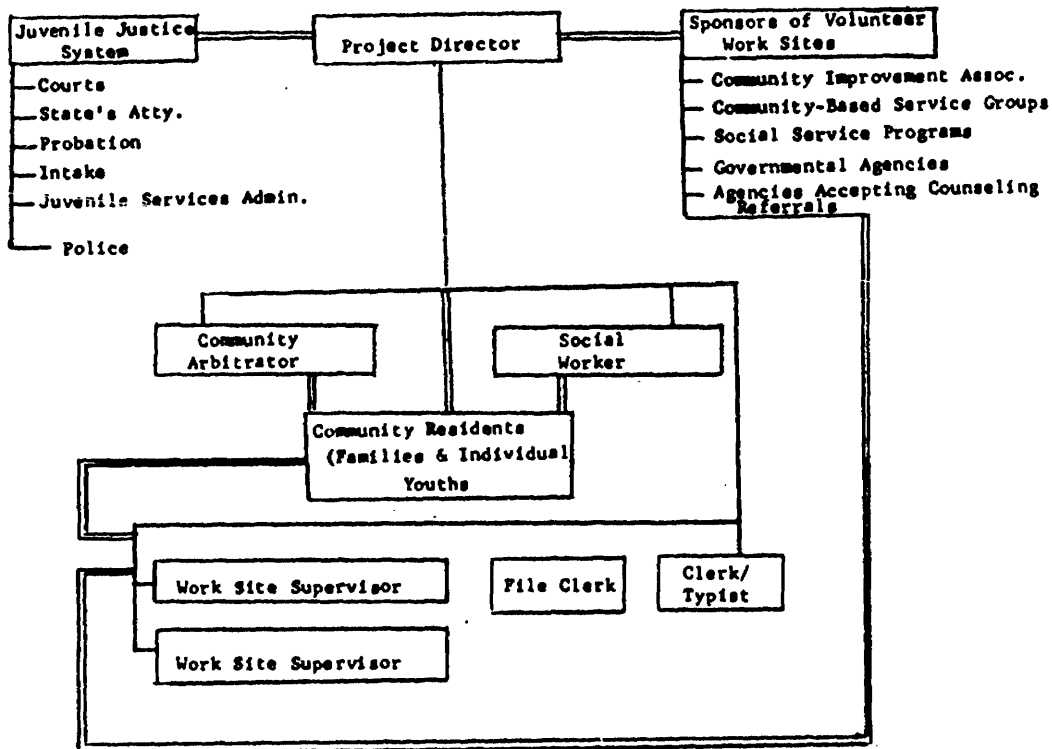
**Objective:** To provide impact on youths through an immediate experience in a quasi-court room setting.

**Achievement:** Approximately ninety percent (90%) of the youths and their parents either appear for the hearing on the scheduled date, or arrange for a postponement in emergency situations. Of the ten percent (10%) "no show," one-half appear for a rescheduled hearing upon issuance of a warning letter.

**Objective:** To collect data on the impact of the program upon agents within the juvenile justice system (i.e., the Courts, the Police).

**Achievement:** The research which has been conducted to demonstrate the impact of the Community Arbitration Program upon the Police, indicates that the program is a resource for the police and that use of the program has allowed police to reallocate more of their efforts in crime prevention activities than before

ADMINISTRATIVE CHART



————— Intra-Agency Structure

==== Inter-Agency Structure

VIII. REPLICATION (Notes on):

The components which the Community Arbitration Program has outlined as central to program replication are:

1. The quasi-judicial character of the Arbitration component; and, the achieved balance between a social work perspective and a law perspective;
2. The community resources which enable the informal adjustment of cases;
3. The speed with which a case comes up for hearing following the registration of a complaint; and,
4. The endorsement and support which the court, the police, and the State's Attorney give the program.

Philosophy:

Not Available



Philosophy:

Not yet available.

V. PLANT—FACILITY—EQUIPMENT

The Community Arbitration Program is located in the Annex to the (Annapolis) Court House. The location of the program is critical to determining the separation of the program from the formal judiciary proceeding; and to maintain its relationships within the Maryland Juvenile Justice System, as a member of that system.

The Community Arbitration Program utilizes two courtroom settings for the arbitration process. A critical program component is the use of that setting to impress upon a youth the seriousness of the crime and the authority of the Community Arbitrator to dispose of the case. Further, the complainant is provided an opportunity to witness the juvenile justice system in a setting which satisfies the complainant's desires for retribution and rehabilitation of youth.

Other facilities required by the program consist of office space and an area adaptable to any pre or post disposition counseling.

VI. PROGRAM COSTS AND BUDGET

The following budget is a copy of the Community Arbitration Program budget prepared for the Governor's Commission on Law Enforcement and the Administration of Justice for the Program's third year of funding. (Submitted March 17, 1976). In comparison with the Program's budget presentation in its past progress report, the Approved Budget at the Date of Awary, December 12, 1974, equalled \$51,850.

Expenditure Category Total	Federal Share	Non-Federal Share		TOTAL
		State Cash	Local Cash	
A. Personnel Comp. & Benefits	54,274			54,274
B. Equipment	0			0
C. Consultant and Contractual Services	14,772	8,011		22,783
D. Travel	2,016			2,016
E. Consumables	1,300			1,300
F. Rental Cost	3,384			3,384
G. Other Expenses	1,934	622		2,576
<b>GRAND TOTAL</b>	<b>77,700</b>	<b>8,633</b>		<b>86,333</b>

NEIGHBORHOOD YOUTH RESOURCES CENTER

## I. PROJECT SUMMARY

### A. Description of problems that led to the development of the project.

NYRC reports that during the years 1966-1972 gang warfare and deaths related to gang warfare escalated to levels in Philadelphia surpassing that of any other major city. NYRC began its operation in a neighborhood where gang warfare was prevalent and indices of juvenile crime were high. At its inception, NYRC was designed to divert youth from the juvenile justice system by providing direct services while focusing on institutional change.

### B. Overview of:

1. Philosophy (goals)
2. Objectives
3. Approach (methodology)
4. Accomplishments (evaluation)

#### Philosophy:

NYRC is a referral agency whose philosophy is that children can be saved from the danger of "slipping between the cracks during service provision by incorporating service delivery strategies with advocacy and system-change strategies. NYRC asserts that delinquency prevention-strategy needs to incorporate broad institutional change with the interests of local neighborhood residents.

#### Goals:

The agency goals were formulated by the Office of Youth Development—of the Department of Health, Education, and Welfare—and provide general direction in the NYRC model. These goals are:

- To provide more socially acceptable and meaningful roles for youth to reduce drop-out rates; open up job opportunities; and stimulate the process of youth involvement and participation in community life;
- To divert the youth away from the juvenile justice system into alternate programs, resulting in a reduction in the annual rate of referral to juvenile courts;
- To reduce negative labeling by providing alternative youth services in the community;
- To reduce youth-adult alienation, thereby increasing youth participation in total community activities and lowering rates of official delinquency.

#### Objectives:

The original delegate agency for NYRC was the Philadelphia Model Cities. The objectives set out by Model Cities are:

1. To prevent seriously "delinquent-prone" youth from becoming criminal;

2. To offer a wide range of well-coordinated youth supportive services at the neighborhood level;
3. To insure sustained contact and follow up through the use of neighborhood workers;
4. To insure close work with parents and other family members;
5. To provide services to younger children;
6. To create new models of public-private agency coordination;
7. To insure effective citizen participation through the Model Cities system; and,
8. To provide intensive staff development opportunities with hiring preference for residents of the Model Cities Neighborhood.

Methodology:

NYRC is a unique referral agency in that it does not concentrate on providing evaluation and referral services (with no further person-to-person contact); rather, it also provides extensive, direct services. The program's major operational features are summarized below.

The Coordination of Youth Service Agencies:

NYRC works "vigorously...to assure that other agencies actually deliver their services to NYRC youth and their families," rather being a facilitator to improve coordination of health and welfare agencies serving target area youth. NYRC has written countless agreements indicating what NYRC will do and what the cooperative agency will do to ease the referral process. NYRC prepares the youth, his family, and the receiving agency for a referral.

Further, NYRC hold cooperative agencies accountable for the services they agreed to provide and are organized to provide. Youth are held accountable too. Reportedly, NYRC has effective community linkages, so that their dissatisfaction with a service is often sufficient stimulus to cause the agency to change.

Institutional Change:

NYRC has been an advocate for the improvement of city and state policies to reduce delinquency and better serve youth. The creditability of its parent agency, the Crime Prevention Association, has been utilized to back up NYRC as legislative and programmatic change agent.

Direct Service Approach:

The provision of direct services is at the heart of the NYRC program. In accepting the responsibility to provide direct services, NYRC claims to provide a greater array of services that typifies most youth service bureaus.

This approach has also earned the NYRC program creditability in its target area among frequently distrustful youth. Direct services in the debilitated target area are critical to delinquency reduction.

Diversion:

NYRC has developed procedures for linking its efforts with police and court intake resources, including coordination under Juvenile Police Officers in the District Police Stations, and the employment of a Court Liaison Officer (a regular probation officer) to facilitate the diversion process.

Delinquency Prevention:

NYRC direct and referral services are an effort to prevent delinquency. A four-month study, which compared target and non-target area youth within two precincts, indicated that arrest rates for male target youth were significantly lower for felony crimes and juvenile status offenses.

II. CHARACTERISTICS OF YOUTH BEING SERVED

Neighborhood Youth Resources Center serves a low-income target area with a Black and Puerto Rican population. The target population is about 4,000 youth, aged 10-17. During 1973, NYRC accepted 238 youth into its basic service program, nearly all of whom were male. An additional 1,000+ were served by its more informal service.

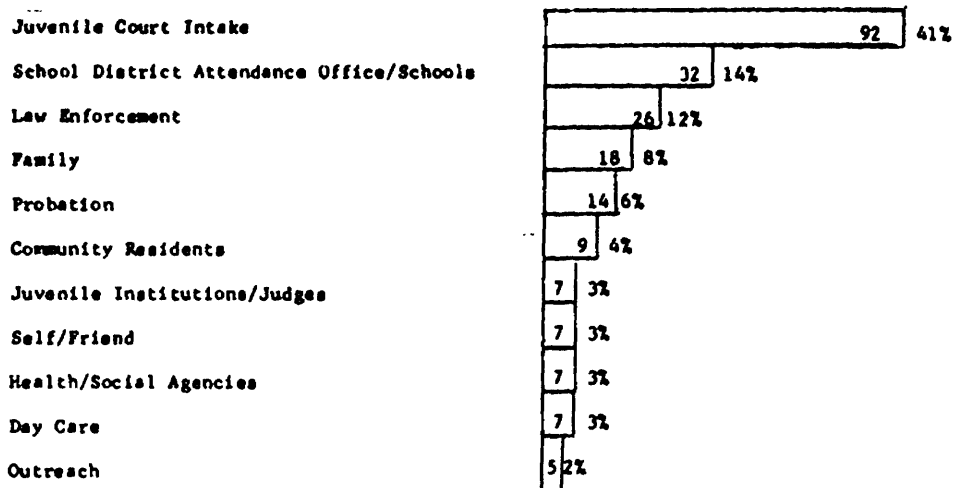
III. THE PROGRAM

The purpose of this section is to chart the path of a child through the Philadelphia Neighborhood Youth Resources Center. Following is a description of those steps: (System Analysis)

Referral of a child to NYRC

The bulk of referrals to NYRC come from the schools, police, or the courts. The accessibility of the neighborhood "community center" of which NYRC is a part stimulates walk-in referrals

(See Following Page for Chart)

Sources for Referrals in 1973 (NOT including Self-Referrals or Walk-ins)Juvenile Court Intake:

NYRC has purchased the full-time services of a juvenile court probation officer to provide important links to the court. The juvenile court probation "Liaison Officer" daily retrieves and delivers to NYRC the names and addresses of target area youth referred to the court, and of those involved in various court processes. That arrangement offers an effective step towards deliberate use of the agency by the juvenile court.

School District Attendance Office and Cooperating Schools:

NYRC has established relationships with three high schools and one junior high school in the target area. School counseling programs or the District Attendance Office first refer truants and disruptive students to NYRC, rather than to the police. The agency then institutes remedial action, appropriate to the seriousness of the matter, including diversion.

Law Enforcement Referrals:

The police juvenile officers have cooperated with NYRC by referring cases to the agency both before and after arrest. Monthly information about youngsters who have been apprehended but not referred to the court is also provided to NYRC. NYRC then contacts each youngster and his/her family, offering its services.

Screening:

The intake process attempts to ensure the selection of "appropriate clients" and to begin the best client-agency relationship NYRC can. Since NYRC is not adequately staffed to handle all the youth who are referred to them, a set of screening criteria has been developed. (Exceptions to the screening process are: referrals from police and courts, which are automatically accepted; and Immediate Need Intervention referrals, i.e., youth with an immediate crisis).

The criterion are:

1. Responsiveness of the Youth and/or Parents, i.e., acknowledgement of a problem and willingness to work on it. The inclusion of parents is a reflection of NYRC policy to not isolate a youth during treatment from the social structure that is paramount during his growth period.
2. Seriousness of the Problem - NYRC is committed to working with troubled youth who do not have alternative service options in the community.

Intake Procedure:

Any referral to NYRC is followed with an initial interview. The objectives of the initial interview are:

- to make an initial assessment of the youth's problem and his/her attitude toward it;
- to elicit personal and family history and background;
- to describe the resources available to a client at or through NYRC;
- and,
- to develop an initial "contract" with the youth regarding his readiness to work on the problem and NYRC's role in that effort.

A home visit is made during the intake stage. The objectives of the home visit are:

- to gain support from the parents or siblings;
- to broaden the information base on the client and family and corroborate certain information provided by the youth; and,
- to observe the interaction of the youth with parents and other family members.

Assessment Report:

The initial assessment report summarizes the information about the client and the recommended plan of action. The primary purpose of the report is to develop a service strategy for youth who may later be accepted as clients. Types of information included in the report are: Family History; Youth's History; School Information; and, Youth's Problem.

Staffing Plan:

A core team consisting of a Community Resource Worker, the Youth Services Coordinator, the Social Worker and, if needed, the Project Attorney and the Court Liaison Officer, is convened. The core team decides on the appropriateness of a given client, and the development of a service strategy. NYRC emphasizes that "one of the key elements in the NYRC approach is the utilization of an inter-disciplinary team in the diagnosis, servicing, referral, and evaluation of all clients."

The final steps in the intake and assessment phase is termed "staffing up" a client and consists of:

1. a treatment plan (service delivery strategy). The plan is specific and self-oriented; and,
2. a roadmap (a time-phased statement of specific goals to be achieved). Goals are both long-term and short-term.

Ongoing Treatment:

The treatment plan is reviewed (and revised as necessary) at regular intervals. Approximately one to three months after the youth has begun to work on the short-term goals of the plan, the plan is reviewed so that adjustments of the short-range goals can be made, and long-term goals are clarified. Three months later, another review is held to determine if the client will be terminated, put on inactive status, or if the goals should be adjusted.

Termination:

The status options for clients at the time when treatment is "ending" are:

1. to be terminated;
2. to be placed on the "inactive file"; or,
3. to be normally reviewed for progress.

"Termination" means that a client has either moved permanently out of the city or has exceeded the age limit for eligibility. Clients which are terminated will not be re-enrolled in the program.

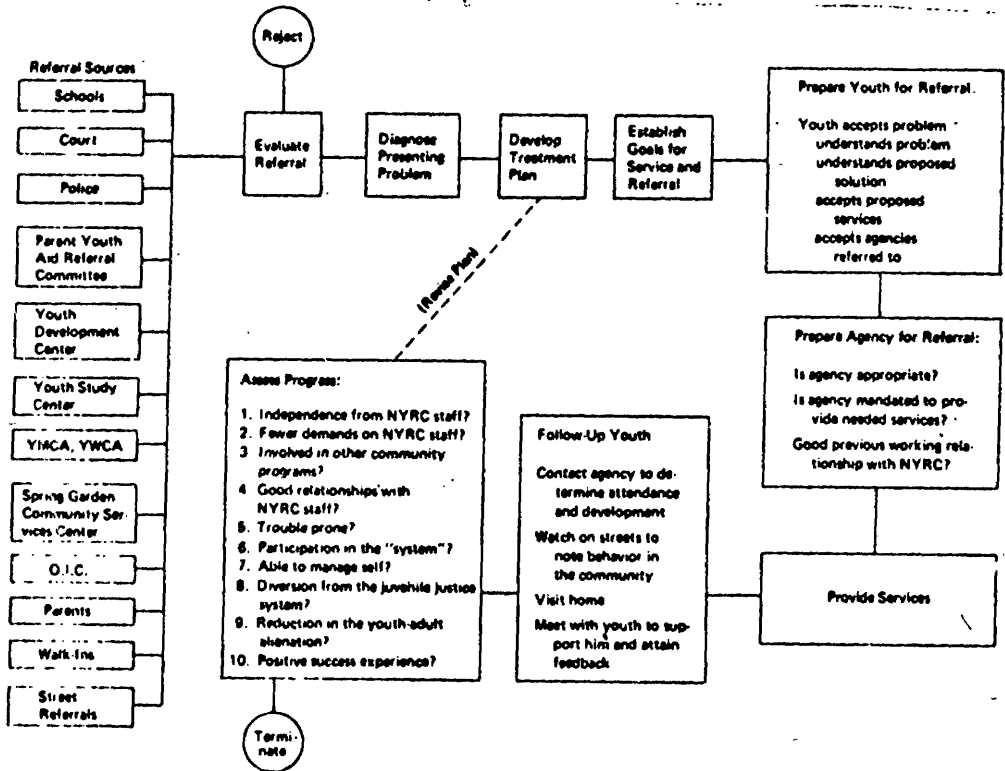
"Inactive" cases may be re-enrolled in the future. The conditions for filing a case as inactive are:

1. a youth has made suitable adjustment and does not require continued services, but may wish to use the services in the future;
2. a youth is committed to an institution and may receive the agency's services during or after commitment;
3. a youth has been suitably and successfully referred to another agency, and the services of NYRC will be available to the youth in the future;
4. a youth is resistant to the services of NYRC, but may avail him/her self of services in the future.

All cases are reviewed by the staff team in accordance with specific "closing out" procedures. A crucial part of this process is a conference between the youth, his/her family, and NYRC staff. This conference is especially important when a youth has completed short-term goals and is moving toward more long-term goals.



NYRC CLIENT FLOW CHART



Description of Key Components:

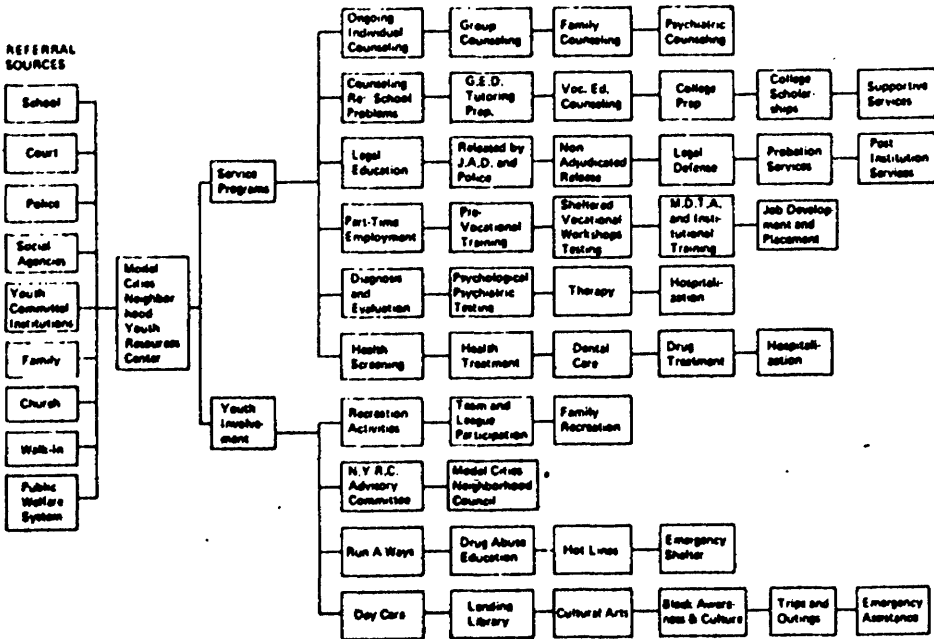
THE NYRC program comes from a concept of a total "family of services," and operates under an umbrella of services known as the "Community Center." The two components of direct services within the milieu of services provided by the Community Center.

The chart on the following page illustrates the two components of services.

REFERRAL SOURCES

These agencies actually have referred youth to the program

These services are being offered to one or more youth in the program



Direct Services:

Direct services are provided to youth on "active" caseload. The salient elements of the direct services strategy are: that "services are available, and are provided, not just to the client—youth, but also to other members of his family. the major program components of NYRC are: counseling and referral; gang work; employment; tutoring; cultural and recreational activities; legal and probation counseling; housing and other community-based social services. Each of these is briefly described as follows:

Counseling and Referral:

Counseling is the major direct service program, consisting of diagnosis and evaluation; psychological, vocational, educational, and group counseling; and, social casework. Whether a youth is on referral status or is being directly serviced, he receives on-going counseling support. An NYRC staff (the Resource Worker), who carries a maximum caseload of twenty-five youths, contacts and reviews each case weekly. As specific counseling needs arise, NYRC provides counseling in areas such as educational remediation, vocational opportunities, sex education, and drug abuse.

Gang Work:

Two area youth workers work full-time with gangs on the street; however, all staff engage in work toward the reduction of gang activities. Functions of "gang work" are to prevent major conflicts between gangs and to reduce the likelihood of gang participation by youth who have not yet joined. By organizing athletic events and other activities, NYRC provides a "structured and controlled setting for aggressive and competitive behaviors." Gang workers also engage in outreach.

Employment:

NYRC actively secures employment for youths, recognizing the critical need for jobs among its clients. Pre-employment, NYRC provides assistance in how to apply for a job, how to prepare a "resume," how to act during an interview, etc. During employment, NYRC have maintained time records, completed payroll records, and evaluated a youth's performance.

Tutoring:

The NYRC tutoring program is a remedial service for elementary school children who are experiencing serious difficulty in school. The tutoring programs uses junior high school students to tutor the elementary school children (on a one-to-one basis).

The program also provides assistance to any person wanting to obtain a G.E.D. by referring them to a G.E.D. program and providing follow-up support.

Cultural and Recreational:

NYRC has cooperated with public departments and private agencies to provide recreational activities such as swimming, basketball, and a series of cultural awareness activities.

NYRC also sponsors the REAL Program. "The Real Experience to Alternatives in Living (REAL) Program provides a year "sabbatical" to approximately 14 youths. In this program, youths are given the opportunity to work in the community Center's Day Care Program with younger youths, take courses at colleges, seek alternative jobs, and work with other youth in the NYRC chain of services. Each youth is provided a stipend of \$100 a week to enable him to "get himself together" while providing services to other members of the NYRC community. The REAL experience provides youth with both cultural and recreational opportunities while affording them the chance to develop their own personal goals and ambitions. Services are available to females just as they are the males. Because of the nature of the population, however, NYRC intentionally gears itself towards the needs of the male youth group."

Legal and Probation Counseling:

The NYRC lawyer provides legal counseling and court representation for clients, and teaches a course on the fundamentals of criminal and civil law.

The Court Liaison Officer counsels all target area youth who are on probation and provides feedback on court referrals.

Housing:

NYRC works to make target area residents aware of social services available in the area. NYRC also acts as a "go-between" to assist persons to obtain services through the Housing Authority.

Other Services:

NYRC offers a range of other services such as a day care for school-age children; and a big brother/big sister program. These services coordinated by NYRC function as separate activities from the direct service core. They are important in building trust and rapport between NYRC staff and youth.

Referral Services:

NYRC conducted a systematic survey of services and resources available to youth in the community and in Philadelphia. The purpose of the survey was to assist Model Cities in reaching its goals. The survey accomplished the following principal objectives:

1. identification of service gaps in the youth-serving and youth supportive systems to assist in the formulation of a plan for core services which NYRC would provide; and,
2. the initial development of inter-agency relationships which would develop into ongoing relationships of mutual respect and understanding.

In addition, NYRC staff met with officials of public and private agencies such as the Commissioner of Police and the Inspector of the Juvenile Aid Division; the Commission of the City Department of Welfare; the Director of the Defenders Association; and many others.

NYRC strengthened its relationships with agencies; and by exchanging letters of understanding, some 190 agencies pledged cooperation and program services to NYRC.

Although most NYRC clients are referred to other agencies, none are terminated by NYRC at the time of referral. Instead, NYRC monitors the referral agency's services and the progress of the clients.

There are four key procedures in referring clients to outside agencies.

1. NYRC prepares a client for referral. NYRC considers a client ready for referral when he acknowledges the problem; accepts as meaningful the proposed services; understands the proposed solution; accepts both NYRC and the outside agency.
2. NYRC prepares the outside agency for the client. An agency receives a referral when NYRC has decided that the agency is

appropriate; the agency is mandated to perform the proposed services; NYRC and the outside agency have had a good working relationship;

3. NYRC tracks the progress of the referred client through regular contacts with the youth and the agency; and,
4. NYRC keeps a regularly up-dated file on all interagency contacts as a resource for the youth services. Recorded information includes:

Name of Agency;  
Date of Contact;  
Address and Telephone Number;  
Name and Title of Person Contacted;  
Means of Contact;  
Information on Agency's Delivery of Services;  
Resulting Agreement; and,  
NYRC Project Director's Signature.

#### IV. ORGANIZATION--ADMINISTRATION (explanation of sponsorship)

##### Structure:

NYRC has twenty-three staff members. (These positions are shown on Organizational Chart on the following page). The staff positions consist of: Project Director; two Youth Services Coordinators; a Court Liaison Officer; Lawyer; Psychiatric Social Workers, Student Social Workers; three Secretary/Clericals; Janitor; three part-time Community Resource Workers; two part-time "Gang" Youth Workers.

NYRC uses Purchase-of-Service Agreements to expand its role in the community. Employees are paid either directly from the Project's personnel funds or on a consultant basis through Purchase-of-Service Contracts with other private or public agencies and departments throughout the city.

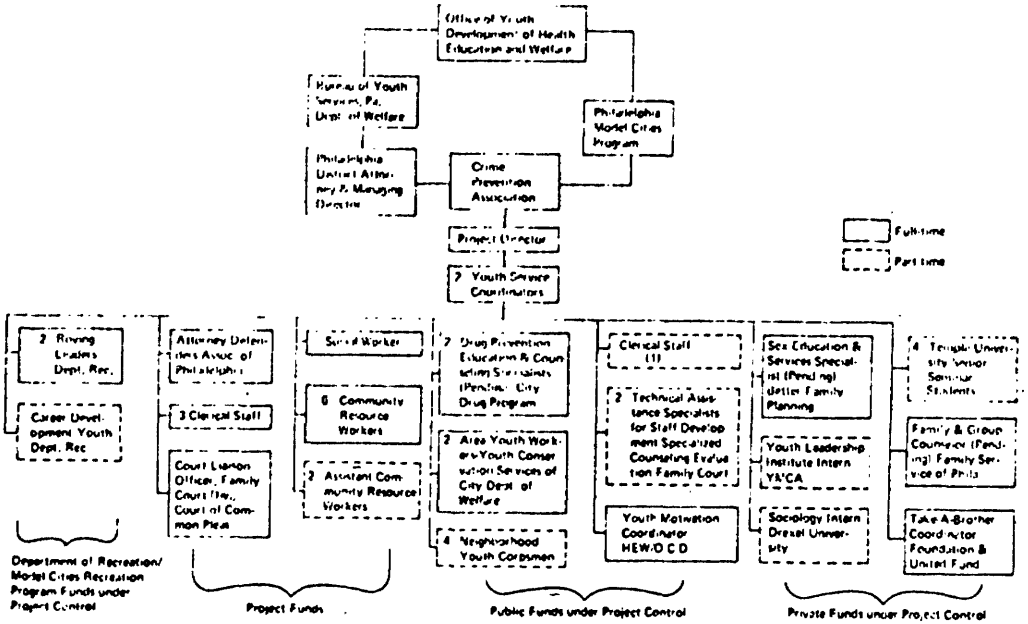
A community-based staff is crucial to NYRC's success. The hiring of qualified individuals who live in the community and know the problems of its youth is encouraged. This policy facilitates community creditability. NYRC believes that close staff is important to providing high-quality services and therefore uses a "team approach."

##### Philosophy:

NYRC is oriented toward drawing its staff from the neighborhood and toward "placing individuals in an active role of creating a better environment in their own neighborhood." Because NYRC is committed to staff mobility, personal development, and using indigenous staff, skills training resources are provided. The goals of training are:

1. to develop "objective" assessment tools; and,
2. to develop effective communication skills.

NYRC/YSO ORGANIZATION CHART



**V. PLANT**

NYRC is located in a converted railroad station in North Philadelphia.

**VI. PROGRAM COSTS AND BUDGET**

**Budget Summary:**

Personnel Costs	\$140,313
Equipment	150
Consumable Supplies	750
Travel (Staff)	4,377
Consultants	40,685
Other Expenses	13,725
<b>Total Costs</b>	<b>\$200,000</b>
<b>Total Grantee Participation</b>	<b>85,342</b>
<b>Total Project Cost</b>	<b>\$285,342</b>

Consultant Expenses include the Purchase-of-Service Agreements for an Attorney, the Court Liaison Officer, and services of two Area Youth "Gang" Workers, Part-time tutors and program leaders.

Other Expenses include postage, printing, building insurance, telephone, equipment, office space, utilities, and purchase of case services (medical, dental, psychiatric, etc.).

Total project cost, excluding the additional private funds the project was able to secure, represents 70% Federal participation and 30% local grantee participation. The existence of local private funds reflect the project's ability to assume the weight of project funding at the local level.

<u>Professional Labor</u>	<u>Annual Salary</u>	<u>Federal Funds</u>
Project Director	\$16,500	\$ 12,375
Youth Services Coordinator	14,500	10,875
Psychiatric Social Worker	12,000	9,000
Fringe Benefits @ 12%		3,870
Total Professional Labor		\$ 36,120
 <u>Other Personnel</u>		
6 Community Resource Workers	\$ 9,000	\$ 40,500
3 Community Resource Workers (part-time)	9,000	10,125
Executive Secretary	8,500	6,375
4 Clerk/Typists	6,200	19,530
Accountant	8,000	6,000
Secretary	8,000	6,000
Janitor	6,000	4,500
Clerk/Typist (part-time) (Legal Education Component)	6,200	-
Fringe Benefits @ 12%		\$ 11,163
Total Other Personnel		104,193
Total Personnel Costs		\$140,313

An additional YSC was added in the FY 1974 budget, along with a Program Consultant.

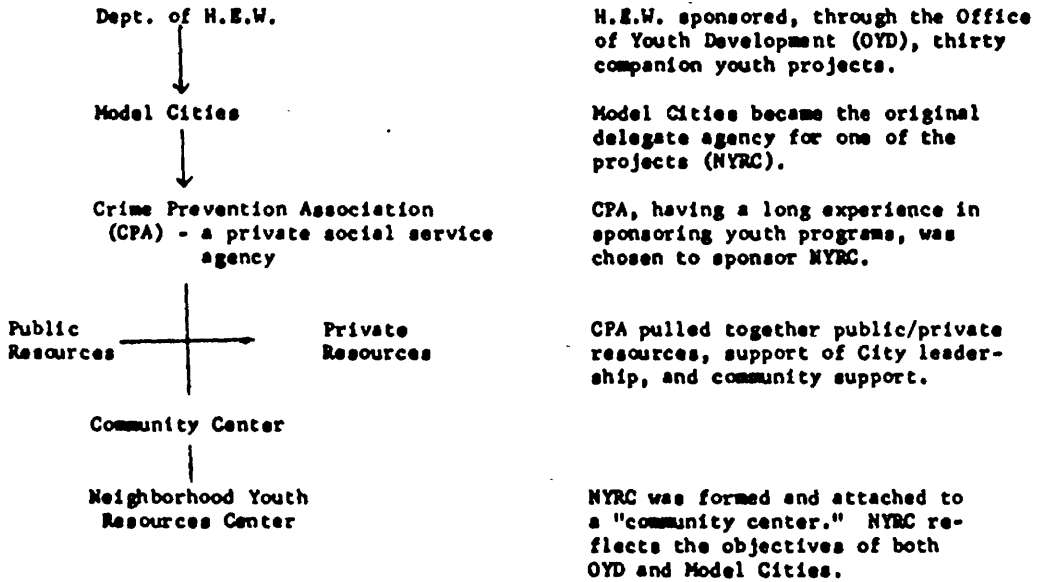
Fringe Benefits include Employer share of FICA, Workman's Compensation, and Group Health and Life Insurance.

#### VII. EFFECTIVENESS

Information on this section is not yet available.

VIII. REPLICATION (Notes on):

Efforts to replicate the NYRC Program would need to consider the history of NYRC. Following is a chart identifying the historical roots of NYRC.

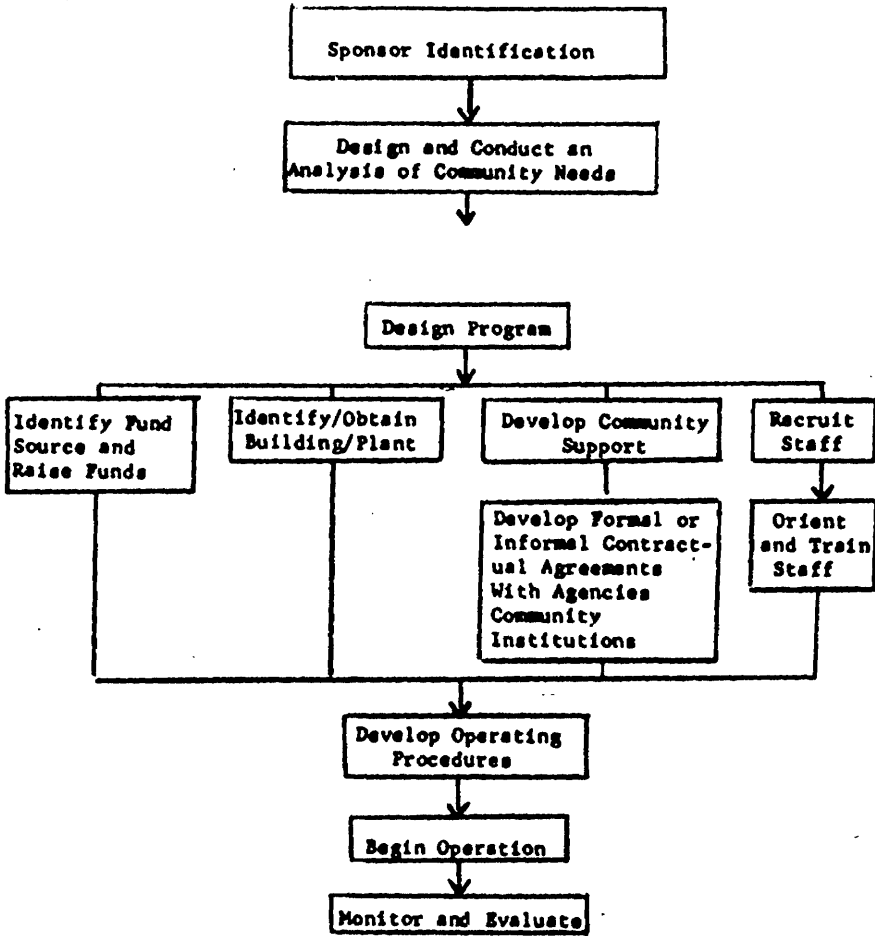


The Program Components which NYRC identifies as essential to replication of its program are:

1. community-based staff
2. direct services
3. neighborhood creditability
4. staff teams



## NYRC GENERIC PROCESS



The Generic Process Chart reflects the stages of replication of the NYRC Program. (Due to the history of NYRC, sponsor identification precedes the analysis of Community Needs).

CONCLUSION

The emphasis of this report has been to say here are some programs which have proven effective. Therefore, the purpose of this report has been to clearly outline how a program may be replicated after the need for that program has been determined. A "how to manual" can be useful as a tool for assessing need; for developing a process for implementation; and for planning for thorough, concise evaluation.

It is my hope that those functions are demonstrated in this report.

**THE IMPACT OF THE COMMUNITY  
ARBITRATION PROGRAM ON THE POLICE**

**Submitted by  
Merry Morash, Research Consultant,  
Community Arbitration Program**

**January 30, 1976**

This report was conducted with the support of L.E.A.A. grant number 5061-JD-5. The Department of Juvenile Services, and L.E.A.A., are not responsible for the contents of this report; the report does not necessarily represent the views of either agency.

Data was collected for this report by Sherry Scible and John Timanus, participants in the Adult Work Experience Program.

They were assisted by Cindy Timmons, a volunteer who was placed with the research project by the Volunteer Clearinghouse in Annapolis.

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## SUMMARY OF FINDINGS AND RECOMMENDATIONS

1. There is a clear indication from police administrators and patrolmen that Arbitration has saved police time and money by:
  - \*lessening the time required to do paperwork
  - \*decreasing the travel used to make a juvenile arrest
  - \*decreasing the time that police spend in court
  - \*decreasing the time that police spend waiting for parents at the station.
  
2. There is some indication that Arbitration has reduced the strain that police experience in dealing with the problems of at least some complainants.
  - \*complainants call the police with further problems less often
  - \*the citation system takes the onus of "doing something" off the police, and provides the complainant with needed information
  - \*police are not aware of the arbitration procedure - some type of dialogue between police and arbitration appears to be warranted.
  
3. Police have increased the proportion of youth they arrest and refer to DJS.
  - \*the increase is moderate, representing about 732 youth per year

\*as a result of increased arrests and the Arbitration Program's particular emphasis, 600 youth per year who would not have received any services are now involved in educational, work or counseling programs.

4. The resources that are saved by the police have been reallocated primarily to other types of police work, particularly patrol that is aimed towards preventing crime.

\*During one year, for a police department of 400 men, the amount of time that the police save is equivalent to adding six full time policemen to the department.

5. The proportion of Black youth who have committed crimes against property and youth between 11 and 16 years of age who are arrested for misdemeanors is increasing.

\*special program efforts to provide adequate resources for these particular groups of youth may be needed.

## INTRODUCTION

This report is the first of a series of studies that will explore several impacts of the Community Arbitration Program. The Program is a new system of juvenile intake, through which arrested youth are diverted from formal court contact. The Arbitration Program includes the use of ticket-like citations for arresting misdemeanor youth, as well as a formal arbitration session between the victim and the child to decide how a case should be handled.

In all cases that involve misdemeanors, the Arbitration Program replaces an intake procedure which resembled a counseling session. Essentially, Arbitration reduces the time from arrest to the intake hearing from 45 to seven days, provides encouragement for the victim to attend the hearing and creates a new procedure for making the intake decision. The intake decision is now made by a lawyer instead of a social-work oriented person. The responsibility of the child for his actions, and the need for the child to repair damage he has caused, are emphasized. And, some of the youth are requested to carry out work assignments or to attend special educational programs, options that were not available to the intake decision-maker before Arbitration began.

The Program has brought about changes for the youth involved, their parents, court and probation staff, the victims,

community groups and agencies who work with the youth, and the police. The impacts of Arbitration on the police are considered here. The focus is on identifying these impacts, and documenting their extent and nature.

In choosing to study the relationships between the Arbitration Program and the police, DJS (Department of Juvenile Services) recognized the very important overlap between the two parts of the justice system. The police decision about which youth to arrest and refer to Juvenile Services determines which youth will become involved with the Arbitration Program. Arbitration is used for misdemeanants. Other studies have found that police exercise widest discretion in deciding whether to make an arrest in misdemeanor cases.<sup>1</sup> It is possible, then, that Arbitration has a relatively large effect on who the police arrest, and who they let go with a warning.

Just as police affect the day to day operations of the Arbitration Program, the new program has affected them. Identification of the full range of effects of the Program on the police is one objective of this study. Another objective is to consider these impacts in light of program goals, and where impacts and goals are incongruent, to recommend potential strategies for change.

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<sup>1</sup>For example see: Sidney Axelrad, 1972, "Negro and White Male Institutionalized Delinquents," *American Journal of Sociology* 57 (May), 569-74; Nathan Goldman, 1963, *The Differential Selection of Juvenile Offenders for Court Appearance*, New York, National Council on Crime and Delinquency; and, James Q. Wilson, 1968, *Varieties of Police Behavior*, Cambridge, Mass., Harvard University Press.

### DESIGN OF THE STUDY

This study began during the second year of program operation. During the first stages of planning the research, the project director and coordinator took part in a number of "brainstorming sessions" during which they generated a list of all conceivable impacts that the Program might have on the police. These impacts are presented in Chart A.

This list was used as a guide throughout the research effort. The general approach was to gather evidence to support or reject the existence of each impact, and also to expand the list.

**Chart A: The Possible Impacts of the Community Arbitration Program on the Police as Identified by Arbitration Staff.**

Time and money saved because a trip to the police station is not mandatory to make an arrest.

Time and money is saved because less paperwork is required to make an arrest.

If more youths are diverted from court, police appear in court less often. Overtime for court appearances may be reduced.

Police perception of the Department of Juvenile Services may change.

Police community relations may be affected. This would include relations with the victim and with the child and his parents.

The police may change the frequency with which they decide to arrest youths as opposed to simply warning them.

The police may change the frequency with which they decide to refer arrested youths to the Department of Juvenile Services.

The strategy for gathering evidence was to combine information from a number of sources. This made it possible to utilize the large amount of data that is routinely collected by the Courts. Also, drawing data from multiple sources provided a check on any inaccuracies in records and any biased responses to questionnaires.<sup>2</sup>

Lengthy interviews with police administrators and supervisors provided the first source of data.<sup>3</sup> The interviews

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<sup>2</sup>The unreliability of police records has been documented extensively in the literature. For examples, see John I. Kitsue and Aaron V. Cicourel, 1973, "A Note on the Use of Official Statistics," *Social Problems* (Autumn), 131-139; and Raymond A. Bauer, 1966, *Social Indicators*, M.I.T. Press, Cambridge, Massachusetts.

In this study, the major difficulty with available data on delinquency would occur when record keeping practices changed. Unfortunately, we did discover that City and County Police have not been counting citations issued in the field as arrests. The distortions in police records of the number of arrests could not be corrected, and Uniform Crime Report data could not be used in this study.

Inaccuracy in police response to questions about change brought about by Arbitration could be attributed to memory. Since only one year is involved, this difficulty appears to be minimal. Based on the many negative police responses to Juvenile Services, there does not appear to be a police tendency to report positive reactions to the Program in order to please the interviewer. Alternatively, the widespread police discontent with the courts, rising crime, and their workload could predispose them to report an unduly negative opinion of various aspects of Arbitration.

<sup>3</sup>In the City, the chief of police and the captain were interviewed during six informal meetings. In the County lengthy interviews were conducted with two sergeants. One was a juvenile officer. The other was interviewed during a seven hour observation period. The State Police officials who were interviewed were supervisors in the Glen Burnie Barracks.

were informal and unstructured, and were supplemented with periods of observation. Representatives from the three police departments in the County, including Annapolis City, Anne Arundel County and Maryland State Police were included.

Patrolmen from each of the three departments provided a second source of information. Slightly more structured interviews were conducted with 15 men. (This interview is included in Appendix A.) Men were questioned about each of the impacts that had already been identified. Also, they were asked to identify other areas of change.

The next step in obtaining patrolmen's views was to administer a more structured questionnaire to 89 men, again representing all three police departments.<sup>4</sup> This questionnaire was based on the prior set of interviews with police administrators and patrolmen. (The questionnaire is in Appendix B.)

All of the police were interviewed or given the questionnaire between July and December of 1975. Since the program had been in operation for over a year, enough time had elapsed for Program effects to be realized, and for initial reactions to the novelty of the Program to wear off.

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<sup>4</sup>Eighty-nine men filled out the questionnaires. Since men on certain shifts were asked to fill them out during working hours, there was no problem with non-respondents. The convenience of the police determined which men were selected to complete the forms. There is no reason to suspect that this would introduce any bias, since shift assignments are rotated.

The third source of data was a sample of approximately one third of the arrests for misdemeanors that resulted in referral to DJS in 1973, and a similar sample of approximately one third of the youth referred in 1975.<sup>5</sup> These two groups could be compared to determine whether the Arbitration Program brought about a change in the type of youth referred to DJS by police for misdemeanors, and whether Arbitration resulted in different case dispositions for the various subgroups of youth.

A fourth source of data was the set of monthly reports prepared by DJS staff. Statistics on the number of cases and the number of individuals referred by police are available in these reports beginning in 1970.

The fifth type of information used in this study is the record of the number of formal juvenile court cases handled in the County each year. The Clerk of the Juvenile Court has kept this record since 1971.

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<sup>5</sup>A systematic sample of one third of the misdemeanants referred to DJS in 1973 was drawn from a running record that the clerical staff kept of all youth having contact with the Department between January 1, 1973 and November 22, 1973. (Arbitration began on November 23.) Similarly, a systematic sample of every fourth youth appearing in Arbitration between June and December of 1975 was drawn. Additional cases are being drawn for the first six months of 1976 so that a correction can be made for seasonal changes.

Information on the age, sex, race, offense and prior record is available on each youth.



Finally, statistics on unemployment, population and offenses known to the police were obtained from the State Department of Employment Security, the State Department of Mental Health and Hygiene and the Maryland State Police, respectively. The purpose of collecting these pieces of information was to account for change in the number of youth referred by police to DJS that resulted from factors other than the beginning of the Arbitration Program.

**THE ARBITRATION PROGRAM FROM THE POLICE  
ADMINISTRATORS' VIEWPOINT**

Extended and unstructured interviews with police administrators revealed that they held two predominant views of the Arbitration Program and its impact on the police. First, they emphasized that the Program saves police time and is a convenience to police in many ways. Second, they were generally unaware of the specific way in which Arbitration handles a youth; that is, they did not know much about what the Arbitration session was like, or about the use of work assignments and other dispositions to correct the youth. One result of the unawareness is that police administrators had the impression that absolutely nothing is done to a youth besides a simple warning in a majority of cases.

Police reported that juvenile arrests are time consuming, are frequently minor in comparison to other offenses, and are troublesome since parents must be notified, a youth may be causing constant disruption as only an adolescent can, and complainants may be incensed at the youth for various types of adolescent behavior including harassment, pranks and taunts.

Dislike of juvenile work led to the police administrators' stress that the savings in police time and trouble that result from Arbitration are particularly beneficial to them. The predominant opinion is that police should be in the field on patrol, where they could prevent crime and respond to calls

quickly. The Arbitration Program was viewed as making this possible. As one Chief of Police put it: "All the policeman cares about is that he completes an arrest, and doesn't need to bother with it anymore."

Administrators in all police departments said that since Arbitration began complainants were less likely to call the station with additional problems after the arrest had been made. Calls that were received were more easily transferred to DJS than they had been before.

The reduction in complainants' calls was most apparent in the County Police Department, probably because such complaints are channeled to a central group of people, the juvenile officers. One juvenile officer estimated that she now received approximately three inquiries per week from complainants in juvenile cases, while before she had received an average of fifteen calls a week. In the City, it was estimated that Arbitration had brought a reduction in complainants' calls down from seven to one per week.

While the police administrators were particularly cognizant of the reductions in complainants' queries that were made to the police department by phone, they did state that individual officers received fewer questions outside of the station.

There were additional areas in which police administrators saw a savings of time in making juvenile arrests. The most consistently noted one was that police go to court less. This lessens the need to ask police to go on their own time,

or to extend an already long working day into overtime. Paperwork was viewed as less time consuming, and the amount of travel used to complete a juvenile arrest was reduced.

An unexpected benefit of Arbitration for State Police was that a serious overcrowding problem was reduced at the station on busy nights. They reported that prior to the Arbitration Program, it was common for several youths to be arrested on a Friday or Saturday night. Since they had to be watched constantly, it was necessary to handcuff them to desks, and to keep them crowded into the policemen's work area. This procedure certainly would not make for an office atmosphere conducive to work.

One reflection of police administrators' limited knowledge of how Arbitration works was their interpretation that cases marked "Informalled at Intake" received no action, when in fact these are the cases for which work assignments, counseling and various educational programs (such as mini-bike safety, drug education) are arranged.

A State Police administrator noted: "We need more feedback from juvenile services on dispositions of 'Informalled at Intake'. Troopers feel no satisfaction from their work even though you may be doing something."

Another area where the policemen's lack of information about the Program was evident related to the disapproval of some cases by the Arbitrator. One comment on paperwork may explain some of the difficulty City Police in particular were

experiencing with a high rate of case disapprovals. A point made in favor of the Arbitration Program was "...they (the patrolmen) can forget about all the legislative things necessary for court, for example when they write up the case." Such laxness on the part of the police would be expected to lead to numerous "case disapproved" dispositions, since the arbitrator is a lawyer and one of his functions is to screen out cases with insufficient evidence.

Police administrators were very willing to talk, and spent some time explaining that DJS did not see their side of the picture and did not understand the types of difficulties they had to face with juveniles on a daily basis. They wanted the "people at Juvenile Services" to see what they saw. For example, a State Police administrator suggested that an arbitrator should be available in the northern part of the county on Friday and Saturday night, and the police could bring the youth to them "angry" or "drunk." City police felt that the Department of Juvenile Services should meet with the complainant and juvenile, and try to get the story straight for the police report.

The police belief that Juvenile Services did not understand their problems is aggravated by their own lack of knowledge of what happened to youth who were seen by the arbitrator. All but one administrator, the juvenile officer, had never seen an arbitration session. Most did not have a clear understanding of what the monthly reports of case dis-

positions meant. City police did not have a clear picture of why cases were disapproved, and interpreted disapproval as unwarranted. Most administrators did not know that "Informalled at Intake" meant the child could have been sent to work, counseling or some other program.

### THE ARBITRATION PROGRAM FROM THE PATROLMAN'S POINT OF VIEW

We were interested in how the Arbitration Program affected three aspects of the patrolmen's job. First, we anticipated that there would be changes in routine police operations. These changes would include differences in the mechanics and time involved in making a juvenile arrest. Second, we recognized that the arrest situation makes demands on patrolmen to manage the tensions and conflict between the offender, the complainant, the parents and eventually DJS. So, it would be important to consider how the Arbitration Program affected the complex set of relationships that police have with the several parties involved in a juvenile arrest. Finally, since at least on the surface it appeared that the citations simplify the arrest procedure, we wondered whether police might now increase the number of arrests they make - and divert fewer of the youth themselves with a simple warning.

#### Arbitration as a Time Saving Procedure for Police

As indicated in Chart B, patrolmen's responses to the questionnaires indicate that the Arbitration Program saves them time in completing a juvenile arrest. Decreases in time to do paperwork, in miles traveled and in time spent in court account for this savings.

Police were enthusiastic about the savings in time, and most (92.7%) of the 55 police who answered the question about

Chart B**Changes in the Length of Time  
Needed to Make a Juvenile Arrest**

<u>Question</u>	<u>Number of Respondents</u>	<u>Answer</u>		
		<u>More Time</u>	<u>Less Time</u>	<u>The Same Time</u>
How much time does it take to make a juvenile arrest?	84	7%	68%	25%
How much time to do paper work?	86	9%	57%	34%
How often do you handle complainant's questions?	85	13%	15%	72%
Time spent traveling?	85	13%	42%	45%
Time spent in court?	87	2%	92%	6%

how they used saved time reported that it was not used for juvenile work. Of the 34 men who were even more specific about their use of saved time, 30 men indicated they used the time to increase preventative patrol activities, rather than waiting for parents at the station or filling out forms at the station. Police commented, "I am able to patrol more in troubled areas," and "...time saved can be used for extra patrol, thereby decreasing crime." These comments were supported by observation during which police stressed their approval of being able to patrol more.

The reported savings in time in paperwork and in making court appearances was the same in all of the three police departments. There was a small, but statistically significant, tendency for County and State Police to indicate a savings in



travel more often than City Police. (See Tables in Appendix C.)

It might be expected that City Police would not save as much travel time, since they cover a much smaller geographic area than State and County Police. Also, City Police administrators have supported a policy that encourages the officers to bring a large number of arrested youths to the station, even though citations could be issued at the scene of the offense.

Two additional pieces of evidence provide support for the patrolmen's report that they go to formal court in a smaller proportion of cases now that Arbitration exists. These are the record of the number of formal court cases for each year since 1971, and a comparison of the case dispositions made by the arbitrator and by the intake workers.

In 1971, the ratio of juvenile cases to number of youth referred by police to DJS was 50.78%. In 1972 this ratio was 38.0%, and in 1973 it was 39.20%. During the first year of Arbitration, the ratio dropped to 29.49%. This means that once the Arbitration Program began, about 10% more of the cases were being diverted from formal court. In 1974, this would be 386 cases. (See Appendix D.)

A sample of 412 of the intake cases heard before Arbitration began and 278 heard by Arbitration reveals that 17.0% of the cases were sent to formal court by the 1973 intake staff, while only 7.2% of cases heard by Arbitration were forwarded to

formal court. (See Appendix D.) We see the same drop of 10% or 386 cases, that has been illustrated above.

Estimates of time saved were difficult for the police to make. A majority of police indicated that because of variation in the time it took to handle a case, they could not make an estimate. Estimates that were made are presented in Chart C.

Chart C  
Estimate of the Amount of Time Saved

	<u>Number of Respondents</u>	<u>Average</u>	<u>Range</u>
Paper work	21*	2.14 hours/week	1-10 hours/week saved
	(also, three respondents estimated they saved $\frac{1}{2}$ hour per incident.)		
Travel	8**	17.75 miles/week	2-50 miles/week
	(also, one respondent estimated he saved 30 minutes of travel time per incident, one respondent estimated he saved 10 miles of travel per incident.)		

\*Also two men estimated they spent between one and three hours more doing paper work since the Arbitration Program began. Average = 2 hours per week.

\*\*Also two men estimated they traveled 50 miles more per week since the Arbitration Program began.

About two hours per week is saved doing paperwork, and 18 miles of travel are saved per week, for each officer. Even if these estimates were adjusted downward, there would be a substantial savings for police in time and money when the

amounts were multiplied by the total number of police.

The patrolmen identified a number of procedural benefits and problems associated with the Arbitration Program besides those that police administrators and the Arbitration staff had mentioned. These are listed in Chart D.

#### Chart D

#### Favorable and Unfavorable Effects of Arbitration on Police Routine as Identified by Patrolmen

##### Favorable Effects

- Citations are easier to fill out; like a traffic summons.
- Paper work can be done on the scene instead of at the station.  
Easier to carry around citations.  
The citations are quick and available.  
Brings the juvenile to Court sooner.  
Less Court time, so less expensive.  
Less Court time, so more leave time.  
Less stand by time at the station waiting for parents to show up.  
Easier to handle a large group of juveniles.

##### Unfavorable Effects

- Difficult to locate some complainants.
- Difficult to locate some parents.
- Never know exactly what the outcome of the case is.  
It is a waste of time to make out several citations on the same subject.  
Not enough space on the citation; there should be room for a brief report.  
When three or more youths are arrested, it is impossible to handle the case outside the station.  
Youths return to the street quickly.

- Mentioned by three or more patrolmen.

Since each man was not specifically asked whether these newly identified effects occurred, we do not know how

many officers agree with the statements in Chart D. However, a few of the newly identified effects were described by a number of officers (these are starred) and deserve some additional comment.

The fact that paperwork can be done at the scene of the arrest, rather than the station, was repeatedly noted. The policemen's favorable reaction to this factor reflects their general satisfaction with the way that the citations allow them more time "on the beat."

Difficulty locating parents and complainants was noted as a problem by police. Undoubtedly, parents are no more difficult to locate now than before Arbitration began. This appears to be a persistent problem, that cannot be attributed to the Arbitration Program.

Police did not have reason to locate complainants after an arrest before, so this particular difficulty does appear to be a result of the Arbitration Program. It is doubtful that it could be alleviated, since the immediate provision of a copy of the citation to the complainant is an integral part of the Program. The assumption is that this procedure has more advantages than disadvantages. Some of these advantages were noted by police themselves, and are discussed in the next section.

Perhaps the police dissatisfaction that deserves most attention is that the officer does not know the disposition

of each case. Officers expressed this problem as a lack of information about Arbitration and a resulting lack of confidence in what Arbitration does. For example, one wrote:

"You all said that you would use a different way to help correct the juveniles. Like work details. But, I have yet to see any work groups or even hear of any. If you ask the juveniles about it they think it is the greatest because nothing ever happens."

Comments such as, "I never know exactly what the outcome or disposition of a case is," and "I don't receive any self satisfaction from the system," were made by several officers.

The fact is that for most juveniles, something does occur besides a simple warning. As the second chart in Appendix D shows, 38% of youth are placed in work settings or referred to other correctional programs, and 7% are sent to formal court. However, officers apparently do not know about this. As a result, they may transmit a general lack of confidence in Juvenile Services to youth, complainants and parents. More seriously, they view themselves as unsupported and the youth as supported by DJS.

One byproduct of the consistent disagreement between the police and Arbitration is that a situation analogous to a fight between parents is set up. No consistent standard is set for the child.

Another result of this conflict is that police and DJS in fact work at odds with each other in some cases. This is indicated by the high rate at which cases are disapproved

by the arbitrator. Police have expressed their assessment of a case as serious enough to warrant arrest. They go to the expense, in time and resources, of carrying out the arrest. And, then the arrest results in a disposition of "case denied for lack of evidence."

The analysis of 1973 and 1975 samples of youth revealed that in 1973, 4.1% of all referred cases were denied by intake workers, and that this figure rose to 30.6% in 1975. The increase in the proportion of cases denied was the same for youths referred by each of the police departments, and for all types of offenses, including those against people, against property, and those that are classified as "irritants" (involving no physical damage to person or property). Furthermore, denial was not related to any characteristics of the youth, including age, sex or race. (See Appendix E).

It appears, then, that all types of misdemeanor cases experience a relatively high rate (30.6%) of being denied. This fact along with police not knowing how other cases are resolved produces their negative attitudes toward the Program. Police Relationships with Youth, Complainants, Parents, and DJS

The arrest situation is fraught with tensions between the youth, complainant, parents and in some cases DJS. Police reported both positive and negative ways in which Arbitration has changed the interaction between all the people involved in an arrest. These are listed in Chart E.

Chart E

Favorable and Unfavorable Effects of Arbitration  
on Police Relations with Youth, Parent and  
Complainant as Identified by Patrolmen

Favorable

- \* There is more information for the complainant; they get copies of the citation.
- \* The procedure is easier to explain to parents. The procedure relieves the police of settling many juvenile complaints. Complainants cooperate more with the police.

Unfavorable

- \* It takes more time to explain the procedure to parents.
- \* The Arbitrator is not strict enough.
- \* There are many repeat offenders.
- \* Complainants don't like the case dispositions. The Arbitrator does not listen to the officer's testimony. The public is not fully aware of the system.

\* Mentioned by three or more patrolmen.

On the positive side, when the patrolman issues a citation to a youth and provides the complainant with a copy, he sees that the complainant views him as having done his job, and additional queries need not be directed at the police officer. Several police made comments like:

"Once you give the complainant their copy and advise them to go down and see what happens, they get off your back, as far as them saying the police don't ever charge juveniles."

"The complainant has his copy and is not continuously calling to see where the case is because he has the trial date."

"Allows an unbiased person, other than police officer, to settle a juvenile complaint rather than take police time from other activities."

The citation apparently serves as a visible sign that "something is done to juveniles other than a slap on the hand" and takes the onus of doing something more off the police. Additionally, the citation provides the complainant with needed information, relieving the policemen of this task.

Police expressed their approval of the effect of citations on their relations with complainants noting "victims cooperate more with the police under the citation system," and the Arbitration Program "relieves the police of settling juvenile complaints."<sup>6</sup>

Relationships with parents were rarely mentioned by police. An exception was that police continued to take some youths to the station, largely to "convince the parents of their child's wrongdoing," or to "inconvenience them." One officer wrote, "Often when you go to the offender's home to have the citations signed you get a hassle from the parents, as when they come to Central (police station) you don't get a hassle." The arrest processing, including the trip to the station, has a function in the eyes of the police, and may make it easier for them to handle some parents.

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<sup>6</sup>A few of the police expressed the view that they should have even less contact with complainants. They felt a commissioner or an official of the Department of Juvenile Services should make a decision to arrest a person. Some noted that this would not only relieve the police of taking complaints, but force the complainants to consider whether or not a complaint is really worth the trouble.



In answering a question about the effect of Arbitration on the child in comparison to the old intake procedure, police reflected a negative viewpoint. Of 79 respondents, 43.1% answered that Arbitration was less effective, and 19% that it was more effective. This relationship held for police of different ages and in the three departments.

Police comments tell us that they want offenders dealt with more strictly. Officers noted that "offenders are not dealt with as severely," "it is a poor disciplinary system," "the arbitrator has little authority," and the dispositions are "inconsistent in severity." Several patrolmen mentioned that they see the same faces "again and again," and that repeat offenders in particular consider the Arbitration Program "a joke."

Two factors should be considered in making any assessment of the policemen's judgement of the effectiveness of Arbitration for youth. First, the police are only aware of the further activities of repeat offenders; they do not know which youths successfully complete work assignments, pay restitution or attend counseling and then never break the law again. Second, most police (67.8% of 87 respondents) had never been to an arbitration session.

The policemen's poor assessment of the effect of Arbitration on youth, particularly repeat offenders, could be attributed to either in real lack of program impact on some of the youth, or to the patrolmen's lack of knowledge of the

Program. Future studies that will be directed towards the Program's effect on youth will provide some empirical evidence to shed light on this issue.

At this point, it can be said that patrolmen do not view Arbitration as a major improvement over intake in dealing with youth, and this may result in some frustration to police as the end result of arrest seems fruitless.

#### Do the Police Arrest a Higher Proportion of Youth?

Most police (56%) indicated that they arrest the same number of youth as they did before citations were available to them. However, a substantial number of police (44%) did indicate that they generally arrested more youth, rather than handling the cases with a simple warning.

We hypothesized that police would arrest more youth in high tension situations, such as disputes between families, or gang delinquencies, so that they could extract themselves from the turmoil. Between 28% and 35% of police did report more arrests in these types of cases.

Police explained this moderate increase in arrests in a number of ways, most of which related to the increased ease to them of making an arrest:

"The officers tend to issue more citations knowing they will not have to go to court on most cases."

"It saves time with minor offenses which under the old system would have meant a warning and then a repeat offense which would have to again be handled. I more frequently issue a citation now on the first offense saving a return visit."

"I arrest more because I can handle a larger amount of cases on the street."

One officer noted that it is easier to issue citation to a large group of young people at the same time than to transport them to the station, while another noted that he had trouble watching youths when he was seeing the parents of one of the group.<sup>7</sup>

The issue of whether police arrested more people once the Arbitration Program began is complex, and the next section of this report does contain additional evidence of whether or not police reports of increased arrests are reliable. However, the accumulation of evidence thus far suggests that police can make an arrest more easily than before and can satisfy the complainant by issuing a citation - factors that would influence police to make more arrests.

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<sup>7</sup>One officer noted that complainants more frequently pressed charges under the Arbitration system, since "they don't have to appear in court." While there is some question about whether complainants in fact go to court less often, if they have this perception, they could indeed carry through with a complaint more frequently.

### CHANGES IN THE NUMBER OF YOUTH ARRESTED BY POLICE

Our initial suspicion that the Arbitration Program simplified the arrest procedure has been confirmed thus far. The police themselves have indicated that the ease of making a juvenile arrest has led to a moderate increase in the number of youths they arrest.

Chart F includes the referral rate to DJS for the years 1971 to 1974.

Chart F  
Number and Rate of Youth Referrals  
by Police to DJS

<u>Year</u>	<u>Number of Referrals</u>	<u>Referral Rate # referrals/ youths 5-17)</u>
1970	1654	1.99%
1971	1900	2.25%
1972	2260*	2.65%
1973	2592	2.97%
1974	3862**	4.30%

\* Data on the number of individuals referred in September and November of 1972 was not available. The average number of individuals referred during each of the other 10 months was used to estimate these amounts.

\*\*The number of individuals involved in some of the cases referred in four of the months was not available. These amounts were estimated from the number of cases and the average ratio of cases/individuals calculated from data that was available.

Between 1971 and 1973, the rate increased an average of .3267% a year. In 1974, if we assume the same rate of in-

crease, the rate increased .0082% more than would be expected. This represents the referral of 732 more youth than would be expected.

A persistent difficulty in explaining any increase in crime rates is that numerous other factors besides a particular program may have affected the rates. There is some evidence, however, that the unexpected increase in referrals during the first year of Arbitration cannot be attributed to other factors.

In Anne Arundel County, the unemployment rate remained relatively constant, moving from 4.1% in 1973 to 4.3% in 1974. The ratio of Serious Offenses Known to the Police to the population size increased from 5.05% to 6.01%. During the years 1973 and 1974, the adult (18 to 65 years old) arrest rate remained constant at 3.9%. Together, the unemployment rate, the adult arrest rate and the extent of serious crime in the county, support the assumption that the expected arrest rate would reflect the same growth that was found in previous years.

While it is not possible to say with certainty why the rate of referral of youths to DJS has increased so much since Arbitration began, there is some evidence that police may be warning fewer youths themselves. The interviews and questionnaires administered to police indicate that they want the initial decision about how to handle a juvenile removed from their jurisdiction in some instances. They also indi-

cated that there has not been any increase in time spent doing juvenile work as a result of time saved with the arbitration procedure, which rules out the possibility that increased police work has brought them into contact with more juveniles. It appears that police now refer a higher proportion of youth to DJS than previously, which means they let fewer youths go with a simple warning.

#### A Comparison of the Youth Referred Before and After Arbitration Began

The 1973 and 1975 samples of misdemeanants (n=418 for 1973; n=322 for 1975) differed significantly in racial and age characteristics. There was no significant difference in the sex and parental status (i.e., separated, divorced or natural parents together) or the number of prior offenses in the two groups. This data is presented in Appendix F.

In 1973, 18.4% of the misdemeanants referred to DJS were Black. In 1975, 25.0% were Black. This difference is significant at the .04 level, which means that the odds are four in one hundred that it could have occurred by chance.

It is not known why the proportion of Blacks increased. The Black population in Anne Arundel County is growing more slowly than the White population, so the increase cannot be attributed to population change. A possible explanation is that recent increases in crime have been tied to the unemployment problem, and since Blacks are disproportionately affected

by unemployment, they account for more of the crimes. The one piece of evidence that supports this suggestion is that offenses against property have grown the fastest of any of the misdemeanor offenses. This will be discussed more fully below.

The change in age in the 1973 and 1975 groups is more complicated. After the Arbitration Program began, there were proportionately fewer youths 10 years and under, 17 and older, and 14. There were proportionately more youth 12, 13, 15 and 16 years old. Differences were significant at the .07 level. Except for the 14 year old group, proportionately fewer youth 10 and under, and fewer youth 17 years old, are being arrested.

There is a significant difference in the proportion of misdemeanor referrals involving three types of crime. These are crimes involving the threat of danger to others or physical harm to others, loss of or damage to property and offenses involving irritations to others, but no physical harm, damage or loss. This data, along with rationale for categorization, is in Appendix F.

More of the misdemeanor arrests involved property loss or damage after Arbitration began, and less involved offenses against others or irritants to others. After Arbitration began, 53.1% of misdemeanor cases involved property loss or damage as compared to 40.9% before the Program began. Alternatively, the proportion of referrals for harm to others

fell from 30.8% to 22.9% between 1973 and 1975, and the proportion of referrals for irritating offenses fell from 28.3% to 24.0%. (These differences are significant at the .02 level.) This finding contradicts our suspicion that the ease of making an arrest with a citation would lead to a disproportionate growth on the number of referrals police made for various offenses that involve irritation to others, but no physical damage or loss.



## CONCLUSION

The purpose of this conclusion is twofold. First, the findings presented thus far have suggested that there are a few problems that program changes could alleviate. Some recommendations are set forth for resolving these difficulties. Second, a summary of the monetary costs and benefits that result from Arbitration is made.

Both parts of the conclusion should be viewed as approaches to answering the question, "Based on the findings in this study, how can Arbitration best result in benefits to the police?"

### Some Areas for Policy Change

The findings have three implications for policy. Two involve DJS-police relations. They are the lack of knowledge that police have of the Arbitration Program, and the related high rate at which cases are referred by police only to be denied. The other implication involves the type of youth referred to Arbitration.

Police-DJS relations involve communications between the two agencies. Efforts to send police written reports of how cases are handled have apparently failed to give the police a picture of how Arbitration works. Also, police do not gain first hand exposure to Arbitration.

Difficulties in communicating with police should be examined in light of their work demands. Police are inun-

dated with paperwork. Additional written material is quickly overlooked unless the information is directed towards an individual and is specifically what he wants.

Three alternatives to written communication may help in working with the police. First, it may be possible to develop some police exposure to Arbitration during their training. This could be worked out with the police academies.

A second approach would tap into the police administrator's willingness to discuss DJS-police relations. It may be fruitful to develop an ongoing verbal communication with the police, aimed towards at least encouraging the administrators' understanding of Arbitration. If there is a way to let patrolmen know about case dispositions directly, this could be worked out in the course of ongoing dialogue.

A third avenue to opening police-DJS communications is direct contact with an Arbitration liaison and patrolmen. One of the Arbitration counselors could be designated as a police liaison, and make himself available at the police stations when large numbers of officers are there - say during the late afternoon shift change.


One thing that should be kept in mind in any attempt to improve police-DJS relations is that police departments are characterized by information problems. The amount of information police must absorb, the constant demand that time be spent "on patrol" and answering calls, the shift structure, and the gap between administrative and patrol levels create

communication difficulties. Thus, plans for information exchange should be specific about what is to be communicated and how the communication will be delivered.

The high rate at which cases are denied is related to the communication problem. It clearly is not in the police department's interest, or the interest of DJS, to process a large volume of denied cases. Police waste resources making the arrest, and Arbitration spends money providing the arbitration session. Approximately 30% of the 3,000 cases, or 900 cases, are denied each year.

Solutions to the problem of the high denial rate include: provision of police with explicit analysis of what the problems are; joint development of a plan to reduce the rate; and, provision of some workshops or other training for police on the topic of law and arrest. In other localities, police departments do draw on legal counsel regularly, either on loan from governmental agencies, or funded through special grant programs.

Police and DJS staff have made other suggestions. One intake worker suggested that DJS should encourage police to spend a day with the arbitrator, just as police operate a "ride along" program for DJS staff. Also, police in the northern part of the county felt that the arbitrator should spend time closer to their offices, making it possible for them to attend Arbitration more easily, and to bring youth



directly to Arbitration.

Turning from the police-NJS relations, the other implications of findings for policy involves the increase in the number of Black youth referred, and in the number of offenses that involve damage or loss to property.

It is particularly hard to plan programs to deal with economically motivated offenses. Often the offender is fully aware of his responsibility in breaking the law, is resentful of a system that leaves him "relatively deprived," and does not consider alternatives to getting material goods. Special work assignments, that perhaps involve exposure to a career or training opportunity, or involve work that can develop into a paying job, might be indicated.

#### Monetary Costs and Benefits

Assignment of costs in dollar terms is basically a way of summarizing and comparing program effects.

Three cautions should be kept in mind in using this technique, however. First, not all costs and benefits that result from Arbitration are included. Future reports will consider costs and benefits incurred by youth, other parts of the justice system, and the victim. Also, some of the costs and benefits that do concern the police are impossible to quantify. These include things like the reduced overcrowding in police stations, reductions in aggravation to police when making juvenile arrests, and convenience that

results from the size of citation forms. The fact that this type of factor cannot be expressed in dollars does not mean that such things are not important.

Second, any cost benefit analysis is an estimate of savings and expenses. It is impossible to determine with complete accuracy the cost of an arrest, the increase in arrests resulting from Arbitration, etc. What is presented here is based on the best information available.

Finally, the term savings is somewhat misleading. We are really talking about a reallocation of resources. When \$1,000 is "saved" by police or by the courts it is not turned back to the State. Rather, it is reallocated to solve other problems. In the justice system the ever increasing amount of crime may absorb any "savings". The issue, then, is not whether the expenses add up to less than the savings, but what services we get for the expenses, and how savings are used.

With these cautions in mind, it was possible to arrive at several values that represent savings resulting from Arbitration. Each is listed below, with an explanation (calculations are in Appendix G):

1. Savings in Travel for Police \$3,043 per year

explanation: The average amount of travel saved per week was calculated by multiplying the proportion of patrolmen who saved travel by the average number of miles in travel saved per week. This figure was adjusted by subtracting the proportion of police who traveled more times the average num-

ber of miles of extra travel. The resulting figure, which is the average number of miles saved per week per patrolman, was generalized to a year for 400 men.

2. Savings in Paperwork for Police - 11,132 hours per year

explanation: The average amount of time doing paperwork per week was calculated by multiplying the proportion of patrolmen who saved time by the average number of hours saved per week. This figure was adjusted by subtracting the proportion of police who indicated paperwork took more time multiplied by the average number of extra hours. The resulting figure, which is the average number of hours saved per week per patrolman, was generalized to a year for 400 men.

3. Savings to Police resulting from the increased diversion of youth from formal court - \$7,042

explanation: Since 313 youths are diverted from formal court in a year, police now go to court for about 280 fewer cases - (The number of cases is 90% of the number of individuals.) Assuming that each case involves two hours of police time, at \$25 for two hours, \$7,042 is saved in one year.

4. Increased Time is Available for Police to Carry out Patrol and Prevention Activities

Time Equivalent to Six Fulltime Patrolmen

explanation: An estimated 11,132 hours of police time is saved doing paperwork during a year. Savings in court appearance time amounts to 560 hours per week. And, if just five minutes per officer is saved in travel time during a week, 733 hours would be saved for 400 men during a year. This amounts to a total of 11,710 hours saved in a year, or the equivalent of freeing more than five patrolmen from juvenile work to work full time for a year.

In sum, the Arbitration Program produces a savings in time and money for the police that is substantial. Police can invest less time processing juveniles, and considerably more time on patrol.

## Appendix A

## Initial Interview for Patrolmen

Directions

The State plans to extend the arbitration/citation system throughout Maryland during the next five years. We realize that one effect of the system is that it changes the police routine somewhat. Therefore, we are trying to interview city and county police to find out exactly what the changes are.

Of course, anything you say will be confidential, and we are much more concerned with an overall picture than your personal comments. The information we get together will be available to us, and others planning to use citations/arbitration, and will be used in helping other police departments to make the transition to the citation system.

1. 1. County or 2. City
2. 1. White or 2. Black
3. 1. Male or 2. Female
4. Rank
5. Age
6. Number of Years a Policeman
7. Special duty, type of duty, beat
8. Does giving a citation take 1. longer, 2. shorter, 3. the same time, 4. don't know as the old system?
9. Why?
10. Do you come to court 1. more, 2. less?  
If you come to court more/less, on the average how many extra hours do you use/save per MONTH.
11. What factors account for the citation process taking more/less time?
12. Do you get more/less complaints from victims since we started the citation/arbitration system? 1. more, 2. less
13. If you save/lose time, on the average, how many hours do you use extra, save extra, with citations in handling victim complaints?
14. How would you improve the way arbitrators handle cases?
15. What do you like about the arbitration system?
16. Were these problems/good points the same or different with the old system?
17. How do you feel about juvenile work?
18. If you save time, how do you use the extra time?
19. Are there any kinds of situations you get into where you find the citation system especially good (as opposed to the old procedure)?

20. What are they?  
What would you have done in these situations before?
21. Are there some situations in which they are worse?
22. How do you handle family/neighborhood disputes that involve juveniles?  
Do you think the policeman should play a part in settling these?  
How would you rank family disputes in terms of priority with other types of police work - say traffic, detective re: adult offenses, simple patrol, and emergency calls.  
What do you see as the policeman's role in handling neighborhood disputes?
23. How would you describe your reaction when you get a call to settle a "neighborhood dispute"?  
How much time do you like to spend working one of these out?  
How do people react towards you when you give them a citation in a neighborhood dispute?  
How did they react if you arrested them?  
How do they usually react when you do nothing?
24. How do you typically handle "large group delinquencies" - with six or more kids, typically harrassing somebody, or loitering, drinking beer, etc.  
Are citations a help here? How?  
What would you have done before?  
Do you save any time in these situations with the citations?
25. Is there any other way that the citation system has affected your day to day, routine work?



## Appendix B

## Self Administered Questionnaire For Patrolmen

Directions

The State of Maryland is considering extending the use of citations, and the arbitration system, for juveniles. We realize that this type of change in Juvenile Services has an effect on the day to day operations of the police department. Therefore, we are asking county and city police to fill out the questionnaire to find out exactly how it affects them.

Anything you write on this questionnaire will be confidential. In fact, we are not keeping a record of your name. Please try to answer every question. Any information that you provide will only be used by the research staff of the Arbitration Program in Annapolis.

Again, thank you for helping us out.

For each of the questions, please circle the correct answer. The first set of questions are about you and your position.

1. Which police force do you work for?
  1. County - Central Office
  2. County - South or North district
  3. BEST Team, County
  4. Annapolis City
  5. Maryland State
2. What is your sex?
  1. Male
  2. Female
3. What is your race?
  1. White
  2. Black
  3. Other
4. What is your rank? (Please write in) \_\_\_\_\_
5. What is your age?
  1. Under 20
  2. 21 to 25
  3. 26 to 30
  4. 31 to 40
  5. Over 40
6. How long have you been a police officer?
  1. Under 5 years or exactly 5 years
  2. Over 5 years

7. Are you a regular patrolman, or are you assigned to some special duty like juvenile work?
1. I am a regular patrol officer.
  2. I am assigned to special duty.  
What is the special duty? (Please write in)
- 

Following are some questions about the citation system and the arbitration program, especially as they affect you.

8. Compared with the old system of arrest procedure, how long does the citation take to make an arrest?
1. It takes longer on the average.
  2. It takes a shorter time on the average.
  3. It takes the same time, on the average.
  4. I don't know, or I wasn't here before the citations were in use.
9. Would you say you spend more or less time doing paperwork with citations than with the old method.
1. Citations take longer.  
How many extra hours per week, on the average?  
(Please write in) \_\_\_\_\_
  2. Citations save me time.  
How many extra hours per week, on the average?  
(Please write in) \_\_\_\_\_
  3. Citations involve the same amount of paperwork.
  4. I don't know or I wasn't here before the citation system.
10. How do victims react now that you have citations.
1. Victims call or stop me on the street more often than before to complain or ask about a juvenile case.  
How many extra times per week on the average?  
(Please write in) \_\_\_\_\_
  2. Victims call or stop me on the street less often than before to complain or find out what is happening in a case.  
How many fewer times per week, on the average?  
(Please write in) \_\_\_\_\_
  3. Victims complain or ask about a case as frequently as before.
  4. I don't know, or I wasn't here before the citation system began.
11. How does having citations affect travel time?
1. I must travel more.  
How many extra miles per week, on the average?  
(Please write in) \_\_\_\_\_
  2. I travel less.  
How many extra miles per week, on the average?  
(Please write in) \_\_\_\_\_
  3. I travel the same as before.
  4. I don't know, or I wasn't here before the citation system began.

12. Do you find you go to Court for more or less of the youth that you arrest with citations than with the old arrest procedures.
1. I go to Court with more of the youth I arrest since the citation system started.
  2. I go to Court with fewer of the youth I arrest since the citation system started.
  3. I go to Court with the same proportion of youth I arrest.
  4. I do not know.
13. Would you say that of the youth you come in contact with, do you arrest a greater or smaller proportion with the citation system than with the old procedure. In other words, you settle things with a warning as often as before.
1. I arrest more kids with the citation system, and close fewer cases with a sample warning than I did with the old system.  
On the average, how many per week?  
(Please write in) \_\_\_\_\_
  2. I arrested more kids with the old procedure, and closed fewer cases with a warning, than I do now with the citation system.  
How many fewer per week, on the average?  
(Please write in) \_\_\_\_\_
  3. No changes.
  4. I don't know.
14. If you save time with the citation system, how do you spend the extra time. (Skip this question if you do not save time.)
1. I am able to do more juvenile work, and clear more juvenile cases.
  2. I spend most of the time saved doing other types of work besides juvenile.  
What type?  
(Please write in) \_\_\_\_\_

The police are faced with many difficult situations. We would like to know if the citation system makes arrest of juveniles either easier or more difficult than the old arrest procedures, and therefore has some effect on the number of people you arrest. For the following types of cases, would you say that you arrest more, fewer or the same number of youth than when the old arrest procedure was used?

15. When you are called to handle a "group delinquency" situation, say where several teenagers are drinking or loitering, do you:
1. Tend to arrest more youth with the citation than you could have with the old arrest procedure.

2. Tend to arrest fewer youth with the citation than you could have with the old arrest procedure.
  3. Arrest the same number of youth with the citation than you would have with the old arrest procedure.
  4. Don't know or was not here before citations were in use.
16. When you are called to settle an argument between two or more neighbors that involves a juvenile, do you:
1. Tend to arrest a higher proportion of youth with the citation than you could have with the old arrest procedure.
  2. Tend to arrest fewer youth with the citation than you could have with the old arrest procedure.
  3. Arrest the same proportion of youth with the citation that you would have with the old arrest procedure.
  4. Don't know or was not here before citations were in use.
17. When you are called to handle a shoplifting offense, do you:
1. Tend to arrest more youth with the citation than you could have with the old arrest procedure.
  2. Tend to arrest fewer youth with the citation than you could have with the old arrest procedure.
  3. Arrest the same number of youth with the citation than you would have with the old arrest procedure.
  4. Don't know or was not here before citations were in use.
18. How would you say that the citation/arbitration program affects kids when compared to the old system?
1. It is less effective in keeping him from committing more offenses.
  2. It is more effective in keeping him from committing more offenses.
  3. It is the same as the old procedure.
  4. I do not know, or I was not here before the citation system began.
19. Have you ever been to an arbitration or an intake session?
1. Both
  2. Just intake
  3. Just arbitration
  4. Neither

- For the rest of the questions, please write out your answers.
20. Please list any other ways, not already mentioned, that the citation system saves you time or makes your job easier when compared to the old system.
- 1.
  - 2.
  - 3.

21. Please list any other ways, not already mentioned, that the citation system takes you more time or causes you inconvenience when compared with the old system.

- 1.
- 2.
- 3.

## Appendix C

Patrolmen's Estimates of Time Saved for City,  
County and State Police

1. General estimate of time saved for each police force.

		Police Force	
		County and State	City
Time Required for Arrest	less	44.4% (28)	44.4% (8)
	the same	55.6% (35)	55.6% (10)

$\chi^2$  with 1 degree of freedom. Significance = .7880  
Number of missing observations = 8

2. The relationship between police force and reports of time needed to do paper work.

		Police Force	
		County and State	City
Time to do Paper work	more	7.5%	---*
	less	58.2% (39)	52.6% (10)
	the same	34.3% (23)	31.6% (6)

$\chi^2 = 1.21730$  with 2 degrees of freedom. Significance = .5441  
Number of missing observations = 3

3. The relationship between police force and reports of the amount of travel required to complete a juvenile arrest.

		Police Force	
		County and State	City
Travel Required to Complete a Juvenile Arrest	more	3.6% (9)	---*
	less	48.5% (32)	---*
	the same	37.9% (25)	72.2% (13)

$\chi^2 = 6.739$  with 2 degrees of freedom. Significance = .03  
Number of missing observations = 5

4. The relationship between the proportion of police referrals that result in a police appearance in Court and police force.

		Police Force	
		County and State	City
Proportion of Referrals that Require Court Appearance	more	---*	---*
	less	89.7% (61)	100% (18)
	the same	7.4% ( 5)	---*

$\chi^2 = 2.01713$  with 3 degrees of freedom. Significance = .3647 Number of missing values = 3.

5. The relationship between the number of victim queries or complaints and the police force.

		Police Force	
		County and State	City
Number of Victim Queries & Complaints	more	14.9% (10)	---*
	less	14.9% (10)	---*
	the same	70.1% (47)	77.8% (14)

$\chi^2 = 1.1057$  with two degrees of freedom. Significance = .57. Number of missing observations = 4.

\*Cell size too small for meaningful comparison.

## Appendix D

Indicators of the Increased Diversion of  
Police Referred Youth From Formal Court

1. The ratio of formal Court cases to number of individuals referred.

	Year	1971	1972	1973	1974
Court Cases/ Individuals Referred		50.78% (965/1900)	38.0% (859/2260)	39.20% (1016/2542)	29.49% (1139/3862)

2. Intake Dispositions Before and After the Arbitration Program began.

	Closed at Intake	Disposition		
		State's Attorney's Office	Informal Supervisor*	Disapprove
1973 (old intake procedure)	74.8% (312)	17.0% (71)	4.1% (17)	4.1% (17)
1975 (arbitra- tion)	24.5% (68)	7.2% (20)	37.8% (105)	30.6% (85)

$\chi^2 = 277.35921$  with 3 Degrees of Freedom Significance = .0000  
Number of Missing Observations = 45\*\*

\*It should be noted that the work, counseling and corrective education (e.g., drug education, mini-bike safety) dispositions are classified here as "informal supervision". Also, the number of youth for whom informal supervision was ordered in 1973 may be an underestimate; the Department reports that his category of intake dispositions was misclassified as "closed at intake" by some intake workers.

\*\*Most of the missing observations were on cases in 1973, for which an intake disposition was never made, or never reported to the secretary who recorded the dispositions.



## Appendix E

The Relationship Between Police Department, Offence Type and Characteristics of Youth, and the Arbitrator's Decision to Deny a Case

## 1. Case dispositions in 1973 and 1975 for county police.

		COUNTY POLICE	
		Year	
		1973	1975
Disposition	closed	68.3% (28)	21.0% (35)
	state's attorney	17.1% (7)	6.6% (11)
	informal supervision	---*	43.1% (72)
	deny	---*	29.3% (49)

## 2. Case dispositions in 1973 and 1975 for city police.

		CITY POLICE	
		Year	
		1973	1975
Disposition	closed	85.0% (17)	35.7% (13)
	state's attorney	---*	---*
	informal supervision	---*	39.0% (16)
	deny	---*	22.0% (9)

\*Insufficient cell size for meaningful comparison.

3. The relationship of type of youth and type of offense to the case disposition 'deny' made by the arbitrator.

Summary of Variables Entered into a Regression Analysis of the Arbitrators Decision to Deny a Case

Variable*	R Square
irritating offenses	.00338
1 or more prior offenses	.00622
offense vs. person	.00866
15 years old	.01150
14 years old	.01459
13 years old	.01902
male	.02011
11 years old	.02096
White	.02154
offense vs. property	.02225
12 years old	.02233
10 years old	.02240
no prior offenses	.02240
10 years or younger	not in equation

\*Dummy variable coding used throughout

Interpretation: The  $R^2$  amount can be viewed as the proportion of variance that each of the variables accounts for in explaining whether or not a case is denied. Since the largest variance that is accounted for is only 2.24%, even though this amount may be statistically significant, it can be said that the qualities of the youths and the offenses do not account for any substantial amount of variation in whether or not a decision is made to deny a case.

**Appendix F**  
**Characteristics of Youth Arrested for Misdemeanors in 1973**  
**(old intake procedure) and 1975 (arbitration procedure)**

1. Parental status of youth referred by police for misdemeanors before and after the Arbitration Program began.

	Parental Status	
	with natural parents	not with natural parents
1973	74.0% (268)	26.0% (94)
Year		
1975	69.0% ( 60)	31.0% (27)

$\chi^2 = .67570$  with 1 degree of freedom. Significance = .4111. Number of missing observations = 291\*

\*The status of parents is not consistently recorded by intake workers or arbitration staff. It is possible that these figures overestimate the proportion of families where the child does not live with both natural parents, since most likely parental status is more often noted in these cases.

2. Age of youth referred by police for misdemeanors before and after the Arbitration Program began.

	under 11	11	12	13	14	15	16	17
1973	4.5% (19)	1.9% (8)	3.6% (15)	6.2% (26)	16.5% (69)	18.9% (79)	18.9% (79)	29.4% (123)
Year								
1975	3.7% (12)	4.0% (13)	4.0% (13)	10.6% (34)	14.0% (45)	20.5% (66)	21.4% (69)	21.7% (70)

$\chi^2 = 13.1969$  with 7 degrees of freedom. Significance = .0675

3. Sex of youth referred by police for misdemeanors before and after Arbitration began.

		Sex	
		Male	Female
Year	1973	84.0% (351)	16.0% (67)
	1974	79.7% (255)	20.3% (65)

$x^2 = 1.9823$  with 1 degree of freedom. Significance = .1591. Number of missing observations = 2 (miscodes)

4. Race of youths referred by police for misdemeanors before and after Arbitration began.

		Race	
		Black	White
Year	1973	18.4% (77)	81.6% (341)
	1975	25.0% (80)	75.0% (240)

$x^2 = 4.2995$  with 1 degree of freedom. Significance = .0381. Number of missing observations = 2 (miscodes)

5. Type of offense committed by youths referred by police for misdemeanors before and after the Arbitration Program began.

		Type of Offense*		
		vs. person	vs. property	irritation
Year	1973	30.8% (76)	40.9% (101)	28.3% (70)
	1975	22.9% (66)	53.1% (153)	24.0% (69)

$x^2 = 8.2636$  with 2 degrees of freedom. Significance = .0161. Number of missing observations = 205\*\*

\*vs. person: arson, sex offense, firearms or deadly weapons, false alarm, fireworks, explosives, assault, threatening, battery.

vs. property: auto theft, larceny, shoplifting, receiving, possession of stolen goods, tampering, theft, vandalism, destruction of property.

irritations: disorderly conduct, trespassing, throwing missiles on the road, loitering, jay walking, littering, criminal dumping, hitchhiking.

\*\*missing cases include: drug (70), alcohol (36), cases classified in the record as "other" (60), minibike offenses (5), traffic violations (19), interfering with arrest (4) and phone calls (5). Drug and alcohol cases were classified this way because the 1975 sample was drawn from Arbitration records, and since the beginning of 1975 all drug and alcohol cases have been handled by intake. Other cases were classified as missing because of inability to fit them into existing categories, and small number.

**Appendix G**  
**Calculations of Costs and Benefits**

**1. Savings in Travel**

$$ST = ((PS)(Avs)-(PL)(AvL))(W)(O)(C)$$

ST = savings in travel  
 PS = proportion of police reporting a savings  
 AvS = average savings reported per man per week  
 PL = proportion of police reporting a loss  
 AvL = average loss reported per man per week  
 W = weeks in a year  
 O = officers in the county  
 C = cost per mile (12¢)

$$ST = ((.424)(17.75)+(11.8)(50))(52)(400)(12¢)$$

$$*ST = \$3,043 \text{ per year}$$

\*or @ 5 minutes of travel time per week, 1,733 hours per year.

**2. Savings in Paperwork**

$$SP = ((PS)(AvS)-(PL)(AvL))(W)(O)$$

SP = savings in paperwork  
 PS = proportion of police reporting a savings  
 AvS = average savings reported per man per week  
 PL = proportion of police reporting a loss  
 AvL = average loss reported per man per week  
 W = weeks in a year  
 O = officers in the county

$$SP = ((.337)(2.14)-(.093)(2))(52)(400)$$

$$*SP = 11,131 \text{ hours per year}$$

**3. Savings to Police in Court Appearances**

$$SC = (a(PD_{74}-PD_{73})(YR-AA))(C_p)$$

SC = savings to police in court appearances  
 a = ration of individuals to cases - .90  
 PD<sub>74</sub> = proportion of youth diverted in 1974  
 PD<sub>73</sub> = proportion of youth diverted in 1973  
 YR = youth referred in 1974  
 AA = arrests attributed to increased ease of citations  
 C<sub>p</sub> = average cost of a court appearance for a patrolman - \$25, minimum overtime pay

$$SC = (.9(8862-732))(.1)(\$25)$$

$$*SC = \$7,042.5$$

\*or @ 2 hours per appearance, 563.4 hours per year

## 4. Total Number of Hours Saved for Police in a Year

travel	1,733
paperwork	11,131
court	<u>364</u>

Annual Total 13,427 hours

Assuming one patrolman works 2,080 hours per year (40 hours times 52 weeks) this is equivalent to 6.45 full time patrolmen for a year.

## EXEMPLARY PROJECT RECOMMENDATION

## I. Project Description

1. Name of the Program  
Community Arbitration Project
2. Type of Program (ROR, burglary prevention, etc.)  
Juvenile Delinquency Prevention (JD-5)
3. Name of Area or Community Served

(a) Approximate total population of area or community served  
Anne Arundel County, Maryland  
(a) 297,539

(b) Target subset of this population served by the project (if appropriate)

No. Served	Period	Population
3729	18 mos.	50,662 (out of total AA Co. children (6-18))

4. Administering Agency (give full title and address)  
Anne Arundel County Department of Juvenile Services  
P.O. Box 1927  
Annapolis, Maryland 21404

(a) Project Director (name and phone number; address only if different from 4 above.)

David W. Larom, ACSW  
Phone: (301) 224-1364

(b) Individual responsible for day to day program operations (name and phone number)

Mrs. Kay Peacock  
Phone: (301) 263-0707

5. Funding Agency(s) and Grant Number (agency name and address, staff contact and phone number)

Governor's Commission on Law Enforcement  
Executive Plaza One  
Cockeysville, Maryland 21030  
Contact: Mr. John Duchez

6. Project Duration (give date project began rather than date LEAA funding, if any, began)

Began: 6/74



7. Project Operating Costs (Do not include costs of formal evaluation if one has been performed. See Item 8)

Breakdown of total operating costs, specify time period:

Federal: \$73,982

State: 8,220

Local: None

Private: None

Total: \$82,202

Of the above total, indicate how much is:

(a) Start-up, one time expenditures:

NA

(b) Annual operating costs:

\$82,202

(A complete budget breakdown should be included with the attachments to this form)

8. Evaluation Costs (Indicate cost of formal evaluation if one has been performed)

Total Cost	Time Period	Principal Cost Categories
NA		

NA

9. Continuation. Has the project been institutionalized or is it still regarded as experimental in nature? Does its continuation appear reasonably certain with local funding?

The project is currently considered a Pilot Program with commitments this year to implement in Baltimore, Maryland. Continuation provisions are included in the State's future budget projections.

## Attachment A - Program Review Memorandum

1. Project Summary

The Community Arbitration Program allows juveniles who commit misdemeanors to respond immediately to a police issued citation, and voluntarily become involved in community work and/or available treatment programs. The major goals of this project are: 1) to reduce the time period for case settlement; 2) to immediately involve, with impact, the juvenile offender and parents in a positive experience which would afford the opportunity to assume responsibility, develop good working relationships with community groups and agencies and internalize community values and; 3) to reduce frustration in the community by immediately responding to the offender and displaying action to the police, the victim and the community members.

In order to accomplish these objectives, the Community Arbitration Program would provide a lawyer to carry through the interview process with victim, child and parents; in addition, the project staff would be available to work with community groups, to place the child in appropriate volunteer settings, and to supervise and counsel the youth.

2. Criteria Achievement(a) Goal Achievement:

- (1). Goal 1; To increase the speed of handling a misdemeanor case from four to six weeks.

The project staff indicates that all citations are scheduled by the police to be "heard" before the Community Arbitrator within seven working days of the date of the issuance of the citation. Project staff indicate that the present workload makes it difficult to set a case within five working days. Monthly averages indicate that approximately 91% of youths respond to the citation for the issued date, either by appearance or by arranging for a postponement in emergencies. Approximately 9% do not show for a first appointment. Half of these individuals come in for a second appointment, with the remaining 4.5% being referred to the State's Attorneys Office.

This data compares favorably with procedures that existed prior to the implementation of the program. Specifically, misdemeanor cases required 4-6 weeks for disposition and 15-20% of all clients did not appear for their appointment under the previous system. This latter figure, it should be noted, is only an estimate, as exact figures on individuals not appearing were not kept.

Goal 2: To involve youth quickly in a positive work experience providing the opportunity to develop good working relationships with community groups and agencies.

As of November 30, 1975, 1137 youths whose cases were informally adjusted were placed on and completed informal supervision for

(2)

the following assignments: 416 were assigned to volunteer work; 354 to counseling; 99 were followed for payment of restitution; 125 assigned to education or re-education programs, 99 were given combination assignments and were followed to check on, or for further investigation. Also, an additional 271 youths were on 90-day supervision as of November 30, 1975 and are not included in this data as their assignments have not been completed. Therefore, no information is available on their activity at this point in time.

Attachment B to this report gives a further breakdown on this information. Attachment C gives a listing of agencies for whom work was done.

Of 416 assigned to volunteer work, only 59 did not complete their assignments, 20 for reasons beyond kid's control. When youth do not complete assignments, a note to that effect is made in the records which is taken into account should the child be referred for a subsequent offense.

Of 354 youth referred to counseling, 280 successfully completed the counseling program. Successful completion is defined as a youth contacting the counseling agency as requested, and either completing his assignment or is evaluated by the counselor and it is determined that further meetings are not necessary. Several made notable progress while in counseling. A total of 74 did not successfully complete counseling. In 10 cases an appropriate counselor could not be found and in 64 others the youth did not appear for counseling appointments. Failure to successfully complete counseling is noted in individual files.

Of 99 cases referred for restitution, 67 youth paid restitution while 12 were referred to the State's Attorney for non-payment. A total of \$5,608.58 in restitution was collected.

Of 125 assigned to education programs, 69 successfully completed the mini-bike safety program and 5 did not. Twenty-seven were assigned to visit juvenile institutions. Nine of these visits were not completed as the institutions decided against the visits. Nine youth completed Department of Motor Vehicle Driver Rehabilitation and 14 completed National Rifle Association courses on gun safety, one completed a report on the dangers of fireworks.

Goal 3: To allow the victim to see that something is done to correct the youth and make it clear the offense is important.

Under the arbitration program, all victims or complainants are given copies of citations advising them that they may attend arbitration. Approximately 65% of all complainants are private citizens. Approximately 50% of all private complainants do attend the arbitration process. Prior to the implementation of this program, complainants or victims seldom attended the intake conference and seldom were advised of the outcome of the conference by letter. Very few police officers respond to the arbitration hearing according to project staff. However, they do provide copies of the police report.

(4)

think of anything to do, have him choose among available alternatives, if possible.

2. Have the youth working as close to home as possible, thus bringing his volunteer service into a closer relationship with his own life and community and to alleviate transportation problems.
3. Have the youth work with other volunteers, or workers so that he feels he is volunteering with a group as opposed to doing work for a group.

With reference to those youth referred for counseling, approximately 50% were referred to the two Commission funded youth service bureaus in the county, with the remainder being referred to other counseling agencies in the county.

With reference to educational resources, four individuals completed the Department of Motor Vehicles Driver Re-Education Program, five completed the National Rifle Association firearms safety program, and 69 completed the mini-bike safety program.

Goal 5: To attack quickly and meaningfully minor acting out of juveniles in order to prevent future more serious offenses.

The only measure of effectiveness available at this point in time would be that of recidivism. Recidivism is probably best measured following a sufficient time interval (at least 3 years) and in a comparative manner with previous, or pre-Arbitration, recidivism data. The first condition cannot as yet be adequately met, the second only partially as Departmental recidivism data for Anne Arundel County includes all offenses, not just misdemeanors.

However, preliminary indications are optimistic. In comparing recidivism data for all offenses in Anne Arundel County from 1968 to 1974 with recidivism data of Community Arbitration Program for 7/1/74 to 6/30/75, the following may be of significance. Utilizing identical definitions of recidivism (any second referral to DJS) the County for all offenses from 1968-1974 recorded a 24.2% rate, the Community Arbitration Program, from 7/15/74-11/30/75, recorded a 12.4% rate for misdemeanors referred to Arbitration, which is significantly less. The most valid test however will be evident after the passage of 2-3 years and further analysis.

One recent recidivism figure, when considered with the rising referral rate, is extremely intriguing. From 7/73-6/74 our overall recidivism rate, according to the Juvenile Services Administration Central Office, was 40%. Court figures indicate an increase of referrals from 3600 to 4000. From 7/74 (when Community Arbitration Program commenced) to 6/75 our recidivism rate dropped to 29% while referrals continued to rise to a total of 6000. With no other variables apparent, it would seem that Community Arbitration Program has had an impact in our overall recidivism trend.

(3)

A limited opinion survey has been conducted to determine complainant response to the program. A total of 63 private citizens were sent questionnaires; however, only 13 were returned. Of these 13, ten agreed with the disposition in their case and 12 said they agreed with the goals of the program. Police respondents to the questionnaire reported that their feedback from complainants had been half negative and half positive.

Another possible indication of complainant satisfaction with the program may be reflected in the fact that only 29 cases or .7% of total cases seen have been appealed by the complainant to the State's Attorneys Office, of these, petitions have been denied by the State's Attorneys Office on 13, on one, a petition was made---no decision available on remainder. This indicates that few complainants are dissatisfied to the point that they seek additional remedies. Data is not available to compare this with regular intake.

Goal 4: To involve the community in direct action relative to the juvenile crime problem.

Youth involved in the Community Arbitration Program have done volunteer work for 81 different agencies and groups in Anne Arundel County and surrounding areas. These groups have included 12 community improvement associations, 9 Jaycee groups, 7 other neighborhood-sponsored service groups, 33 social service programs, 13 county government departments, and 7 other groups. (See Attachment C). Thirty-nine of the groups were asked by youths to sponsor them for specific projects; the remainder were recruited by the Community Arbitration staff.

Work with the community improvement associations involved, for the most part, youth working in their own neighborhoods, picking up litter from beaches, playgrounds, and other community property. Work with Jaycee groups have involved local clean-up projects, participation in Bicentennial preparations and help in development of a camp for under-privileged children. Through the use of women's civic groups, girls have worked with Brownie troops, convalescent homes and retarded childrens centers. Other projects including both boys and girls include selling Christmas trees, and help with a recycling project.

The Social service programs include two Department of Social Services community organizations, three YMCA projects (a tutorial group, a community library, a branch office), a hotline, a center for retarded children, the YMCA, a church-sponsored youth center, a senior citizen's project, the Community Action Agency, the Human Relations Commission and the Mental Health Association, and others.

County agencies utilized include the Recreation Department, two libraries, 5 county elementary schools on work projects, 2 fire departments, and Baltimore County Police Department.

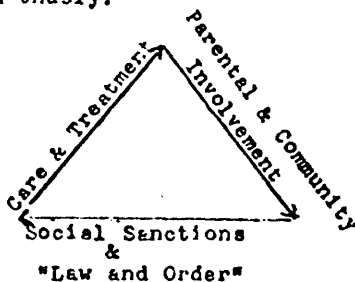
The basic philosophy developed by the project staff in recruiting volunteer work activities is as follows:

1. Have the youth choose how he wants to spend his assigned time, to the greatest extent possible. Where he can't.

- (2) There are no known similar projects addressing all of the problems included in this program. There is however, for example in California, a citation system which causes a rapid processing of children to the intake division. There are also court diversionary or alternative programs which involve work in the community. In Maryland there are no such programs involving both components. Therefore it is difficult to measure whether or not the Community Arbitration Program is more successful in meeting similar problems.

(b) Replicability:

- (1) Certainly, the problems of rapid, meaningful processing of the ever increasing number of juvenile offenders is universal. Similarly, an approach to delinquent behavior which is treatment oriented, involving the community and with observable social sanctions to meet the needs of both offender and the public, is a common but less identifiable concern for all.
- (2) The necessary processes, from establishing a citation system with Law Enforcement agencies, the State's Attorneys Office and the Court, to recruiting treatment and work resources in the community, have been documented. Material tracing historically the salient concepts and the implementation has, over the past 12 months, been generated in the form of LEAA Grants, independent seminar papers and news accounts. Though Maryland's juvenile code may be less understood, there exists sufficient documentation of utilitarian value to adequately describe the Community Arbitration Program to many levels of readership.....
- (3) Probably the one most significant factor responsible for the project's success is that it seems to be meeting a societal need with a process that is conceptually sound. This need of society is to "do something about the juvenile problem". Conceptually the program includes simultaneously the needs of the public, the law-enforcement agencies, the courts and the child. It may be represented thusly:



In brief, the theoretical approaches of Reality Therapy and Behavior Modification serve the needs of the human services approach to "treatment". This in turn is related to involving the community and parents in the socialization process which in turn affords the legal enforcement components of the Juvenile Justice System, a key role in providing the reality of expeditious social sanctions. From citation to the arbitration experience (involving all concerned), to treatment needs and/or community participation, the entire conceptual framework holds together and may be visibly implemented by all components. This then is what makes the project unique.

Because it is unique, most assuredly, motivation to succeed and be involved is high. Because the concern for the overall problem is high, commitment and implementation in other areas should be capable of facilitation almost anywhere and anytime.

- (4) Again because of the universal concern and the attraction of the bifurcated approach, the program, or one very similar, should be implementable in rural or urban areas.

(c) Measurability:

- (1) The project is in its second full year of operation and continues to be monitored and evaluated by LEAA.
- (2) The measures of effectiveness have been described under Section 2 (a) of this application. Also attached to this application are the results of our evaluation covering the first eight months of operation. These may be found in the attached second year grant application.

Planned evaluation of the grant includes a continuation of the opinion and impact surveys as well as an expanded recidivism data compiled month by month. Further in June of 1975 a control group has been initiated utilizing regular intake workers compared to the Community Arbitrator.

A further evaluation was completed in June of 1975 by the LEAA "National Evaluation Project" of the University of Minnesota.

(d) Efficiency:

A cost analysis study has not been completed other than to note that a child entering intake via the Community Arbitration Program costs the state approximately \$22.50. This obviously would seem to suggest a savings if one can assume that children are being diverted from further court involvement. The program is of too recent origin to unequivocally determine that recidivism is lower, though initial indications would so indicate.

(e) Accessibility:

- (1) The agency, the courts and the community, with proper confidentiality safeguards is agreeable to evaluation, publicity and visitation.
- (2) It is reasonable to assume the program will continue exist and be instituted eventually on a statewide basis. It most certainly has been and is available to other interested parties.

3. Outstanding Features:

As outlined above the most impressive features are the uniqueness, timeliness and appropriateness of the program. In times of tremendous public concern and professional anguish, what would be more suitable than a program which balances on the fine line between cries for "punishment" and attempts at "treatment"?

To expeditiously provide service with impact to and for, both the child and the community, is extraordinary. To be able to do so openly and involve the laws of the land and our society's inherent love of its children seems even more unusual.

4. Thus far, on either a theoretical or practical level, weakness is not apparent. Comprehensive evaluation of any diversionary program is at best difficult. However, given time this should be accomplished.

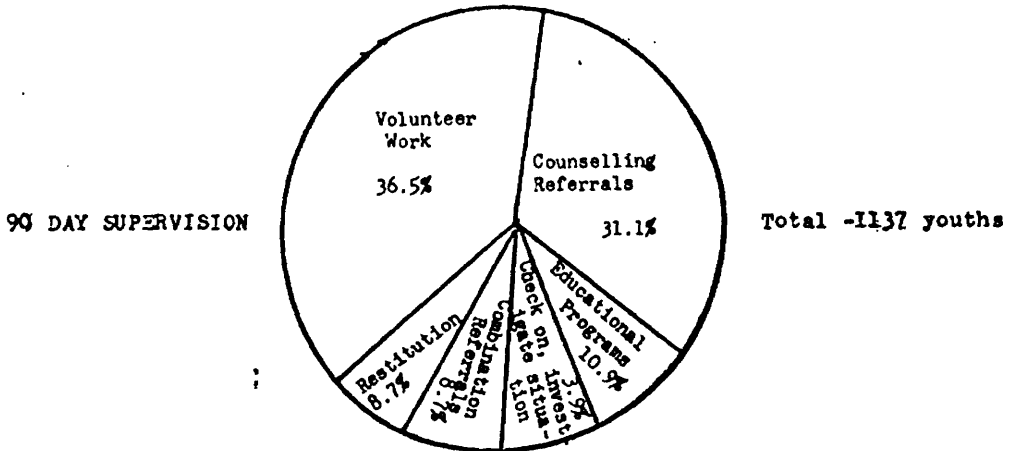
5. Degree of Support:

Without the extensive support of the Judiciary, the State's Attorneys Office, law enforcement agencies, social agencies, the media and the population at large, a program such as this would have folded a long time ago.

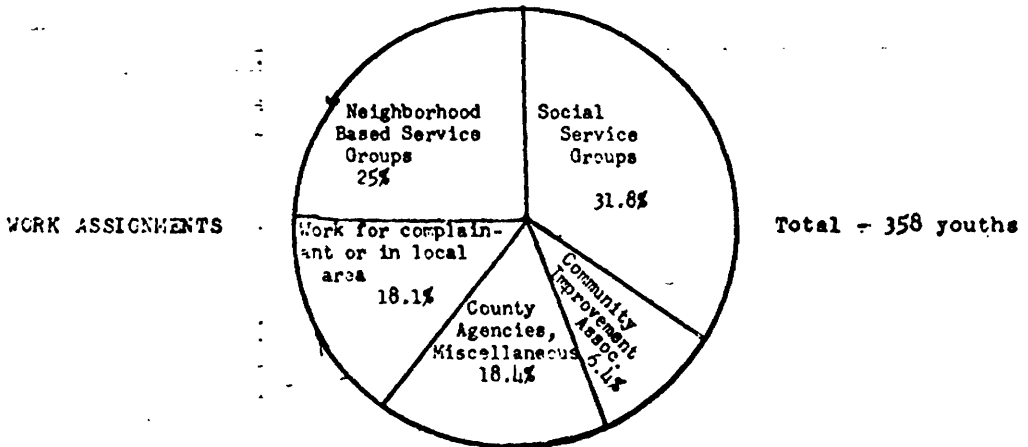
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90 DAY SUPERVISION AND VOLUNTEER WORK ASSIGNMENTS



This chart shows that roughly one-third of youths who completed 45 day informal supervision by November, 1975 were assigned to counseling, one-third were assigned to work, remaining third to restitution, to educational or re-educational programs, for further investigation, or for combination referrals.



More than one-fourth of the youths who have done volunteer work have worked with Neighborhood-Based Service Groups, like the Jaycees. One-third have worked for Social Service Programs. One-sixth worked either for the complainant, or in a local area supervised by a parent or a neighbor. The rest worked for Community Improvement Associations, or Miscellaneous Programs.

Source: Project staff report from grant application

## ORGANIZATIONS PARTICIPATING IN COMMUNITY ARBITRATION PROJECT

## Sponsors of Volunteer Work

## 1. Community Improvement Associations:

Woodside Civic Association  
 Selby Recreation Council  
 Seat Pleasant Community Association  
 Warfield Estates Community Association  
 Pumphroy Civic Association  
 Arden on the Severn Civic Association  
 Londontown Property Owners Association  
 Rock Creek Civic Association  
 Sylvan Shores Civic Association  
 Havenwood Civic Association  
 Hunter's Harbor Civic Association  
 Bowlward Park Civic Association

## II. Neighborhood Based Service Groups

Brooklyn Jaycee Men  
 Brooklyn Jaycee Women  
 Broadneck Jaycees  
 Pasadena Jaycee Men  
 Glen Burnie Jaycee Men  
 Glen Burnie Jaycee Women  
 Severna Park Jaycees  
 Pikesville Optimist Club  
 Crofton Women's Club Recycling Program  
 American Legion in Pasadena  
 Annapolis Jaycees  
 Shadyside Kiwanis  
 Ferndale Women's Club  
 Brooklyn Lions  
 Glen Burnie Volunteer Fire Department

## II. Social Service Programs

Resident Services-Meade Village (D.S.S.)  
 Resident Services-Robinwood (D.S.S.)  
 YWCA Emergency School Assistance Program  
 YWCA Odenton Branch  
 YWCA Stanton Center Library  
 Severna Park Hotline  
 Providence Center  
 North Arundel Convalescent Center  
 North County Day Care  
 YMCA Annapolis  
 Ecumenical Ministry for Youth  
 Senior Citizens Activity Center of Anne Arundel County  
 Community Action Agency  
 Human Relations Commission  
 Mental Health Association  
 Howard County Community Action  
 Stanton Center  
 Angels Haven

(2)

## III. Social Services Program Cont'd:

Bello Machre  
 Parole Day Care  
 Bay Manor Nursing Home  
 Harmonds Lane Nursing Home  
 Annapolis Convalescent Center  
 North Arundel Hospital  
 American Cancer Society  
 Pinkney Street Drop In Center  
 Regional Institute for Children  
 Knollwood Nursing Home  
 Harbor House Recreation Council  
 D.C. Children's Center  
 Walkathon  
 Goodwill

## IV. County Government Departments

Recreation Summer Program, Pasadena  
 Odenton Public Library  
 5 Elementary schools  
 3 County Fire Departments  
 1 Health Department-Odenton  
 Curtis Bay Recreation Program  
 Lake Waterford Park  
 Annapolis Library  
 Baltimore County Police

## V. Miscellaneous

SPCA-Annapolis  
 Children's Theater of Annapolis  
 Fine Arts Festival  
 Glam Festival  
 Medical Emergency Communication Service

## COUNSELLING GROUPS RECEIVING REFERRALS:

Annapolis Youth Service Bureau  
 Harundale Youth Center  
 Casis-Laurel Youth Services Bureau  
 Open Door  
 Human Relations Commission  
 North East Mental Health Center  
 Family & Children's Society, Baltimore  
 Baltimore Pastoral Counselling  
 Lutheran Social Services  
 Crofton Community Counsellor  
 3 Volunteers-1 Big Brother, 2 Big Sisters  
 3 students  
 Class Clinic  
 Lighthouse Youth Service Bureau  
 Grassroots  
 Ecumenical Ministry for Youth

## QUARTERLY PROJECT NARRATIVE REPORT

(This Form to be Completed and Signed by Project Director)

A. Title of Project: Community Arbitration Program.

B. Report Covers Period: July 1, 1975 to September 30, 1975.

C. In the space below (add additional sheets, if required), provide a comprehensive narrative indicating the progress that has been made in implementing this project. If the project has been fully implemented, explain the project's achievements in comparison to the goals, as outlined in the grant application on Pages 13 and 14 (Section IV, Paragraph D-2 and Paragraphs E and F).

In the last 3 months 613 youths were seen in Community Arbitration. Dispositions in this quarter have been as follows: 166 closed for insufficient evidence (27.1 percent); of the remaining cases, 171 (38.2 percent) were closed with warnings, 34 (7.6 percent) were referred to the State's Attorney, 1 case was continued, 5 (1.1 percent) referred to Intake or Probation, and 236 (52.7 percent) kept on 90 day informal supervision for assignment to volunteer work, counselling, restitution, re-education programs or a combination of these.

The totals and dispositions since the beginning of the program (June 6, 1974) are as follows: total youths seen: 3,422; denied for insufficient evidence, 718 (20.1 percent). Of the remaining 2,704 cases, 1,066 (39.4 percent) were closed with warnings; 218 (8 percent) were sent to State's Attorney; 108 (3.9 percent) cases were continued; 85 (3.1 percent) were referred to intake or probation; 1,226 (45.3 percent) were kept on informal supervision for assignment to volunteer work, counselling, restitution, re-education programs or a combination of these.

As of September 30, 1975, 967 youths completed informal supervision. 865 completed assignments successfully. 32 completed unsuccessfully for reasons beyond their control (illness, planned activity could not be carried out). 70 (7 percent) completed unsuccessfully, seemingly by their own choice. Of these, 11 were referred on to the State's Attorney—most of these for unpaid restitution. The remaining cases were closed, with the failures noted, should the youths return.

Since the start of the program, 3,323 hours of volunteer work have been performed by 363 youths for 72 community groups and agencies. A total of \$5,402.58 has been collected in restitution.

22 percent of the youths seen in this quarter were black. 18 percent were female. 70 (11 percent) did not show up for first appointments. Of these, 16 did not show for second appointments, and were referred on to the State's Attorney. The others were seen on subsequent appointments, or have been rescheduled. These statistics can be compared with the figures for the total time: 20.5 percent black, 18.3 percent female, 8.7 percent no-show. 51.7 percent of private citizen complainants attended in this quarter. 47.9 percent have attended since the beginning of Arbitration.

Recidivism statistics for the period since the program began are as follows: information has been kept on a total of 3,277 cases seen in the period July 12, 1974 thru September 30, 1975. 67.4 percent of the offenses were committed by youths with no prior contact with D.J.S. 17.6 percent were committed by youths with previous offenses handled informally. 6.8 percent of the offenses were committed by youth presently on probation; 2.3 percent by youths formerly on probation; 2.2 percent by youths presently or formerly on continued status; 3.6 percent by youths with C.I.N.S. priors.

7 percent of the youths with no previous contact returned once or more to Arbitration and/or Intake in this year. 27 percent of the youths with informally priors returned. 34.5 percent of the youths on active probation returned to Arbitration. 21.4 percent of the youths formerly on probation returned, and 22.2 percent of the youths presently or formerly on continuance returned. Of the total youths (2796) who committed the total offenses (3277), 347 returned. This is 12.4 percent of the total youths seen.

According to Juvenile Services statistics, recidivism for all offenses in Anne Arundel County Juvenile Services in fiscal year 73-74 was approximately 40 percent. For the next year, 74-75, (the first year of Arbitration), recidivism dropped to 29 percent. This difference may be attributed to Arbitration.

In the last quarter, the part time social worker was brought on to the staff. She has begun handling inter-family cases, and has drawn up a research plan for further evaluation of the impact of the program on the community, and systems with which it interacts. The part time social worker has two assistants placed at the Department of Juvenile Services by Manpower to help collect data.

Public Works turned down our request to create a state service position for the docket clerk; but we were given permission to convert the salary to hire someone on contract, and have located a person to do this job. This provides relief for the

two field supervisors, previously spending half of their work time on this task, to get into the field and spend time with youths assigned to them.

In this quarter an application for exemplary status from LEAA was begun, by which the Arbitration Program would be recognized as one of the few outstanding LEAA grant programs in the country. This application will be pursued in the next year. Other jurisdictions have approached the Arbitration Program for information, as they are studying the feasibility of adopting the program for their areas. These have included Montgomery County D.J.S., Prince George County D.J.S., and the Federal Reservation of Fort Meade.

Plans for the next quarter include continued development of community resources and relationships, research into the impact of the program on youth and on the community. Having field supervisors finally in the field gets the program into full operation, and should add greatly to the quality of service to youth.

Goals of the program (to increase the speed of handling misdemeanors, to involve youths quickly in positive experiences in the community, and to allow the victim to participate in Arbitration) have been achieved during this first year of operation. Cases are heard for the most part on the date of referral. Community awareness and involvement is increasing steadily and positively. Complainants continue to attend Arbitration, and seem to be in agreement with dispositions. Since the start of the program 14 cases involving 15 youths have been appealed by complainants. On one of these cases, the appeal was upheld, a petition was drawn up and the youth placed on a continuance by the court. Petitions were denied on 5 youths, and decisions have not been reached on the remaining 9 youths.

We are working to improve the quality and depth of work with youths and relationship to the community, and to maintain the levels of achievement reached on the other 2 goals.

#### QUARTERLY PROJECT NARRATIVE PROJECT

(This Form to be Completed and Signed by Project Director)

A. Title of Project: Community Arbitration Program.

B. Report Covers Period: October 1, 1975 to December 31, 1975.

C. In the space below (add additional sheets, if required), provide a comprehensive narrative indicating the progress that has been made in implementing this project. If the project has been fully implemented, explain the project's achievements in comparison to the goals, as outlined in the grant application on Pages 13 and 14 (Section IV, Paragraph D-2 and Paragraphs E and F).

In the last three months, 475 youths were seen in Arbitration. Dispositions in this quarter have been as follows: 101 or 21 percent denied for insufficient evidence; of the remaining 374 cases, 98 or 26 percent were closed at intake with warnings, 48 or 13 percent were referred to the State's Attorney's Office, 3 or .8 percent were referred to Juvenile Service intake or probation, and 225 or 60.2 percent were kept on informal supervision for assignment to volunteer work, counselling, restitution, re-education programs, or a combination of several of these options.

The totals since the beginning of the program in June 6, 1974 are as follows: total youths seen: 3897; cases denied for insufficient evidence: 819 or 21 percent. Of the remaining 3078 cases, 1164 or 37.9 percent were closed with warnings; 266 or 8.7 percent were sent to the State's Attorney's Office; 108 or 3.5 percent were continued; 88 or 2.9 percent were referred to intake or probation; and 1,451 or 47 percent were kept on informal supervision for assignment to volunteer work, counselling, restitution, re-education programs, or a combination of several of these options.

As of December 31, 1975, 1,211 youths were placed on informal supervision and completed their assignments. Of these 1,211 youths, 1,067 or 88 percent completed their assignments in a successful manner. Forty-three or 4 percent completed their assignments unsuccessfully for reasons beyond their control (illness, planned activity could not be carried out). Eighty-nine or 8 percent completed their assignments unsuccessfully. Of these 89 cases, 11 have been referred to the State's Attorney's Office—a majority because of unpaid restitution. The remaining cases were closed with a note in the youth's record should he or she ever return through the system.

Since the initiation of this program, a total of 3991 hours of volunteer work have been contributed toward the community by 565 youths working with 75 community groups and agencies. A total of \$5665.34 has been collected in restitution through this program.

Other statistical breakdowns for this quarter concern the percentage of minorities and no shows. One-hundred two or 21.5 percent of the youths seen were black and

373 or 78.5 percent were white. One-hundred twenty-four or 26 percent were female while 351 or 74 percent were male. Forty-six or 9.7 percent of the total youths seen (475) did not show for their first appointment. Of these 46 youths, 10 or 39 percent did not show for their second appointment and were subsequently referred to the State's Attorney's Office. The remaining 36 were seen during their re-scheduled appointments. These statistics are comparable with the figures for the total time of program operation. Forty-nine and eight-tenths percent of the private citizen complainant's attended Arbitration in this quarter.

Recidivism statistics have been kept from July 12, 1974 through December 31, 1975 on a total of 3758 cases. Of this total number of cases, 68.1 percent were offenses committed by youths with no prior contacts with DJS. Seventeen and one-tenth percent were committed by youths with previous offenses handled informally. Six and five-tenths percent of these offenses were committed by youths actively on probation and 2.2 percent by youths formerly on probation; 3.6 percent by youths with a CHINS priors and 2.5 percent by youths presently or formerly on continued status. Eight and two-tenths percent of the youths with no previous contact have returned to Arbitration one or more times; 28.2 percent of the youths with informally returned priors have returned; 37.5 percent of youths on active probation and 26.8 percent of the youths formerly on probation returned; 30 percent of the youths presently or formerly on continuance and 21.8 percent of those with CHINS priors have returned. Of the total offenses committed, 401 have returned which is a recidivism rate of 12.55 percent.

During this quarter the part-time social worker conducting the research project for our program drew up a tentative schedule of deadlines for the presentation of her findings. The first deadline is January 30, 1976 with subsequent deadlines occurring on: April 30, 1976; July 30, 1976; October 30, 1976; January 30, 1977; and July 30, 1977. Plans have been finalized to administer questionnaires to victim-complainants beginning January 5, 1976.

In addition during this quarter the county assigned two workers through their employment program to work with Arbitration. These two persons have been hired and will begin work January 5, 1976. One has been assigned to help with the research project and the other to aide the two field supervisors in managing their caseloads of approximately seventy-five youths each.

Plans for the next quarter include continued development of new community resources and relationships, continued research into the impact of this program on the youth and the community, and further work on a brochure for this program. The field supervisors will continue their efforts to spend more time in the field with youths.

The goals of this program (to increase the speed of handling misdemeanors, to involve youths quickly in positive experiences in the community, and to allow the victim to participate in Arbitration) continue to be achieved. Cases, with the exceptions of a few re-sets and no shows, are heard on the dates of referral. The youths continue to complete their assignments in the community successfully with the help of many groups. A high percentage of complainants attend the hearings and few dispositions are appealed. With the field supervisors able to spend more time in the field, a greater depth of work can be done with the youth. We continue to work on improving the quality and depth of our relationship and youths' relationship to the community, and to maintain the levels of achievement reached on the other two goals.

#### QUARTERLY PROJECT NARRATIVE PROJECT

(This Form to be Completed and Signed by Project Director)

A. Title of Project: Community Arbitration Program in Anne Arundel County.

B. Report Covers Period: January 1, 1976 to March 31, 1976.

C. In the space below (add additional sheets, if required), provide a comprehensive narrative indicating the progress that has been made in implementing this project. If the project has been fully implemented, explain the project's achievements in comparison to the goals, as outlined in the grant application on Pages 13 and 14 (Section IV, Paragraph D-2 and Paragraphs E and F).

In the last three months 476 youths were seen in Arbitration. Dispositions during this quarter were as follows: 114 or 24 percent denied for insufficient evidence; of the remaining 362 cases, 134 or 37 percent were closed at intake with warnings; 16 or 4 percent were referred to the State's Attorney's Office; 14 or 4 percent were referred to regular Juvenile Services intake or probation; and 194 or 55 percent were placed on informal supervision for assignment to either volunteer work, counselling, restitution, re-education programs, or a combination of these options.

The cumulative totals since the beginning of the program on June 6, 1974 are as follows: total youths seen: 4373; cases denied for insufficient evidence: 933 or 21 percent. Of the remaining 3440 cases, 1298 or 38 percent were closed at intake with warnings; 282 or 8 percent were referred to the State's Attorney's Office; 108 or 3 percent were continued; 102 or 3 percent were referred to regular Juvenile Services intake or probation; and 1645 or 48 percent were placed on informal supervision.

As of March 31, 1976, 1,387 youths were placed on informal supervision and completed their assignments. Of these 1387 youths, 1225 or 89 percent completed their assignments successfully. Fifty one or 4 percent completed their assignments unsuccessfully for reasons beyond their control (illness, planned activity not carried through, agency failure to contact youth). Ninety-nine or 7 percent completed their assignments unsuccessfully.

A total of 5651 hours of volunteer work has been contributed toward the strengthening of the community since the program's inception. A total of \$6367.89 has been collected in restitution through this program.

Other significant statistical breakdowns for this quarter include the percentages of minorities, complainants, and no shows. 85 or 15 percent of the youths seen were black and 487 or 85 percent were white. 120 or 25 percent of the youths seen are female and 367 or 75 percent are male. 40 or 8 percent of the total youths seen (476) did not show for their first appointment. Of these 40 youths, 34 (85 percent) were seen during their re-scheduled appointments for an overall no-show percentage for this quarter of 1.3 percent. During this quarter 159 or 54 percent of the private citizen complainants attended Arbitration.

Recidivism statistics continue to be kept for the program on a total of 4,246 cases. Of this total number of cases, 68.5 percent were offenses committed by youths with no prior contacts with JSA. 17 percent were committed by youths with previous offenses handled informally. 6 percent of these offenses were committed by youths actively on probation and 2 percent by youths formerly on probation. 4 percent were committed by youths with CINS priors and 2.5 percent by youths presently or formerly on continued status. Of the youths with no previous contact, only 8.7 percent have returned to Arbitration one or more times. Of the youths in other categories, 28.5 percent of youths with informally priors have returned; 36.6 percent of youths actively on probation and 25 percent of youths formerly on probation have returned; 22 percent of youths with CINS priors and 32 percent of youths presently or formerly on continuance have returned. Of the total number of cases, 454 have returned which is an overall program recidivism rate of 12.61 percent.

During this quarter, the part-time social worker-researcher presented her first findings regarding the impact of the program on the various police departments in the County. It was found that the program saved the police departments time and money which was re-allocated for crime prevention activities. She and a county worker assigned to the staff are presently interviewing a sample of complainants and youths for the next series of studies.

Since August 1975 when the social worker-researcher joined the staff, a total of 13 cases or 27 families have been referred to her for inter-family feud counselling. Only one of these families has returned to Arbitration for further action. Referrals to other helping agencies resulted after contacts with five families. Approximately 41 home visits have been made.

A new community resource was developed this quarter with the help of the Annapolis Senior Citizen's Center: Youths would collect canned goods in their community to donate to the Center. During this quarter nine youths have collected 232 cans of food.

Work on a brochure for the program has begun and the staff expects to have 1000 copies printed by mid-summer 1976. A professional photographer and layout artist have donated their time to assist with the project.

The goals of this program (to increase the speed of handling misdemeanors, to involve youths quickly in positive experiences in the community, and to allow the complainant to participate in Arbitration) continue to be achieved. Cases, with the exception of a small percentage of re-sets and no shows, are heard on the date of referral. The youths placed on informal supervision continue to complete their assignments successfully with the help of many community groups. A large percentage of private citizen complainants attend the hearings and only 0.7 percent of the total cases heard have been appealed. With the two field supervisors freed from the daily docket and with the addition of a county worker to help lower their caseloads, a greater depth of work is done with the youths. Work continues to be done on improving the quality of our relationship with both youths and the community and to maintain the level of achievement already attained by the program.

The social worker consultant continues to interview complainants and youths for her next studies. Youths being interviewed must fall within the 14, 15 or 16 year-old male category. The frequency of this category of youth being available for interviewing is less than anticipated hence the delay in the study. The recidivism study should be completed during mid-August. Preliminary indications are that the research is positive.

All the candidates (8) for the position of part-time Arbitrator had been interviewed by our staff, and most submitted bids (5). An ad was placed in the newspaper which brought in 3 inquiries. At this point, a second part-time Arbitrator has tentatively been selected and is awaiting contract approval. Training for this new Arbitrator will be conducted by our other Arbitrator who has two years' experience with the program.

Because there were no Arbitration hearings in June 1976, our field site supervisors subsequently received no new case referrals in June. Their time during this month was spent on those cases already received which could use additional service. In addition, they organized the Minibike Program on June 16, 1976 and attended several half day educational seminars. The docket clerk who was hired and began work on May 24, 1976 worked primarily in the office where she assisted in the badly-needed reorganization of the filing system. The secretary continued to process Arbitration cases but handed them over to intake to be heard.

Two staff trainers from JSA met with the staff in late June to discuss training programs. They agreed to draw up a training schedule for the program based on their assessment of our staff's needs. Areas which potentially will be covered: crisis intervention, family dynamics, and assessment techniques.

During this quarter the social worker has received an additional 4 family feud cases or 8 families with which to work. Approximately 6 home visits have been made.

The goals of this program continue to be achieved. Cases, with the exception of a small percentage of resets due to emergency situations and no shows, continue to be heard on the date of referral by the police. The youths placed on informal supervision continue to complete their assignments in a constructive manner with the help of many community groups and the oversight of their field site supervisor. A large percentage of private citizen complainants continue to attend the hearings and only .8 percent of the total cases heard have been appealed. The field site supervisors continue to do in-depth work with youths and the community. Work continues to be done to maintain the level of achievement already attained by the program.



## COMMITTEE ON VANDALISM, COLUMBIA, MD.

## PRIMARY OBJECTIVES

- To increase knowledge and awareness of vandalism
- To effect an attitudinal change
- To inspire a commitment to action

## SECONDARY OBJECTIVES

To promote community responsibility—impact on others in community-informing parents

To promote positive peer interaction where skills in self awareness, self affirmation and finally leadership and personal growth are developed

To promote growth in citizenship, learning to effect change—what are root causes (lashing out at society) teaching others about problems; what avenues are open for prevention; what resources are available locally and nationally.

- (1) Setting up panel discussions with authorities on the subject.
- (2) Determining what national and local governments are doing.
- (3) Personal involvement both through discussion as well as by example, i.e. (working with maintenance crew—attendance with policeman).

## REPORT FROM THE COMMITTEE ON VANDALISM, COLUMBIA, MD.

A small group of citizens in Columbia have become increasingly aware of the condition in society today called Vandalism. We saw this condition as violating certain basic rules and values which are both real and symbolic. Real in the sense that property damage is inconvenient, annoying and expensive. Symbolic because certain aesthetic values are threatened. Malicious pointless behavior invading the public domain is threatening to the ethics of responsible and caring individuals.

With the encouragement and assistance of the Columbia Association (Community Parks and Recreation Association) a slide show depicting acts of vandalism and their costs in Columbia was developed. Two years ago the Committee on Vandalism, with the Columbia Association scheduled and presented this slide show to over 20 elementary schools and middle schools (grades 1-8) in Columbia, Maryland. At the conclusion of this, the committee decided that more awareness and education than just a slide show was needed. Our intent was to and is to convince the Board of Education of Howard County that the entire school system especially grades 3-9 need to have a course taught on this problem.

Wilde Lake High School was chosen by the committee for a pilot course because this school is a model school and because there was a teacher, Mary Louise Ortenzo, who was willing to work with the committee to develop a 2 week course (10 hours in total) for half of the 9th grade class. The other half was to be the control group so that pre and post testing as part of evaluation could be built into the course (see enclosed test).

The committee received funding for materials and teacher course development from the Columbia Rotarians.

The cost of the program to date has been under \$500, including rental of film (\$25.00) purchase of books, etc.

The committee's role was to educate itself and the teacher by doing research on the subject vandalism by selecting articles and books, reviewing films, setting up and monitoring a panel discussion (composed of lawyer, Columbia Association maintenance worker, policeman and youth worker.)

The teacher designed the course, developed student workbook and taught a 1 day workshop to the two teachers who then taught the course. (See enclosed materials for course outline and workbook.)

At the conclusion of the course the committee interviewed the teachers and some of the students to get their impression of the program. The conclusion was that this is an excellent beginning—we need to lengthen the time allocated for the course to 3 weeks. We need to develop a course for middle and elementary schools. We need a 2 day workshop instead of 1.

The pre and post testing has been tallied and a chi-square statistical evaluation will be calculated and reported.

The course designed by Mary Louise Ortenzo is being revised for use at the State Level as part of the course: Program for Maryland Schools Law Related Education.

Sponsored by Governors Commission on LEAA, The Maryland Bar, and the Department of Education.

In conclusion the committee is proud to have been able to work with the teaching staff and the Columbia Association at very minimal cost and a great deal of time

## QUARTERLY PROJECT NARRATIVE PROJECT

(This Form to be Completed and Signed by Project Director)

A. Title of Project: Community Arbitration Program in Anne Arundel County.

B. Report Covers Period: April 1, 1976 to June 30, 1976.

C. In the space below (add additional sheets, if required), provide a comprehensive narrative indicating the progress that has been made in implementing this project. If the project has been fully implemented, explain the project's achievements in comparison to the goals, as outlined in the grant application on Pages 13 and 14 (Section IV, Paragraph D-2 and Paragraphs E and F).

Youths were seen in Arbitration during only two of the last three months. At the end of April 1976, we had requested two part-time Arbitrators in our third year grant application. The full-time Arbitrator continued at the request of the Governor's Commission to hear cases during May 1976 with no contract until a decision could be reached. At the end of May 1976 when a decision was made to continue with a full-time person, the Arbitrator left. Youths referred to the department on citations with misdemeanor offenses were handled by regular intake workers during the month of June 1976. A successful appeal then allowed us to go forward at the end of June 1976 with a two part-time Arbitrator system.

Within the last quarter, 248 youths were seen in Arbitration. Dispositions during this quarter were as follows: 38 or 15 percent denied for insufficient evidence; of the remaining 210 cases, 72 or 34 percent were closed at intake with warnings; 6 or 3 percent were referred to the State's Attorney's Office; 8 or 4 percent were referred to regular Juvenile Services intake or probation; and 123 or 59 percent were placed on informal supervision.

The cumulative totals since the beginning of the program on June 6, 1974 are as follows: total youths seen: 4621; cases denied for insufficient evidence: 971 or 21 percent. Of the remaining 3650 cases, 1370 or 38 percent were closed at intake with warnings; 288 or 8 percent were referred to the State's Attorney's Office; 108 or 3 percent were continued; 110 or 3 percent were referred to regular juvenile services intake or probation; and 1768 or 48 percent were placed on informal supervision.

As of June 30, 1976, 1564 youths were placed on informal supervision and have completed their volunteer assignments. Of these 1564 youths, 1388 or 89 percent completed their assignments successfully. 53 or 40 percent completed their assignments unsuccessfully for reasons beyond their control (illness, planned activity not carried through, agency failure to contact youth). 111 or 7 percent completed their assignments unsuccessfully.

A total of 6,608.5 hours of volunteer work has been contributed toward the strengthening of the community since the program's inception. A total of \$7,244.10 has been collected in restitution. 250 cans for the Senior Citizen food drive have been collected this quarter with a total of 482 cans to date.

Other significant statistical breakdowns for this quarter include the percentages of minorities, complainants, and no shows. 43 or 17 percent of the youths seen were black and 217 or 83 percent were white. 35 or 14 percent of the youths seen are female and 225 or 86 percent are male. 25 or 10 percent of the total youths seen (248) did not show for their first appointment. Of these 25 youths, 17 (68 percent) were seen during their re-scheduled appointments for an overall no-show percentage for this quarter of 3 percent. During this quarter 150 or 53 percent of the private citizen complainants attended Arbitration.

Recidivism statistics continue to be kept for the program on a total of 4,507 cases. Of this total number of cases, 69 percent were offenses committed by youths with no prior contacts with JSA. 17 percent were committed by youths with previous offenses handled informally. 7 percent of these offenses committed by youth actively on probation and 2 percent by youths formerly on probation. 3 percent were committed by youths with CINS priors and 2 percent by youths presently or formerly on a continued status. Of youths with no previous contact, only 9 percent have returned to Arbitration one or more times. Of youths in other categories, 28 percent of youths with informally priors have returned; 36 percent of youths actively on probation and 24 percent of youths formerly on probation have returned; 23 percent of youths with CINS priors and 32 percent of youths presently or formerly on continuance have returned. Of the total number of cases, 492 have returned which is an overall program recidivism rate of 12.92 percent.

## RATIONALE:

In 1972-1973 U. S. News and World Report estimates vandalism cost schools \$5,000,000, about the same amount, \$10.87 for each pupil, as is spent on books. In addition to this amount it is difficult to assess the amount of money spent yearly in repairing damage done through vandalism in this country. In Columbia alone, 1973-1974, \$116,000 was spent on vandalism.

This constitutes a serious enough problem which we no longer have the luxury to ignore.

Our primary concerns are:

- a. to make students aware of the growing problem of senseless destruction and the high cost of repair and replacement;
- b. to help them realize the dangers of engaging in such behavior;
- c. to encourage some positive action on their part;
- d. to effect a change in attitude.

The following lesson plans are "structured suggestions" that the teacher, who is interested in doing something positive about the vandalism, may investigate with the students.

The author of these materials hopes that this effort will spark some concern, ignite some energy among the students, thus giving impetus for a change in attitude and perhaps behavior that will exhibit a regard, and even a reverence, for the people/things of our community.

and effort to put together a program that now can be used after appropriate revisions by the State. We believe if our society is to combat social problems we must work with and through strong existing institutions—our schools that perchance with the disruption of the family we are faced with the opportunity and a mandate to teach values and responsibility in the schools.

Respectfully submitted.

LEE BONE,  
*Chairperson, Committee on Vandalism.*

"THE PRICE IS HIGH"

A pilot program on Vandalism  
developed by Mary Louise Ortenzo  
for Wilde Lake High School,  
Columbia, Maryland.  
Funded by Columbia Rotary,  
Columbia, Maryland.  
April 20 - May 3, 1976

TOPICAL QUESTIONS FOR  
LESSON PLANS ON VANDALISM

1. What is vandalism and what are some common acts of vandalism? What have vandals done in our community?
2. What are some of the factors that may cause or encourage acts of vandalism?
3. What does vandalism cost?
  - a. Economically
    - (1) private or personal
    - (2) public
  - b. Psychologically
    - (1) vandal
    - (2) victim
4. What might be done to help eradicate or at least lessen the vandalism that occurs in our community?

LESSON ONE

Page 2

OBJECTIVES:

At the end of the lesson, the student should be able to:

1. In one sentence write a complete but concise definition of vandalism.
2. List the occurrences that are considered to be acts of vandalism.
3. Describe at least 3 ways in which this community has been affected by vandals.

PROCEDURE:

- A. The students form a circle with the teacher who acts as discussion leader. The following questions may be used:

1. What is vandalism? Is it a problem? Is it a new problem? How serious is it?
2. Who are the vandals?
3. What do vandals do?
4. Have you ever seen any destruction in
  - a. your neighborhood?
  - b. school?
  - c. shopping center?
  - d. church?
  - e. lake, commons areas?
5. What has been done?
6. Can anything be done to correct the situation?

At end of the discussion the students should be given 3 minutes to complete workbook task.

- B. Have the students count off by fours/fives. All the like numbers will form a group. Distribute one envelope of materials to each group. The assignment is given to the group. Each member of the group will read at least one article and must summarize its contents for the others in his/her group. A recorder will then be chosen from each group to write the ideas from the small group discussion on the newsprint. The small groups will arrive at a definition which is clear, complete and succinct, of vandalism. They will then list those things (actions) which they consider to be within the scope of acts of vandalism.
- C. If the small group method is to be used, the students will form groups of 4 or 5. Each group will be given an envelope with the necessary materials and instructions for the task. When

RE:  
(continued)

the task has been completed the small groups will return to the large group to share their results. The group may or may not discuss the outcome. The teacher will have to make an "on the spot" judgment about this. If discussion does ensue - it should be kept short and to the point.

- D. Several chapters of the book, Vandalism by Arnold Madison will be passed to the class. The teacher will introduce the material as one person's view of what vandalism is, who the vandals are, why they vandalize. The class will read these materials for homework. In their workbooks, they will answer questions and summarize their work.
- E. The teacher will give a very short introduction to the slide presentation, along with the rules for filling out the game sheet, which is in the student workbook. The teacher will then show the slides which CA has prepared showing the work of vandals in the community. The teacher should refrain from making any personal observations or remarks. Permit the students to make their own assessment of the situation.

The slides should be followed by a short group reaction time. The teacher may ask:

1. What is your feeling about what you have just seen?
  2. Were you aware of these things before you saw the slides?
  3. Who do you think is responsible for this behavior?
  4. Are you affected by these acts of vandalism?
  5. Do you think we ought to do something about it?
  6. Can we do something about it? What suggestions could you make?
- F. Pupils write reactions to what has happened thus far in the course. They should be instructed to answer the topical question from Part I in their workbook.
- G. The project sheets which are in the student workbook are to be read and the students should begin to choose which one he/she wants to perform. Each student must do one project in order to receive credit. The student must inform the teacher as to which project he/she intends to complete.

LESSON ONEGRADE LEVEL:

8 - 10

CONCEPT:

VANDALISM

TOPICALQUESTION:

What is vandalism and what are some common acts of vandalism? What have vandals done in our community?

TIME:

1 - 2 class periods (45-50 minute period)

MATERIALS:

1. Each student is to be given a workbook in which all his/her work is to be kept.
2. Prepare ahead of time - 10 large envelopes, each containing the following:
  - a. 5 different current articles from magazines or newspapers which report on vandalism locally or nationally
  - b. 1 piece of newsprint
  - c. 1 magic marker
3. Vandalism: The Not-So-Senseless Crime by Arnold Madison (New York: The Seabury Press, 1970) Chapters 1-5, pages 3-65.
4. Slide Show - "The Price is High" prepared by CA.

CONTENT:

The teacher wants to ascertain how much the student already knows about the history of vandalism, what is considered to be within the scope of vandalism, who vandalizes, and for what reasons.

Several means are suggested:

- a. Glasser type class-meeting;
- b. Small group task of sharing information from various sources and bringing the results back to large group;
- c. Assign for homework Chapters 1-5 from Vandalism: The Not-So-Senseless Crime;
- d. Show "The Price is High" - slide show prepared by CA, showing vandalism done in this community.

The teacher needs to instruct the students on how to keep the workbook. Entries in the space provided should be made after each exercise. The workbook will be part of the grade for the course.



LESSON TWOGRADE LEVEL: 8 - 10CONCEPT: VANDALISMTOPICAL QUESTION: What is the cost of vandalism?

- |                 |                    |
|-----------------|--------------------|
| a. economically | b. psychologically |
| 1. public       | 1. vandal          |
| 2. private      | 2. victim          |

TIME: Two class periodsMATERIALS: Reprint of articles:

Vandalism - A Billion Dollars A Year and Getting Worse, U.S. News and World Report, June 24, 1974.

Vandals: They Cost Columbia \$116,000 Each Year, Barbara Beem; Flats and More Tires Deflated, Nellie Arrington, Columbia Flier, February 1975.

Vandalism Costs, Washington Post, Dec. 8, 1975.

Copies of Case Study and role playing situations.

CONTENT: The next two days work will expose the student to the economics of vandalism; i.e., the cost of damaged public and private property. Also the psychological effect vandalism has on those who perpetrate the damage and the effect on those who are victimized.

At some point in each person's life, a sense of ownership and responsibility toward public property must be developed. Each taxpaying citizen helps pay the cost and maintenance of property held in common such as public parks and buildings; i.e., schools, museums, and libraries to mention a few. There should be a feeling of pride that the people have in the appearance of those places listed.

The students will act out some situations by role-playing and they will examine a case study which exposes them to the legal implications related to vandalism.

PROCEDURE:  
(continued)

5. Do you feel differently when public property is destroyed than when your own property is vandalized?
  6. Why do people deface public places? Does it make a person feel good to see his/her name or initials inscribed in public?
  7. What does the graffiti say about our society? Is it an indication of what our values are?
  8. Is the care of public property each person's responsibility?
  9. Who is financially responsible for damage done to public property? to private property? Should there be some mechanism by which those apprehended should be made to make restitution?
- B. Students should form small groups of three or four. This can be done simply by counting off, all the like numbers form a group. Each group will then be given a situation to act out, making it as realistic as possible. The preparation period can take up to five minutes. The acting time should be kept to a minimum of about three minutes. At the end of each group performance, the students should write in their notebooks a reaction to the situation role-played. A good guide question could be: "How would you have reacted in the same situation? Was the group behavior typical of your age group?" At the conclusion of all the role-played situations the students may wish to give an oral comment or reaction.
- C. In a large group the teacher may present the Case Study which emphasizes the seriousness of committing an act of vandalism and what happens when apprehended. Stress the aspect of arrest, violation of the law and the consequences it will hold in their future lives.

Each student should receive a copy of "The Case". The teacher may wish to assign the reading for homework. If not, then time must be given for reading it in class.

The students may then be guided to answer the following questions either orally in group discussion or individually in their notebooks.

1. Why do you think the boys destroyed the valuable equipment at the school and ruined the mural that the students had made?

PROCEDURE:  
(continued)

2. What did Officer Hanson mean when he told Eddy's father that there were both civil and criminal laws involved?
  3. Do you think Rick and Eddy and their parents should pay for damage to the school?
  4. What can be done to prevent school vandalism?
  5. What do you think the Juvenile Court should do with Rick and Eddy.
- D. The teacher should prepare the class for the following day's activity - the Panel Discussion. Tell the class who the participants will be and what the purpose of the panel is. Have the students prepare several questions in advance.

- OBJECTIVES: At the end of the lessons the student should be able to:
1. Compare and contrast differences in attitude towards vandalism done to public property as opposed to private property.
  2. Make several judgment statements about each person's responsibility to protect and take pride in public or common property.
  3. Identify and explain the legal implications and determine how seriously they may affect their later life.
  4. Describe what is meant by the statement "school property should be respected and taken care of since everyone is a part owner of any public property."
  5. Discuss the financial responsibility for damage done by juveniles.
  6. Assess his/her own attitudes and behavior in the light of what has been learned in this area of vandalism.

- PROCEDURE:
- A. Students should form a circle in preparation for a large group discussion. Topic - slides, game sheets and news articles. The teacher will pass out the articles that deal with the vandalism specific to Columbia that appeared in the local newspapers. Give the students several minutes to read the articles. The teacher may begin the discussion with the following suggested questions:
    1. How closely did your estimates match the actual cost of repair that CA spent?
    2. What other uses could the money which CA spent on repair be put towards?
    3. Are you personally affected by the damage done to the commons areas in Columbia? In what ways?
    4. How would you feel if your tires had been slashed?

LESSON THREEGRADE LEVEL: 8 - 10CONCEPT: VANDALISMTOPICAL QUESTION: What are some of the factors that may cause or encourage acts of vandalism?TIME: 1 - 2 class periods (45-50 minutes)MATERIALS: Film: "Vandals" 17 minutes, color, narrated by Angie Dickinson. Walt Disney Film Depository, 11 Quine Street, Cranford, N. J. 07016. Rental fee.

CONTENT: Film Summary: A teenage boy and girl, feeling frustrated and ignored in their respective homes and unsuccessful in school, vent their emotions one night by throwing rocks through windows at a construction site. Exhilarated by this, they move on to vandalize their school and are caught in the act by police responding to a silent alarm. Later, they appear in Juvenile Court where they are ordered by the Juvenile Court Referee to undergo psychiatric examinations. The girl is placed on three months' probation working with blind children. Since the boy has a long record of vandalism and other offenses dating from the age of seven years, he is placed on six months' probation, the first three months of which require his working with a vandalism clean-up crew. In addition, the Court advises the school of its right to seek reimbursement for the damage from both sets of parents. The two take widely divergent views of their probation, and the way they use the opportunity for rehabilitation shows the consequences of both positive and negative attitudes. The film dramatizes the attitudes and efforts assumed by society when dealing with a problem that may be due in part to blurred community, family, and neighborhood values. It emphasizes that individual responsibility and maturity on the part of each individual are also realistic expectations in a democratic society.

The freeze frames are designed to get students actively involved in talking and thinking about themselves and the law. It is imperative that the students participate and respond to the situations posed in order to internalize the objectives presented.

OBJECTIVES: At the end of the lesson, the student should be able to:

1. Identify the legal penalties and educational and career risks a person incurs when committing vandalism.
2. Discuss emotional or personal factors, such as feelings of inadequacy or inability to adjust to society that are connected with vandalism.
3. Suggest some ways the juvenile justice system may deal with typical cases of vandalism that are rehabilitative rather than punitive.
4. Demonstrate through discussion that the individual must also accept responsibility for achieving rehabilitation.

PROCEDURE:

- A. Before viewing begins, the teacher should write the following words on the board along with their definitions: trespass to land, vandalism, burglary, theft, arson.
- B. Freeze 1 - If you were Mindy, what would you do? Stop the film for a short discussion. Suggested questions:
  1. If you were Mindy or Ken, what would your thoughts be now? Does it make any difference that this property is still in the construction stage? How would you react if someone threw a brick through your window?
  2. What risks can be encountered at a deserted construction project at night (safety hazards, guard dogs, police or private patrols, alarms)?
  3. Had Mindy or Ken been hurt at the site, who do you think would be responsible?
  4. If they had been caught by the police at the site, what possible crimes might they have been charged with? Refer to the words on the board.
- C. Freeze 2 - If you were the referee, how would you decide? Stop the film for a short discussion.
  1. If you were the referee, discuss some of the factors you would consider in dealing with Ken and Mindy.

PROCEDURE:  
(continued)

2. How would you characterize the communication between Ken and Mindy and their parents? Did either side understand the other? If you were parents, how would you prevent the problems of Mindy and Ken? Do you believe all children's problems can be prevented or cured by their parents? As teenagers, what were Ken and Mindy's responsibility for their actions?
  3. Was Ken being truthful with the psychiatrist? Did he give an accurate impression of Mindy's part? Do you believe his actions were typical of a "friend" in such a situation? How would your friends react if you were in trouble with the police?
  4. Would your parents object to paying the damages caused by your acts of vandalism? Should vandals be forced to pay for the damage they cause? How could this be accomplished? Are there ways of paying besides using money?
  5. Refer to the list on the board. What possible crimes could Ken and Mindy be charged with?
- D. Freeze 3 - If you were Mindy, would you accept Ken's invitation? Stop the film for a short discussion.
1. If you were Mindy, would you accept Ken's invitation to go home with him?
  2. How do you think Ken viewed the decision of the Juvenile Court - as a chance for rehabilitation or punishment?
  3. How much should Ken's previous record influence the court's present decision on the type of sentence given?
  4. What was the court trying to accomplish with Mindy's and Ken's attitude toward themselves and others? Why do you think it worked in one case but not in the other? Do you know someone like Ken who is headed for trouble? Based on what you have just seen, what advice would you give such a person?
- E. Finish showing the film. Allow time for general student reaction.

LESSON FOURGRADE LEVEL: 8 - 10CONCEPT: VANDALISMTOPICAL QUESTION: What can be done to eradicate or even lessen the vandalism that occurs in our community?TIME: 1 to 2 class periodsMATERIALS: Magazine and newspaper articles, "Violence and Vandalism", National School Public Relations Association. Equipment needed to complete one project.CONTENT: This part of the course will examine what has been tried or accomplished in other communities and suggestions on what can be done in our own community to raise the awareness and concern of the citizens. The execution of a project selected earlier on in the course should be reported on first hand by each student or group of students.OBJECTIVES: At the end of the lessons the student should be able to:

1. Suggest several methods to make members of the community aware of the kinds of useless vandalism they may be committing unthinkingly.
2. Complete one of the projects listed on the special project sheet distributed earlier.
3. Evaluate the programs that have been tried in other areas.

PROCEDURE: Students assemble in a large group. Teacher will distribute articles on the topic of programs that have been in effect and have had some success in reducing vandalism. Two articles may be read orally. Students will be given five minutes to list the strengths and weaknesses of one of the programs. The work is to be placed in the workbooks. Students will then break up into small groups of five students. The task for each group is to:

- a. adapt, improve on one program already devised or now in operation;
- b. make a list of specific ways which the individuals or small groups can do something positive against vandalism;
- c. what kinds of incentives can be offered as deterrents to vandals;
- d. project reports.



# THE PRICE IS HIGH

Student Workbook

developed by the author of  
The Price is Right  
College Edition

Name \_\_\_\_\_

Advisor \_\_\_\_\_





Write your personal reactions to the slide show on vandalism in Columbia:

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Summarize the Chapters from Arnold Madison's book, Vandalism: The Not-So-Senseless Crime, below:

Chapter 1: \_\_\_\_\_

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Chapter 2: \_\_\_\_\_

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Chapter 3: \_\_\_\_\_  
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Chapter 4: \_\_\_\_\_  
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Chapter 5: \_\_\_\_\_  
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LESSON TWO

TOPICAL QUESTION:

What is the cost of vandalism: (a) economically  
(b) psychologically

OBJECTIVES:

At the end of the lesson the student should be able to:

1. Compare and contrast differences in attitude towards vandalism done to public property as opposed to private property.
2. Make 3 judgment statements about each person's responsibility to protect and take pride in public or common property.
3. Identify and explain the legal implications of acts of vandalism and determine how seriously they may affect his her later life.
4. Describe what is meant by the statement, "school property should be respected and taken care of since everyone is a part owner of any public property."
5. Discuss the financial responsibility laws for damage done by juveniles.
6. Assess his her own attitudes and behavior in the light of what has been learned in this area of vandalism.

State the conclusions you have come to as a result of the large group discussion:

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Choose one role-playing situation other than the one your group dramatized and tell how you would have reacted: \_\_\_\_\_

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\_\_\_\_\_

write definitions for:

Malicious mischief: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Burglary: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Felony: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Misdemeanor: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

trespassing: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Arrest: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Petitioned to Juvenile Court: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Libel: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Civil Law: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Criminal Law: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Answer the following questions:

1. Why do you think the boys destroyed the valuable equipment at the school and ruined the mural that the students had made?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. What did Officer Hanson mean when he told Eddy's father that there were both civil and criminal laws involved?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



3. Do you think Rick and Eddy and their parents should pay for damage to the school?

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4. What can be done to prevent school vandalism?

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5. What do you think the Juvenile Court should do with Rick and Eddy?

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Write any questions here that you would like to ask the panel:

Write your reaction to the Panel Discussion here:

CASE

Officer Hanson was called to the school shortly after eight o'clock on a Monday morning. Together, he and the principal examined the damage.

"They must have come in through this window," the principal pointed out. "This is our photography room, and we've checked all the equipment thoroughly. There doesn't seem to be anything missing except some petty cash that was in the desk drawer."

Hanson made a brief note in his book as he attempted to avoid stepping in the developer fluid that had been poured onto the floor. There were torn strips of film, broken lenses, and smashed cameras and projectors lying about on the floor.

"It's all so senseless," the principal said. "All this expensive equipment destroyed. And wait till you see the art room. They dumped paint and glue on the floor and smeared red paint on a mural the kids were working on. The paint has dried and the mural is ruined."

"Can you give me an estimate of the total damage?" Hanson asked.

"At this point my guess would be about five thousand dollars," the principal replied, rubbing his chin. "Yes, I'd say at least that much. They've destroyed some very valuable equipment."

As Hanson was making another note, a secretary appeared in the doorway. "One of the students would like to see you," she said to the principal. "It seems to be something important."

"Excuse me a moment," the principal said. While he was gone, Officer Hanson took photographs of the damage with his police camera. He photographed the room from three different angles before the principal returned and handed him a slip of paper with the names of two boys on it.

"These boys are both students here," he said. "That's what the girl wanted to tell me. She's one of the students who was working on the mural. She says these are the boys who did the damage."

Hanson snapped his camera shut. "Let's talk to her."

According to the girl, she and a friend were walking through the campus on Sunday afternoon when they heard the sound of glass being smashed in the photography room. They looked in the window and saw the two boys. Yes, she knew both of them. There was no doubt about whom she saw. She hadn't intended to say anything at first, but when she heard about the mural being destroyed -- well, that was too much. She and her friends had put in a great deal of time and work on the mural.

Hanson asked the principal to check the attendance office. One of the boys, Rick Glover, was in school. But the other, Eddy Casey, was absent. They sent a messenger to Rick's class to call him into the principal's office. Rick soon came in and was introduced to Officer Hanson.

"Sit down," Hanson said to the boy. "There was some damage done to some of the school property over the weekend, and I understand you and Eddy Casey are responsible for it."

The boy started to reply, but Hanson held up a cautioning hand. "Let me tell you, before you say anything, that anything you say can be used against you. You're not required to make any statements, and if you want an attorney, you can call one now or at any time, and if you can't afford an attorney, one will be provided for you."

"Do you understand what Officer Hanson is telling you?" the principal asked.

Rick nodded. "Sure, but I don't know anything about the damage. The kids were talking about it this morning. That's the first I heard."

"All right," Officer Hanson said. "I'm placing you under arrest, Rick. I'm going to call your parents."

The boy broke in, "You don't have to tell my mother, do you?"

"I'm afraid so, Rick. The law requires it."

"But I don't want her to find out," Rick said.

Again Hanson cautioned the boy, "You'd better not say anything more."

"No, it's all right," the boy insisted. "I know what my rights are. I'll tell you about it. It was me and Eddy. There was another kid with us, but he didn't want to go with us. When we told him we were going to break in, he split. Eddy and me were going to take a couple of cameras, but after we got in we figured it was too risky. So we just looked around, and we found some money in the desk. We split it. About two dollars apiece."

The principal broke in, "But what about the damage, Rick. Why did you smash all that valuable equipment?"

Rick looked at the floor and shook his head. "I don't know. We broke a couple of things just for fun. We started laughing about it, and then I guess we just wanted to outdo each other. You know, like one of those old Laurel and Hardy flicks. We take turns. First you smash something, and then I smash something. And we just stand there and watch each other. It seemed funny at the time."

"Does it seem funny now?" Hanson asked.

The boy slowly shook his head. "It's not funny at all. We just didn't think, I guess. We didn't realize how it would be on Monday morning. The kids are all talking about it, and they're all uptight. Man, I'll bet they'd fix me if they knew I did it."

Officer Hanson made his call to Rick's mother and told her that he was taking the boy to Juvenile Hall where he would be handed over to the juvenile authorities.

-3-

That evening Officer Hanson went to Eddy Casey's house. He was greeted at the door by Eddy's father. Hanson introduced himself to Mr. Casey and showed him his identification. There was some vandalism at Eddy's school over the weekend," he explained. "I believe that Eddy was involved in it."

Mr. Casey frowned. He obviously did not like what he heard. "Come in," he said. He called Eddy into the living room. Mrs. Casey came with him.

"There were two witnesses," Hanson explained, "who saw Eddy and Rick Glover inside the school Sunday afternoon."

Mrs. Casey asked anxiously, "Is that true, Eddy?"

Before Eddy could answer, Officer Hanson told him of his rights, as he had Rick. "I'm placing you under arrest in any case," he said. "We're going to recommend that both you and Rick be petitioned to Juvenile Court. That means there will be a hearing so the court can examine the evidence and question witnesses." He turned to Mr. and Mrs. Casey. "As Eddy's parents, you can, in this state, be held liable for damage to school property. There was about five thousand dollars worth of damage. That means that you, as parents of one of the boys, might have to pay back to the school district as much as twenty-five hundred dollars."

Mr. Casey was obviously shaken. "Look, Officer, I don't understand," he said. "Why are you arresting Eddy if we have to pay for the damages?"

"There is both civil and criminal law involved here," Hanson explained. "When I said you were liable for damages I meant that the school could bring a civil suit against you to pay for the damage. Even though you pay the money, the state can still hold Eddy responsible for his own offenses. I'm arresting him for burglary and malicious mischief."

"You see," Hanson continued, "the law is concerned with a person's intent as well as his acts. When the boys entered the school, they apparently intended to steal some cameras. The fact that they changed their minds after they got in doesn't alter the situation. Their reason for entering was to commit an unlawful act. The crime of burglary was complete as soon as they were in the building--even before they had taken anything. As it turned out, they did steal some money."

Mr. Casey nodded. "I guess I understand."

"It's the law's concern for an individual's right to be safe and secure in his home," Hanson explained further. "It extends also to other kinds of buildings--such as stores and warehouses. The law holds that a person has the right to the safety and security of his property no matter where he keeps it."

"But in this case," Mr. Casey said, "it seems the damage the boys did was really more serious--worse than the burglary."

"That's right," Hanson agreed, "if you want to put it on a dollars and cents basis. The money they took was just a few dollars. But they very quickly destroyed property worth thousands of dollars. That's why we have laws against malicious mischief."

Mr. Casey looked at his son. "Is this all true, Eddy?"

The boy looked up. Finally, he nodded. "I was so scared about it I cut school today," he said. "I knew they'd be talking about it, and I knew they'd be asking questions." He paused. "But I don't want to be arrested." He looked at his father. "Do I have to go with him?"

Hanson stood up. "Your parents have nothing to say about it, Eddy. And I don't either, really. When something is this serious I have the responsibility to place you under arrest and let the court deal with you."

"But I didn't think we did that much damage," Eddy protested.

"That was Rick's excuse, too," Officer Hanson said. "He didn't think. That's how so many people get into trouble. They don't stop and think. Did you consider, for instance, whose property you were destroying?"

Eddy shook his head.

"That's why this was so senseless," Hanson said. "It was your own property you destroyed. It belongs to you and me and your parents and every kid in school. It belongs to all of us, Eddy. And we all have a responsibility to take care of it. You and Rick chose to ignore that. Laws exist to be sure that people live up to their responsibilities. That's what the law is all about."

The hand Officer Hanson placed on Eddy's arm was firm and strong. "And that's why you have to come with me," he said.

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LESSON THREE

TOPICAL QUESTION:

What are some of the factors that may cause or encourage acts of vandalism?

OBJECTIVES:

At the end of the lesson the student should be able to:

1. Identify at least 4 legal penalties and educational or career risks a person incurs when committing vandalism.
2. Discuss the emotional or personal factors, such as feelings of inadequacy or the inability to adjust to society that are connected with vandalism.
3. Suggest some ways the juvenile justice system may deal with typical cases of vandalism that are rehabilitative rather than punitive.
4. Demonstrate through discussion that the individual must also accept responsibility for achieving rehabilitation.

Had you been Mindy, what would you have done? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Had you been the referee, what would have been your decision?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_









PROJECTS FOR VANDALISM COURSE

Each student or pair of students is to choose from the list and with the approval of your teacher prepare one of the projects for formal presentation to the class on the last two days of the course.

1. Conducting an Interview - Students will be required to attend a prep session with a skilled interviewer.

Instructions:

- a. The purpose is to become better informed and to be able to communicate what has been learned at the interview.
- b. Prepare questions you wish to ask and submit them to your teacher or project helper several days before the interview is to take place.
- c. Make an appointment with the person you desire to interview.
- d. Record the responses during the interview.
- e. Write up the final report as soon after the interview as possible.

Choose the person(s) you wish to interview from the following list:

- a. Two maintenance workers at Wilde Lake High School.
  - b. Jim Yedlicka of the Columbia Association regarding the problems of vandalism at Lake Kittamaquindi during Blue Grass Concerts.
  - c. Manager of one of the Village Centers.
  - d. Ed Risse (Chairperson of Open Space Committee for Wilde Lake.)  
Focus on: 1. What kinds of vandalism does he observe in open space?  
2. What has the Hollow Oaks Community done in response?
  - e. Member of Birch Bayh's staff - Senate Subcommittee on Juvenile Delinquency.  
Focus on: 1. How big is the problem of vandalism on the national level?  
2. What is the government doing about it?  
3. What is the subcommittee doing?
2. Clean-up and Repair - The project committee will arrange the day with CA Maintenance Crew.

Purpose: To arouse awareness of extent and difficulties encountered in cleaning up and repairing the work of vandals.

Spend one school day with the maintenance crew from CA. The student is to observe and record in a factual manner what the crew does in the course of one day. Distinguish between general daily care and the results of vandalism. Note the amount of time spent

on each chore and compute the day's expenditure for the one crew you observe. You will need to know some figures as to average salary of crew and estimated amounts on the costs of each repair job. The foreman of the crew will be able to give you the figures.

At the end complete your report by adding some of your own views and reactions to what you observed.

### 3. Reading and reporting -

Collect and read at least six articles from newspapers and/or periodicals (must be current) that treat the topic of vandalism. In your report discuss:

1. Why these acts of vandalism might occur.
2. How this information might be used to prevent or deter like acts of vandalism from occurring.

### 4. Writing -

Write an editorial on vandalism which will:

- a. raise the public's awareness of the problem
- b. educate the public as to cost
- c. suggest ways to reduce the incidence of vandalism

### 5. Creative Art Projects -

- a. Construct a mobile, montage or collage which expresses the senseless waste of vandalism.
- b. After determining the cost of vandalism at Wilde Lake High School, plan a campaign that will inform the student body and staff about the cost of vandalism in this school.
- c. Prepare a slide presentation that will show the vandalism done in this school and community. This is for someone with a camera and photographic skill. A tape should accompany the slides and you must give at least one public presentation.
- d. Take photographs of the vandalism done in this school and the community. Arrange the photos in an attractive display that may be exhibited in the school and/or the village centers.
- e. Develop a TV show which can be viewed in this school focusing on some aspect of vandalism either to inform or deter further acts of vandalism.
- f. Develop a series of comic strips that may be used to teach younger children about vandalism. You may use already existing cartoon characters or create your own.

## 6. Research and Report -

Research the "Bottle Legislation" bills that are currently before the House of Delegates in Maryland. Some guidelines:

- a. What legislation on this issue already exists in Howard County?
- b. What is proposed for the State?
- c. Who is supporting such controls and for what reasons?
- d. Who is against the controls and for what reasons?

Mrs. Norma Rose will act as a resource person.

7. Design your own project and have it approved by the teacher or aide.
8. Develop a plan on a program that can be used at the Middle School or Elementary School to make the younger children aware of vandalism. You may use the same general ideas that were used in this course.
9. Design a cover for the workbook and illustrate it to make the workbook more interesting and appealing.

(The Council Group) ...  
 ...  
 ... Study 15.1.116. ...  
 ...

1. Check each of the following acts which you would consider to be an act of vandalism:

- |  |   |
|--|---|
| <input type="checkbox"/> slashing tires                          | <input type="checkbox"/> breaking a limb off a tree             |
| <input type="checkbox"/> stealing a bike                         | <input type="checkbox"/> breaking bottles in the street         |
| <input type="checkbox"/> breaking street lights                  | <input type="checkbox"/> speeding                               |
| <input type="checkbox"/> dumping detergent into a water fountain | <input type="checkbox"/> removing "No Swimming" signs           |
| <input type="checkbox"/> snatching a purse                       | <input type="checkbox"/> being late to school                   |
| <input type="checkbox"/> slashing covering on bus seats          | <input type="checkbox"/> ripping down basketball hoops          |
| <input type="checkbox"/> carving name in school desk             | <input type="checkbox"/> throwing away soda cans in parking lot |
| <input type="checkbox"/> littering                               | <input type="checkbox"/> driving through a red light            |
| <input type="checkbox"/> spray painting a stop sign              | <input type="checkbox"/> writing on school bathroom walls       |
| <input type="checkbox"/> smoking pot                             | <input type="checkbox"/> swimming after pool is closed          |
| <input type="checkbox"/> putting initials in wet cement          | <input type="checkbox"/> writing on sidewalk with chalk         |
|  | <input type="checkbox"/> carving initials in a tree             |

2. How concerned are you personally that each of the following acts do occur in your community? Indicate how concerned you are by marking each act:

- 1 - very concerned  
 2 - somewhat concerned  
 3 - not at all concerned

- |  |   |
|--|---|
| <input type="checkbox"/> slashing tires                          | <input type="checkbox"/> breaking a limb off a tree             |
| <input type="checkbox"/> stealing a bike                         | <input type="checkbox"/> breaking bottles in the street         |
| <input type="checkbox"/> breaking street lights                  | <input type="checkbox"/> speeding                               |
| <input type="checkbox"/> dumping detergent into a water fountain | <input type="checkbox"/> removing "No Swimming" signs           |
| <input type="checkbox"/> snatching a purse                       | <input type="checkbox"/> being late to school                   |
| <input type="checkbox"/> slashing covering on bus seats          | <input type="checkbox"/> ripping down basketball hoops          |
| <input type="checkbox"/> carving name in school desk             | <input type="checkbox"/> throwing away soda cans in parking lot |
| <input type="checkbox"/> littering                               | <input type="checkbox"/> driving through a red light            |
| <input type="checkbox"/> spray painting a stop sign              | <input type="checkbox"/> writing on school bathroom walls       |
| <input type="checkbox"/> smoking pot                             | <input type="checkbox"/> swimming after pool is closed          |
| <input type="checkbox"/> putting initials in wet cement          | <input type="checkbox"/> writing on sidewalk with chalk         |
|  | <input type="checkbox"/> carving initials in a tree             |

3. What would you do if you saw any of the following acts being committed? Indicate what you would do by placing the appropriate number beside each act:

- 1 - call the police
- 2 - attempt to stop the act
- 3 - get help from your parents or other adults
- 4 - join in the act
- 5 - just watch the act
- 6 - ignore and walk away from the act

- |  |   |
|--|---|
| <input type="checkbox"/> slashing tires                          | <input type="checkbox"/> breaking a limb off a tree             |
| <input type="checkbox"/> stealing a bike                         | <input type="checkbox"/> breaking bottles in the street         |
| <input type="checkbox"/> breaking street lights                  | <input type="checkbox"/> speeding                               |
| <input type="checkbox"/> dumping detergent into a water fountain | <input type="checkbox"/> removing "No Swimming" signs           |
| <input type="checkbox"/> snatching a purse                       | <input type="checkbox"/> being late to school                   |
| <input type="checkbox"/> slashing covering on bus seats          | <input type="checkbox"/> ripping down basketball hoops          |
| <input type="checkbox"/> carving name in school desk             | <input type="checkbox"/> throwing away soda cans in parking lot |
| <input type="checkbox"/> littering                               | <input type="checkbox"/> writing on school bathroom walls       |
| <input type="checkbox"/> spray painting a stop sign              | <input type="checkbox"/> swimming after pool is closed          |
| <input type="checkbox"/> putting initials in wet cement          | <input type="checkbox"/> writing on sidewalk with chalk         |
|  | <input type="checkbox"/> carving initials in a tree             |

4. What would you do if you saw someone doing any of the following acts to your property or your parents' property? Indicate what you would do by placing the appropriate number beside each act:

- 1 - call the police
- 2 - attempt to stop the act
- 3 - get help from your parents or other adults
- 4 - join in the act
- 5 - just watch the act
- 6 - ignore and walk away from the act

- |   |  |
|---|--|
| <input type="checkbox"/> slashing tires       | <input type="checkbox"/> throwing bottles or cans in your yard |
| <input type="checkbox"/> stealing a bike      | <input type="checkbox"/> writing on walls of your home         |
| <input type="checkbox"/> carving name in desk |  |

- |   |   |
|---|---|
| <input type="checkbox"/> breaking windows           | <input type="checkbox"/> carving initials in a tree |
| <input type="checkbox"/> littering                  | <input type="checkbox"/> slashing seats in your car |
| <input type="checkbox"/> breaking a limb off a tree | <input type="checkbox"/> breaking your bicycle      |

5. Do you think that the amount of vandalism committed in your community can be reduced?

YES                       NO                       DON'T KNOW

6. Do you personally want to become involved in reducing the amount of vandalism in your community?

YES                       NO                       DON'T KNOW

7. How do you think the amount of vandalism can be reduced? Check any or all of the following which you think would help to reduce vandalism:

- increase police protection
- educate people about the problem
- ask everyone to help prevent vandalism
- arrest more people for vandalism
- publish more newspaper stories about vandalism
- do nothing

8. Do you think you or your family would have more money or less money to spend or save if the amount of vandalism could be reduced?

more money                       less money                       don't know

9. Has your knowledge of and attitude toward vandalism changed as a result of this course? In what ways? Please describe below:

## Matching Tests

1. Find the best definition for the words in Column I and mark the appropriate letter in the space in Column II.

- |               |     |   |
|---------------|-----|---|
| (a) arrest    | ( ) | to sue in court for damages   |
| (b) vandalism | ( ) | to take a person into custody   |
| (c) libel     | ( ) | to enter a building with the intent to commit a crime                     |
| (d) civil law | ( ) | to maliciously burn property  |
| (e) trespass  | ( ) | to regulate problems between persons or businesses and other institutions |
| (f) larceny   | ( ) | to damage someone else's property   |
| (g) arson     | ( ) | to enter another's property unlawfully                                    |
|               | ( ) | to injure a person with intent to harm                                    |
|               | ( ) | to take unlawfully another person's property                              |

2. In each of the following cases, list what type of loss (losses) is, (are) involved.

- |                             |     |   |
|-----------------------------|-----|---|
| (a) dollar or property loss | ( ) | the "Centennial Tree" an ancient oak nearly 200 years old is found sawed down |
| (b) personal loss           | ( ) | football field goal posts are found bent and destroyed                        |
| (c) public loss             | ( ) | typewriters stolen from school during weekend drama club performance          |
| (d) all of the above        | ( ) |   |

Multiple Choice - place your answer in the space at the right.

3. When a person breaking school windows is caught by a law enforcement officer, the legal penalties in Maryland are:
- (a) arrest and court hearing  
 (b) arrest, restitution and court hearing  
 (c) arrest, restitution, court hearing and police record  
 (d) none of the above ( )
4. There are many theories as to the best method of combating vandalism. Which of the following choices is the best?
- (a) building higher fences, windowless schools and vandal-proof street lights.  
 (b) education and changing the attitude of the public as to the costs of vandalism  
 (c) setting a town-wide curfew of 11:00pm for all people under 16 years of age.  
 (d) ignore the problem since it is not possible to combat. ( )



5. How much did CA spend last year in repairing the work of vandals to the commons areas in Columbia?
- (a) \$140,000
  - (b) \$55,000
  - (c) \$110,000
  - (d) \$86,000
- ( )
6. In which age bracket does most vandalism occur?
- (a) 3 - 8 year olds
  - (b) 10 - 15 year olds
  - (c) 18 - 25 year olds
  - (d) over 30 years
- ( )
7. Acts of vandalism are committed by
- (a) "nice boys and girls"
  - (b) the poor who live in ghettos
  - (c) your next door neighbor
  - (d) all of the above
- ( )
8. Juveniles who vandalize and are apprehended
- (a) will not be taken into custody because of their age
  - (b) will usually be placed on probation
  - (c) will have to pay for the damage done
  - (d) will have a criminal record
- ( )
9. Vandalism is
- (a) a problem of the past
  - (b) a current problem across the nation
  - (c) non-existent in this community
  - (d) two of the above
- ( )
10. Acts of vandalism can be committed for the following reasons
- (a) for fun
  - (b) out of anger
  - (c) out of boredom
  - (d) all of the above
- ( )

5. How much did CA spend last year in repairing the work of vandals to the commons areas in Columbia?  
(a) \$146,000  
(b) \$55,000  
(c) \$116,000  
(d) \$86,000 ( )
6. In which age bracket does most vandalism occur?  
(a) 3 - 8 year olds  
(b) 10 - 15 year olds  
(c) 18 - 25 year olds  
(d) over 30 years ( )
7. Acts of vandalism are committed by  
(a) "nice boys and girls"  
(b) the poor who live in ghettos  
(c) your next door neighbor  
(d) all of the above ( )
8. Juveniles who vandalize and are apprehended  
(a) will not be taken into custody because of their age  
(b) will usually be placed on probation  
(c) will have to pay for the damage done  
(d) will have a criminal record ( )
9. Vandalism is  
(a) a problem of the past  
(b) a current problem across the nation  
(c) non-existent in this community  
(d) two of the above ( )
10. Acts of vandalism can be committed for the following reasons  
(a) for fun  
(b) out of anger  
(c) out of boredom  
(d) all of the above ( )

ROLE-PLAYING TECHNIQUES

(Taken from a paper prepared by Grambs, Can & Fitch.)

Role-playing is unprepared, unrehearsed dramatization. It differs from the usual type of dramatic work in that no script is needed; there is no memorizing of parts, no rehearsal. In fact, its value lies in the spontaneity of presentation. The action comes directly from the individual's creative use of his own experience.

There are only three prerequisites for good classroom role-playing:

1. The class should potentially have a common interest in the issue at hand;
2. The participants should have the issue clearly in mind; and
3. The experience should be regarded as a means of learning, not entertaining.

The role-playing situations should be distributed to various groups as designated on the description of the situation. The students will be given about 2 minutes to "think themselves into" the role they will take and plan together how the scene will look.

As an audience the students should ask themselves - Is this the way these people act and feel in real life? It should be understood that no finished product is expected, but that, in fact, everyone will learn more if the participants are considerably less than perfect. After each situation the students' discussion should center on how people feel and why they act as they do. The participants should report how they felt as they acted through the role-playing. Their feelings will provide the teacher with a clue to the student's insight into the wellsprings of human emotion.

At the end of the role-playing situations, the students should write in their workbooks a reaction to two of the dramatized situations.

Role-Playing Situations

1. 3-4 males  
A group of guys are together and one member starts to brag about what a good shot he is at hitting targets. He is goaded on by his companions. The targets become street lamps.
2. 4-5; mixed group  
A hot summer night with no money in their pockets and a rock concert is going on at the Pavillion. One member in the group suggests that they tear down the fence and break in.
3. males, females, or mixed  
You are with a group of peers and you observe some other kids trying to knock over a street sign. What do you do?

4. 3-4 females  
Several of you are suspended from school for smoking in the bathrooms. You plan to get even with the principal.
5. 1 male; parents  
You have just had an argument with your parents over the use of the family car. You feel that they are treating you like a child and you are very angry. How do you vent your anger?
6. 5-6 mixed group  
A Friday night - nothing in particular to do - no special parties - a mixed group is joy riding in the car of one of the members of the group. You have been drinking beer. There is a can of spray paint in the back of the car.
7. 3 males  
There is an empty house on the street - one of the front windows has been broken - a group of kids is passing by and one remarks, "The house is haunted; let's wake up the ghosts!" Since one window is broken, a second broken window doesn't matter.
8. 2 students  
You and your friend have been accused of cheating on a test. You both lose your "A". You are quite angry with the teacher. You want to get even.
9. Make up a situation of your own.

## Instructions for Small Group Task:

1. Distribute articles to members of group.
2. Take 3 minutes to quietly read the articles.
3. Summarize article orally for the other members of the group.
4. Appoint a recorder.
5. The group should have a short discussion in order to arrive at a definition of vandalism and list those actions which they consider to be acts of vandalism.
6. The definition: list of acts is to be written on the newsprint by the recorder, to be shared with the large group later.

## 1

*vandals and Vandals*

"It's time we stop.

Hey! What's that sound?

Everybody look what's going down."

—*Stephen Stills*

In A.D. 406, an East German tribe, the Vandals, surged across the Rhine River into Gaul and set forth on a migration which would carry them over the Pyrenees to Spain and ultimately on to Carthage on the northern shore of Africa. From there the fleet of the Vandals preyed on the ships in the Mediterranean Sea while on land they persecuted the African Orthodox Christians. Their armies made plundering expeditions to Sicily and southern Italy, ravaging, burning, destroying.

The Vandals were not a creative people. They left no statues or monuments to their civilization, but

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they did bequeath to us their name which conveys the hatred felt toward them by the Romans and the African Catholics. The ancient Vandals were adult warriors who accepted brutality as a way of life. Today's vandals for the most part have not yet reached the age where they may legally vote.

In October 1969, six boys, ranging in ages from 6 to 10, broke into a Cambridge, Massachusetts, scientific institute. They sprayed the laboratory with a fire extinguisher, poured chemicals over the valuable files, and released more than 2,000 specially-bred hamsters. The animals were products of years of planned breeding so that they could aid research on possible cancer-producing chemicals and help determine the role of chemical cyclamates, used in artificial sweeteners, in causing heart trouble.

Hundreds of hamsters scurried through the streets, and bodies of others were found floating in the Charles River. Many animals, stomped and mutilated to death, were scattered throughout the building. Dr. Freddy Homburger, the director of Bio-Research Institute, estimated that it would take two or three years to replace the destroyed hamsters at a cost of \$100,000 a year.

The question is: why would children raised in a country with the highest standard of living in the world act like ancient barbarians? Why the senseless killing and destruction? Part of the answer is

## vandals and Vandals

that even though we have supposedly become more civilized in the past fifteen hundred years, the name of the game is the same, Vandalism. And we are all losing--to the amount of "hundreds of millions of dollars yearly. And the cost is mounting steadily," according to the *U.S. News & World Report*. Amazingly, the general population appears indifferent.

At first glance the indifference seems understandable. A defaced stop sign is insignificant when compared to a population explosion, the future food shortage, and imminent nuclear destruction literally hanging over our heads. Yet it is almost impossible to pick up a newspaper without reading about incidents of destruction:

**SCHOOL DAMAGED BY BOMB**

—*Los Angeles Times*

**MOTORCYCLE GANG WRECKS LI BAR**

—*Newsday*

**VANDALS ATTACK CHURCH IN SUBURB**

—*New York Times*

Vandals and vandalism. As emotionally laden as the terms are, the attitude toward the rapidly growing problem is one of complacency. Possibly it is as Paul Goodman writes in *Like a Conquered Province*, "People believe that the great background con-



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ditions of modern life are beyond our power to influence." This feeling of being overwhelmed by society's problems may explain the passivity of one South Shore community on Long Island.

Here is a postwar school district of six elementary schools, two junior high schools, a high school, and one of the highest tax rates on Long Island. When budget voting time neared, a decision was reached to eliminate several junior high school teaching positions. This way less money would be allocated to staff salaries. In order to do this, the school superintendent changed the educational policy of having two daily English classes for the junior high students who were deficient in reading and composition. Rather than the second period of English, sorely needed, the students would spend a free study-hall, forty minutes in the library. The announcement was made and received with no complaints. The community felt reassured that the school authorities were aware of the tremendous tax problem. The seven Board of Education members were more secure about their re-election. School leaders hoped that the budget would pass and an austerity budget would not be imposed upon them.

No outcry was heard that this district had paid \$11,600 the previous year for window breakage. That sum would equal the salary of a teacher with a Master's Degree and at least ten years experience.

## vandals and Vandals

A teacher who would have helped many of these academically-poor students.

And the sum of \$11,600 was only for windows. The school district had no way of computing the man hours put in by custodians to fix ripped-out sinks and chairs hurled down stairwells or repainting walls covered with spray paint obscenities.

Schools are not the only targets of vandals. Railroads, telephone companies, municipalities, state and national parks, all have startling wreckage costs. Individual families have not escaped, though no tally has been made of the private house windows which have to be replaced because late one night someone triggered an air pellet gun or hurled a stone. The average wage earner invariably pays all these bills.

Vandalism is widespread, cutting through all economic and social strata, and difficult to define. What is vandalism to one person might be spirited fun to another.

A street sign reading 30 M.P.H. has been changed so at first glance it appears to read 80 M.P.H. A joke? Roughly calculate the number of ruined signs in a county, and it becomes understandable why many Departments of Public Works have men whose sole job is to repaint defaced signs.

Fifteen hundred tombstones are toppled in Linden, New Jersey. A bunch of lively boys "horsing" around?

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The bill was \$35,000.

What about the dumping of commercial waste materials into our atmosphere and water? Consider the smog alerts in the Los Angeles area. Physical education classes in the schools are immediately canceled, and classroom teachers are told to give the children desk work. No exertion. Nothing which would cause the child to take deep lungfuls of the dangerous air. Lake Erie became another Dead Sea when the fish life was poisoned by the water pollution. Now the only surviving forms of life are sludge worms and a mutant species of carp that has adapted to the poison. Dr. Donald Squires, the director of the Marine Sciences Research Center at the State University of New York at Stony Brook, discovered the New York metropolitan area is annually depositing more sewage, garbage, and construction debris into the Atlantic than all the rivers on the East Coast wash into the ocean in a year. Can not businesses and cities be guilty of vandalism, too?

The scope of the problem is immense and therefore frightening, creating a feeling of hopelessness before an answer is sought. How can a situation of this magnitude be improved?

Not by ignoring it.

"Wherever violence is disregarded and forgotten, it perpetuates itself," wrote Dr. Fredric Wertham in *A Sign for Cain*.

## vandals and Vandals

Vandalism can be attacked by the same methods other social problems are approached. Define the problems. Look back for causative factors. Scan the present circumstances. Evaluate what solutions seem to be failing and which are succeeding. Arrive at a new possible plan of attack and begin working with that until proved right or wrong.

First, the definition.

*Webster's Twentieth Century Dictionary* defines vandalism as "willful destruction of the beautiful." As shown by the examples in this chapter, the contemporary problem is more extensive and pervasive, so it is necessary to broaden the meaning of the word.

In this book vandalism will mean *any willful act that lowers the esthetic or economic value of an object or area.*

Now to look back . . .

## 2

## Back Then and Over There

"Those were the days, my friends"

—*Gerne Raskin*

"Youth is disintegrating. The youngsters of the land have a disrespect for their elders and a contempt for authority in every form. Vandalism is rife, and crime of all kinds is rampant among our young people. The nation is in peril."

The quote is from *Young People and Crime* by Dr. Arthur H. Cain, and it is purportedly what an Egyptian priest said approximately four thousand years ago. What is interesting is not that people have always believed the young were rebellious—the irony has long left that fact—but that the crime is not a contemporary phenomenon. The forms of vandalism have probably changed, though. One has

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difficulty picturing an Athenian teen-ager of the Golden Age setting fire to the *Lyceum* or a twelfth century 16-year-old squire scrawling, "Make Love Not War" on the castle wall.

In *The History of Violence in America* Richard Maxwell Brown separates violence into Positive and Negative Violence. Negative Violence would be associated with feuds, lynching, prejudice, and urban riots. Positive Violence is a term that "relates violence to the popular and constructive movements" such as the Revolution, Civil War, Agrarian uprisings, Labor, etc. According to Brown's division, one of the earliest examples of vandalism in America would have to be labeled Positive Violence. The destruction not only made headlines. It made history.

The incident began when three ships sailed into Boston Harbor and docked at Long Wharf. The date was 1773. The ships' cargo: tea.

Boston was a tinderbox of conflicting loyalties. Some people considered the tea shipment a new attempt by the English prime minister, Lord North, to drain additional wealth from the colonies. Angry men gathered that cold night.

*The Chronicles of the American Revolution*, a compilation of remembrances of the Revolution, was collected in the early 1800's at the suggestion of John Adams. In the book is an account written by a man who was in Boston that December.

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"The meeting [to protest the shipment] began at Faneuil Hall, but that place not being large enough it was adjourned to the Old South, and even that place would not contain all who came." A committee was selected and sent to the governor to ask him to have the ships set sail. Time passed slowly while those at the meeting hall waited. About sunrise the committee returned. The governor would not interfere.

Just then an Indian yell came from the street.

For a few startled moments the hall was silent, only to have everyone begin talking at once. People started to leave the hall. Samuel Adams claimed it was a trick by their enemies to disrupt the meeting and urged everyone to stay where they were. But the men rushed from the building to find an odd sight in the street. Many men had their faces smeared with lampblack or soot scraped from pots. A feather was stuck in each man's hair and blankets were wrapped about them Indian-style. Members of the Old South meeting accompanied the sixty to eighty "Indians" to the ships.

". . . nothing was destroyed but tea—and this was not done with noise and tumult . . . little or nothing being said by the agents or the multitude—who looked on. The impression was that of solemnity rather than of riot and confusion."

Three hundred and forty-five chests of tea were

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dumped into the murky waters of Boston Harbor.

Not many years later Boston Harbor was again the scene of a vandal's attack. Once more the incident made headlines and caused considerable debate. The year was 1834, and the attack centered around one ship, *Old Ironsides*. The worn-out figurehead of Hercules had to be replaced. When the new one was set into place, people noticed that the face strongly resembled Andrew Jackson, then president of the United States. Naturally, the Democrats applauded the figurehead while anti-Jacksonites felt that *Old Ironsides* had been desecrated.

On the stormy night of July 2, a lone person sculled through the choppy water and pelting rain. About midnight he clambered up the side and decapitated the controversial head below the nose and ears. When the news broke, the entire country took sides. Ironically, when the culprit was found, he turned out to be a Jackson supporter. The reason for his attack? He was afraid anti-Democrats would damage *Old Ironsides* if the figurehead remained on the prow.

Notably, both crimes were politically motivated and accomplished by grown men. Some volunteers in the Boston Tea Party were rumored to be in their late teens, but that age was considered manhood at the time. In the early history of our country there were seemingly no incidents of what people today



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inaccurately call "senseless vandalism": destruction of property for no apparent reason. Any damage that occurred was associated with civil or political causes.

As the years passed and the country grew and became urbanized, vandalism still did not rank as a major problem.

1858: Minnesota became a state. Abraham Lincoln and Stephen Douglas engaged in a series of debates during their Senatorial Campaigns. That year seven people were convicted of Malicious Mischief (vandalism) in New York City. 2 females, 5 males. In 1965 there were 2,330 cases of Malicious Mischief in the city.

1865: The Civil War was won and a great leader lost. Lewis Carroll's *Alice's Adventures in Wonderland* was published. A *New York Times* editorial proclaimed: "DECREASE OF JUVENILE CRIME—An Encouraging Sign." The three principal offenses of minors were listed: vagrancy, petit larceny, and pocket-picking.

1872: In that year Thomas Edison perfected the "duplex" telegraph, and the *New York Times* editorialized, "It is evident that offenses against property most prevail in youths and that the ruling motives to it are the love of enjoyment and idleness with the dislike of labor and the pressure of want."

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So as the nineteenth century faded and the twentieth century dangled a promise of progress and unsuspected wonders before the world, vandalism was barely noticed. In rural communities the problem did not exist. One of the theories explaining the epidemic of vandalism today is that young people are affected by the anonymity and depersonalization of city and suburban living. In a village at the turn of the century, the children did not feel this. Everyone knew what everyone was doing. A person was a part of the whole, and he or she recognized this from the earliest years.

Thornton Wilder captured the atmosphere of small town America in his play, *Our Town*. On a moonlit night that brings everyone to their windows to dream and think, two men meet on a corner. One is Constable Warren, walking his nightly tour.

**MIL WEBB:** Oh, Bill—if you see my boy smoking just give him a word will you? He thinks a lot of you, Bill.

**CONSTABLE WARREN:** I don't think he smokes no cigarettes, Mr. Webb. Leastways not more'n two or three a year.

Such was life in Grover's Corners, New Hampshire, May 7, 1901.

The first year that vandalism appears as a heading in a *New York Times Index* volume is 1920, and then

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only a cross reference. The graves of writer Johann Goethe and dramatist Johann Schiller had been robbed in Germany. The following year a sole item was listed under the heading of Vandalism. The date: October 15, 1921.

The school board in Spring Valley, New York, offered a \$25 reward for the vandal who had cut a hole in the high school cornerstone and had stolen the copper box set inside the granite block. The person broke through the cornerstone, which had been laid in 1916, by cutting a hole the size of the box from the basement side. The opening had been cemented up after the metal container was stolen. In the box were \$10 worth of coins, historic school records, and copies of local newspapers. So the first legitimate listing for vandalism in the *New York Times Index* was truly prophetic, as schools have since become the prime target of vandals.

1936 was a good year for some women and a bad one for others. Margaret Mitchell had her best seller *Gone With the Wind* published, and an aviatrix, Mrs. A. Mollison, flew from England to Capetown, South Africa, in 3 days, 6 hours, 26 minutes. But in Union, New Jersey, the local police finally apprehended the individual who for a month had daubed paint on street signs and school walls. Police cars, also, had been smeared with painted phrases such as "Boy Scout Taxi" and "Puppet Cars." The culprit,

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apprehended fittingly enough in the police station parking lot, was a 20-year-old blonde. She was caught literally red-handed: clutching a can of red paint and two brushes. When questioned about the reason for her vandalistic acts, she told the police she was gathering material for a book!

Books and women figured in the disclosure of another minor act of vandalism that year. Lady Ravensdale, daughter of Marquess Curzon, was following the route that her travelogue-writer father had traveled through Asia Minor in the eighteen-eighties. There on the gateway to the palace of Darius, she found scratched into the stone, "G. N. Curzon 1889." She was shocked to find her father "had committed such an outrage."

If 1936 was disillusioning to Lady Ravensdale, the next decade saw juvenile crime and, in particular, vandalism take a large leap toward today's level. During World War II family life was not only disrupted, it was shattered. The fathers were off fighting the war while many mothers were riveting dural on P-48 Thunderbolts. As a result numerous children roamed the streets at night. One community, Hastings-on-Hudson, New York, had a serious problem of broken windows, punctured automobile tires, as well as stolen hubcaps and residence signs. The village passed an emergency ordinance which made it unlawful for the parents or guardians of children un-

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der 16 to permit the minors to be on the streets after 10:30 p.m. unless accompanied by an adult.

The ordinance was again invoked in February 1961 in an effort to stop widespread vandalism. If the police find a youngster under 16 out past the curfew, the parents are notified. The child is paroled the next morning in the parents' custody.

The same month in 1961 that an American town on the Hudson River was combatting vandalism, a Scottish community on Holy Loch had a similar problem due to Americans. The U.S. Polaris submarine tender, *Proteus*, was to arrive in Holy Loch. A group of English youths had gathered to protest the use of Great Britain's harbors for alien nuclear war machinery. The demonstrators planned to row out in five dinghies and two canoes and block the channel which the *Proteus* had to use in its approach. The night before the ship's arrival, sixteen young Scots raided the English camp and set the dinghies and canoes adrift.

In the early sixties many other vandalism reports coming from overseas were connected with political beliefs:

In Salisbury, England, **BAN THE BOMB** was painted on eight of the famous Stonehenge slabs in four-foot yellow letters. The ninth stone was marked with the emblem of the British campaign for Nu-

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clear Disarmament, even though a branch of the organization claimed they had nothing to do with the vandalism.

Jakarta, Indonesia: Indonesian high school and university students attacked Chinese Communist diplomatic establishments, smashing furniture and files. Another group ransacked Peking's official press service office and set fire to the roof.

PRETORIA VANDALS ASSAIL U.S. headlined an article in the *New York Times*. Red hammers and sickles were painted on two U.S. diplomatic cars only a week after the U.S. insignia on the embassy building in South Africa had been sprayed with black paint as well as the phrase, "Yanks Out—We Don't Want Red Agitators."

The sentiment seems to echo one sprayed on a synagogue in Cologne, Germany, on Christmas Eve, 1859. "Germans demand that Jews Get Out." The entire problem of anti-Semitic vandalism is like an echo in Germany, a lingering cry of hate.

Hersbruck: Nazi emblems were chiseled into a memorial honoring concentration camp victims.

Bamberg: The city had planned to dedicate a memorial on the site of a synagogue burned by the Nazis. The night before the ceremony the granite slab was smeared with a yellow swastika and the

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slogan, *Judas Verrecke* (Die, Judas). Officials summoned workmen to clean up the mess and kept the incident quiet. Two nights later, however, the vandals splashed swastikas on 23 gravestones in the Jewish cemetery. Non-Jewish youth groups laid wreaths inscribed "Forgive us, Brothers" at the desecrated headstones, and the city marshaled police and civilian guards to stand watch over the property of the city's seventy Jewish inhabitants. The anti-Semites, however, struck twice more.

Berlin: In November 1968, the new Berlin National Gallery opened. The Gallery had been designed by a refugee from Nazi Germany. One night nine swastikas were painted on the walls and on works of sculpture outside the Gallery by three men using spray cans of paint.

In the late 1960's nonpolitical vandalism became prevalent in Europe and the Middle East, ending the belief that America has the worst juvenile crime in the world. In fact, according to Dr. Arthur H. Cain in *Young People and Crime*, our juvenile delinquency rate is not the highest. We are surpassed by Japan and Sweden. Israel, too, has a soaring rate of youthful lawbreakers.

In October 1965, there were two riots during one week in Tel Aviv, involving approximately 1,000 teen-agers. Dr. Judith T. Shuval of The Israel Institute of Applied Social Research has set forth some

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reasons for Israel's youth crime problem, and the explanations sound like ones touted in this country. First, an increasingly affluent society. Dr. Shuval claims that the young people are rebelling against authority and "stealing automobiles is a classic example of this." Also, immigrant children coming into the country see the affluence gap, resent it, and are spurred into criminal activities. Family structure is changing, too, from large, cohesive paternal groups to the Western-type small family units. And lastly, Dr. Shuval points out that the overall values of the country are being altered as the challenges facing earlier immigrants disappear.

Reports of other recent foreign teen-age vandalism sound identical to American incidents.

August 31, 1968. Teen-agers went on a rampage in several coastal resorts, causing heavy damage. Hundreds of boys and girls spent the night on the beach, battled with police on the promenade, and threw bottles at cars or through shop windows.

This is not the annual invasion of college students into Fort Lauderdale, Florida, but rather Margate, England, on the Channel Coast.

Another news item told of hundreds of leather-jacketed youths who went on a rampage and were arrested for drunkenness and theft.

Californian Hell's Angels? No. The youth of Bathurst, Australia.



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An eastern city spent \$18,000 in 1969 to clean graffiti off walls. Grenoble. In eastern *France*.

And so it goes.

Fans returning home Saturday nights from English soccer matches smash train windows or rip up the seats, reminiscent of Madison Square Garden fight fans and New York City subways. Two thousand youths riot in Oslo, Norway, when the police decide to close a favorite club. A girl in Oxford, England, died because her father could not use a vandalized pay phone to call a doctor. More than half of Britain's 75,000 pay phones are struck by vandals. The statue of the Little Mermaid in Copenhagen's harbor was decapitated one night by vandals. Fortunately, the 50-year-old mold had been preserved, allowing Edvard Erickson's original metal statue to be restored.

At different rates of speed, vandalism has traveled the same route the world over. Destruction began as political or social protests for easily discerned reasons. As the affluence of modern life has spread, however, the motivation has become harder to identify.

The following three chapters explore some of the causes of modern day vandalism.

## Erosive Vandalism

**"Please don't destroy these lands  
Don't make them desert sands."**

**—Samwell-Smith-Relf-McCarthy**

Imagine a six-foot high statue; the lines gracefully depicting the beauty of the human body, the marble glistening. One morning the figure is set in a lush corner of the city park. Seven-year-old Kevin ambles by on his way to school and spots the newly erected statue. The sparkling white marble is unblemished. And Kevin knows that many people will be passing this statue. Using his crayons, he scrawls his initials, a large red K. S., on the right foot.

Shortly after, a young married couple stop and after a moment's study, decide that the whole left arm would make a marvelous conversation piece for

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their new circular coffee table. And the city certainly has enough money to fix this statue with all the taxes they pay! One whack with a thick log and the white arm is theirs.

In the afternoon two boys returning from a baseball game see the mutilated statue and conclude a little more damage will not be noticed. For a half-hour, they practice pitching by hurling rocks at specially selected targets on the marble body.

Late that evening as three college boys are wending their way home from a fraternity party, bottles in hand, they spot the statue. The wine bottle is half empty, the two beer bottles completely drained, so they will have to get rid of them anyway. Each guy can have one throw. The brown bottles go astray, crunching into the underbrush, but the wine bottle smashes against the stone chin, dribbling wine down the length of the statue. The boys continue on, arms slung around each other's shoulders, singing their college alma mater.

As the first rays of sunlight strike the statue the following morning, a park department man notices the pock-marked, red-streaked figure and makes a note to tell his superior to do something about having the unsightly statue removed.

The above fictional account may seem an exaggeration, but when magnified many times, it is actually what is happening in our country. Erosive

### Erosive Vandalism

Vandalism. Tiny acts of destruction that in themselves are not very damaging or costly or shocking, but when combined are in effect wearing away this nation's natural and man-made resources. Consider the tons of paper and trash thrown into our city streets and country roads or the thousands of road signs either defaced or mutilated with bullet holes or the smashed park benches and the store-front windows peppered with tiny holes from BB pellets. Each of these bits of destruction by itself is easy to ignore because the damage seems small and unimportant, but, cumulatively, the drain on our economy is enormous.

Ironically, much ruination is done by people who do not feel that they are guilty of a crime. The individuals may be aware of the laws prohibiting certain actions, but they feel that the rules are unrealistic. What could be wrong, they ask, about picking up a rock chip in the Petrified Forest National Park? There are acres and acres of the petrified wood. The people do not stop to imagine what would happen if each of the millions of annual visitors to the site walked off with only one stone.

"We didn't do nothin' wrong," teen-agers say defensively. "Only messed around a little. No big thing."

*We didn't do nothin' wrong?*

The Western Electric Telephone Company invests

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more than four million dollars a year, keeping phones repaired that have been knocked out by theft or vandalism. There are 3,600 sidewalk phones in New York City, most of which suffer from looted coin boxes, tipped-over booths, smashed glass or plastic panes, and stolen parts. One vandal strolled down Park Avenue, methodically severing the receiver on outdoor phones by melting the connecting wire with a cigarette lighter. He placed the receiver on the booth shelf and went on to the next phone. Nothing was stolen, only ruined. Edward A. Connell, the general manager of the public telephone department, told the *New York Times*, "It's a constant battle. And one where the offense is always catching up with the defense."

*No big thing?*

Two men died in Pawtucket, Rhode Island, as a result of vandalism. One night teenagers pulled down a metal fence and dragged it into a drainage pool. A crane was needed to hoist the fence from the water. Two workers in their early twenties seized the fence at the same moment the crane came in contact with a 13,800-volt wire overhead. The electricity flowed through the crane and fence, electrocuting the men.

Undoubtedly, if the vandals had known what was going to happen, they would not have wrecked the fence. That is the difficulty. No one can be certain

### Erosive Vandalism

where vandalism will lead. In October 1969, Bronx youths in two cars hurled stones at a house wall and windows several times during the evening and early morning hours. The 19-year-old resident rushed from the building with a rifle. Fortunately, before any serious crime could be committed, he was stopped.

But how can we stop Erosive Vandalism? In order to answer that, it is necessary to understand the causes. Many explanations are offered as to why people seem to have a no-care attitude about public property. On an abstract level, the depersonalization of our environment is held to blame. Critics maintain that small-town America was never afflicted with the degree of vandalism which abounds in the country today. The quiet, tree-lined streets and small business districts with the familiar, friendly shop owners formed roots for the young people. The teenagers felt a part of the town and did not want to destroy it.

"Now, in Northern Ohio, anyway, it is all gone—buried under supermarkets, superhighways, urban development, . . . real estate coups, civic reforms, discount houses, hamburger franchises. The land and the people are now permanently separated." So observed Arnold Kazmier in a September 1969 article in *The Village Voice*.

If the land and the people are truly separated,

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then it is no wonder that young people and adults alike feel no reticence about disfiguring or destroying the land. It is not their land. Its beauty means nothing to them other than a passing view.

An experiment conducted by two psychologists, Scott Fraser and Philip Zimbardo, added further evidence to the theory that the anonymity of an environment has a direct effect on vandalism.

At 3:15 one Friday afternoon they left a 1959 green Oldsmobile parked along a street in a middle-class, residential neighborhood of New York City. The license plates were removed and the hood slightly opened so it would look as if the car had been stolen or left alone while its owner went for help. The two men hid themselves where they could observe and note what happened to the car. Ten minutes later a man and a wife and a son came driving by, parked, and took a hacksaw from their own car. They cut out the Oldsmobile's battery and also took the radiator.

By the end of twenty-six hours the following had been removed from the car in addition to the battery and the radiator: air cleaner, radio antenna, windshield wipers, the right-hand side chrome strip, hubcaps, a set of jumper cables, a gas can, a container of car wax, the left rear tire (others too worn).

The car stripping took place in daylight and was done by clean-cut, well-dressed, middle-class peo-

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ple. The theft of major items and the destruction was almost always observed by someone else who sometimes carried on a casual conversation with the vandals.

Another car was parked in a similar condition, but this time the automobile was left on a street in a quiet, settled Californian suburb. Three days later nothing had been touched. Why would people living in a city be more inclined to destruction and theft than suburban residents?

Fraser and Zimbardo labeled the cause "deindividuation": the process by which many former restraints in American life are being dissolved. In a big city the feeling of personal anonymity encourages violent behavior. City inhabitants have learned "not to get involved," so they step around the drunk sleeping on the sidewalk. Lawbreakers feel certain that people will not interfere unless directly involved. On the other hand, vandalism is discouraged by a sense of community, an atmosphere in which vandals feel someone is watching and will disapprove. There is much more danger that people will stop a criminal or call authorities in this type of setting.

Capitalizing on the theory that there will be less vandalism if wrongdoers have the feeling they are under surveillance, the police department in Nassau County, New York, has instituted a Neighborhood



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Security Program. Householders are urged to join the NSP by simply agreeing to help each other protect their person and property. If a resident should see a crime being committed or any suspicious action, he would call the police.

"We don't ask or want members of the Neighborhood Security Program to take enforcement action," said Nassau Police Commissioner Francis B. Looney. "That's our job. The Neighborhood Security Program achieves its goal when neighbors become alert to the activities in their neighborhood and call the police immediately."

The NSP is similar to a plan operating in New Canaan, Connecticut, as described by David Loth in *Crime in the Suburbs*. This program was organized specifically to combat youth crime. The town has set up an underground auxiliary of citizens who report secretly any juvenile they see breaking the law. The police chief hoped that the knowledge that someone might be looking would make youngsters think twice before engaging in vandalism.

Both police plans are designed to combat the de-personalized atmosphere of contemporary living. Unfortunately, they are only stopgap programs because they are not changing the basic situation.

While the problem of "deindividuation" is difficult for the average person to overcome, there is another cause of Erosive Vandalism which might be cor-

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rected. The inadvertent teaching of disrespect of public property by parents. Here is an incident this writer observed. A father and his two children climbed into the family car, the daughter munching on an apple. As the car motor warmed up in the driveway, the girl finished the apple and rolled down the rear window to throw out the core.

"Not here," snapped her father. "Wait till we get out on the road."

Many parents think the way to teach children is to instruct or give them directives to live by, when actually children learn most through observing their mother and father. The girl now knows that it's perfectly all right to litter the streets. As she grows into her teens, will she be like the vandal who visited a park in the western part of the United States? Park officials found a lipstick heart and initials drawn on an ancient Indian rock carving. The lipstick penetrated the minute pores in the stone and could not be removed. The etchings had survived hundreds of years of weather and erosion and history, only to be marred by a family's vacation trip. Why shouldn't our apple-eater commit such an offense in future years? The park is not her property. It's out on the road.

The problem of graffiti has other causes. Psychologists say it is a need to be recognized, to stand out from the crowd, to be noticed. Or in some cases,

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to be immortalized even on a small scale. Man is the only animal who consciously knows he is going to die, so he does things which will be here after he is dead. Climb the 500-foot Great Pyramid and absorb the golden Egyptian sunset. Scratched into the rocks high above the desert sands are centuries-old names and dates of other visitors. They remain, though the people are gone.

The presence of graffiti was solved in Oakland, California, though not by the city officials. A 60-foot tunnel that leads into the 44-acre Lake Temescal Park for the convenience of vehicles and pedestrians had long been a target for vandals. The walls were covered with 30-odd years of obscene and unsightly scrawls. Park maintenance men would paint out the graffiti, only to have it reappear a short time later.

A Dominican monk became aware of the situation and decided to correct it. He splashed bright red and yellow designs over the walls. Sprightly free-form green trees and abstract orange blossoms as well as birds, fish, and sails decorated the tunnel. Since then hardly a mark has been placed on the walls except the names of a boy and girl which were printed neatly beneath two bluebirds romantically sharing a branch.

The ugliness is gone because someone cared.

But much ugliness still exists in this country and not enough people seem to care. Litter. And it comes

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in all forms. Walk by the river which curves along the Yosemite Valley floor. Beer cans and broken soda bottles and a rusting bicycle frame clutter the sandy river bottom. Our city streets have toppling piles of garbage in front of restaurants, poorly packaged, spilling forth their contents of rotting food-stuffs. And it isn't only individuals. We pick up a newspaper and learn that only sixteen miles from downtown Denver a plant manufacturing triggers for atomic devices may have been poisoning the ground and the air with radioactive plutonium, one of the most toxic materials produced by man.

Litter, on all levels of meaning, is a social problem created by society. We want ease and comfort, so manufacturers put products in disposable containers. As a result we "dispose" of them along our highways and into our trash pails. Sanitation departments inherit the problem. New plastic containers do not rot, and the new glass does not burn, so town dumps and incinerators are collecting growing piles of rubbish while available land is shrinking. Dumping the waste into oceans seemed an answer, but now the sea near large cities has growing areas of pollution that threaten sea life and recreational facilities.

Affluence permits us to buy more things more quickly. At one time families kept automobiles until the vehicles developed serious problems that required expensive repairs. Now cars are traded in

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after only a few years, their owners wanting sleeker, shinier models. Recently, *Vermont Life* magazine detailed that state's plans to eliminate the problem of abandoned automobiles. The New England state identified with rolling green mountains and farms and white steepled churches was in danger of becoming an automobile graveyard.

Our country, too, is in danger. And the danger is Erosive Vandalism—the crime that will reduce the nation to an ugly, scarred wasteland unless people on all levels begin to care.

## 4

# Fun Vandalism

"Everybody knows there's nothing doing  
Everything is closed, it's like a ruin."

—Lennon-McCartney

People often shrug off reports about the rise in vandalism, saying, "Boys will be boys." Fathers chuckle knowingly and relate an adventurous episode from their own teen years. In *Kids, Crime and Chaos*, Roul Tunley wrote that misbehaving youngsters were the ones who were interested in adventure, change, risk, and excitement.

The search for adventure is echoed in the result of the research done by Sheldon and Eleanor Glueck. This husband and wife team of psychologists devised a test for very young children in order to predict the potential delinquents. They found that delinquents had an "excessive thirst for adventure." The

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key word is excessive. Certainly no one wants a child who is timid or so bound by society that he is content to live his life in the same path cut by his parents.

Yet it appears that adventure, fun, getting-something-going can lead to destruction. "They will do anything in order to do something," the Cleveland, Ohio, *Plain Dealer* quoted Juvenile Court Judge Albert A. Waldman. One vandal gave as a reason for his misbehavior when interviewed by the *New York Times*, "Did it for kicks."

The destruction just happens. A side effect to a good time. No harm intended really. It's all a kind of joke. A laugh.

**Fun Vandalism.**

A small mining town nestled in the North Dakota hills has the unlikely name, Zap, and an approximate population of three hundred. This back hills hamlet acquired instant fame one weekend in May 1969.

Weeks before the fateful night, the North Dakota State University student newspaper urged readers to "zip to Zap" for a Mother's Day "Zap-Out." The idea sparked a flame which swept from Florida to Toronto. Cars bearing signs reading "Zap or Bust" prepared for the journey to the town that lay seventy miles northwest of Bismarck. The mayor of Zap, Norman Fuchs, was photographed wearing a sweat-shirt inscribed, "Zap, N.D. or Bust."

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"I'm certain it will be the biggest day in our history," he announced prophetically.

The Zappians readied themselves for the gala event. Along the unpaved main street, the café and two bars stocked up for the expected customers. Lucky's Bar stacked thousands of extra cans of beer in the back room. No one seemed particularly disturbed by rumors that the college students were going to make Zap "The Fort Lauderdale of the North." That Florida city is plagued with mobs of trouble-making college students whenever vacation times come.

By late Friday night as 2,500 people crowded into town, the temperature dropped to the low forties. When a few beers had rinsed away the wearying effects of the trip, the students ignited a bonfire in the main street. An abandoned frame house was dismantled, its doors, siding, and window frames providing fuel for the flames. Booths and tables were ripped from the taverns to keep the fire roaring.

As the temperature and spirits climbed higher and higher around the fire, store windows were smashed and the merchandise scattered. With odds of three against one, there was little the townspeople could do to halt the mob. In the Community Hall, the wall-board was shredded, and the soft drink machine pilfered. A fire truck was called to douse the fire but as the vehicle reached the spot, scores of youths



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climbed aboard and began to rip it apart. An automobile near the bonfire area was wrecked by 500 students.

Mayor Fuchs wandered through his town, muttering, "Animals, animals."

The governor sent in 500 National Guardsmen, combat-ready, with rifles and five-foot clubs. Within an hour of the troops' appearance, the students had fled. The small café had sales of \$150 for that Friday night and damages totaling \$2,000 by the next morning. Not one store could open for business Saturday.

No one would argue that the students' behavior was anything but reprehensible. No one would dismiss such destruction as youthful exuberance. Yet the motivation for minor league hi-jinks and for a Zap-type riot are the same.

Psychologically, when a person destroys a piece of property, he is in effect destroying the owners. Or as Paul Goodman wrote in *Growing Up Absurd*, "To do the forbidden is to attack the forbidding authority." So youngsters who are restrained by many elements of society find enjoyment in freeing themselves of these bonds by attacking society's possessions. Rare is the joy that matches the joy of gaining one's freedom, and the teen years are the time when children yearn for independence. "Vandalism is inherent in the nature of the adolescent," said

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Solomon Lichter, the director of the Scholarship and Guidance Association.

Allied with this desire for liberty is the sense of power an individual experiences when doing something in a group. Young people badgered by school officials and parents find themselves in control once they are in a crowd. Today, most adults feel a tinge of apprehension when near a large group of teenagers. We are a country afraid of our children. And the youngsters know this. In a group *they* can give the orders. Youth Power. And the power knows no limits as long as the crowd is large enough.

Law enforcement officers appreciate the dangers of congregated young people.

A Juvenile Aid Bureau detective for the Suffolk County Police Department, New York, described vandalism as a "group activity."

"Warm months are the worst time for vandalism. When kids can get out in hoards," said a member of the Nassau County Police Department, when asked about the peak periods for vandalism.

Railroad employees agree. With the advent of spring weather attacks on trains across the country become more frenzied. The Grand Trunk Western Railroad suffered a \$248,000 derailment because vandals wrecked switches near Grand Rapids, Michigan. The New Haven Railroad, which has to replace 4,000 windows a year, finds that gangs of hooligans

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engaging in rock throwing, tampering with switches, and depositing objects on the rails sprout with the new buds. Sometimes trains are attacked Indian-style with the rock hurlers lining each side of the tracks. Commuters can only sit there helplessly, shielding their faces with newspapers or ducking down in their seats as the train runs the gamut. The crew radios ahead and summons the company's private policemen, but these officers only have the power of arrest on railroad property and usually arrive too late.

April showers not only bring May flowers but May fires. Volunteer suburban fire departments brace themselves for the spate of fires in parks, as well as wooded sections along freeways and parkways, which occur once warm weather encourages youngsters to spend most of the daylight hours outside.

"These kids think it's a joke to set a fire and then wait nearby to see how long it takes us to get there. On weekends [in the spring] we sometimes get as many as twenty-five calls," revealed one fire fighter.

Though groups of young people can be a source of trouble, the amount of vandalism still exceeds the psychological potential. "Are we to say that young boys, brimming with energy, curious about life, eager for action, have no way to channel all these things except to roam about and destroy what strikes their fancy to destroy?" editorialized *The Evening Statesmen* of Boise, Idaho.

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There *are* other ways to channel these drives, but, ironical as it may seem, the children have been educated to enjoy destruction, to look forward to the time when they can wander the streets, leaving a trail of wreckage behind them. An even more bitter truth is that they have been educated by their families.

Halloween.

"The night when the world goes crazy," said an auxiliary police patrolman.

And so it must seem to any law enforcement officer.

The night of October 31st has long been reserved for children and mischief. Years ago youngsters might steal Mrs. Leroy's pumpkin or rub soap on Mr. Henderson's car windows. But these activities were never condoned by the adult world.

Today parents, fearful their children will miss something, take pre-school youngsters dressed in costumes the children can not comprehend and lead them down suburban streets. The mother or father stands at the curb, arms folded, and urges the child to climb the steps and ring the bell. The youngster does this, still puzzled.

The good work done by children on Halloween for UNICEF should not be overlooked. Nickels and dimes are collected for needy children the world over. But if a child starts tricking or treating at the age of four, is it not to be expected that he will be

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bored with this activity by the time he is ten and think it too childish for someone his age? Some youngsters will want to advance to something more exciting. And the same parents who dragged their toddlers around apparently have no hesitation about letting their older children roam town after dark on Halloween. Parents usually tell the youths, "Now don't do anything wrong."

"What the hell do they think the kids are doing?" the auxiliary patrolman asked an interviewer.

A good question. Why do these parents think, for several weeks before Halloween, press releases and spot radio announcements are made by the local police? For example: one by the Nassau County Police.

Commissioner Looney also advised parents to warn their children—especially teen-agers—that Halloween festivities do not include the wanton destruction of property. Anyone maliciously damaging property will be liable to arrest for criminal mischief, and if the malicious mischief is against a mailbox the crime is a Federal offense.

County police will more than double patrols on Halloween day and evening, and patrolmen and detectives of the Youth Division will intensify their operations in unmarked patrol cars.

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Halloween pranks today are far more serious than soap on the windows. Cars are streaked with irremovable spray paint, town flagpoles are bent in two, teen-age gangs block intersections, jumping on roofs or hoods of trapped cars and terrorizing the women drivers with shouted obscenities and lewd gestures.

If police apprehend a youngster, they can be fairly certain that once they locate the parents, the mother and father will enter the station house angry at the *police*.

The same child whose mother encourages him to enjoy Halloween to the fullest from the earliest may have a father who one week attends a business or fraternal convention. As American males travel to convention cities, they often seem to retrogress in time with each mile. They may board a train mature men, the sole supports for their wives and children, but by the time they reach their destination, they are wearing paper hats and tooting noisemakers. Their meeting days are filled with boyish pranks, or, as in the case of the state volunteer firemen's convention recently held in Buffalo, New York, harassment and vandalism provided the entertainment.

Staying in the Statler-Hilton Hotel on the 14th and 15th floors was a traveling group of Japanese, promoting Expo 70, the world's fair in Osaka, Japan. Four young women were with the Japanese party. The visiting firemen had rooms on most floors of

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the hotel. According to Richard Murphy, the public relations representative for the Japanese entourage, "The firemen pounded on the doors of the women's rooms on Sunday night and used language which was frightening and objectionable to the women." In addition, the *Buffalo Courier-Express* reported that the delegates had dropped soap powder into a memorial fountain which had been erected in honor of the assassinated President William McKinley, who was murdered in Buffalo in 1901.

When conventioners go home, they repeat the exciting goings-on to their friends. Their children hear and are impressed. Just as children of smoking parents are more likely to start smoking before children of nonsmokers, youngsters will want to emulate misbehaving parents. Maybe some day they can grow up and have fun like Dad! Why wait till then? Let's have some fun right now! Should we then be surprised when soap is dumped into the geysers of Yellowstone National Park by teen-agers and the holes are stuffed with sticks and logs?

A child, also, hears stories from his older brother. "We had a couple drinks at a party," a boy told the *New York Times*, "then got hopped up on pot and went out in a car to have some fun." This focuses attention on another facet of the vandalism problem. The increased mobility of youth aids vandals. Park officials in the Western states are plagued with cars

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filled with teen-agers who have been drinking. The youngsters drive through the park areas, disturbing campers and wrecking property, and are gone before they can be apprehended. When a pre-teen-ager hears this type tale from an older brother or sister, he thinks that the-sooner he starts acting like that, the sooner he will be like his big brother.

"Destruction is sometimes copied from the high school to the junior high school because brothers go home and tell little brothers. Some families are just rotten," confided a 15-year-old girl from Syosset, New York.

Parents should accept the fact that a child is a product of his environment. Controlling the outside influences on a son or daughter is difficult, but mothers, fathers, brothers, and sisters comprise the family unit which is the single most powerful factor affecting a growing child.

All of us might bear in mind that Fun Vandalism is caused by several factors: a few intrinsic to the adolescent, others induced by misguided outsiders. The search for fun can lead to spontaneous vandalism, but we have to be careful that we do not dismiss vandalism as boyish fun. If adults make light of the crime, then they certainly cannot expect children and young people to take prevention campaigns seriously.



## 5

# Angry Vandalism

"You're stompin' my mind . . ."

—*Hecnd-Ross*

The third type of vandalism seems more understandable, though still inexcusable: destruction motivated by anger.

To cite an example. Mr. and Mrs. John H. Ryan, whose two daughters are victims of cerebral palsy, do volunteer work for the United Cerebral Palsy Association of Nassau County, New York. Once a year the Ryans held a fund-raising "South Seas Night" in their backyard, inviting friends, co-workers, parents of afflicted children. Stores contributed the makings for the fish and clam dinner, and neighbors helped Mrs. Ryan prepare the meal.

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On one such Friday night, they raised more than \$1,000 for CP from a gathering of about 300 people who had paid ten dollars a couple. The four-piece band and the bright lights coupled with the possibility of free beer was a magnet, attracting some uninvited teen-agers.

"There were three or four or maybe four or five of them," Ryan later said. "I didn't see them. They were making remarks to some of the women, and a couple of our men told them to leave. I understand that they [the teen-agers] said, 'We're going to get shotguns and clean the place out.'"

The benefit ended shortly after 2 A.M. The next day, Saturday, neighbors helped with the clean-up activities. About eleven-thirty that evening, the Ryans and a few friends were sitting in the Ryan backyard, enjoying the balmy night and discussing how badly the CP Association needed the collected money.

"While I was coming out with a tray of food, five cars loaded with kids came by," Mrs. Ryan told a local newspaper. "It was like a funeral procession. There was one boy in the front car, hanging out of the window up to his waist and pointing with his finger as if he was saying, 'This is the place.' I knew [who they were]. I ran."

The men stayed outside while a neighbor rushed for help. Mrs. Ryan telephoned the police and hur-

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ried into the bedroom where her third child, a five-year-old daughter with a spinal ailment, was sleeping. A moment after the mother had snatched the girl from the bed, a picnic bench crashed through the window, spraying glass onto the sheets and blankets.

Outside, some of the twenty-five youths surrounded a neighbor and pounded him with trash cans. A second man was beaten with a rake so severely that he later needed six stitches to close a scalp wound. Other attackers smashed picnic tables, and still more boys hurled bricks and garbage pails through windows and against the aluminum siding of the house.

Nearby residents, who later said they had thought a plane had crashed, came out of their homes. "The noise was deafening," Ryan's wife agreed.

When distant police sirens screamed that help was approaching, the boys fled to their waiting cars. "We fixed them. We fixed them good," one youth shouted triumphantly as he struggled into the crowded automobile. Rubber screeched on tar, and the gang was gone.

Shock still strained Mrs. Ryan's voice when she told police, "It [the attack] took less than two minutes."

As ugly as the realization is concerning how these boys' minds must work, we are able to trace the

## Angry Vandalism

twisting thought patterns. In their off-course thinking, the destruction was simply revenge for an insult.

Vandalism is not a senseless crime when the motivation is clear. If angry residents of East Harlem spend two hours throwing garbage into the streets, we do not view it as an unreasonable act, but rather a protest against the lack of garbage-collection services. When eight people including three members of the clergy admit that they invaded Selective Service offices, dumping and tearing up 75,000 files, the impetus for the anti-war action is evident. At 12:20 A.M. September 11, 1969, a homemade bomb exploded on the window ledge of the Pacific Palisades High School, California. Damage to the administration building was \$20,000. Here, too, the motivation is obvious. Someone was angry at the school. We may be distressed by these deeds or we may sympathize with them, but we're not puzzled as to why they happened.

There are, however, incidents where the "why" is not easily discerned. Yet humans are rational creatures. We do things for a reason.

In Union Township, New Jersey, the windows of 250 parked cars were smashed. Also the fenders and doors were crumbled by two stolen cars that were purposely crashed into one parked car after another.

At whom were these vandals angry?

Certainly not 250 different people. In all likelihood

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none of the automobile owners was known by the boys.

When we dissect the more subtle motivations for angry vandalism we begin to understand why the problem is so widespread. Say the car wreckers numbered five. The boys may have been angry for five different reasons, letting their hostility blend into one act. The April 1966 *New York Times* typified the average vandal as a white teen-age boy from a middle-income family, living in a suburb. The reason that these youths turned to vandalism is that the destruction of property is the delinquent behavior most available to a "nice kid" from a "nice neighborhood." So if five boys angry for different reasons decide to "get even," there is ample opportunity and little danger of being caught.

But why would a "nice kid" want to "get even"?

Research is not necessary to realize that today a youngster has to be much older than his counterpart of years ago before he is treated as an adult. He is not needed on the farm to do a man's work at planting or harvesting time. Laws requiring attendance in school and the lack of job opportunities make him dependent on his parents until a later age. Mothers and fathers often boast that their son doesn't "have to work like I did when I was his age," feeling that they have done well for their children. Yet the boy suffers from this period of limbo.

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A teen-age boy approaches manhood eagerly. He wants a manly job both for the income and a feeling of self-importance. The first goal is consciously expressed, the second sensed. Money gives independence, the chance to buy the clothes *he* prefers, the phonograph records *he* enjoys, to date without having to beg his father for money. The knowledge that he has tackled a difficult job and done it well affords him pleasure and helps strengthen his self-confidence that he will be able to meet life's demands. Unfortunately, school work is not considered manly. Schooling may be influential in determining what goals a person attains in later life, but it does not support the manhood image of maturing boys.

Two different writers looked at this situation, and, in different words, reached the same conclusion.

Anthony Storr quotes Clara Thompson, an American analyst, in his book, *Human Aggression*. "Aggression is not necessarily destructive at all. It springs from an innate tendency to grow and master life which seems to be characteristic of all living matter. Only when this life force is obstructed in its development do ingredients of anger, rage or hate become connected with it."

After quoting Miss Thompson, Storr goes on to formulate his own theories which seem pertinent to our held-back generation. "The more a person remains dependent on others, the more aggression will

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be latent within him. To be dependent on another person is to be in the power of that person." Then further on, he states, ". . . aggressive drive will be particularly marked in a species in which the young are dependent for an unusually protracted period."

Further indications why so many of our teen-agers seem to be filled with an anger that vents itself in vandalism are found in Edward V. Stein's *The Stranger Inside You*. He deduced that life has many built-in releases for "accumulative aggression." Three of them are creative work, sexual love, and play. "It is no accident that violent, destructive people always are people who (if not crippled by disease of the brain or the nervous system) are individuals who have not developed the capacity to channel the aggressive vitalities of their being into one or all three of these forms of behavior."

What are the opportunities in our society for a teen-ager to direct his energies into the three areas cited by Stein?

Creative work for a young person does not exist. Youngsters are hired to guide power lawn mowers or deliver packages or are employed in minor household repairs, but rarely are they allowed to do anything beside menial jobs. Unless a young person is inspired by an original idea to market some service or object he has produced, creativity does not characterize teen-age, money-making opportunities. Paul

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Goodman made his readers aware of this problem in *Growing Up Absurd*. ". . . by and large our economic society is not geared for the cultivation of its young or the attainment of important goals that they can work toward."

The second release to alleviate the pressure of building aggression is also obstructed. Our moral code is undergoing a definite change for the college-age person. Ten years ago, the idea of persons spending the night in the dormitories of friends of the opposite sex would have been shocking. Now it is standard policy in many universities. Society, however, still seeks to persuade teen-agers to deny their growing sexuality, even though mothers in New York City and Chicago and Los Angeles may accompany their daughters to the doctors to be certain that the girl has a supply of birth control pills. The grownups have a double standard. They want the girl to have the pill but they would never admit to their friends and neighbors that it is necessary for their teen-age daughter to use the preventative. Probably the mothers say something like, "Now here are the pills, but you just make sure that you never need to take them."

Therefore the only acceptable avenue for youthful aggression is play. Adults and many teen-agers understand this. A driving vitality is very desirable in sports, as witnessed by the large cheering audience



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of adults which usually attends high school games. "Football and basketball provide almost the only occasion in American life when adults can empathize with and take pride in the qualities of youth with a minimum of guilt or envy. If this opportunity is frequently exploited to serve viciously competitive ends, it is also frequently the occasion for a real appreciation and affection for the young, in response to what they are actually like," wrote Edgar Z. Friedenberg in *Coming of Age in America*.

When the juvenile delinquency rate rises, recreation facilities seem an obvious answer. Policemen, with the utmost sincerity, work with the Police Athletic League (PAL), hoping to keep youngsters out of trouble by providing sports activities for them. PAL is very effective with pre-adolescents. Not all teen-age boys, however, are interested in participating in supervised sports. A favorite activity for the older age group is constructing motorized vehicles. Involved technical skills and much creative energy is used to adapt mechanisms such as lawn mower engines into motor bikes. Here is an achievement that is both creative and manly. But after days of sweat and struggle, the boys find that it is illegal to operate such devices on the street. If more communities appreciated this problem, they might provide a relatively inexpensive dirt track for the boys to test out and enjoy their creations. If there is no

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available land in a suburban tract, then arrangements might be made with the owners of large shopping centers to use the empty parking lots on Sundays.

So unless a boy wants to play a game, there is little opportunity to discharge his pent-up aggression, which then builds higher and higher. When the first two escape hatches are sealed, and the third seems to lead nowhere, an incident such as happened in New Haven, Connecticut, becomes more comprehensible. Several teen-age boys went to a private community beach area one summer night. They spilled the contents of the litter baskets all about the sandy stretch and shoved picnic tables into the water, riding them like rafts. The police apprehended the vandals and brought them to the local station house.

"The boys don't drink beer or anything like that," said a father about his son and the boy's friends. "They don't even smoke. They are good scholars. How could they have gotten in such a mess?"

The answer came from one youth. "I guess you might say we were all mad at something."

An editorial in the Hartford, Connecticut, *Courant* a month later pondered the increase in vandalism. "A good part of the trend seems to flow from a kind of vengefulness. . . ." The description would fit a young suspect arrested in Washington, D.C., a few

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years ago. His crime: vandalizing works of art. Using a pair of sewing scissors, he slashed a mural depicting the signing of the Constitution and mutilated three oil portraits in the House wing of the Capitol. He was described as "mad at the world."

In *Growing Up Absurd* Paul Goodman wrote: "If they [teen-age boys] have been kept from constructive activity making them feel worthwhile, part of their energy might be envious and malicious destructiveness of property. As they are powerless, it is spite; and as they are humiliated, it is vengeance."

Recently many college-age young people have been involved in protests against the Vietnam war, racial inequalities, and the policies of their educational institutions. High school students, too, have engaged more and more frequently in demonstrations, partly as an expression of legitimate grievances, partly as a release for their contained aggression. Frequently sit-ins or picketing of school buildings turn disorderly and damage is done to furniture or to personal faculty files in no way connected with the cause. Not to be overlooked are the terrorist tactics of certain radical groups who feel bombings and arson are justified as part of their protest against the corporate, military, and educational power structures. One can only surmise that the pent-up anger and frustration of these individuals lead them beyond the bounds of legal protest.

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So for many of the seemingly unmotivated acts of vandalism, the cause may be less obvious and more pervasive than is normally thought. There are, however, acts of angry vandalism which at first glance seem to be clearly motivated.

SWASTIKAS PAINTED ON LI MAN'S HOUSE

—*Newsday*

VANDALS DESECRATE 2 GREEK CHURCHES

—*New York Times*

ANOTHER SYNAGOGUE BURNS;

4 BOYS ARRESTED

—*Daily News*

The reason for vandalism in religious buildings, however, may actually be twofold. Attacks on churches and particularly synagogues seem to come in waves, initiated by the first publicized incident. The implication is clear. Some vandals are inadvertently given direction by the news media. The same boy who painted a swastika on a synagogue after hearing about a similar incident on a TV newscast might have with equal zeal sliced the tires of twenty-five parked cars or smashed the sinks in a national park men's room. Accessibility and inspiration were the determining factors. It is difficult to prove this as vandals rarely make statements about the crime for which they are charged. Often vandalism of a

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house of worship is no differently motivated than other acts of vandalism—an angry individual blindly striking out.

In those cases where vandals purposely seek out a certain temple or church in order to get back at a special religion, another problem must be faced. Religious and racial hatred start in the home and are reinforced by the community. Many children first hear words like "nigger" or slurring jokes about Jews and other nationality groups in their own living room.

School board and school bond programs are influenced by racial or religious feelings. In the late nineteen-sixties many districts attempted to organize visiting school programs so that students from all-white areas could meet black contemporaries. These children often had a mistaken image of black people formed by sensational newspaper and TV reports. Unfortunately, residents of white neighborhoods raised such a fuss that the interschool visits were discontinued. Issues such as the above are discussed at the dinner table or on street corners while mothers wait for the school bus with their small children. The youngsters of a community hear these conversations and are affected.

Consider a certain suburb of Los Angeles where the residential areas are unofficially segregated. There is a Jewish section, a Gentile section, and,

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recently, a rapidly growing Spanish-American population. Each group has its own political candidates, its own goals. One Saturday night vandals desecrated a synagogue by painting the walls with ethnic slurs, swastikas, and obscenities. The holy Torah scroll was unrolled and sprayed with a fire extinguisher. Damage was estimated at more than \$10,000. Police were able to apprehend the two 15-year-old boys responsible for the wreckage because the youths had been boasting about the incident around their school. Under the provisions of the laws, the boys' names were not released. These criminals were a product of an environment where community issues are decided on a racial or religious basis.

Another example of vandalism motivated by milieu was seen when riots swept the country's black ghettos in the late nineteen-sixties. Young blacks burned and looted many square blocks of their slum districts. Just as Dallas once meant ten gallon hats and oil rigs to most people and now is synonymous with death engendered in a manic climate, Detroit once was automobiles or Motown music and now summons to mind images of sniper rifle shots and burnt-out buildings. Even the White House seemed to have been stained by the smoke of the flaming Washington slums.

This type of vandalism is similar to what in Chapter Two was labeled Positive Violence or violence

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connected with constructive drives. In this case: the civil rights movement. An unemotional comparison between the "Indians" of the Boston Tea Party and the young blacks smashing the windows of businesses they thought belonged to nonblacks would reveal an anger about oppression. One group was being mistreated by a nation across the sea, and the second by whites living on the other side of town. Both acts had a similar effect. The dumping of tea in Boston Harbor indicated the colonists' unhappiness about taxes. The ghetto violence made a country sharply aware of the blacks' determination to get the freedom they had wanted—and had been promised—for so long.

The National Advisory Commission on Civil Disorders was formed in the summer of 1967 and investigated twenty-four disorders in twenty-three cities. The Commission found that:

The typical rioter was a teenager or young adult, a lifelong resident of the city in which he rioted, a high school dropout; he was, nevertheless, somewhat better educated than his non-rioting Negro neighbor and was usually underemployed or employed in a menial job. He was proud of his race, extremely hostile to both whites and middle class Negroes and although informed about politics highly distrustful of the political system.

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The cause of the anger which prompted these widespread acts of vandalism was multifaceted: lack of employment, mistreatment by authorities, resentment at inequality, and incitement by militant leaders. By the summer of 1969, however, the major disturbances appeared to have ceased with only sporadic flare-ups. That August, the *New York Times* headlined, "U.S. OFFICIALS SAY BIG RIOTS ARE OVER." The article explained, "There are a number of reasons for the decline in the big city riots, but the major one seems to be that the militant Negro leaders are now counseling against violence that destroys the neighborhood in which the blacks live."

Whether this form of ghetto-inspired vandalism has really died out or not, public officials should not be lulled into complacency. The needs of our black citizens are still to be met; the causes behind their resentment still exist.

Though large-scale vandalism is not as prevalent in ghettos, the less noticeable variety is still present. In *all* economic areas the problem of wrecked empty buildings is a big one.

"A vacant house is just like an open invitation to become a vandal," a member of the Nassau County Police Department said. "Don't move out until the new owners take over. They'll [vandals] destroy it. Just destroy it."

In suburban areas this trouble is not as deadly as



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in slums. If an empty store or a model house for a housing development is vacant for any amount of time, the windows are usually broken. So all the entrances into the structure are boarded up. Shingles are then sometimes cracked or walls are smeared with obscenities. Once this happens, neighbors or nearby business people complain to the town and the delinquent owner is forced to remove the unsightly damage or markings. Thus the situation is eradicated because the people living in the area are the property owners.

In ghettos, however, the landlords are difficult to find and when they are located, they usually have no desire to invest more money into something that is not bringing in sufficient financial rewards. Soon the vandalized hulks attract drug addicts, drunks, and teen-agers anxious to be unobserved. All too often the final step in the degradation is fire. Someone deliberately puts a match to the crumbling mass. In the past, addicts sleeping off a dose of narcotics have been trapped and fatally burned. The plight of the residents does not seem to motivate the slumlords to curb the problem.

A hopeful trend is beginning to develop though. More ghetto inhabitants are banding together and putting pressure on city governments to force the absentee owners to improve the situation. There are uses to which the more easily salvaged buildings might be put.

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The Harlem Addicts Rehabilitation Center has begged politicians to help them find an additional center. The present facility turns away forty-five teen-agers a week, forty-five young people desperately seeking help for their drug problem. A mother of a 15-year-old heroin addict told the *Daily News*, "There are plenty of vacant buildings around where kids have been found dead. Why can't we get one where we can teach them to live?"

Community leaders would be wise to appreciate the fact that angry vandalism stems from many causes: subtle and overt, psychological and sociological. All too often easy remedies such as recreation centers or sports nights at the local high school seem a solution, and all too often these fail. Totally different ways of fighting vandalism may have to be originated if the crime seems motivated by anger. Possibly clinics to help parents understand the drives and needs of their teen-age children or intensive education campaigns to alert the residents to the dangers of racial or religious bitterness.

Angry vandalism is often the easiest of the three types of vandalism to identify and the most difficult to eradicate.

Residents throughout Wilde Lake woke up yesterday to find problems in their driveways and parking lots. During the night, the tires of their cars had been punctured by knives or ice picks.

Estimates of the cars disabled by the vandalism ranged from the 10 a.m. police report of 75 to an unconfirmed 300. In many cases, more than one tire on each car had been punctured, leaving residents stranded until repairs were made or new tires purchased.

"I feel sorry for the people who did it," remarked one of the victims, who asked to remain unidentified, "it's so senseless and annoying," she continued, and reflects "the sickness of the people" involved.

Just who the vandals were is another problem. A police official said all the damage could have been done by one person, but suspects have not been identified yet. "So far," said the spokesman, "none of the neighborhood people noticed anything suspicious."

Tire slashing on a large scale has become a problem in other parts of the region, particularly in Baltimore City and Baltimore County. Last weekend similar vandalism was reported in northern Anne Arundel County.

Columbia's tire slashers continued to baffle police and enrage motorists last week, as Wednesday's early morning vandalism was repeated on Thursday and Friday.

The first day's incident remained the worst, with 113 complaints reported to county law officers. On Thursday, however, the vandalism spread to Steven's Forest, where 25 cars had their tires punctured by what police expect is a knife or an ice-pick. This second attack centered around the Tor apartments.

But the next morning, the vandals were back in Wilde Lake, where 41 cars suffered damage, most of them having two tires punctured.

A police spokesman said Tuesday that no suspects have been identified. The only thing known, the officer added, is that the Friday attack came between 5 a.m. (when several residents made checks of their vehicles and found them untouched) and 7 a.m., when the first complaints were registered.

As in the earlier incidents, the spokesman said, "Nobody reported seeing anything."

#### MORE TIRES DEFLATED IN COLUMBIA

(By Nellie Arrington)

Forty-one more Columbians found their tires had been punctured yesterday morning, the third day in a row area residents have been victimized by vandals.

Several residents of the Wilde Lake Village Green Mountain Circle area told county police they had checked their vehicles around 5 a.m. Friday and all tires were undamaged.

When they went out around 7 a.m., however, they found flattened tires.

The first vandalism of tires occurred Wednesday morning, also in the Wilde Lake area. Police received 113 complaints, and police spokeswoman Linda Halle estimated 200 tires were punctured.

Some of the cars had one tire damaged, while others had two and some had three. The first complaint came in around 6:40 a.m. Wednesday morning.

Thursday morning, about 15 residents of Steven's Forest in the Tor Apartments area called police their tires had been damaged.

A resident of the area whose own car was not bothered said the victimized vehicles she saw were all parked illegally along a curb.

She said the tires damaged all were on the side of the cars away from the highrise in the community.

In all three incidents, the tires have been punctured, apparently with an ice pick or knife. None have been slashed.

No notes have been found, like the one greeting victims in another part of metropolitan Baltimore earlier this week.

Officer Halle declined to say whether the incidents have been perpetrated by the same person or persons. She did say that Friday morning was the first time police have been able to narrow down the time of the crime.

#### SCHOOL VANDALISM

(By Myron Brenton)

In Philadelphia, vandals break into an elementary school, killing gerbils, hamsters, goldfish, and birds—more than 25 pets in all.

A burglar breaks into an Alexandria, Virginia, high school and starts a diversionary fire, which explodes a large supply of duplicating fluid, resulting in more than \$100,000 worth of damage.

Four San Pedro, California, boys sneak into a school at night and turn on a fire hose, flooding several classrooms; dump all the books in the school library on the floor; and also smash a number of musical instruments.

Some experts estimate the yearly cost of vandalism, arson, and theft in the nation's public schools at a staggering \$500 million. In many districts, the vandalism problem grows more serious year by year. (Under newly enacted safe schools study legislation, the National Institute of Education and the National Center for Education Statistics have been mandated to provide comprehensive statistics on all school crime by the end of 1976.)

Small school districts as well as large ones are hit hard by acts of vandals. The 17 schools in northern New Jersey's Madison Township, for instance, incurred \$30,300 in vandalism losses over a three-month period alone last year. A study shows that vandalism costs averaged out to \$2.79 for every child enrolled in the Los Angeles City Schools during the 1972-73 school year. Even when losses decrease, the cost can be awesome: The cost of vandalism in New York City Schools amounted to \$4.8 million in 1972 and \$3.8 million in 1973.

What's more, as Joseph I. Grealy, president of the National Association of School Security Directors, points out, costs "cannot be measured in dollars and cents alone. The loss of the use of the facilities and equipment [in a school] is not only depressing but places a great strain on the teachers who must function without them." Inevitably, vandalized schools suffer a loss in morale.

The "typical" school vandal does not exist. Many vandals happen to be students (though not necessarily enrolled in the schools they vandalize), some are dropouts, a relatively few are graduates or outsiders. Vandalism is as prevalent in affluent suburban schools as in inner-city ones.

Window breakage is commonest in elementary schools. Spreading paint around a room, carving initials in desks, marking up walls with graffiti—such incidents occur primarily in elementary and junior high schools.

Rougher "inside" vandalism, ripping acoustical tile from classroom ceilings, for instance, or damaging the lavatories, goes on for the most part in junior and senior high schools. L. W. Burton, security adviser for the Alexandria, Virginia, public school system, says that he finds major incidents of high school vandalism occur during periods when the schools are not in session.

Vandalism in secondary schools, where the most expensive equipment is usually found, often turns out to be theft-related: The burglars damage the building in order to get in and—not infrequently—also randomly vandalize once they are in. "They steal one typewriter and do \$3,000 worth of damage while they're there," comments Peter Blauvelt, the school security chief for Prince Georges County in Maryland.

Ominously, school arson is getting to be a serious problem; losses from fire (including accidental fires) in educational institutions amount to \$100 million a year. Not long ago, a potentially nasty arson case was thwarted at a Madison Township school. A group of students had collected a load of wood one weekend and piled it in some woods near a high school, intending to burn down the building. Another student alerted the principal. School maintenance men quietly removed the wood, and that was that.

The big question is Why this mindless destruction of school property? Numerous psychological and sociological explanations are offered, each of which may be valid in particular cases.

Sometimes, youthful—if mindless—exuberance prompts a relatively minor destructive act: A boy (most vandals seem to be boys) can't resist marking up his desk with a penknife or scrawling "poetry" on a lavatory wall. When one of a group of youngsters picks up a rock and throws it through a school window, the youth is usually just showing off. According to Blauvelt, students who feel they never get any real recognition in school often turn to some kind of disruptive act to get attention.

Hostility and revenge obviously account for many especially destructive, large-scale acts of vandalism. Rage at the world in general or at a school in particular may prompt the act. For instance, Tom, a school dropout, feels a keen sense of failure and blames his teachers; he breaks into the school one night and tears the place apart.

Often fear or anxiety are motivations for vandalism. "We do notice an increase in vandalism about the time report cards come out," says Larry Burgan, chief of security for the Baltimore City Public Schools. One Baltimore high school student, the recipient of bad grades, sneaked into his classroom after school and smeared paint all over.

Now that alcohol is "in" again among a growing number of high school students, schools—especially suburban ones—are facing a new problem. Students congregate on school property during weekend evenings, drink beer and wine, litter, and do much damage.

On a broader level, schools where morale is low and conflict rampant are implicated as high-vandalism-risk schools. Some observers also point to American society's growing acceptance of violence as a factor in the increasing incidence of school vandalism. "Violence is glorified in the mass media; families are fragmented and don't exercise the authority they used to," says Patrick A. Torre, superintendent of the Madison Township Schools. And Baltimore's Larry Burgan voices another widely held belief: "We're not transmitting to our young people the respect for the rights and property of others that we did in years past."

Relatively few vandals are ever caught. Fewer still are prosecuted (especially if they are minors, as so many are), and juvenile courts tend to be lenient with those who are prosecuted.

Logically, parents might be expected to pay for the damage their children cause. But, while most states have parent liability laws, restitution in most localities has been minimal. Often parents are not pressed enough to pay; many times they cannot afford to.

While prosecution and restitution do not seem to be promising approaches, some school systems around the country are fighting vandalism in a variety of ways, some with considerable success. In a growing number of instances, too, individual teachers and students have become concerned and very effective antivandalism campaigners.

Here are some of the useful approaches school communities are (or could be) taking:

*Using security measures.* Many schools are becoming extremely careful in safeguarding keys, locking up flammable liquids, hiding paints. There is a widespread move to replace broken windows with break-resistant ones (which are more expensive at the outset but pay for themselves in the long run). The New York City school system attributes its drop in vandalism losses partly to the use of glass substitutes and partly to an increase in the number of burglar alarms installed.

Schools are using floodlights, closed-circuit television cameras, and highly sophisticated versions of burglar alarm systems to combat after-hours vandalism. Electronic security—though expensive to install—is becoming especially popular. Some districts, for instance, Jefferson County, Kentucky, have been able to cut costs by modifying existing intercom systems in their schools to do after-school security work. School security forces everywhere are being beefed up—though much more to protect teachers and students from violent attacks during school hours than to protect property.

After-school private patrols have proved popular in some areas. Most school systems cannot afford the cost, but some have done quite well in reducing vandalism by the use of ingenious substitutes.

School "sitters" are a prime example. Sitters are usually private families who live rent-free in mobile homes on school grounds. Their very presence is a deterrent to vandals and, of course, they immediately report to police or school security officers any suspicious activities around the schools. Elk Grove Unified School District, near Sacramento, California, started its "Vandal Watch" home trailer program in 1967 and now has it operating in all of its 17 schools. Assistant Superintendent O. Mearl Custer says the program has resulted in an "87 percent drop in vandalism, and we're saving over \$30,000 a year now."

Not every school system can have trailers on its grounds, but it can use other approaches that accomplish the same thing. Several have arranged for at least some of their head custodians to live inside the schools they service. And in Broward County, Florida, local police are in and out of schools all night long, because the school board has given them permission to use the schools as "headquarters" to write up routine reports.

*Enlisting school personnel.* A principal truly concerned with curtailing vandalism can do much to develop imaginative antivandalism programs and to infect staff and student with enthusiasm for these ventures. But even when such administrative commitment is lacking, teachers can do a lot on their own. Many discuss the vandalism problem with their students, conveying the idea that school property is the students' own and that when something is damaged or broken, students suffer, too. (A clear example is that of students who must sit in a draft because a nearby window was broken by vandals.)

Some teachers assign vandalism as an essay theme or have boys and girls make antivandalism posters. One committed grade school teacher in Prince Georges County devised a whole social studies unit on vandalism, a unit that ultimately involved the whole school.

Teachers and administrators can also review existing situations that may invite malicious damage. In Madison Township, New Jersey, for example, high school students would congregate in the bathrooms to smoke and while there cause considerable damage. Finally, the schools instituted legitimate smoking areas outside; now washroom vandalism losses are minimal.

*Getting students involved.* Students are at the heart of many—if not most—successful antivandalism campaigns. Underscoring the importance that pride in school has in keeping malicious mischief losses down, Dews points to the District's Woodson Senior High School. Three years old, the school has not been vandalized and is remarkably free of graffiti. The secret, Dews says, "is a principal who is strong but respected, an innovative program both teachers and students are enthusiastic about, and students who have developed an esprit de corps."

A unique and successful Student Security Advisory Council operates in Prince Georges County, Maryland. In their free periods, teams of students patrol parking lots, corridors, and unused classrooms. The idea: to stem thefts from student cars and to curb school day vandalism. The program now involves several hundred students in senior high schools.

At the start of every school year, the South San Francisco Unified School System gives each of its schools a special budget allocation of \$1 per student. Student committees (in conjunction with principals and faculty advisers) at each school decide on school improvement projects to finance with this money. The funds are actually disbursed the following year—minus deductions for vandalism costs at each school. According to Stan Haney, director of buildings, grounds, and engineering, there has been a "major reduction" in vandalism losses in the program's three years of operation—a reduction of around 40 percent. There is a strong incentive now for students to keep other students from vandalizing.

*Involving parents and neighbors, too.* The more members of the community involved in antivandalism programs, the more successful such programs are apt to be. For instance, a few school boards—notably the District of Columbia's and Dade County's (in Florida)—make an effort to reach residents whose homes are located close to public schools.

They distribute cards to such neighbors, asking them to report, anonymously, if they wish, any unusual or suspicious activity around those schools. Special phone numbers are provided. Quite a few residents respond.

PTA's can do a lot to help stem vandalism. The E. C. Meservey School PTA in Kansas City, Missouri, has launched Operation PRIDE to help make the school community become aware of and check its vandalism problem. A Detroit PTA offers an award to anyone who helps catch a thief or vandal. Several PTA's in Chicago have organized parent-observer programs to check on suspicious doings around schools, both during and after school hours.

Vandalism was becoming so costly to the Community Consolidated School District 54 in Schaumburg, Illinois, that one school board member spurred the creation of parent patrols—volunteer parents who either regularly patrol their schools or simply drive around closed schools whenever they have the chance.

In one village in the township, some male residents, Civil Defense members all, have organized their own school patrol, primarily on weekends. They report suspicious or unlawful activities immediately to police via the walkie-talkie they carry. Associate Superintendent Milton Derr says the parent patrols were very effective until the board member who gave impetus to the program left the school board; now parent interest is tapering off. But Derr feels the program is effective and can be adopted by other communities.

Of course, not every program will work in every school district. But as serious as the school vandalism problem is, approaches such as these show that there are effective ways of fighting it. Whatever the effort, it is worthwhile.

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### CRIME SURGE DEFIES ALL EFFORTS, SURVEY OF CITIES SHOWS

More police, more money, new techniques—what have they accomplished in the fight against crime? Results are disappointing. That's now clear. Starting on page 37, a top official gives his views on what it will take to turn the tide.

Billions of dollars have been spent in recent years to improve law enforcement—yet crime has continued to rise, and many Americans are worried about whether it can ever be brought under control.

All sorts of new crime-fighting techniques have been tried.

Police forces have been enlarged in almost every city. Local spending on law enforcement has multiplied more than 7 times—up from less than 1 billion dollars in 1964 to more than 7 billion in 1973. The U.S. Government, through its Law Enforcement Assistance Administration, has poured in an additional 3.5 billion dollars in the last five years to help State and local crime-fighting agencies.

For one brief period, it appeared that real progress was being made. In 1972 came the first decline in 17 years in the number of major crimes reported throughout the country.

That was hailed by the Nixon Administration as an indication that the corner had at last been turned. But the hope proved short-lived. In 1973, crime increased again—up 5 percent over 1972.

*Reporting deficiency.* Then came a study by the Law Enforcement Assistance Administration indicating that the crime picture is really far worse than shown in official reports.

Less than half the crimes actually committed are even reported to the police, according to that study, released in April. In some cities, it appeared, the number of crimes committed was as high as five times the number reported.

A nationwide poll, taken by Phillips-Sindlinger in March, showed 40 percent of all people interviewed were afraid to walk the streets at night. In major metropolitan areas, the number was even higher—67 percent.

A result of all this, the poll showed, is a decline in public confidence in the police. In large metropolitan areas, 32 percent of those polled said they had less confidence in their local police than they did five years ago. Only 17 percent had more confidence.

It is not only the citizen—the victim of all this crime—who has become disillusioned. There is a great feeling of frustration among police and law-enforcement officials, as well.

"Look at all the things we've tried," they say, in effect, "and still crime continues to rise."

To find what things have been tried—and how they worked—members of the staff of "U.S. News & World Report" made a survey of major cities throughout the country.

*Bigger police forces.* Operating on the seemingly logical theory that more police might be the answer, authorities in some cities have increased their law-enforcement forces substantially during the last decade.

Results were mixed, inconclusive.

In Chicago the police force was expanded by nearly one third—from 10,269 in 1964 to 13,125 in 1972. Yet the number of reported crimes rose by 4,435 in that period. Then, in 1973, violent crimes went up 5 percent and property crimes 11 percent.

Los Angeles enlarged its police force by 37 percent—from 5,181 in 1964 to 7,083 in 1972. In that eight-year period, the number of crimes jumped by 70,767. Finally, in 1973, there came an improvement—violent crimes down 5 percent and property crimes down 7 percent.

Washington, D.C., is commonly cited as one city where increasing the number of police paid off. The nation's capital, after gaining a reputation as being the crime capital, increased its police force by 55 percent in a three-year period—beginning in late 1968. A dramatic drop in crime followed—down 38 percent between 1969 and 1973.

However, officials are not sure how much police expansion had to do with this decline. Simultaneously, there was a reorganization of the capital's court system which speeded trials, an expanded program of treating drug addicts who were responsible for much of the crime, and improvement of street lighting in high-crime areas. All of these are considered factors in Washington's improved crime situation.

Most cities, traditionally short of money, have been unable to extend their law-enforcement services very much. During the eight years from 1964 to 1972, the nation's

total of municipal police officers grew less than 12 percent—from 360,000 in 1964 to 400,000 in 1972. Since the population of the country grew at roughly the same percentage rate, the ratio of police to civilians changed very little.

*Civilian "police."* Many cities are seeking alternatives to larger police forces as ways of getting more officers on the street.

One alternative: Civilians are being hired to replace policemen in non-law-enforcement functions, such as clerical, maintenance and motor-pool jobs. This leaves uniformed officers formerly doing those jobs free to concentrate on law enforcement. The civilians do not require as much specialized training and generally receive less pay than police officers.

A recent survey of 41 medium-sized cities revealed that, on the average, 16 percent of their police-department personnel were civilians.

Other police departments across the country are experimenting with different ways of patrolling the streets.

Kansas City, Mo., with the assistance of the privately financed Police Foundation, engaged in a program of trying to find out which kind of patrol is most effective in deterring crime.

During the year ended last September 30, three types of patrols were tried. In some areas, a single car roamed the streets, as had been done for years. In other areas, four or five vehicles were assigned to provide highly intensive patrols. In still other areas, no cars were assigned to regular patrols, but police were dispatched to answer specific call for assistance.

Results: Officials were startled to find that the total cars on patrol seemed to have little effect on the amount of crime in an area. Said a police spokesman:

"We wanted to find out whether conspicuous police patrol acts as a deterrent, and we found out that it did not."

Implications of the Kansas City study are considered of enormous significance, because the nation's cities spend more than 2 billion dollars a year on preventive police patrols. If traditional patrols are not the answer, officials agree, then police must find more effective ways to use their resources.

*Special units.* Almost every large city and many smaller ones have established "tactical" police units—small, highly mobile groups of officers which can be used against many types of crime problems anywhere in the city.

One tactic is to put both male and female officers on the street in plain clothes as "stake-outs," or decoys, to catch criminals in the act.

This tactic—sometimes called "zero-visibility patrol"—is meeting with some success. In New York City, the nation's largest decoy patrol is credited with making 23 percent of all felony arrests. In Atlanta, a similar program accounts for 45 percent of all arrests at the scene of the crime. Says Maj. D. M. Edwards head of the Atlanta police planning and research division:

"It is better than anything else we have tried. I think it will work in any city."

In Detroit, however, such a unit—called "STRESS," for "Stop the Robberies, Enjoy Safe Streets"—was disbanded after a series of shoot-outs which left two policemen and 17 civilians dead. Atlanta's program also has come under criticism in the wake of similar incidents.

Another special unit being tried by many cities is the antiterrorist team. Such teams are trained by the FBI in the use of military weapons and tactics to combat the growing number of snipers and bands of self-styled guerrillas.

It was such a police unit in Los Angeles—called "SWAT," for "Special Weapons and Tactics"—that recently raided a house occupied by six members of the Symbionese Liberation Army which kidnaped Patricia Hearst. All six of the SLA members died in the raid.

*Neighborhood beats.* Still another technique being tried in some cities is something called "team policing." This is an effort to get away from citywide patrols and back to neighborhood beats. The idea is that police officers work best when they know the area and the people they are protecting—and the people know and trust the police.

Cities which use team policing, in various forms, include New York, Los Angeles, Detroit, Dayton, Ohio, and Syracuse N.Y. However, the technique is regarded with suspicion by a number of police officials who are afraid that it reduces discipline and encourages police corruption.

*New equipment.* Millions of dollars are being spent on new kinds of equipment for police.

Helicopters, tested in the Vietnam War, are being used for aerial patrols or to swoop down on criminals. They are found effective in speeding police response to a crime call, and the aircraft can hover at low speeds to observe suspicious activity on the ground.



In Atlanta, residential burglaries declined in an area patrolled by helicopters.

But the choppers irritate some residents by the noise they make.

Television cameras have been used to provide surveillance of high-crime areas in a number of cities, including Cleveland, New York City and Mt. Vernon, N.Y. The jury is still out with the verdict on TV's effectiveness.

*Computers—and controversy.* One city after another has installed computers to handle many police duties. Used most effectively, computers can speed identification of suspects, determine the most efficient deployment of police manpower, analyze crime trends and evaluate methods of crime control.

Example: A Los Angeles police computer system—dubbed "PATRIC," for "Pattern Recognition and Information Correlations"—can come up with a list of likely suspects within 15 minutes after a crime is discovered. A human detective would need hours to do the same job. Police agree that computers are useful.

By 1975, according to the Lawyers' Committee for Civil Rights Under Law, it is likely that 95 percent of the nation's police forces will be using some form of automated data processing.

The spread of computers is stirring fears however. Civil libertarians warn that computer banks already contain potentially damaging information about millions of Americans. They say safeguards must be placed on the use of that information to prevent unwarranted invasions of citizens' privacy.

*Community relations.* Virtually every major police department has added an agency to improve relations with people in the community. Such agencies were virtually unknown a few years ago.

Many cities have installed systems to make it easier and quicker for a person to call the police when in trouble. One widely used system is for a citizen to dial telephone number 911, wherever he is, and the call is routed automatically to the nearest police station.

Yet most crimes go unreported—and public distrust of law-enforcement agencies continues to grow. One reason: Of those crimes which are reported, only about 20 percent result in arrests—and of those arrested, only about 20 percent are convicted of the crime originally charged. Another 5 percent of those arrested are allowed to plead guilty to a lesser charge to avoid adding more trials to already overcrowded court dockets. The rest are referred to juvenile court or are acquitted.

Another disturbing figure: About two thirds of all persons arrested are arrested again on new charges within two years.

*Time for changes.* To break up this vicious cycle, experts insist that vast changes are needed in the entire system of criminal justice—not only the police but also courts and prisons.

Some progress in court procedures is already being shown. In Washington, D.C., for example, the average time between arrest and trial has been cut from about a year to about seven weeks. Programs are under way in many cities to cut down the backlog of untried cases.

Prison reforms are also being pushed in a number of States. And yet, officials say, most prisons still are "schools of crime" which turn first offenders into hardened criminals. Job training is still inadequate to prepare a convict to earn an honest living when he gets out.

A result is a high rate of recidivism. About 80 percent of all felonies are committed by repeaters.

*Search for solution.* What, then, is the answer to the constantly rising rate of crime? The feeling is growing that the real answer is not to be found in the police—or even in courts or prisons.

Donald E. Santarelli, administrator of the Law Enforcement Assistance Administration, suggests some answers in the interview that starts on page 37. One need, he stresses, is more involvement by citizens in anticrime efforts.

Other authorities insist that crime will never be checked until this nation begins to solve the underlying social problems which cause crime.

Patrick V. Murphy, a former police official in Washington and New York, who now is president of the Washington-based Police Foundation, says this:

"We have to face facts. There is too much instability in our cities. As long as we have unemployment, underemployment, broken homes, alcoholism, drugs and mental health problems, we are going to have crime."

One fact emerges undisputed: What has been tried so far has not worked, and some new ways must be found if the U.S. is ever to solve a crime problem that is costing uncounted billions of dollars and incalculable suffering for millions of citizens every year.

## WHAT IT TAKES TO STOP RAMPANT CRIME

Interview with Donald E. Santarelli, Head, Law Enforcement Assistance Administration

Is it enough just to add more police, improve courts and prisons? A leader in the federal war against crime came to the magazine's conference room to suggest other answers. One need he sees: more citizen involvement.

*Question.* Mr. Santarelli, the Federal Bureau of Investigation's latest report shows that crime in the U.S. went up 5 percent in 1973, reversing a decline in the previous year. Is this the start of another upward spiral?

*Answer.* Whether it is a spiral or not, I think that unless we do substantially more as a society than we have done about crime, we will see an intolerable, continuous problem. The criminal justice system alone cannot solve this total societal problem.

*Question.* What more should be done? Your agency spends considerable money attempting to improve law enforcement—

*Answer.* Yes, we have put about \$3.5 billion dollars into improving the traditional criminal-justice system over the past five years. The LEAA program is one of the principal thrusts against crime by the Administration of President Nixon. What we are trying to do is to improve the existing crime-fighting methods by advancing innovation, experimentation, and demonstration projects that might point the way to improvements.

What more should be done? I think we have overemphasized the capability of paid professionals—police, courts and correctional institutions—to perform the civic, social and basic duty of establishing an orderly society. What we need is more citizen participation, rather than more and more paid professionals, in reducing the causes of crime.

*Question.* Could we safely reduce our police forces?

*Answer.* At this time, clearly not. Until we get the development of substantial citizen participation, we've got to man the guardposts with law-enforcement elements.

*Question.* Would it help to increase the size of police forces?

*Answer.* The only place where we've really tried that is the District of Columbia. Here we have evidence that an increase in police officers is related to a decrease in serious crime. For example, the number of police officers in D.C. was increased by 55 percent between early 1969 and 1973. In that same time, serious crime, including larcenies, dropped by 38.2 percent.

But we had an advantage here of almost unlimited resources. Because of the federal responsibility for the city, because of President Nixon's personal initiative and commitment to the nation's capital as a federal demonstration effort in crime reduction, we made available in the District of Columbia resources in a volume that no other city could afford—not only in terms of police, but in terms of courts, in terms of corrections, and in terms of meeting societal needs such as improved lighting of streets, etc.

*Question.* Does Washington, D.C., spend more per inhabitant to control crime than any other city?

*Answer.* Clearly, much more than any other city in the U.S.

*Question.* Is anything that was done in criminal-justice reform in Washington applicable to what other cities can do?

*Answer.* Yes, in the area of police-administration management. Techniques that were used here are now well known and are being replicated in other progressive police departments throughout the country.

*Question.* Did those changes include speeding up trials?

*Answer.* That's the court-reform part. Courts are by their own admission undermanaged across the country. Methods relate to past times and almost to prior centuries. Their utilization of management techniques, particularly in the area of the computerization of dockets, has been lagging.

Some courts have been extremely vigorous in pursuing this. The Chief Justice of the United States [Warren E. Burger] is in the lead on this issue. But they haven't gone far enough.

What we did in the District of Columbia was address that problem in a massive way. We took what was essentially a 15-man felony court and made it into a 44-man felony court. There was a massive reorganization, which included the establishment of a committee to manage the court system, a very-highly-paid court administrator with a large administrative staff; a social-services support function to give meaning to judicial decrees; the creation of a family-court concept, in which the courts were not shackled by old procedures when dealing with what are essentially social problems, such as difficulties within the family, husband and wife assaults, child abuse, etc.—coupling all that with computerization.

*Question.* What did that involve?

Answer. The U.S. Attorney's office in the District of Columbia was computerized with a marvelous invention called PROMIS—an acronym for Prosecution Management Information System—which is a little device of almost genius.

The U.S. Attorney computerizes his case load according to a complex set of principles. He can identify his most important case each day by looking on a computerized profile of the defendant—his danger, his past record, his attitude and all we know about him—the readiness of the case, in terms of its length of time on the calendar, the availability of the defense lawyer, and every other piece of pertinent information which determines whether you take up the case today or tomorrow. When the U.S. Attorney punches that button in the morning, he can look at the top 10 cases in his docket that are most in need of being tried that day. So he is most effectively utilizing his resources.

*Question.* What is the most important benefit from this?

Answer. Speedy trial is a significant benefit. When this court-reform project began in 1969, the number of felony trials in the District of Columbia had been 2,100 yearly since 1952, while crime had tripled and quadrupled in that period of time. The trial waiting time for those 2,100 felonies averaged a year, and in some cases was much longer. Today, the District is trying 4,700 felonies a year. Waiting time is only about seven weeks.

*Question.* Why is speedy trial so important in reducing crime?

Answer. Because of its obvious deterrent effect on future crime.

*Question.* Besides the computer, how are you making use of new technology to improve law enforcement?

Answer. We are developing a crime-alarm system to be worn as a wrist watch by an individual citizen.

The beauty of this system is that, for \$25, the individual can send out his signal and be identified on a central monitor by name and by place in his building, in his complex, in his neighborhood or in a public park, so that response can be targeted directly in the place in which the crime occurs.

Similarly, we've developed a personal, household burglar alarm which would sell for under \$200 and plugs into your wall socket.

These are responses to the crime problem that can be tailored directly to citizens.

*Question.* Are these Dick Tracy-type gadgets actually in being? Could I buy one of those things?

Answer. They're in being in prototype at the moment, so you can't buy them yet.

We are going to test 10,000 units of the wrist-radio system in two places, but we haven't selected the cities yet. The burglar-alarm system will also be tested. The wrist radio and burglar alarm were developed by Aerospace Corporation. One development that is beyond the prototype stage is our new police radio, which is slightly larger than a cigarette package and is greatly superior to anything else on the market at the moment. It has four channels, and all the technology is clearly ahead of anything else in the business.

*Question.* Where have these been developed?

Answer. We—LEAA—paid for the research and development. Martin-Marietta Corporation developed the radio and is presently discussing the marketing of the radio.

LEAA doesn't have a laboratory. We have a national institute with 40 million dollars, and we buy research in places such as Aerospace Corporation, Rand Corporation, Jet Propulsion Laboratories and Martin-Marietta.

*Question.* One of your most publicized projects has been what was called a "high-impact anticrime program." What is that?

Answer. That is an effort to experiment in eight different cities by putting in huge chunks of money—about 20 million dollars per city over a three-year period—that would be used only for "impact" purposes. That is, it would not be spread around, like Holy Communion, to saint and sinner alike, but be targeted at specific objectives, such as the reduction by 20 percent of household burglary in one community, or the reduction by 20 percent of street mugging in another community.

*Question.* Is it working?

Answer. All of the cities have excellent projects. For example, I recently visited Denver and was impressed by the excellent job being done there. The Denver-program people picked street mugging and burglary. They're reducing them in both cases by more than the 20 percent they committed themselves to over about 2½ years.

*Question.* What other cities are in the high-impact program?

Answer. Baltimore, Cleveland, St. Louis, Atlanta, Dallas, Portland, Oreg., and Newark, N.J.

*Question.* You say Denver's plan worked. Have any of the others?

Answer. All of the cities have excellent programs, but there are 195 projects in the cities, and each project is in a different stage of evaluation. However, besides the projects in Denver, the other projects that come to mind are in Dallas, where burglary in the target area has been reduced by 50 percent through the use of saturation patrols.

"Operation Ident," which involves inscribing identifying numbers on personal property, has helped reduce burglary in St. Louis by 16 percent in the target area, while the use of foot patrols in that city has helped bring down burglaries 35 percent in the demonstration area during the day.

Atlanta's antirobbery and antiburglary operation appears to be bringing that city's soaring robbery and burglary rate under control. Burglary and robbery in Atlanta went up only 5 percent after the first six months of the program's operation, compared to an increase of 99 percent prior to the start of the program.

Cleveland, Newark, N.J., Baltimore and Portland, Oreg., also have recorded significant progress in controlling crime. Those cities, however, are involved in long-term programs, and their evaluation report hasn't been fully prepared.

#### APPLYING 3.5 BILLIONS IN AID

*Question.* Of the 3.5 billion dollars that you spent in the last five years, how is the money divided?

Answer. This is an average between 1969 and 1973 of our funds: 45 percent to police; 13 percent to programs of police, courts and corrections working together, 14 percent to courts alone; 21 percent to corrections alone, and 7 percent to courts and corrections programs working together.

*Question.* Are your grants given for specific projects which must be approved by your agency before the money can be spent?

Answer. No. LEAA is a great experiment in special revenue sharing—part of President Nixon's "New Federalism," which keeps law-enforcement responsibility in the hands of State and local governments, close to the people. This is a concept to which I give my hearty support.

The vast bulk of our money—85 percent of it—goes to each State in block grants, according to a formula based on population. The State then determines how the money will be divided up—subject only to our approval of the Statewide comprehensive plan. Only 15 percent of our grants are limited to specific projects which we approve in advance.

*Question.* You've spoken of the need for more citizen participation in the criminal-justice system. Can you elaborate?

Answer. This is a bit philosophical, but, from my view, the causes of crime result from the kind of society that we have become. Crime is the very high price we pay for such progress as urbanization and mobility. We've become a society of highly mobile and, therefore, often anonymous people whose relationship to one another is substantially disrupted—whose relationship with community is substantially disrupted.

You have to remember that what really controls antisocial conduct in any culture is societal institutions. The most important of these institutions is the family, then the community, the neighborhood, the church and the school—these are social institutions which best conform to the societal norm. When those institutions don't work very well—as we now find them not working in our society—you can't ask the criminal-justice system to replace all of them by itself. That's what we have tended to do.

As to how we improve those institutions, I don't have any more competence than the next person. But it's important that we recognize that simply funding criminal-justice projects in the traditional way is not enough of an answer. We have to make advances in areas beyond the traditional criminal-justice system. We have to go outside the criminal-justice system and deal with the people in the country, bring them in and make them substitutes for and corollaries to the criminal-justice system—citizens' initiative.

*Question.* Haven't citizens already begun to help in many cities?

Answer. You're entirely right. Many people have, in the past, perceived that need. Programs which have been instituted by individual communities have often been highly successful. Denver has one, Royal Oak, Mich., has had one.

Small projects—specifically targeted, particularly in the area of juvenile delinquency—do work. They work by having individuals support the individual delinquent in the generic meanings of the word "support": job, financial, cultural—the style of a big brother. All these methods of support are necessary to give young people who do not have support from their families, churches and schools the support that they need in order not to be a problem in their communities. But more citizen involvement is needed on a broader scale.

*Question.* What are you doing to get it?

*Answer.* We have issued a clarion call to States, cities, all who participate in our program to come up with specific projects for specific communities. I've gone to New York to discuss one with the mayor, and there's one in Pennsylvania.

I'm saying that among the citizens' initiatives we need is not only an initiative for the victim to report crime, the witness to report crime, but also for all those who should serve the criminal-justice system, from jurors to the support I mentioned earlier: the citizen who acts as a big brother to a precriminal delinquent or helps the person who has fallen into the clutches of the law.

*Question.* Is this citizens' initiative plan of yours based on any research or just theory?

*Answer.* It is predicated largely on our victimization study, which is still under way. The study is an attempt to develop a social indicator in the field of crime: Just how serious is the crime problem to the individual citizen? It is being conducted by the U.S. Bureau of the Census, which is surveying some 600,000 people with a 20-page questionnaire.

*Question.* What are you trying to find out?

*Answer.* We're asking, basically: How many people in America were victims of crime and what did they know about it and what did they do about it? This differs from the Uniform Crime Reports of the FBI, which total the numbers of crimes reported to the Bureau by local police departments.

The survey probably will take another six months or so to complete in a total of 26 cities, and a national sampling that will provide us with a national picture of crime. It will be annual. Cost is 25 million dollars so far, and will run about 10 million a year in the future.

#### WHY MANY REFUSE TO FIGHT CRIME

*Question.* You evidently have some preliminary findings—

*Answer.* Yes. In results from 13 cities, including the five largest, we find that fewer than half of all crimes actually committed are reported to police. The survey more than anything proves the point that citizens are turned off by the criminal-justice system we now have. They believe that reporting crime, testifying about crime, doing something about crime is not worth their while or is too costly to them in terms of what's likely to result—and they're probably right.

But I do believe that LEAA is helping to overcome this problem. Our program has enjoyed Mr. Nixon's unqualified support, and I am proud to have a part in one of the bright accomplishments of his Administration.

#### SPECIAL REPORT—TERROR IN SCHOOLS

What's happening in the schools is more than a crime problem. It's damaging education. Officials crack down. But nothing seems to work.

Violence and vandalism in the nation's public schools are approaching epidemic proportions—and nobody seems to know what to do about it.

Some school systems are filling their buildings with alarms and guards, and getting tough with expulsions and arrests. Others, seeking longer-term solutions, call for basic social changes to remove the root causes of rebelliousness among the young.

But nothing tried so far has stemmed the tide of crime in schools.

In a report last month, the National School Public Relations Association declared: "The fact is simple but stark: Vandalism and violence have become one of the foremost problems of the nation's schools during the past five years.

"It is a problem that is elusive: a costly problem that can strike without warning; a problem that involves fear of physical harm and emotional public demands for safer schools, and worst of all, a problem that so far defies solution."

Investigating the scope of school crime, a Senate subcommittee found that, between 1970 and 1973:

School-related homicides increased by 18 percent.

Rapes and attempted rapes increased by 40 percent.

Robberies went up 37 percent.

Assaults on students soared—up 85 percent.

Assaults on teachers also made a big jump—77 percent.

Drug and alcohol offenses on school property increased by 38 percent.

Later reports, not yet converted to national averages, show school crime has continued to grow since 1973.

*Ledger of violence.* A survey of 20 cities by members of the staff of *U.S. News & World Report* revealed numerous instances of gang warfare, stabbings and clubbings, extortion, abduction, destruction of school facilities and, in one case, the killing of all school pets in 25 classrooms in an elementary school.

The bill for all this is estimated to be running more than 600 million dollars a year. But the cost is measured in more than dollars. Warned the National Congress of Parents and Teachers:

"The increasing intensity and frequency of violence and vandalism in the schools threatens serious disruption of the educational process."

Police report that most school crime is committed by a hard-core group of offenders representing about 10 percent of enrollment—including girls as well as boys. Ages range from 8 to 18. Nonstudent intruders on school property are also a problem.

Social scientists' studies indicate that youth crimes "are disproportionately committed by male children of economically and educationally disadvantaged families and by the poor from racial and ethnic minorities."

It is pointed out, however, that the vast majority of children from disadvantaged homes never become involved in serious offenses, and that crime is a school problem in well-to-do neighborhoods as well as in poor ones.

✓ If there is one overriding need in the fight against crime in schools, authorities agree, it is for more discipline in classrooms.

"We need a rebirth of both discipline and moral development in American education," said Ferrel H. Bell, U.S. Commissioner of Education.

What is called for, according to Commissioner Bell, are reasonable standards, firmly applied. He feels the need for action is great, because of evidence that "many of our secondary schools are in the grip of hopelessness and despair."

*Evasive causes.* Seeking solutions to the juvenile crime problem, the Council for Educational Development and Research brought national experts to a conference in Washington last month.

The conference was told by James Q. Wilson, distinguished Harvard criminologist, that "we are facing a problem whose causes we don't understand and which we probably can't eliminate in a generation or two."

Several new avenues of research were opened at the conference. To be investigated further:

What appears to be a strong association between early truancy and later misconduct of a more serious nature.

The effect of prolonged adolescence, in which young people are virtually held as "prisoners" of the schools until they can qualify for jobs.

What benefits might be obtained by allowing students a bigger voice in decision making in their schools.

Whether parents, by participating more in school life, can exercise a restraining influence.

Citizens in some communities find they are not always welcomed when they try to participate in school affairs.

Parents in Montgomery County, Md., a high-income suburb of Washington, are organized in a group called Citizens United for Responsible Education (CURE). Leaders of CURE report they have been trying for months to get their State's Attorney's office to follow up on a grand jury's recommendation that the school system be investigated to find out whether its educational policies contribute to juvenile delinquency.

"When we try to deal with Montgomery County school authorities," said one CURE leader, "what we run into is a sign which says in effect, 'Harry Homeowner, keep out.'"

In metropolitan areas of the country, where school crime is most prevalent, all sorts of preventive measures are being tried. One of the most effective in New York City is a mobile squad of 15 security officers which can be dispatched to any school.

"This task force gives us the mobility to respond to crisis situations," said Carleton Irish, head of the city's office of school safety.

Incidents of crime and violence increased 56 percent in New York last fall. There are an estimated 80,000 drug addicts in the city, many of them teenagers still in school. There are also more than 350 youth gangs known to be prowling the fringes of school grounds.

To the problems generated by these criminal elements is now added a money shortage. In deep financial trouble, the New York school system has been forced to cut its security force in half, its guidance counselors by one third and its principals and teaching staff by nearly one fifth.

While New York is cutting back on security, Boston is planning to add more school policemen. A new department of security services is to be established to deal with widespread racial fighting in the schools, where a court-ordered plan of busing for integration has stirred bitter controversy.

At a cost of 10 million dollars a year, education officials in Chicago appear to have stabilized disorder in their schools.

But they aren't crowing about it, because they say it has been stabilized at unacceptably high levels, and the illegal sale and use of drugs continues to be an uncontrolled problem.

Manford Byrd, Jr., deputy superintendent of Chicago schools, pointed out that while the dollar costs of crime can be calculated, "no one has measured the immediate and long-term effects on the education of children resulting from the climate of fear generated by these conditions. Many hours of education are lost because of false fire alarms and bomb threats. Much harm is done to educational programs when classroom windows are shattered, teaching materials destroyed or stolen.

"When students and teachers are fearful of going to school—terrified of assaults and other acts of personal violence—a healthy environment for learning is lost."

*Worried teachers.* Surveys show that 25 percent of Chicago's teachers consider discipline a constant problem, while 18 percent are worried about their physical safety.

According to John Kotsakis, a spokesman for the Chicago Teachers' Union, it isn't uncommon for teachers to refuse to work in certain areas of school buildings for fear of assault from students carrying guns and knives.

In 1965, there were no security guards in Chicago schools. Today there are 700. Of the 10 million dollars spent last year as a result of crime in schools, 3 million went for security personnel, 3.2 million for equipment and programs, and 3.5 million to cover property losses.

Deploring conditions under which pupils wear their hats and play pocket radios in Chicago schools, the Rev. Jesse Jackson, a black civil-rights leader, called for more discipline. "There's a tremendous amount of drugs and violence in our schools," Mr. Jackson said. "And what is worse, there's a tremendous amount of nonlearning going on—and that is the crime of crimes as far as I'm concerned."

Not long ago in Atlanta, a 15-year-old high-school student was paddled by an assistant principal for cutting classes. Minutes later, police reported, the student stormed back into the assistant principal's office and shot him with a pistol. The school official is still in a hospital, paralyzed from the neck down.

Such incidents are rare in Atlanta, but teachers say they show what can happen when things get out of hand. One high-school instructor said:

"I bet if you searched every kid in the city you'd find 60 percent of them with weapons. I know that teachers bring weapons to school—in fact, one had a gun stolen from his car. Any time you walk past the bathroom you can smell marijuana."

Another teacher added: "It's impossible to keep a kid from smoking a joint during the day. At least a third of my students use marijuana daily. It's impairing, but not incapacitating, so they function better in the classroom than they did when they were using hard drugs."

Some cities in the Southeast claim they have gotten school crime under control, but it remains a serious problem in places such as Dade County (Miami), Fla. During the last school year there, simple assaults jumped from 566 to 830; robberies rose from 119 to 195; rapes, from 6 to 22. Attacks on teachers and administrators totaled 225.

*Resident watchmen.* An increasing number of school systems are moving mobile homes onto school grounds and using the families who live in them as watchmen. Generally, individuals own the homes, with the school system preparing the site and furnishing free utilities and other considerations. There are 58 "watchmobiles" in Jacksonville, Fla., and school vandalism has been almost cut in half since they began operation.

Fighting juvenile crime in Detroit schools, the city has stationed policemen in many buildings and spends \$230,000 a year on alarm systems. Still, last year, the vandalism bill was more than 1 million dollars.

Tough tactics have reduced disorder in Cleveland schools, but even under improved conditions there were 173 arson incidents, 494 building entries and 20,990 windows broken in the 12 months ending last September.

School Superintendent Paul W. Briggs reported he has been able to reduce his daytime security staff from 122 guards to 93. "We have a very strong policy that there will be no weapons in schools," he said. "We expel any child who comes in with a weapon, and we prosecute adults.

"We have an electronic surveillance system that alerts a central switchboard if vandalism is in progress. Also, we've given our neighbors a card with a number to phone if they see crime in progress on school property."

*Prevention's price.* For public-school systems everywhere, the cost of crime prevention keeps climbing. The annual operating budget of the security section of the Los Angeles unified school district is approximately 5 million dollars. An additional 3 million has been spent currently on intrusion-alarm systems and related hardware.

The district has 300 highly trained peace officers, "the third-largest police force in Los Angeles County," according to William L. Lucas, assistant superintendent of schools. Yet losses from violence and vandalism are expected to top 4 million dollars this school year.

A psychiatrist who has examined more than 200 teachers assigned to inner-city schools in Los Angeles reported last month that many show signs of battle fatigue similar to that encountered in soldiers.

These "battered teachers," the doctor said, exhibited a variety of stress symptoms, including high blood pressure, anxiety, depression, headaches, lowered self-esteem, stomach trouble and disturbed sleep.

For the personal protection of teachers in six Los Angeles high schools, small radio transmitters have been issued. When activated, these instruments send an alarm signal to security agents at a central location. The transmitters can be worn on the wrist or on a chain around the neck, or carried in pocket or purse.

In San Francisco, assaults, extortion and vandalism by students are daily occurrences, with little mention in newspapers unless it spills over into the streets. There were headlines late last year, when a gang of teen-agers boarded a streetcar and began beating and robbing passengers.

San Francisco has a special problem because of the several racial minorities in high schools. Black, Chinese, Filipino and white students tend to gather in hostile groups or gangs. Police report there have been 130 murders connected with gangs in the last five years, although none occurred in schools.

Crime is a serious problem in schools of the Southwest, but many districts have brought it under control with expensive security measures.

In Houston, as in many other school districts, officials say that some of the most serious "school crimes" are committed by older nonstudents who come on campus. A series of rapes against Houston teachers during the 1973-74 school year was blamed on outsiders.

"Security measures have helped minimize the problems of outsiders on campus," said Harriet Mauzy, president of the Houston Teachers Association, an organization that has been critical of administrative efforts to protect teachers. "But it is still more of a problem than the statistics indicate.

"Some teachers prefer not to press charges when they are threatened or assaulted, and many principals are reluctant to report incidents to the administration. They think it somehow reflects on their administrative abilities."

Houston school officials say they get good co-operation from city police. Especially effective, they report, are police helicopters that fly over schools at night and check roofs, doors and windows with searchlights.

Altogether, there are more than 130 anticrime programs being tested in the nation's public schools. The Federal Government, mostly through the Law Enforcement Assistance Administration, is spending 30 million dollars a year on remedial projects.

Educators and law-enforcement officials agree the effort is there. What they plead for now are some results.

#### CRIME IN WASHINGTON SCHOOLS—A POLICEMAN'S STORY

In the judgment of a police officer close to the scene, law and order have disappeared from many public schools in the nation's capital.

"The situation has reached crisis proportions, said Sgt. Thor E. Bevins, a community-services officer in the D.C. police department.

"Physical violence in the schools is terrible. I wouldn't be a teacher in the city of Washington for three times the salary I'm making now.

"I dare any member of the school board to come in and try to run one of these schools. They wouldn't last until the water started boiling. It's not only the kids. It's the bad physical plant. It's the parents, the teachers, the principals—it's one big, unholy ball.

"I saw a principal go bananas, have a nervous breakdown under the pressure of all the assaults, rapes and robberies around him.

"I was in his office on one of those wild days. 'I'll switch jobs with you,' he told me.

"There were three or four bunches of unruly students in this large office—in for fighting, destroying a whole film library, that sort of thing. One white teacher, a lady, came in, and she had been assaulted."

Sergeant Bevins is assigned to community services in Washington's fourth police district, a predominantly black area which ranges from slums to some of the most affluent neighborhoods in the city.



"*Fists, sticks.*" The sergeant has five officers to police 10 high schools and junior highs. He estimates there have been about 50 physical assaults on teachers—"with fists, sticks, anything they can lay their hands on"—and half a dozen shootings in those schools in the last year.

This is in addition to countless burglaries, robberies, attacks on pupils and acts of vandalism.

"I could set up police substations in a couple of those schools, and there would be enough crime for a squad of men to make arrests steadily throughout the day," Sergeant Bevins told *U.S. News & World Report*.

"I have one officer who handles one of the worst schools. Every youngster down there that he arrests wants to fight him—and he could arrest them just as fast as he can grab hold of them. He's ruined both of his knees behind that school. If you ever watch a football game, you know how they all pile up. Well, that's about what it is. There's no respect for law and order whatsoever."

One problem that Washington police encounter in trying to keep down student crime is that officers are not stationed in school buildings. They respond to calls from principals.

"We get only the worst cases," said Sergeant Bevins. The school system itself employs only about a dozen security officers.

A 28-year-old high-school teacher, who was robbed and raped in her classroom, has sued the District of Columbia for 1 million dollars' damages, alleging that the city government failed to provide adequate security in her school.

Sergeant Bevins was interviewed by two editors of *U.S. News & World Report* on December 29. Here are some more of his observations on what is going on in the public schools of Washington:

Truancy. "It's one of our largest problems. We know that daytime burglaries in our district increase if we don't pick up traunts. We bring in as many as 500 a week.

"The truancy rate in the Washington school system probably averages 25 percent."

Narcotics. "You can go to any school and buy about anything you want in the line of narcotics. And you buy it from students."

Teachers. "The majority of them are assaulted daily and make no reports. They figure it's part of earning their paycheck. I've just found out that many, many more teachers retire on disability than policemen or firemen. What you need in Washington are combat teachers."

Parents. "The key to the whole school problem is responsible parents and strong teachers. I think the parents should be made to pay for the consequences of their children, and then maybe they'd get a little closer. Now, when we talk to parents, many of them say, 'You keep the kid. I don't want him.'"

Heart of the problem. "Every child is being labeled as a problem in school, when actually you're talking about, maybe, only 10 percent of them, who are the real troublemakers. I'd put those 10 percent in special schools, so the rest of the kids could get an education. There's only one thing to do—either get them out or run a police state inside the school."

Solutions. "It's hard to know what to do. But I think that, before we get too far along in this country, if the people don't start gathering together, not only in schools but everywhere we're going to be in worse trouble."

#### VANDALISM—A BILLION DOLLARS A YEAR AND GETTING WORSE

In the world's richest nation, wanton destructiveness is moving rapidly beyond child's play into new dimensions of cost to property—and lives.

Vandalism—the willful and often pointless destruction or defacing of property—is growing worse in America.

City after city keeps spending millions of dollars each year to counter criminal acts that strike at property ranging from schools to mass-transit systems, parks and zoos.

Only in some places do the efforts seem to be stemming the tide. Mostly the picture is bleaker. The total cost is put as high as a billion dollars a year by some estimates.

Instances such as these point up the scope of the problem:

A group of boys in California recently broke the lock on a railroad switch, removed an automatic derailing device and cut the brakes on a tank car of inflammable liquid. The tank car rolled down onto a main line and hit a switch engine. Two railroad employees died in the fire.

Detroit police recorded 5,061 instances of malicious property destruction in the first four months of this year—up from 4,227 for the same period last year. Included was the fatal stabbing of a \$650 miniature horse at the city's zoo.

Broken windows in the Madison, Wis., schools last year cost \$25,000. And school officials complain that residents don't even bother to call police when they see a neighborhood school being vandalized.

At Wind Cave National Park in South Dakota, elk, buffalo and deer have been slaughtered—some carried off for food but others left to rot on park trails.

The sheet ferocity of vandals—mostly youngsters, but often adults, too—knows few bounds.

*Among victims: animals.* Zoo officials in several cities tell of animals being beaten to death with clubs, burned with cigarettes and sprayed with paint.

Two boys, aged 6 and 7, broke into a Washington, D.C., day-care center on three successive week-ends, killing rabbits, hamsters and guinea pigs and splashing paint and food on the walls.

It is difficult to reckon the precise cost of vandalism to the nation. Police believe that only 1 in 3 cases of vandalism is ever reported.

Often the victims quietly pay for broken windows or snapped-off auto aerials rather than risk having their insurance rates go up.

Many businesses and governmental agencies lump vandalism damage in with the cost of regular maintenance.

*Worst hit—schools.* Available statistics show this, however:

Schools apparently are bearing the brunt of the cost. An education magazine estimated that damage and destruction to U.S. schools by vandals in the school year 1972-73 came to half a billion dollars—260 million for vandalism damage, arson losses and similar property damage and 240 million in payouts for security personnel and equipment. This worked out to about \$10.87 for each pupil, about the same amount as spent for textbooks that year.

New York City put the cost of park vandalism last year at \$1,167,904. It spent another 2 million dollars to clean up "graffiti" on the subways as shown in the article on page 41.

Property replacement itself is only part of vandalism's cost—perhaps outweighed by spending on security, cleanup and repair.

New Orleans Recreation Director Charles Nutter said 30 percent of all park-maintenance work is cleaning up or repairing vandalism damage. One new park there almost wasn't ready for its formal opening date.

"Three days before the park was scheduled for dedication, we put up the swings and other equipment," Mr. Nutter said.

"The day of the dedication we went out and there wasn't a swing left and the merry-go-round was in pieces. By that night we had it patched up so at least the mayor didn't see the mess."

Vandalism is not a new problem. The name itself comes from the Vandals, a Germanic people who sacked Rome in A.D. 455.

Nor is vandalism confined to any particular area. It is stirring concern in the big-city ghettos, affluent suburbs and small country towns.

*Vandals' game: "yard farming."* In Scarsdale, N.Y., one of the country's richest communities, a church chapel—open 24 hours a day under terms of the donor's will—is a regular target for vandals. Preston, Ia., with 975 people, has had an epidemic of "yard farming," in which youngsters use cars and motorcycles to tear up lawns and parks.

How do authorities explain such outbreaks of vandalism?

"In the poor areas, vandalism is a product of kids' hostility against society; in the wealthy areas, against parents and schools," said Lt. William Rilling, commander of the St. Louis police department's juvenile division.

Others say that research into vandalism is scant, and that far too little is known of its causes.

*"Just shrug."* Those few vandals who are caught offer little help. Ben McCardel, assistant security director of the Dade County (Miami) schools, said:

"Most can't give a reason. Occasionally they say they're mad at the teacher, but most just shrug their shoulders and say, 'I don't know. I just did it.'"

Some authorities see the rise in youthful vandalism as one response to today's social tensions—poverty, family problems, unemployment, racial hatred and the like. Periods of increased racial friction seem to spawn more vandalism.

In other vandalism, such crimes as thievery and arson play a part. Police say many thefts are the work of vandals in search of readily salable items, in some cases to finance drug habits.

In a Cleveland park someone stole a manhole cover, and a 4-year-old girl fell to her death.

Other items taken recently include copper wire from baseball-field lights, brass water-fountain fixtures and a small statue of Helen Keller.

*A metal in demand.* Thefts of copper, which has increased sharply in value, have risen. In the small North Carolina coastal county of Carteret, vandals first took copper downspouts from a school then returned to tear up a \$1,600 copper roof flashing in a vain attempt to get it loose.

"It shocked us because we couldn't believe they went to so much work," says Assistant School Superintendent John Morris, who put scrap value of the flashing at about \$80. "It would have been easier to get a job for the money."

Researchers agree that school vandalism is almost always a group action and that those involved in it are usually those having some kind of classroom troubles. But they differ sharply on what should be done about it.

Some disagree with physical security measures—around-the-clock patrols, electronic detection devices and other measures—which they say can turn the school into an armed camp.

Even so, security is being tightened in many school systems. Millions have been spent on strengthening patrol and security forces, replacing glass windows with unbreakable plastic and installing modern sound and motion-detecting devices in the schools.

Some, but not conclusive, gains are being reported from such measures.

New York City school officials say their vandalism losses in 1972-73 were down by 21 percent from the previous year, to 3.8 million dollars. Miami and Dallas, where modern alarm systems have been installed, also reported vandalism damage down. And similar security measures in Detroit seem to have at least halted the rising cost there.

In Los Angeles, where a three-year program to install new alarm systems is not yet complete, this year's losses seem certain to be higher than last year.

Business firms and governmental agencies, as well as schools, are searching for other kinds of answers.

*A lion on guard.* The Des Moines, Ia., zoo is using a lion as a watchdog to end nighttime attacks on the animals. After warnings on television and in the local papers, zoo director Robert Elgin began putting out a year-old lioness on a chain near the fence.

"The lion has been trained not to bite or claw," Mr. Elgin said. "She will just sort of wrestle you to the ground and sit on you until the watchman comes."

So far, no intruder has tried to test the lion's self-restraint.

The Elk Grove school district, near Sacramento, Calif., is hiring "school sitters" at its remote sites. Mobile homes are put near the schools and provided to selected families on a rent-free and utilities-paid basis. In return, the "sitters" call police if they notice any suspicious activity. Other California school systems are using guard dogs.

Chicago's park district will put 15 policemen on horses this summer in a program.

Officials say they expect the mounted officers to be a big psychological deterrent to young offenders.

Railroads are beefing up security forces, as vandalism and pilferage now is costing millions of dollars each year. Helicopter patrols are being used in areas where vandals bombard trains with rocks and place things ranging from logs to old refrigerators on the tracks. Several lines, that are tired of damage to new automobiles being hauled in open-rack cars, are building closed containers.

Telephone companies have redesigned public phones, wrapping the cables in steel and otherwise making the instruments as tamper-proof as possible.

Bringing vandals to court—and getting convictions—is not easy, especially where the defendants are very young. Where no other crime is involved, many judges are willing to settle for the cost of the damage. More and more are trying to match the punishment to the crime. If the vandals are from wealthy families, the judge may well stipulate that they earn the money to pay for the damage.

*"Best punishment."* Other judges favor putting the vandals on clean-up crews to see the other side of their action—"the best punishment that could be imposed," says one New York City official who is working on the vandalism program.

As a preventive measure, Miami schools are using a force of specially trained security officers whose task is to spot potential troublemakers and try to establish some sort of rapport with them. Officials have been generally pleased with the program and are expanding the force from 58 to 108 officers. Several women officers are being added.

The New York City Housing Authority, which has some 600,000 persons living in its 209 projects, has established a task force aimed at channeling the energies of prospective vandals into more constructive paths, such as building basketball courts and repainting dilapidated buildings.

Few officials, however, are making any victory claims in their fight against vandalism.

"There's no unique solution for vandalism," said Raymond Hudson, director of plant operations for the New York City schools. "You use sound and motion detectors or photoelectric devices and some the youngsters are still ahead of you.

"Just when you think you have come up with a device to stop vandalism, youngsters think of some way of getting around it."

#### SUBWAY PAINTING—VANDALISM IN THE GUISE OF "ART"

Perhaps the most specialized form of vandalism in the U.S. today is blanketing this city's subways.

Trains and tunnels are overlaid with "graffiti"—the multicolored names and slogans that are the calling cards of thousands of ghetto youths.

Fruitless efforts have been made over the years to get rid of subway graffiti. Yet they remain as much a part of the New York scene as the Empire State Building. They have inspired several books, including a new one by Norman Mailer. Some critics find the "art" worthy of praise.

*Costly "canvas."* But officials of the New York City Transit Authority, who run the subways, find little to admire. To them graffiti are the battle scars of a fight they can't seem to win—one that is costing them 2 million dollars a year.

Why this form of vandalism?

A high-ranking New York policeman sees graffiti as a means for ghetto youths—most of them black or Spanish-speaking—to "show the flag." Among his peers, a graffiti artist's prestige is determined by how many times he can "do" his signature, the relative difficulty of the places he puts it and its style.

The form of graffiti is changing. Once it was thousands of felt-pen repetitions of a signature such as Taki 183—a nickname plus an identifying number, usually the writer's street. Now, an elaborately spray-painted "Hondo" or "Star" may cover the entire side of a subway car.

Both styles are proving resistant to automatic car-wash equipment. An expensive special scrubbing of all 6,700 cars last autumn was undone in days.

Now the cleanup crews remove only the racial slurs and murals that cover windows or otherwise pose safety hazards.

"To try and remove all graffiti is terribly expensive," says a Transit Authority spokesman. "It's a question of where you want to put your operating revenues."

*Risks add zest.* Danger—both of being caught and of serious injury—seems to add an incentive for graffiti artists.

The giant-sized versions take hours to complete and involve hazardous treks down electrified tracks to the sidings where cars are parked overnight. One badly burned youth told newsmen a spark from the tracks ignited paint he was spraying. He said others also have been hurt in the tunnels and yards.

Transit police are cracking down hard on anyone caught in the subways with spray-paint cans or other graffiti materials. Arrests last year totaled 1,408, nearly double the number in 1972. Some of those caught were sentenced to clean up their own handiwork.

Frank T. Berry, who is in charge of operations and maintenance for the Transit Authority, sees even tougher enforcement as the only hope for ending the fad. Says Mr. Berry:

"This is a social problem and not a subway problem. We need more help from the courts."

#### VANDALS: THEY COST COLUMBIA \$116,000 EACH YEAR

(By Barbara Beem)

Slashing bus seats and breaking street light globes is bad enough, but injuring Columbia's ducks is the last straw.

Jim Yedlicka, recreation director for the Columbia Association, said that the wounding of a Lake Elk Horn duck last Thursday evening ended in a veterinarian's having to destroy the animal the next morning. Monday, Mr. Yedlicka called the incident a "sad commentary."

"Since June or July, at least ten ducks have been shot on our lakes," he said. This caps what he labels a recent upsurge in vandalism on CA recreational facilities.

"We spend \$116,000 a year repairing vandals' damage," he stated, and with tightening budgets, this money is becoming less and less available.

"If there were no vandalism, the zoo, camps and athletic programs would be free," Mr. Yedlicka commented.

Following this most recent incident, Mr. Yedlicka said he considered removing the ducks from the lake entirely.

"It's not fair to the ducks," he said.

But he has decided that that is not the answer—"What does that prove?"  
 "Ducks are something the kids can relate to."

There are only about two ducks at Elk Horn and between 20 and 30 at Lake Kittamaquidi and Wilde Lake. Many were originally gifts to the zoo, but are placed on the lakes when the zoo facilities are full. Others migrate to the open space.

Most of the ducks are quite tame and are accustomed to eating food given them from visitors to the lakes. Because of their friendliness, they are more vulnerable to abuse than the more aloof swans, Mr. Yedlicka explained.

Instead of removing the ducks, Mr. Yedlicka said he believes the solution is to heighten the consciousness of the community.

The police can and will make arrests—they just need to be notified, according to the recreation director.

In an effort to reach the community, Mr. Yedlicka has prepared a slide show on the vandalism in Columbia—a show which he is anxious to present to any interested group.

So far, he has given his visual demonstration to two schools—Bryant Woods and Faulkner Ridge Elementary schools—as well as to adult organizations.

"A lot falls on the parents," Mr. Yedlicka stated.

He blames a lot of the destruction on groups of young people who live in Columbia—he does not generally attribute the vandalism to bands of outsiders.

"A lot of parents refuse to acknowledge their kids are doing it," he added, but the parents who take time to watch the presentation "are not the ones who need it."

In addition to 80 slides of examples of vandalism—it took the CA representative less than three weeks to compile the photographs—a score card entitled "The Price Is High" is distributed.

Space for guessing vandalism repair costs is provided—the player must estimate the cost of a lamp globe, bus seat cushion, pathway snow stake, telephone and six other repairs.

At the bottom is room for the player to guess the total for the year. The person with the closest estimate wins a CA t-shirt. In many cases the estimates are low.

A drive similar to this one was conducted about two years ago. Vandalism seems to run in phases, according to Mr. Yedlicka, and after the last program, there was a slump in destruction.

Petitions at schools were distributed among students to help pressure their peers out of destroying property—and it worked, according to the CA director.

Now, Mr. Yedlick is hoping that this kind of momentum can be regained.

"Very few" of the vandals are being caught and the situation will continue until the community bears down on the problem, Mr. Yedlicka said.

He urged people witnessing these crimes to contact the police and report the problem.

In the meantime, CA crews are doing their best to repair the damage—replacement is often too costly.

"It's frustrating for the crews to spend half of their days repairing what happened the night before," the recreation director commented.

"But it's important that repairs are made right away."

He said that psychologically, it is deterring for a vandal to destroy if he sees the damage immediately repaired. If someone sees a broken window, he is encouraged to break another.

"We need a little more concern on the part of the community." Until then, there will be propane-burned holes in plexiglass, signs torn and bent, walls written on, trees torn... "it goes on and on."

#### SCHOOL VANDALISM COSTS DISTRICT OF COLUMBIA \$1.3 MILLION IN YEAR

(By Patricia Camp)

Vandalism, which caused more than 31,000 broken windowpanes in Washington's 200 schools last year, is directly responsible for more than one-fourth of the \$5 million allocated for maintenance and repairs in city schools, according to the D.C. general services department.

The department, which handles maintenance for all city buildings, budgeted the replacing of broken windows, called glazing, at more than \$500,000 for fiscal year 1975.

The department estimated that vandalism, mostly by students themselves, was also the direct cause last year of \$500,000 in housekeeping repairs. \$53,000 worth of damage to school clocks and bells, \$27,000 in plumbing damage, and more—to the tune of about \$1.3 million last year.

Harold T. Henson, assistant director of the bureau of repairs and improvements for general services, said his crew is about halfway finished with glazing for this fiscal year, which they try to complete between September and January before the weather gets extremely cold. So far, they have replaced about 12,000 windows.

The number of broken windows will probably be fewer than in past years—76,000 in 1970—because any glass windows are being replaced with sturdy plastic ones, Henson said.

"You've got to weigh this," Henson said. "Will you keep buying glass that's broken out every year or should you try to put in good material? In the long run, it's worth the plastic."

The types of plastic used, bought through a bidding system, are much more expensive than glass. Henson said that a sheet of plastic, about 48 inches by 96 inches and 1/8 inch thick, costs \$44.18. A sheet of glass, 20 inches by 20 inches, costs only 65 cents.

The school system made a list of the number of broken windows at various schools on June 30. The list showed that out of the five schools with the largest percentage of broken windows, four of them were junior high schools.

Henson's staff this year replaced 627 windows at Kramer Junior High in Southeast; 421 at Browne Junior High in Northeast, and 382 at Paul Junior High in Northwest.

"Students in that age group have all that energy and they don't know what to do with it," said Burlon Boone, director of plant and maintenance operations for D.C. public schools. "You really can't pinpoint any one school."

He said the only thing his department can do is try to have more security at buildings to prevent illegal entry by outsiders and "restore that which has been vandalized."

Boone said attempts are also made to thwart vandals by moving public address systems in hallways closer to ceilings and by not installing new ceilings with acoustical tiles that can be pulled out.

Solving the vandalism problem would go a long way toward helping the schools and general services with backed-up work orders. There are more than 1,000 repair jobs that need to be done at D.C. schools now, some dating as far back as 1973.

Even parents and volunteer workers have tried to help out with school repairs. Ben D. Segal of Mayor Walter E. Washington's staff reports that from September through Nov. 21, a group of volunteer workers from Project Build worked more than 4,000 man-hours in various city schools, painting lockers, installing floor tile, and doing other work.

Sam D. Starobin, director of general services, told the House Subcommittee on District Appropriations this week that the school board has allocated \$4.5 million to \$5 million annually for building maintenance since 1969, though the cost of maintenance has increased by more than 50 percent.

Six years ago, he said, 225 to 250 persons were detailed to the schools daily, compared with 150 to 170 today. That \$5 million is less than 3 percent of the total school budget.

Henson also points out that maintenance problems have increased because many of the school buildings are old. Out of a total of 229 buildings, 37 were constructed before 1900, and 66 built between 1900 and 1930.

School officials say there is not much that they can do. Julius Hobson Jr., chairman of the school board's finance committee, said that when the board had to deal with a deficit due to hiring about his time last year, "we cut maintenance."

"It gets to be an emotional thing when you have to either cut classroom teachers or maintenance that doesn't show up right away. It (maintenance) is a priority, but we need to make reductions in the budget," Hobson said.

[From the Sun, Saturday, April 3, 1976]

## HOWARD SCHOOLS ROBBED OF GOODS WORTH \$6,000

(By Michael J. Clark)

Six Howard county public schools have been burglarized this year and \$6,000 worth of property has been stolen, a spokesman for the county's school system said yesterday.

"We are very concerned about the burglary and vandalism problem and are taking every precaution within our available resources," Paul Rhetts, the public information officer for Howard county's public schools, said.

Mr. Rhetts noted that the county schools have alarms, but he added: "Maybe we need more surveillance by the county police. Or, we should consider hiring security

guards." He said no funds in the proposed operating budget for the next fiscal year would be used for hiring guards to protect school property.

According to figures supplied by Mr. Rhett, the school system had \$35,942.19 worth of property stolen or destroyed between September, 1974, and September, 1975.

The report on vandalism, larcenies and burglaries compiled by the school system shows 150 incidents in which school windows were broken during the period resulting in losses amounting to \$19,250.

During this same period, there were 68 larcenies and thefts—some stemming from break-ins—in which items totaling \$16,592 in value were stolen. Two cases of arson also were reported during the period.

The major burglaries in the county schools this year were: On March 17, \$3,195 worth of stereo equipment was stolen from Howard High School near Columbia; on February 23, \$1,447 worth of tools, microphones and cymbals was taken from Mount Hebron High School in the Ellicott City area, and on January 13, \$1,260 worth of high fidelity and band equipment was stolen from Oakland Mills High School in Columbia.

Linda Gregg, the Howard county police information officer, termed the school burglaries, larcenies and vandalism "a problem in every jurisdiction. It is often juveniles who commit the crimes, and they know the schools quite well and how to get in."

The police official said the 132 officers in the department routinely check all 42 of the county's public schools.

"I don't know what else we can do," Miss Gregg said. "We can't station someone at the schools full time."

#### SCHOOL BREAK-INS REPORTED DOWN 43 PERCENT IN COUNTY

(By Antero Pietila)

The Baltimore county school system's roving security patrol claims to have cut break-ins leading to theft and vandalism 43 percent since they started patrolling the more than 200 school facilities last September.

"I can't take full credit but I can't help but think that this is a result of our sporadic patrolling," says Kenneth C. Lambert, a former city police sergeant who is in charge of building security for the county school system.

The security patrol, which operates on a \$52,000-a-year budget, employs 26 persons, 20 of them college students working part-time.

Television's cop shows seem to be big among those students, many of whom have adopted a nickname from their favorite drama.

Patricia Cowan, 21, for instance, is "Pepper" from the series Policewoman.

She is the patrol's only female member and when she is not on night duty, she is a Towson State College senior majoring in secondary science. She is now student-teaching at Lansdowne Middle School.

And the patrol members call the patrol itself the "squad squad" in a take-off of "Mod Squad."

The radio-equipped roving patrol, which uses unmarked county cars, keeps an eye on educational facilities from dusk to dawn, with an added emphasis during weekends.

According to Mr. Lambert, not only have the break-ins decreased but also there has been a marked drop in vandalism.

"From July to December, 1974, our schools suffered \$224,690 in losses," he said, "but the figure for the comparable period last year was only \$127,000."

Burglar alarms that the county is installing in schools have increased the patrols effectiveness.

About 20 percent of the county's 160 schools are now covered by such alarms, according to Mr. Lambert, who said he has asked for \$194,000 in next year's budget to have 50 more alarms installed.

#### VIOLENCE IN THE SCHOOLS—A STATEMENT BY NEA VICE PRESIDENT WILLARD MCGUIRE\*

We need more honesty and candor in dealing with violence and in reporting it to the community. There is too much covering up going on.

We must become more discerning about violence. We won't eliminate violent behavior by students if we condone the violence of such things as IQ testing and racism. The President of the United States appears to condone violence in south Boston and an adult in Kanawha County, West Virginia, used dynamite to put love

\*These comments by NEA Vice-President McGuire are excerpted from his presentation at a recent Council for Educational Development and Research, Inc. conference in Washington, D.C.

and Christian virtue into textbooks. If we are going to ignore twelve hours of violence on television, how can we expect to eliminate five minutes of it in the classroom? As a society, we don't seem to be very discerning about violence.

We need security in many school buildings. Both teachers and students need to be protected against the outsiders who come into the school and do violence. If the parade of winos, perverts, and thugs who daily enter our schools and cause trouble were to descend instead on a large downtown office building, I feel certain there would be speedy action to remove them and steps taken to prevent their ever returning. Why can't our schools, our teachers, and our students be equally well protected? We wouldn't eliminate violence, but we would reduce it and we'd narrow the field of combat.

Something must be done about students who are engaging in serious criminal offenses. No English teacher should have to rehabilitate heroin pushers. That should be a matter for the police and for another system beside the school system. We should define a reasonable range of problems which teachers can or should be able to deal with and not be expected to solve every problem. We must insist on proper action by other community agencies. A good professional teacher is a poor amateur policeman.

Teachers should encourage, design, and support experimental programs, alternate programs and other nontraditional approaches to educating students who are bored or unmoved by traditional approaches. There is one thing we know for certain about any education approach—the pupil-teacher ratio must be low. If you want successes, you must have one-to-one, one-to-two, three, four, or five. A teacher with five students can do the job. They give us 40 and 45 and wonder why there are problems.

I'm also becoming more convinced that we should work to establish preservice and in-service courses in how to handle the aggression and other behavior that must be dealt with. Most of us as teachers are not prepared to deal with it. If we were, we would feel more secure, be less threatened, and head off more serious behavior.

It is not easy to be a teacher—but it never has been. Good things—important things—are never easy—and teaching is important. I am one classroom teacher. Like my colleagues, I want us to face the problem of violence and begin to deal with it.

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#### CRIME AND VANDALISM PERMEATE NATION'S SCHOOLS

Last year American school children committed 100 murders, 12,000 armed robberies, 9,000 rapes, and 204,000 aggravated assaults against teachers and each other. They were also responsible for 270,000 school burglaries and vandalized over \$600 million worth of school property.

It's not kid stuff anymore. Today's youth use guns and knives—and they attack adults as well as each other. Nor is school crime limited to the cities. Violence and vandalism are reaching crisis proportions in the suburbs and rural communities.

In St. Louis, two suburban schools closed temporarily during the past year because of outbreaks of school violence. In Fairfax County, Va., an affluent suburb of Washington, D.C., teachers have been hit with books, thrown over desks, and had their clothes ripped; and in Prince Georges County, Md., another Washington suburb, a rape against a teacher and a murder on school grounds were reported recently.

#### RURAL VIOLENCE

In House Springs, Mo., an all white rural school district with 7,000 students, 10 youths overdosed on drugs in the past year and numerous students were sent home drunk. In a period of two months, \$6,000 worth of equipment was stolen from the high school, teachers had rifle bullets fired into their cars, and a teacher was stabbed by a female student.

In Rochester, N.Y., within the last year, a 14-year-old was slashed with a razor in his math class by another student, another 14-year-old shot a school aide who was trying to break up a fight, and three students held up a cafeteria manager at gunpoint.

In isolated rural areas, school-sponsored agriculture projects have been cancelled because vandalism there included killing animals.

#### TEENAGE EXTORTION

Although rape, robbery, assault, and vandalism are major sources of concern, extortion is now being reported with increasing frequency. In San Francisco, teenage terrorists not only demand money from students and teachers, they have also been intimidating neighborhood businesses.



Statistics on school crime are only approximate. Until recently, many school authorities didn't want to recognize violence in the schools, afraid that reporting incidents of violence or vandalism would reflect poorly on their jobs.

However, a Senate subcommittee headed by Sen. Birch Bayh (D-Ind.) reported that in 757 schools surveyed between 1970 and 1973 there had been an 18.5 percent increase in homicides, a 40.1 percent increase in rape and attempted rape, an 85.3 percent increase in assault on students, and a 77.4 percent increase in assault on teachers.

"The primary concern in many American schools today is no longer education, but preservation," said Bayh before the Senate subcommittee hearings this spring.

#### TESTIMONY IN CONGRESS

Students, teachers, and education and safety officials came from all over the country to Washington, D.C., last spring to tell a Senate subcommittee what they knew about crime in their schools.

"I've been assaulted and beaten in the classroom, and the way my administrator handled it was to hush it up, not tell the police about it," said a teacher from Missouri.

"Fear and violence are frightening many students out of an education," said a city official from Philadelphia. In New York, the subcommittee was told, student-run brokerages, where teenagers buy and sell guns, drugs, and the services of prostitutes, were found in some high schools.

"What we found in 1973 and 1974," said a staff member of the Senate investigating group, "we could also find in 1975, in increased numbers, higher percentages and in small as well as large school systems."

#### WHO'S TO BLAME

Parents, students, teachers, and administrators all blame each other for failing to deal with the discipline problem.

Teachers maintain that a good deal of the increased destructive behavior and violence is due to permissive parents or from hostility or indifference. Parents accuse teachers of either leniency or rigidity. And school officials say the parents who demand stricter rules against everybody else's children are the first to accuse teachers of unfairness when their own offspring are involved.

#### TELEVISION VIOLENCE

Television violence also has been repeatedly cited recently as a major cause of the increase in crimes among youth.

The January issue of the *Phi Delta Kappan* pointed to the U.S. surgeon general's investigation—an exhaustive three year study set in motion by the chairman of the Senate Communications Subcommittee—dealing with the impact of televised violence on children.

One conclusion drawn from this study and quoted in the *Phi Delta Kappan* was: "The more violence and aggression a youngster sees on TV, regardless of his age, sex, or social background, the more aggressive he is likely to be in his own attitudes and behavior. The effects are not limited to youngsters who are in some way abnormal, but rather were found in large numbers of perfectly normal children."

#### FAMILY DISORGANIZATION

Observers also are pointing to the increasing numbers of disorganized families as one more reason for the soaring school crime rate. No longer is the fate of disorganization and delinquency limited to minorities and the poor. Family disorganization is spreading throughout middle class society in towns, suburbs, and rural communities.

Urie Bronfenbrenner, professor of family studies at Cornell University, notes: "In terms of such characteristics as the proportion of working mothers, number of adults in the home, single-parent families, or children born out of wedlock, the middle class family of today increasingly resembles the low-income family of the early nineteen-sixties."

At a recent conference in Washington, D.C., which brought experts in criminology together with teachers, principals, school board members, and security personnel, many of these same reasons and more surfaced as causes for increased destructive behavior among students.

The conference, sponsored by CEDaR (the Council for Educational Development and Research, Inc.), had as its ultimate aim to build a "research and development agenda" that will get at the causes and means of prevention of school violence.

A recurrent theme among classroom-teachers at the conference was that permissiveness and lax discipline has been allowed to permeate not only the schools but the home and society in general. Conferees also recognized that school violence didn't just come up overnight. Too often, they said, parents, teachers, and administrators looked the other way when all this was coming about.

#### COMBATTING SCHOOL VIOLENCE

Recognition that too often the public school environment is dominated by fear, destruction, chaos, and violence is at long last forcing communities across the U.S. to move on the problem of defiant and sometimes dangerous youth who keep others from learning.

Many NEA local associations are demanding and getting firm and enforceable discipline regulations in their contracts. School boards are spending millions on sophisticated security systems and armed police patrol in and around troubled schools.

Despite some criticism about turning schools into armed camps, most parents and teachers say the crack-down is long overdue.

In one large urban school system, it was reported that police helicopters hover over school grounds and signal patrolmen on the ground at the first sight of trouble. Chicago is spending nearly \$3 million on school security after an elementary-school pupil shot a principal to death and 1,300 verbal and physical assaults on teachers were reported last year.

New York City's school board is planning to spend \$10 million on school guards, special aides, and expensive security equipment. Included are walkie-talkies and pocket-size "panic buttons" that allow teachers to signal the central office when threatened with unruly youths.

Currently under development and expected to be on the market this year is a security device that resembles Dick Tracy's wrist-radio. Sensitive to the body's reaction, the device sends an automatic signal to a central office or security office when the person wearing it is frightened or threatened. It is expected to be a big seller in school districts throughout the country.

Sophisticated security systems have been installed in thousands of schools across the nation, including closed-circuit television and electronic sensors. A proposed Safe Schools Act now pending in Congress would provide up to \$200 million to buy more such systems.

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#### ONE TEACHER'S STRUGGLE AGAINST SCHOOL VIOLENCE

Peggy Cochran is a high school teacher and immediate past-president of the Northwest Education Association, a Missouri-NEA affiliate. She has received national recognition for speaking out about violence and vandalism in her school district.

Last year, Cochran and other teachers appealed to the Jefferson County School District administration and then to the school board about their grave concerns on the lack of discipline. The teachers were turned away with a response that "if more teachers did their jobs, the problems they described would not be happening."

So the teachers went to the news media and as a result, local TV, radio stations, and the newspapers focused on the problems the teachers described. *Newsweek*, in its April issue, featured an article on delinquency in the Jefferson County School District, an all-white rural community near St. Louis.

In June, Cochran accepted a request from Sen. Birch Bayh (D-Ind.) to testify before the Senate Subcommittee on Juvenile Delinquency. In December, Cochran also told her story to a Washington, D.C., conference on vandalism and violence in the schools sponsored by the Council for Educational Research and Development, Inc. (CEDaR). Here is part of what she said:

I have taught 12 years—the last eight at Northwest High in House Springs, Missouri—and am presently chairperson of the Language Arts Department. Our school district has 316 teachers and approximately 7,000 students. Grades 9 through 12 have an enrollment of about 2,200 students. Our district is rather unique in some ways compared to surrounding districts. As urban and suburban school districts are decreasing in enrollment our rural district's student population is growing rapidly. Our assessed valuation per pupil is approximately \$4,500, where neighboring districts have \$12,000 to \$17,000 assessed valuation per pupil. The biggest reason for this is the lack of any industry in our district.

We are an all-white rural community with no incorporated areas within the district. Our district covers about 30 miles along Highway 30 just outside of St. Louis County. The taxpayers of our district work in St. Louis, spend their money in St. Louis, and enjoy the recreational facilities of St. Louis. The same is true of the students in our district.

It would be a fallacy to say that our problems began this past year. For several years we have had numerous thefts and acts of vandalism just as all schools have experienced. Our district has nine different school plants scattered along these 30 miles, and most security measures are too expensive to even consider.

Drugs have been on our campus for the past 5 or 6 years—very prevalent in the last 2 or 3 years. In the past year, 10 students were taken to the hospital from school because of overdoses. Alcohol is prevalent on campus and numerous students have been sent home from school drunk.

Vandalism has reached a new high in our district. Last summer when school was not in session, 146 windows were broken out of one of our 9 schools during a 2½-month period. The approximate amount of damage from vandalism this past year was \$11,000, plus loss from theft of over \$10,000.

Beginning near the end of November of 1974, about one year ago, the following events occurred during a two-month period: Approximately \$6,000 in equipment and supplies was stolen; One teacher's car was stolen from his driveway, driven several miles away, and then burned; Another teacher had the windows broken in both his home and his car; A teacher's car had four 22-rifle bullets shot into it while it was parked at school at night; One teacher was attacked and beaten by a male student during school hours; Another teacher was attacked and stabbed in the hand by a female student with a knife that she had brought to school for that purpose. A janitor was also injured trying to help the teacher.

With these happenings added to earlier events, the teachers' concern became great. We asked for a meeting with the administration and came away from that meeting with no satisfaction that anything would be done. We asked for a special meeting with the school board and came away from that meeting just as unsatisfied after being told that if more teachers did their jobs these problems would not be happening.

The teachers decided that they must call attention to the fact that students' and teachers' safety was in jeopardy. Knowing that in Missouri strikes by teachers are prohibited and knowing that our teachers had really never been in the public eye before, I consulted a Missouri-NEA lawyer who helped me plan a meeting for February 21, 1975—a meeting to discuss the personal safety of students and teachers. On the afternoon of February 20, we planned a meeting of all teachers to vote on whether we should go to classes the next day. Prior to this 3 p.m. meeting, in order to assure teachers that the radio stations would announce this for us, I called one of the radio stations and told them about our plan to vote that afternoon, and the newsmen said: "Just a moment Ms. Cochran, I'm switching you over to tape for the 2 o'clock news." Well, that started the action. He then switched me over to their affiliated TV station who promptly told me that they would be in House Springs at 3 p.m. with camera crews for the 6 o'clock news that night. After having such luck, I called two other TV stations who were also eager to send camera crews.

At 3 p.m. the teachers met—TV cameras and all. We had previously agreed that we would not do this unless we had at least 90 percent participation. We voted—secret ballot—and all but two teachers voted not to go to class the next day, but to meet and discuss safety in our school. We publicly asked parents in our district to keep their children home the next day because teachers would not be there. We also invited parents, clergymen, and community members to meet with us to develop some proposals for solutions to our problem.

At a parent meeting called that night by the administration, an attempt to turn the community against the teachers backfired into support for us that we had not anticipated. The media was extremely kind to the teachers, and the next day 1,900 of the 2,200 high school students were kept at home. The other 300 were sent back home at 8:30 a.m. Throughout the day, almost 200 parents and clergymen throughout the community attended our meeting. The administration agreed to give us a place to meet, and three TV stations were with us all day. We formulated seven requests that could be instituted immediately for very little money: (1) hall monitors (2) panic bar doors (3) security guard (4) ID system (5) a no-visitor policy (6) gates for the parking lot (7) advisory committee of 14 (2 teachers, 2 administrators, 2 board members, 2 students, 2 substitute teachers, 2 noncertificated staff members, 2 parent representatives) to facilitate more open communications between all of these groups. The next Tuesday night, the school board met, agreed to all seven stop-gap proposals and even agreed that there would be no salary loss for teachers for that meeting day.

The St. Louis TV stations, radio stations, newspapers, and *Newsweek* magazine all gave us positive kinds of coverage reinforcements. Another evidence of community support came in April when two school board members were to be elected. The teachers publicly endorsed and worked diligently to support a pro-teacher candidate

(a former teacher whose wife was president-elect of our teachers' association). Our candidate won with more votes than anyone had ever received for school board before, defeating an incumbent school board president of six years.

I received letters from throughout the U.S. supporting the fact that I had not been afraid to tell the truth. I received support from within my school district, but I also got angry phone calls and my 12-year-old daughter was told by an unidentified caller that they were going to "get" her mother. The administration of our school district publicly stated that my statements were true, but in private, I was told of their disapproval for displaying *our dirty laundry* to all. After a couple of weeks, the fury quieted, and things were almost back to normal.

In early July, I served on a critical issues panel concerned with violence and vandalism at the NEA's convention in Los Angeles. I was especially pleased by the interest that teachers indicated and their willingness to work toward solutions. The main drawback voiced by most teachers was fear—fear of retaliation for speaking out—fear of lack of community support—fear of losing their jobs, etc.

In August 1975, another surprise came my way. I pulled into my driveway to find a TV news crew waiting for me again. The reporter began, "Well, you've done it again."

"Not me," I replied, "I swear I've been quiet for almost two months, and I've done nothing. Why are you here?" The reporter went on to explain that they had been called by the authors of a petition which asked the school board to fire me because my actions and testimony had hurt the community. This petition would be read at the school board meeting the next night. The reporters asked if I would resign or retract my statements and I told them they were ridiculous for even suggesting this. I had no idea how many people had signed the petition, but I also knew that there was no legal basis for my dismissal. The school board obviously realized this also when the petition was read to them the next day because they refused to even comment. I learned later that the petition contained about 50 signatures and had been initially begun by some realtors in the area who felt that my statements had directly affected their income.

Through it all I have believed that teachers can and have made a difference, but that some things are beyond our control. The time has come for stepped-up involvement by everyone to help return the nation's classrooms to a state of normalcy so that we teachers can spend all our energies developing minds for the next generation.

## DELINQUENCY AND HEALTH STATUS

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(Presented at: National Conference on Social Welfare Washington, D.C., June 1976)

To look at the health status of delinquents is to confront the reality of their humanness. It also makes one aware that youth services have inadequate resources and poor coordination. Health is almost never identified as an element in either the cause or the "cure" of deviance. Neither the program funders, social problem theorizers, nor practitioners who serve delinquents, have paid much attention to the relationship of health status to explaining and working with youth who have broken the law. This paper will develop the argument—that if programs to help delinquents are to succeed—their health status must be assessed and responded to—where treatable conditions are identified.

What little attention has been paid to the health of offenders, has focused on those who are incarcerated. And the record is dismal; Brecher and Della Penna describe adult and juvenile institutional health facilities as "chaos confounded."<sup>1</sup>

Litt and Cohen, in one of the few empirical health surveys in the literature, report on examining 31,323 children between the ages of 8 and 18 who were committed to New York City Juvenile Centers over a five year period. "Forty-six per cent of these presumably healthy teenagers were found to have medical problems."<sup>2</sup>

The data we are reporting will supplement that developed by Litt and Cohen. Our data is based on a routine physical examination given to 223 male youth between the ages of fourteen and eighteen who were voluntary participants in an intensive probation project conducted by the Maryland Department of Juvenile Services. All youth in the project had committed impact offenses; that is, crimes involving an actual or implied threat to another person. No known drug abusers were accepted into the project. Litt and Cohen conducted a more comprehensive physical examination on incarcerated youth which covered a wider age range, included both sexes, and excluded no one. For these reasons, only the grossest comparisons are possible between the two sets of data. Taken together, they reinforce the view that many youth who come in contact with the criminal justice system "suffer from pre-existing poor health by virtue of lack of medical care."<sup>3</sup>

Our results are presented in Table I. A minimum of 65 percent of these youth had at least one condition that needed medical management. This figure is even higher than Litt and Cohen's 46 percent. The high figure is accounted for by disorders in teeth, vision, and hearing. It is not clear that these areas of "normal" difficulty were included in the data on incarcerated youth.

There are striking implications that can be derived for working with youthful offenders by examining the data on difficulties with teeth, vision and hearing. All these youth either are or have recently been attending school. By law, schools are supposed to provide health services which include screening and follow up on referrals. This particular school system even has a fine manual spelling out how to do this.<sup>4</sup>

<sup>1</sup>Edward M. Brecher and Richard D. Della Penna, *Health Care in Correctional Institutions* (Washington: U.S. Department of Justice, 1975), p. 7.

<sup>2</sup>Iris F. Litt and Michael L. Cohen, "Prisons, adolescents, and the Right to Quality Medical Care", *American Journal of Public Health*, 64 (September, 1964), p. 896.

<sup>3</sup>*Ibid.*, p. 897.

<sup>4</sup>*Maryland School Health Manual* (Baltimore: The Maryland State School Health Council, 1976).

TABLE I

DIAGNOSED CONDITIONS

	<u>Number</u>	<u>Sub-Total</u>	<u>Percent of Total Caseload</u>
1. <u>INFECTIONS</u>			
Respiratory	3		
Tonsils	1		
Sinus	1		
Abscess	1		
Dermatological	9		
Genito-urinary	2		
Ear	2		
Venereal	5		
		<u>24</u>	<u>11</u>
2. <u>METABOLIC</u>			
Hypertension	3		
Ulcer	1		
Arthritis	1		
Chromosomal	1		
Numbness	1		
Obesity	2		
		<u>9</u>	<u>4</u>
3. <u>*TRAUMA</u>			
Cuts	6		
Wounds	2		
Eye	1		
		<u>9</u>	<u>4</u>
4. <u>NON-MALIGNANT</u> <u>NEOPLASMS</u>			
Tumor	1		
Nodes	1		
		<u>2</u>	<u>1</u>
5. <u>TOXIC REACTIONS</u>			
Drug Overdose	3		
Drug Withdrawal	2		
Alcohol	2		
		<u>7</u>	<u>3</u>
6. <u>CONGENITAL</u> <u>MALFORMATIONS</u>			
Chest	3		
Heart	4		
Feet	2		
Cataracts	1		
		<u>13</u>	<u>6</u>

DIAGNOSED CONDITIONS (CONTINUED)

	<u>Number</u>	<u>Sub-Total</u>	<u>Percent of Total Caseload</u>
7. <u>ALLERGIC</u>			
Asthma	5		
Allergy	1		
		<u>6</u>	<u>3</u>
8. <u>*PSYCHIATRIC</u>			
Hospitalized	2		
Psychodiagnostic	8		
Enuretic	1		
Psychosomatic	2		
		<u>13</u>	<u>6</u>
9. <u>TEETH</u>	98		
		<u>98</u>	<u>44</u>
10. <u>EYES</u>	45		
		<u>45</u>	<u>20</u>
11. <u>HEARING</u>	8		
		<u>8</u>	<u>4</u>
12. <u>NOTHING DIAGNOSED</u>	55		
		<u>55</u>	<u>25</u>
13. <u>NO EXAMINATION</u>	17		
		<u>17</u>	<u>8</u>
14. <u>CAN'T LOCATE RECORD</u>	5		
		<u>5</u>	<u>2</u>

\*Contains a few conditions or outcomes identified subsequent to initial screening.

Caries is an infection. If several cavities are untreated for a period of time a person's physical and mental performance will suffer. And, if one cannot either see or hear well, it is hard to understand how he can be effective in either school or on a job. It is equally difficult to understand how a probation worker can be effective if the youth with whom he is working has debilitating physical problems.

Under ordinary circumstances, probation workers are not aware of the physical condition of the youth with whom they work. Even if they are, they tend not to take account of this fact in their work with youth. The most usual excuse given when these facts are brought to the attention of the juvenile justice system is that there are no resources. But how can a youth actively participate in a counseling session if he has venereal disease and the worker does not know about it. And one does not have to be clairvoyant to predict the anxiety that would be stirred up if in the midst of a counseling session a youth had an Asthma attack and the worker did not know about the condition and how to take appropriate action to get medical assistance. It does not go too far to say that such continued neglect of health and other social needs compromises the whole Juvenile Justice System. The judge sitting in his neat and orderly courtroom, with his neat and orderly social studies, creates the illusion of justice.

Clearly, the data in Table I reflect that these youth are not among the healthiest subset of adolescents in this country. The social implications of their absolute state of health are disastrous, for they pay a high price for minor disabling ailments. Difficulty in school is the best predictor of future delinquency. Poor teeth, vision, hearing, or other physical ailments which are not identified and treated can play a powerful

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role in interfering in the learning process and thus contribute to school failure. Physical difficulties can also play the same role in determining a person's ability to obtain and hold a job.

As we have noted, the argument being advanced is not that poor health status causes delinquency. Rather, it is, that health status is an important element in a person's social functioning. When these difficulties, either alone or in concert with other factors, lead to failure or rejection in such important areas as school and work; there is going to be some kind of trouble in the person's life. Even if it is not delinquency it will be difficult to alleviate this trouble unless the physical condition is identified and taken care of.

Whatever shortage of resources there are for either the diagnosis or treatment of physical ailments among delinquents, there is nothing to prevent Probation Officers and/or Departments of Juvenile Services from being aware of the health status of the youth with whom they work. It is even possible that something could be done to meet the health needs if the deficiencies are consistently and appropriately documented. While having the facts doesn't guarantee that resources will be provided; without the facts, there is scarcely any chance at all.

SELF REPORTED SYMPTOMS: In our Project, a part of the physical examination for the youth consisted of a standard check list of reported symptoms. Anyone who has answered such questions during the course of a physical examination knows that not a great deal of time or attention is given to this aspect of the examination. In some instances, this part wasn't completed; and in others, this check list was lined through rather than being checked item by item. Yet, Table 2 shows that 52% of these youth, when asked, reported one or more symptoms. It becomes clear that these young people do not feel well. And they

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TABLE 2SELF REPORTED SYMPTOMS

	<u>Number</u>	<u>Percent of Total Caseload</u>
Bad headaches	17	8
Difficulty with Vision	27	12
Difficulty with Hearing	11	5
Asthma or Allergy	25	11
Heart disease or High Blood Pressure	4	2
Pains in chest	29	13
Persistent cough or spitting blood	6	3
Shortness of breath	20	9
Swelling of ankles	5	2
Sensitivity to drugs, chemicals or dust	7	3
Loss of weight or appetite	17	8
Stomach or bowel trouble jaundice	7	3
Diabetes or sugar in urine	1	-
Kidney or bladder trouble, blood in urine	1	-
Convulsions, dizziness, or fainting	9	4
Nervous or mental trouble	16	7
Arthritis, paralysis	2	1
Tooth or gum trouble	38	17
No symptoms	80	36
No examination or record	27	12

are not reticent about letting someone know that they are bothered.

Wherever a treatable condition was identified the Project endeavored to see that it was taken care of. All this took was desire and learning enough about procedures to thread the medical bureaucracy. This is not easy work; but, any probation worker can arrange to take care of the health needs of the youth with whom he works. It can be frustrating. For if Medicare only allows one pair of glasses a year, some imagination has to be used to locate a replacement pair of glasses. Taken further, this process can create a certain sense of hopelessness, for as the probation worker looks beyond the youth to his family, he can't help but wonder who will help them meet their needs or why agencies which have this responsibility are not carrying out their mission.

One of the most important things which has come out of the required physical examination is the greater awareness of medical and other problems by the probation worker. With the large caseloads in the regular probation program, workers can barely conduct minimal surveillance while they make the numerous social studies which the courts seem to want but never take responsibility for implementing. This Project, with caseloads of 12-15, trained its workers in the I-Level Treatment Methodology of the California Treatment Program.<sup>5</sup> This methodology is based on dealing with a youth's social perceptual and interpersonal maturity level. It is also an individually oriented treatment program. One of the requirements was a comprehensive social assessment of which the physical examination was a part.

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<sup>5</sup>Ted B. Palmer, "California's Community Treatment Program for Delinquent Adolescents", Journal of Research in Crime and Delinquency, 8 (January, 1971), pp. 74-92.

Initially the workers, especially those who had worked in regular probation, found that they had to readjust their thinking to include all aspects of their client's behavior in their assessment. Experience, indeed, was the best teacher. One worker was very much surprised and somewhat baffled at a boy's adamant refusal to wear glasses he rather urgently needed. As the worker began to think about it and discuss it with the youth, the worker began to see how easily threatened this young man was and how he could be provoked into acting out when he perceived a threat to his "manhood". The worker's prior perception was that this young man had a deviant identity and was committed to breaking the law as a way of life. Another worker was about to institute disciplinary action against a young man who had been missing days from a mandatory work training program which was one of the conditions of his probation. Although he had been complaining to his probation worker about having stomach pains, these pains had been discounted because the youth had a history of making excuses to get out of things that he was required to do. Fortunately his physical was scheduled at this time and it was discovered that he had ulcers. This worker not only learned to be medically aware but also to appreciate the fact that only a physician can decide about the nature of physical complaints.

DISCUSSION: This paper began by noting that what little attention has been paid to the health status of delinquents has been for those in institutions. Neither their health nor their care is good. We then presented data from delinquents on probation. Their health status is not good either. Except for the efforts of the Project their health needs were only occasionally being met. Finally, we presented data on self-reported symptoms which shows that these youth do not feel well and are willing to talk about it.

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While health status is not directly implicated as a cause of delinquency, or a method of changing deviant behavior, it is hard to see how the nature of delinquency or its control can be understood without taking health status into account. Crime has always been an activity of the young. Despite recent scare statistics, there has been little change in the pattern of crime. In 1920, seventy-five per cent of the inmates in Sing Sing were under the age of 21.<sup>6</sup> From this perspective one might even say things have been improved. One thing is clear though; the importance of health for dealing with delinquency has been known for a long time.<sup>7</sup>

In 1925, Bronner advocated a comprehensive approach to working with delinquents. She said:

Multiplicity of causation requires multiplicity of resource in treatment. Varied indeed must be the means undertaken for prevention of delinquency and for treatment of the young offender. Not only must resources be many in number but they must also be adequate in scope and extent. Apparently no single social agency can be omitted from taking part in the program.<sup>8</sup>

This is a statement that could stand today. Yet, Schonberg in a panel discussion had the following to say about the data previously cited from Litt and Cohen.<sup>9</sup>

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<sup>6</sup>Miriam Van Waters, Youth In Conflict (New York: Republic Publishing Company, 1926), cited in the Foreword by Ethel S. Dummer, p. v.

<sup>7</sup>Ibid., pp. 200-201

<sup>8</sup>Augusta F. Bronner, "The Contribution of Science to a Program for Treatment of Juvenile Delinquency," in The Child, The Clinic and The Court (New York: New Republic, Inc., 1925), p. 87.

<sup>9</sup>Litt and Cohen, "Prisons, Adolescents, and the Right to Quality Medical Care," pp. 894-897.

After this pilot project, our belief was confirmed that a large number of teenagers discharged from detention centers with health problems need a system for medical after-care, utilizing trained family health workers to facilitate such care.<sup>10</sup>

So, that which we know is necessary is not being done. A generation ago Deutsch, talked about "Our Rejected Children."<sup>11</sup> Now we have more subtle ways of dealing with superfluous people; it is called "benign neglect". The only trouble with this is that the neglected won't be quiet; they commit offenses, become sick, or become public charges in other ways. Billions are spent on crime control programs which are then evaluated with the inevitable conclusion that the probation worker's counseling group was a failure. But, what does a probation worker do if his program does not provide for the comprehensive assessment and services that are necessary to work effectively with children. From the experience in our Project it would appear that the basic institutional supports necessary, to turn youth into productive citizens, have practically broken down in the large urban centers of America. This is especially true of the schools. Not only does their health service not function, but their attendance control is in a state of collapse. Children are not learning. The Project is conducting literacy classes for non-retarded youth who are at the seventh grade or above.

At the present time the unemployment rate for married men is about four per cent and shortages of skilled labor are being forecast. At the present time the unemployment rate for inner-city youth over 16 and under 21 and out of school is in excess

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<sup>10</sup>"Health Care of Incarcerated Youth," in Adolescent Health Care, ed. by Joan M. Morgenthau (New York: Adolescent Health Center, 1976), p. 68.

<sup>11</sup>Albert Deutsch, Our Rejected Children (Boston: Little, Brown and Company, 1950).

of fifty per cent. The poor health status of the youth in this Project merely reflects that they are from a segment of society which is not economically necessary. The crime they commit is simply the cheapest way of handling them for most of the cost is borne by the victims. We leave it to you to decide who is not a victim.

To: The Sub-Committee on Juvenile Crime

From: The Parkville-Fullerton Police Community Relations Council

Subject: Juvenile Crime

The continuous rise in juvenile crime must come to a halt. How long can this trend in crime continue? The figures show the number of juvenile offenders is charging upward at an alarming rate, and this is without considering the second time offenders. Could it be we are doing something wrong? Could it be that the youth of today know they can "GET OFF EASY"?

The Parkville-Fullerton Police Community Relations Council is made-up of concerned citizens working hard to help keep our communities safe. Each of our 27 members are representatives from a community association, church, or other civic minded organization. Through these representatives we are able to forward information about the work of our police department, and in return we receive information as to the feelings of the residents in our area. These are tax paying citizens that have taken more than can be expected, and they want something done to correct the problems.

It is evident that something must be done, but in what area should we apply our efforts? We have enclosed copies of bills The Parkville-Fullerton Council had introduced in Maryland's Senate and House of Delegates. Also please find copies of three Editorials of which we are in support. Also we felt it very important to include a copy of a letter we received from Sandra O'connor, State's Attorney for Baltimore County.

We are sure with this material there is no question as to the position of The Parkville-Fullerton Police Community Relations Council.

*Howard Beaulieu*

Parkville-Fullerton Police Community Relations Council  
 Parkville Police Station  
 Putty Hill Ave.  
 Baltimore, Maryland 21234



61r1411

## HOUSE OF DELEGATES

No. 534  
(PRE-FILED)

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By: Delegate Kernan  
Requested: November 10, 1975  
Introduced and read first time: January 14, 1976  
Assigned to: Judiciary

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## A BILL ENTITLED

AN ACT concerning	35
Eligibility for Parole - Violent Crime	38
FOR the purpose of providing that a person convicted of a violent crime against the person of another shall not be eligible for parole consideration until he has served 50 percent of his sentence.	42 43 44
BY adding to	46
Article 41 - Governor-Executive and Administrative Departments	49 50
Section 122(c)	51
Annotated Code of Maryland	52
(1971 Replacement Volume and 1975 Supplement)	53
SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That new Section 122(c) be and it is hereby added to Article 41 - Governor-Executive and Administrative Departments, of the Annotated Code of Maryland (1971 Replacement Volume and 1975 Supplement) to read as follows:	56 58 59 60 62
Article 41 - Governor-Executive and Administrative Departments	65 66
122:	69
(C) NO PERSON WHO HAS BEEN SENTENCED TO IMPRISONMENT FOR A CRIME OF VIOLENCE INFLICTED ON ANOTHER SHALL BE ELIGIBLE FOR PAROLE CONSIDERATION UNTIL HE SHALL HAVE SERVED ONE-HALF OF THE TERM OR CONSECUTIVE TERMS OF HIS SENTENCE.	72 73 74

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.  
Numerals at right identify computer lines of text.

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HOUSE BILL No. 534

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1976. 78  
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## HOUSE OF DELEGATES

No. 1193

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By: Delegate Boozer (By Request)  
 Introduced and read first time: February 4, 1976  
 Assigned to: Judiciary

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## A BILL ENTITLED

AN ACT concerning	34
Juvenile Delinquency - Criminal Prosecution	37
FOR the purpose of providing that a certain court, under certain conditions, does not have jurisdiction over a child of a certain age.	41 42
BY adding to	44
Article - Courts and Judicial Proceedings	47
Section 3-804(d) (5)	49
Annotated Code of Maryland	51
(1974 Volume and 1975 Supplement)	52
SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That new Section 3-904(d) (5) be and it is hereby added to Article - Courts and Judicial Proceedings, of the Annotated Code of Maryland (1974 Volume and 1975 Supplement) to read as follows:	56 58 59 61 62
Article - Courts and Judicial Proceedings	65
3-804.	68
(d) The court does not have jurisdiction over:	71
(5) A CHILD 15 YEARS OR OLDER ALLEGED TO HAVE COMMITTED A DELINQUENT ACT IF THE CHILD HAS BEEN THE SUBJECT OF PAST JUVENILE PROCEEDINGS ON AT LEAST THREE SEPARATE OCCASIONS FOR ACTS WHICH, IF COMMITTED BY AN ADULT, WOULD BE FELONIES.	73 74 75 76
SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1976.	80 82

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
 [Brackets] indicate matter deleted from existing law.  
 Numerals at right identify computer lines of text.

## SENATE OF MARYLAND

No. 628

By: Senator Hutchinson  
 Introduced and read first time: February 12, 1976  
 Assigned to: Judicial Proceedings

## A BILL ENTITLED

AN ACT concerning	34
Removal of Children from Juvenile Jurisdiction	37
FOR the purpose of removing those children previously convicted of a certain number of felony type crimes and accused of another one from the jurisdiction of the Juvenile Court.	41 42 43
BY adding to	45
Article - Courts and Judicial Proceedings	48
Section 3-804(d) (5)	49
Annotated Code of Maryland	50
(1974 Volume and 1975 Supplement)	51
SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That new Section 3-804(d) (5) be and it is hereby added to Article - Courts and Judicial Proceedings, of the Annotated Code of Maryland (1974 Volume and 1975 Supplement) to read as follows:	54 56 57 59 60
Article - Courts and Judicial Proceedings	63
3-804.	66
(d) The court does not have jurisdiction over:	69
(5) A CHILD ALLEGED TO HAVE COMMITTED AN ACT, WHICH, IF COMMITTED BY AN ADULT WOULD BE A FELONY AND IF THAT CHILD HAS BEEN ADJUDICATED DELINQUENT THREE TIMES FOR ACTS, ARISING FROM SEPARATE INCIDENTS, WHICH, IF COMMITTED BY AN ADULT WOULD BE FELONIES.	71 72 73 74
SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1976.	78 80

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
 [Brackets] indicate matter deleted from existing law.  
 Numerals at right identify computer lines of text.

# EDITORIAL

# EDITORIAL

## WJZ-TV 13

#2435

### JUVENILE SERVICES CAUGHT IN A TRAP---1

Presented by

Joel A. Segall, General Manager

August 24, 1975 - 6:55, 11:25 PM

The rise in juvenile crime is one of the most frightening trends in the country. In Baltimore City alone, juveniles are responsible for over fifty percent of all crimes committed. But the State of Maryland seems to be trying to cripple the efforts of the Juvenile Services Administration to deal with the problems. The State Department of Health and Mental Hygiene controls the budget of Juvenile Services and is allowing no substantial increase in fiscal 1977. So because of inflation, Juvenile Services Director Robert Hilson has been forced to make dangerous cutbacks.

Mr. Hilson has had to drop about half of fifteen programs supported by Federal funds which run out next year. The State refuses to pick up the tab. But that's false economy. These programs save Maryland a lot of money. They concentrate on crime prevention and keep less serious offenders out of overcrowded training schools and away from hard-core delinquents. And would you believe, it costs \$12,000 a year to keep a child in training school and no more than \$2,000 to keep him in one of these programs?

Mr. Hilson has been able to salvage some of these programs---but only by dropping nearly all State funding for 17 neighborhood youth centers. The centers have been invaluable in treating juvenile problems successfully for years all over the State. They depend on State and local government support, but local governments just can't afford to carry the cost alone. And yet to close the centers would be a disaster which just shouldn't happen.

The big problem is that Juvenile Services is caught in a budget trap by the Department of Health and Mental Hygiene. A possible solution lies in removing Juvenile Services from that monstrous bureaucracy. We'll discuss that tomorrow.

# EDITORIAL

# EDITORIAL

## WJZ-TV 13

#2436

### JUVENILE SERVICES CAUGHT IN A TRAP---2

Presented by

Joel A. Segall, General Manager

August 25, 1975 - 1:25, 6:55 PM

August 26, 1975 - 1:15 AM

Yesterday we said that the Maryland Juvenile Services Administration is being seriously crippled in its efforts to deal with the problems of young people. This is because of budget limitations and layers of bureaucracy imposed on Juvenile Services by the State Department of Health and Mental Hygiene. The department refuses to give Juvenile Services a good working budget. So Director Robert Nilson has been forced to juggle funds for fiscal 1977 and kill or water down many successful programs, just when they're needed more than ever.

As we see it, Juvenile Services can function effectively only as an independent department which can deal directly with the Governor on matters of budget. Even Dr. Neil Solomon, Secretary of Health and Mental Hygiene, thinks Juvenile Services doesn't belong in his department. He points out that the work of that division is completely unrelated to the rest of the department.

Also, in a recent study of State governmental operations, the Sherbow Commission recommended that Juvenile Services be taken out of the Department of Health and Mental Hygiene. It suggested that the administration be placed under the Department of Human Resources, where it would be one of three divisions instead of fifteen in Health and Mental Hygiene, all fighting for a slice of the pie.

That's only a step in the right direction. Juvenile experts agree that the real answer is a Department of Juvenile Services, completely independent of any other bureaucracy. With the terrifying rise of juvenile crime in the country, Maryland can't afford to obstruct the work of Juvenile Services. It's up to the 1976 General Assembly to free the administration from layers of red tape so that it can get directly to the business of handling juvenile problems.

**EDITORIAL  
EDITORIAL****WJZ-TV 13**

#2568

**THE BLOUNT RESOLUTION:  
A WAY TO REDUCE JUVENILE CRIME**

Presented by

Joel A. Segall, General Manager

February 26, 1976 - 1:00 & 7:00 PM News  
February 27, 1976 - 1:15 AM

Juveniles present this country's most frightening crime problem. We see the evidence every day, in the newspapers, on television, and sometimes on our own streets. In Maryland, the Juvenile Services Administration is the one agency with the most potential for dealing with this problem. Yet its efforts are crippled by layers of bureaucracy. The reason is that Juvenile Services has to operate within the confines of the Department of Health and Mental Hygiene, where it's one of fifteen divisions fighting for a slice of the same pie. Senator Clarence Blount has introduced a resolution in the General Assembly that could lead to an autonomous State agency really equipped to tackle the juvenile situation. The resolution calls for a gubernatorial commission to study the feasibility of establishing an independent Department of Youth Affairs. The commission would report to the Legislature in time for action by the 1977 General Assembly.

WJZ-TV suggested this move last year in order to free Juvenile Services from bureaucratic competition. An independent department would deal directly with the Governor on budget matters. So department officials would waste less time with red tape and politics and concentrate all forces on the juvenile problem. It could get more out of the same tax dollars allotted to the current Juvenile Services Administration.

Reduction of juvenile crime has to have top priority in Maryland. It seems to us that Senator Blount's resolution provides the most effective approach to the problem, and we urge the General Assembly to pass it during this session.



## State's Attorney for Baltimore County

HOWARD B. MERKER  
DEPUTY  
STEPHEN MONTANARELLI  
DEPUTY

SANDRA A. O'CONNOR  
COURT HOUSE  
TOWSON, MARYLAND 21204

484-8800

June 3, 1976

Mr. Jim Carter, Treasurer  
Parkville-Fullerton Police  
Community Relations Council  
8712 Roper Road  
Baltimore, MD 21234

Dear Mr. Carter:

I appreciate the interest you and the Parkville-Fullerton Police Community Relations Council have taken in the various crime problems that confront our county.

This Office is well aware of the increasing load of juvenile cases and incidents of juvenile arrests. Under the present juvenile law, it is unfortunate that 75% of these cases are handled on an informal basis, that is to say, that the Department of Juvenile Services reviews each juvenile arrest without prosecutorial input and makes a determination as to which cases should further proceed to formal juvenile hearings. Out of all the arrests that are reviewed, only about 25% are recommended for Juvenile Court. Again under the law and present judicial attitude, most of these cases are treated with probationary status with few exceptions of incarceration. The problem is further complicated by the total lack of juvenile correctional facilities in which to house the serious offender. This administration has taken a very hardline view towards the prosecution of juvenile cases and is trying to the best of our ability to see that the victims are fairly represented and to push for stiff dispositions.

Your question specifically refers to the Baltimore County curfew law. We have reviewed the existing new legislation in the City imposing a curfew on juveniles and have considered the possibility of requesting such legislation in the County. It is our opinion at this time that several factors discourage present action.



Mr. Jim Carter -  
June 3, 1976  
Page Two

First, there is a clear question of the constitutionality of the curfew law which I am sure will be tested in our courts within the near future.

Secondly, the law by practical necessity applies only to 15 and under. Much of the present crime rate is attributable to juveniles 16 and 17 who would not be covered under the curfew law.

Next, the problem which I spoke of in the beginning of this letter concerning attitude and lack of facilities would discourage law enforcement officials because the end result may well be meaningless.

We have not discounted completely the support of a curfew law and in fact, have looked into the possibility of an alternate solution such as a school curfew law. This would simply say that a juvenile on the streets during school hours without written authorization would be in violation of the law. We are presently gathering statistics to determine if this would be justified; however, I would recommend that no action be taken until the constitutionality of the City's legislation is determined.

An area of concern by this Office and other prosecutor's offices in this State is that the present juvenile age is 18. We have supported and will continue to support legislation lowering the age to 16 and would appreciate any help that you can lend in this area.

If you have any further questions or would be interested in hearing from me and/or Mr. Howard Merker, my deputy in charge of the juvenile area, we would be very happy to answer your questions.

Sincerely,



SANDRA A. O'CONNOR  
STATE'S ATTORNEY  
FOR BALTIMORE COUNTY

SAO/k1

FIFTH JUDICIAL CIRCUIT OF MARYLAND,  
Westminster Md., June 22, 1976.

Hon. Senator CHARLES MCC. MATHIAS, Jr.,  
U. S. Senate,  
Washington, D.C.

DEAR MAC: I received yesterday your letter of June 16 advising me of the meetings on June 22 and June 24 of the Subcommittee of the Senate Judiciary Subcommittee to Investigate Juvenile Delinquency. Unfortunately, this late notification makes it impossible for me to attend as I am scheduled for Criminal Court on both of these days and, naturally, such matters cannot be postponed.

However, I am constrained to take this opportunity to suggest that, in my opinion at least, the Juvenile Justice and Delinquency Prevention Act of 1974 has done little to alleviate our problem. Also, it is my feeling that you should hear from some of the less populated areas as to their problems and efforts to solve same as I note that practically all those that are scheduled to appear before the Subcommittee are from the urban areas. Of course, I would be the first to acknowledge that their juvenile vexations far outstrip ours but, by the same token, I sometimes feel that many cannot see the woods for the trees. I do note that you have scheduled James Doolan, the Director of the Carroll County Youth Services Bureau, who can, I believe, set forth the view of the growing rural areas. However, he certainly appears to be the only one in that category.

I might say that this correspondence is partly motivated by the current suggestion for a panacea for juvenile delinquency. This is to be accomplished by the abolishment of juvenile masters and making them all judges. Frankly, I think the success or failure of any program will be dependent upon the person handling the assignment and not his title. I know that I am far outnumbered in my feelings against this movement, but I am taking the liberty of briefly advising you of our opinion in the hope that your Committee will consider all suggestions and adopt nothing permanently without a reasonable test program.

With kindest personal regards, I am,

Sincerely,

E. O. WEANT, Jr.

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CITIZENS CONCERNED FOR JUVENILE JUSTICE,  
Baltimore, Md., June 22, 1976.

DEAR SENATOR MATHIAS: The notice of today's meeting arrived only on June 19 so we could not be listed to speak on the 24th. Mr. Zacagnini (Sp.?) phoned to say that the enclosed will be placed in the Congressional Record. We hope for an earlier delivery another time!

We are a State-wide independent coalition of individuals which has been working since 1973. We are much heartened that a man of your calibre will help with the task and hope you will meet with three from our board very soon to talk about the body of our mutual concerns. The enclosed statement for the Record is the skeleton.

Sincerely,

BETTY THOMPSON.

---

CITIZENS CONCERNED FOR JUVENILE JUSTICE,  
Baltimore, Md.

TO SENATOR MATHIAS: Citizens Concerned for Juveniles, organized in 1973 after publication of The John Howard Association Report on juvenile justice in Maryland, is a loose coalition of organization members and other individuals.

We have gathered many to our banner in fighting the proposed 100-bed maximum security institution, in pushing passage of S.B. 1064 which keeps non-delinquent children from being housed with delinquents, we persuaded Governor Mandel to allow Juvenile Services to purchase services for children in their own homes rather than place them in residential care, we have created community awareness of the conditions in training schools by showing some 50 times a movie we bought from CBS called *No one Coddled Bobby*. (Morley Safer-Mike Wallace 60 Minutes). All who saw it seemed convinced that community facilities are necessary, large institutions destructive.

Among the over 400,000 citizens represented by their spokesmen in Annapolis against the maximum security prison were the J.C.'s, The American Legion, Maryland Cong., P.T.A.'s, NAACP, Greater Baltimore Com., Interdenominational Ministerial Alliance. We marshalled the group.

Among the important things *not* accomplished are adequate funding for court service personnel, funding for programs of prevention, sensible budgeting procedures in the administration and legislature. We have to add that co-ordination and co-operation between School, Social Service and Juvenile Service bureaucracies is minimal where it exists at all, with resulting waste, duplication and loss of help for children.

One example of frustrating non-activity may be enlightening. When Governor Mandel wanted to build the max. sec., he promised that \$450,000/year just for interest on the loan would be available in 1977. The max. sec. is not being built, the \$450,000 is somewhere.

Two inexpensive and successful pilot programs *detention at home with intensive supervision* and *probation at home with same* need to be expanded. If they were overcrowding would cease at training schools. The Governor should be able to find \$450,000 for expansion since he doesn't have to pay interest on loans. We think he can and should and do not accept any evasions about operating budgets having nothing to do with capital budgets.

In closing, let me say we are as one in giving first priority to prevention with services to start early, early, early. Your Juvenile Delinquency Prevention Act funnels most of its funds to this state through LEAA of Md. whose philosophy does not embrace prevention. Mr. Wirtz the spokesman seems to think LEAA should not be involved with a child who is not already in some trouble. This is not prevention. Perhaps the funds should go to some other agency?

Respectfully submitted.

BETTY K. THOMPSON,  
President, Cit. Concerned w. JJ.

USEFUL COST DATA

Services (FY 1975)	No.	Served/Year	Cost
Community Arbitration <sup>1</sup> .....	2309	Feb. 1, 1975 to Feb. 29, 1976	\$35.60/case/child
Community Detention .....	313	(successful pilot program)	\$335.00/child/year
Purchase of Services <sup>2</sup> .....	250		\$683.55/child/year
Home probation w/intensive supervision.	225	(successful pilot program)	\$2,350/child/year
Youth Service Bureaus .....	(a) 3,593	for intensive formal counseling	\$212.00/child/year
	(b) 9,607	for informal counseling	\$70.00/child/year
Maryland Youth Residence Woodbourne.	37	(16, 17 years, difficult youth)	\$9,373.81/bed/year
Purchase of Care (Residential).	32 (D.J.S. Group Homes)		up to { \$7,695.81/bed/year \$7,200.00/bed/year \$2,600.00/bed/year \$3,650.00/bed/year
	375 (private group homes with some D.J.S. support)		
	c. 2,441 Foster care (more beds needed)		
	2,794 Shelter care		
Detention in institutions .....	5,703	{ 4,544 (Training Schools) 1,159 (Waxter Ch. Center)	\$13,238.55/bed/year
Institution—	{ Md. Tr. School Montrose Forestry Groups Boys Village	{ 659 519 346 77	total 1601 \$12,131.40/bed/year

<sup>1</sup> Without going to court, lawyer paid by State fixes blame, meets penalty, fixes costs, closes case, sometimes refers youth to Youth Service Bureau and/or other services.

<sup>2</sup> Child lives home, has counseling and other services from community resources.

CITIZENS CONCERNED FOR JUVENILE JUSTICE

CCJJ is an organization of persons who are deeply concerned for the problems of juveniles. The organization began as a response to the call for citizen action which

issued from the Citizen Conference on the Prevention of Juvenile Delinquency held at the Hunt Valley Inn, November 18, 1972, under the sponsorship of the Governor's Commission on Law Enforcement and the Administration of Justice.

Most members and associates are representative of educational, charitable, political, professional and other social organizations in the State, including the following:

American Assoc. of University Women  
 Americans for Democratic Action  
 Baltimore Baptist Assn.  
 Baltimore Urban League  
 Bethesda Women's Rep. Club  
 Brown's Super Market  
 Catholic Charities, Baltimore  
 Center for Juvenile Justice Inc.  
 Cherry Hill Co-ordinating Council  
 Christian Social Ministries  
 Community Co-ordinated Child Care, Inc.  
 Community Ministries  
 Drug Action Coalition, Montgomery County  
 Family and Children's Society, Baltimore  
 Greater Druid Hill Community Council  
 Juvenile Law Center, U. Md.  
 Legal Aid West, Baltimore  
 League of Women Voters, Baltimore City, Baltimore County, Anne Arundel, Montgomery & Prince George's Counties  
 Legislative Com. Unitarian Universalists of Maryland (LegiCUUM)  
 Little Important People Inc., Baltimore  
 Lutheran Social Services, Baltimore  
 Md. Assoc. of Youth Service Bureaus  
 Md. Assoc. of Residential Facilities for Youth  
 Md. Churches United  
 Md. Conference of Social Concern  
 Md. Congress of P.T.A.  
 Montgomery Co. Federation of Republican Women  
 Montgomery Co. Juvenile Court Committee  
 N.A.A.C.P.  
 Nat'l Conference of Christians & Jews  
 Nat'l Council of Jewish Women, Balto. Co., Anne Arundel Co., Baltimore City  
 New Democratic Coalition of Baltimore City  
 Potomac Women's Republican Club  
 St. John's Council  
 Task Force for Juvenile Justice  
 U. Md. School of Social Work  
 Women on Watch, Montgomery Co.  
 Women's Suburban Dem. Club, Montgomery County

BALTIMORE, MD. June 22, 1976.

Re: Juvenile Delinquency.

Senator CHARLES MATHIAS,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR MATHIAS: I would like to comment on your concerns over Juvenile Delinquency and the inadequate funding allotted to programs that deal with delinquency. Although I understand the concerns and am sympathetic, I would like to say that they are dealing with adolescents after the fact; after the child has gotten into trouble with the community.

My concerns are with before the fact children. To continue to inadequately fund services to families and children from 0-12 years old would be more preventative and in the long run less costly.

Violence begins at home. The number of suspected child abuse cases in Maryland was 1,251 in 1974, 1,521 in 1975 and 593 in the first three months of 1976. Child Neglect although less life threatening to the child is just as insidious in terms of his later social adjustment to the community. Child Neglect cases in Maryland average from 6-10 times the number of abuse cases yearly. In Maryland we are dealing with about 16,000 families where abuse or neglect exist. This unfortunately is probably only part of the child population at-risk because of under reporting by public/private schools, hospitals (other than JHH and U. of Md.), private physicians and the like.

The Department of Social Services in the city and the counties is the agency, which is mandated under law to investigate and give services to families where abuse and neglect occur, is grossly understaffed. In Baltimore City, the Protective Services caseworker has about 50-60 cases (about 150-200 children). A serious case needs about 15 hours of work in the first week; as you can see they are working on a crisis basis. The caseloads in the county run about 1:30 or 40. The Protective Services caseworker uses other community resources in the treatment plan for the family. One important component when working with families with young children is Day Care; to get any child into Day Care has become extremely difficult.

I know that Congress passed the Child Abuse Treatment Act of 1972. Although this has been a step in the right direction, because of its limitations in funding it can never be the answer. Volunteer programs such as Parents Anonymous, although effective can not substitute for professional treatment services for parents and children.

Juvenile Delinquency does not just start at age 13 for no reason. These are children who have been repeatedly mistreated, abused and neglected at the hands of their parents who were probably raised in the same manner. When is this vicious cycle going to stop?

Sincerely,

DEBORAH D. KELLY

DELEGATION SUBCOMMITTEE on JUVENILE JUSTICE

Interim Report to  
The Anne Arundel Delegation  
December 8, 1975

Del. Robert R. Neall, Chairman  
Del. Harold L. Bachman  
Del. Donald L. Rosenhine  
Del. Elizabeth S. Smith



HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21404

ROBERT R. NEALL  
ANNE ARUNDEL COUNTY  
DISTRICT 23  
MEMBER  
APPROPRIATIONS COMMITTEE

December 8, 1975

DELEGATION OFFICE  
HOUSE OFFICE BLDG.  
ROOM 218  
ANNAPOLIS, MARYLAND 21404  
287-1300  
DISTRICT OFFICE  
P. O. BOX 200  
DAYTONVILLE, MARYLAND 21035

Delegate Tyras S. Ashby, Chairman  
Anne Arundel County Delegation  
Room 214, House Office Building  
Annapolis, Maryland 21404

Dear Mr. Chairman:

I am pleased to present to you a preliminary report on the work of the Delegation Subcommittee on Juvenile Justice. The Subcommittee has been working diligently throughout the interim and has brought forth a number of recommendations intended to deal directly with the numerous problems in our schools and within the juvenile justice system. For the purposes of this report to you, the subcommittee has listed the problem observed and the subcommittee's recommendation to deal with the problem. In most instances the subcommittee has come to a unanimous consensus on the recommendation.

It is the hope of the subcommittee that the Anne Arundel Delegation will carefully consider the recommendations and then act, either in the form of legislation or by formal recommendation to the agency involved.

I would be remiss if I did not mention the splendid co-operation of the dedicated group of citizens which served unselfishly throughout the study.

The subcommittee will, of course, be happy to discuss any of the recommendations in the report or answer any questions that might arise.

Sincerely,

ROBERT R. NEALL  
Chairman  
Subcommittee on Juvenile Justice

RRN:jlf

BACKGROUND INFORMATION

The Delegation Subcommittee on Juvenile Justice was appointed by Chairman Athey early in the 1975 General Assembly Session. The committee was established as a result of statements by local police and education officials that the juvenile problem was the most serious one facing law enforcement and the educational systems.

The subcommittee held four public hearings in February and March to ascertain the scope and severity of the problem. Although turnouts were small, the subcommittee found that trouble in the schools were widespread and that juvenile crime was a serious problem in all areas of the county. The subcommittee decided that the best method to employ to satisfactorily study this problem would be to involve as many groups from the community as possible. The subcommittee assembled a group consisting of educational officials; teachers, counselors and administrators, individuals involved in the legal process; police, states attorney, and parole and probation workers; and citizens from the community at large. Students also played an active part in the study.

The subcommittee then divided itself into two groups. One group concerned itself with problems concerning the educational system; the other with problems in the juvenile justice system. The groups concentrated on problems which had been brought to the attention of the subcommittee and also focused on problems which had been discovered during the course of the investigation.



The group met on a regular basis from August through November. The basic format at the meetings was to review materials presented to the group, to discuss specific problems brought to the group by members of the community and to generate possible solutions to many problems presented to the group.

After much discussion and deliberation the group has recommended to the Delegation some proposals which could be instrumental in dealing with the juvenile justice problem. They are listed in no particular order of priority.

1. Problem - Destruction of property is one of the most prevalent and most costly crimes perpetrated by juveniles both in the school system and in the community.

Solution - The subcommittee feels very strongly that the restitution law should be more stringently enforced. When vandalism of private property occurs, restitution is the only tangible evidence the victim has to show him that the problem has been dealt with. If the family is indigent then the court should order the youth involved to devote time to a project.

2. Problem - In many cases the parents are just as delinquent as the children. These parents will not participate in any activity to help their child. This lack of co-operation cripples any attempt to deal with youths who are in trouble.

Solution - The subcommittee feels strongly that parents are many times more to blame than their children and should be required to participate in remedial activity concerning their children. There is a bill pre-filed under Del. Aiken which would require counseling under certain circumstances. (This bill will probably get a rough time in Judiciary Committee.) Another way of accomplishing the same solution would be to make the parent a party to the crime his child commits. (Research is still being done on this concept.)

3. Problem - Because of the drastic increase in juvenile crime, the Department of Juvenile Service is swamped. Some of the parole and probation people have case loads in excess of sixty families. There is NO way proper oversight of youths on probation can take place under these circumstances.

Solution - The subcommittee fully realizes that funds are hard to come by these days, but additional funding in this area would pay great dividends. The

group worked out a proposal for a number of para-professionals, perhaps community college graduates, could be utilized to reduce the burden now placed on the existing staff. The subcommittee had a fiscal note prepared which amounted to \$122,676 which included all costs to add 15 positions to Department of Juvenile Services. This figure includes all equipment, fringe benefits and mileage. Again the subcommittee feels that this recommendation holds great promise in solving many of the problems in the juvenile justice system. (Fiscal note available for review.)

4. Problem - Many of the problems in the school system have other problems than behavior problems, i.e. learning disability, emotional problems, etc. Many of these problems manifest themselves early in a child's school career. Hence a child goes through school getting further and further behind and begins to become a behavior problem.

Solution - An early identification program is presently being considered by the County Board of Education. A program of this type will recognize deficiencies "early in the game" and provide an opportunity for correcting the problem. A program of this type could have a significant impact on the number of future behavior problems in the schools.

5. Problem - The county-wide ratio of counselors to students is about 1 to 750. Obviously no real guidance can be provided with a ratio such as this.

Solution - Again realizing that funds are scarce, perhaps an additional counselor could be provided in schools having severe problems. The subcommittee also suggests that during course selecting time that parents be utilized to increase the numbers of adults on hand to assist the students in choosing the next term courses.

6. Problem - The subcommittee found that many students in the school system do not wish to pursue an academic education and are consequently behavior problems. Vocational training is not available until the tenth grade. Many children have already dropped out of school by that time.

Solution - Ask the County Board of Education to study the feasibility of offering vocational courses beginning at the 8th grade level. We feel that offering these kinds of alternatives earlier will keep more youngsters in school and will be teaching these youngsters skills that will be useful to them when they leave school.

7. Problem - Trespassing on school property by outsiders and trespassing by students on private property adjacent to schools is one of the more prevalent complaints throughout the county.

Solution - In order for the police to be able to enforce the trespassing law, it must be posted. Therefore, the school system should post problem areas on private, as well as public property. By consulting aggrieved property owners and having areas posted, the police will be able to move in on a regular basis and keep these areas clear. Also, the school system should notify the student body either in the school handbook or in another fashion as to which areas are not to be used.

8. Problem - Truancy is at times rampant in the Anne Arundel County School System and this activity does much to undermine academic progress as well as school security.

Solution - Realizing that staffing is not sufficient to constantly police attendance records for truants, the subcommittee recommends attendance crackdowns in short bursts at times when truancy gets out of hand.

9. Problem - Many disruptive students have not reached the age of 16 when mandatory school attendance is no longer required.

Solution - The Subcommittee feels that clear, legal authority should be given to the recommendation to remove students regardless of age if he presents a danger to himself or others or if the student disruptions make it impossible for the school to function in a satisfactory manner.

(Bill is under draft at present time.)

10. Problem - Anne Arundel County has no alternative for dealing with juvenile offenders other than those operated by the state. Many times an offender receives no sentence other than probation because there is no suitable place to send him for rehabilitation. No real reform of the Juvenile Justice System can take place unless we have an institution to which these youths could be referred with confidence. The subcommittee reviewed many proposals along this line but could not always agree as to how such a system would be set up.

Solution - The chairman acquired a document about the Providence Educational Center in St. Louis, Missouri. This is an institution established under an LEAA grant to deal with juvenile delinquents. Its method was basically an intensive structured educational program with counseling, career guidance and strict discipline. The juveniles served by this center were all adjudicated delinquents and referred there as part of their sentence. The program was so successful that the project achieved exemplary status at LEAA. The program was well received by the citizens group as well as the subcommittee. The Chairman is scheduled to visit the institution before the end of the month. Further details will be available. It is important to note that whether Anne Arundel County uses this prototype or another one, that there is a tremendous need for a locally operated juvenile corrections center so that we can deal with problem children locally and devote numerous community resources to rehabilitating these youths. The state institutions cannot do the job.

## Providence Educational Center

As an alternative to incarceration in a training school, The Providence Educational Center (PEC) in St. Louis, Missouri provides intensive remedial education and counseling to adjudicated delinquents. Teams of professional counselors, educators, and social workers develop and implement an individualized program for each child to improve his educational and social adjustment skills. This program has demonstrated notable effectiveness in treating adjudicated delinquents who have a history of truancy, poor school performance, and behavior problems. PEC has decreased the incidence of further offenses among the youngsters it serves, increased their ability to function in the public schools or on the job, and strengthened their family relationships.

Specifically, PEC's goals are:

to reduce street crime among those students enrolled in PEC;

to reduce truancy and improve educational skills, especially in reading;

to engage students in a therapeutic program which will rehabilitate students by developing a more positive self-concept and thus increase social adjustment;

to work with parents of all students; and

to orient each youth toward a successful placement in public schools, vocational schools, employment.

PEC's program is comprised of three closely coordinated and inter-related components: educational, social services and aftercare. Thus, while PEC is basically a school, the students receive regular counseling and assistance in dealing with their attitudes, self-image, and social relationships. Further, they are given continuing support and help in making the transition back into the community.

PEC is different from traditional juvenile treatment institutions in that it is non-residential---youths live at home or in group homes---and are able to provide a comprehensive range of services tailored to the needs of each youth. It is also different from most standard juvenile probation programs in that it provides more intensive and individualized treatment than most youths on probation could receive from public schools or other community service agencies.

The St. Louis Juvenile Court has been the primary source of referrals to PEC. Criteria for referral to PEC are not very specific, but informal and subjective. The most common criteria mentioned by court officials was the "judgement" of the juvenile officers that a juvenile could benefit from PEC's program. To be eligible for admission to PEC, however, youths must meet the following basic criteria:

1. They must have had prior involvement with the Juvenile Court and be under the active supervision of a Deputy Juvenile Officer and/or caseworker
2. They must be between 12 and 16
3. They cannot be either seriously emotionally disturbed, handicapped, or retarded
4. They must be functioning on a less than eighth grade reading level
5. The referring agent, parent, and child must agree to an on-going and active involvement with the program.

Referrals to PEC include both informal and formal procedures. Since PEC's staff and administrators have on-going relationships with Juvenile officers and other officers of the court, preliminary discussion of a proposed referral is often informal. This kind of discussion prior to initiation of formal referral procedures gives the officer and staff a chance to clear up all questions prior to a formal request. The formal referral procedures begin when the agency initiating the referral forwards a completed PEC Application for Admission form and other diagnostic information, including a case write-up on family and social background and history of past offenses and medical problems. A PEC file is then opened on the referred youth and is directed to the Director of Social Services and the principal for their review and recommendations. If their review indicates that a youth falls within PEC's eligibility guidelines, an interview or "Intake Staffing" is scheduled usually within one week of the receipt of a completed application for admission. The "Intake Staffing" brings together the referring agent, the youth being referred, the social service worker, and the school principal. Everyone, except the parents and child, is responsible for reviewing all case materials prior to the "Staffing." The "Staffing" serves four purposes:

1. To provide all involved with the opportunity to make a preliminary determination about acceptance or rejection into the program
2. To orient parents and the youth to PEC's program, the responsibilities of each party involved in the referral, and PEC's procedures, rules and goals

-3-

3. To gain a sense of the youth's understanding of the reasons for his referral and his interest in attending Providence
4. To develop an initial program for the youth that is mutually agreed upon by all involved.

Once accepted into the Providence program, the youth is assigned to a specific class by the principal and social service worker involved in the "Staffing." Now starts an on-going process of diagnosis and assessment of learning skills and social adjustment. Every month each student's treatment plan is review and re-assessed not only by the staff, but also by the student. Each treatment plan is then a flexible tool used to coordinate both the Educational and Social Services components of PEC's program. Coordination of these components is accomplished through regular departmental meetings and bi-weekly meetings of classroom teams (two teachers and a social worker).

After a youth is felt ready to enter back into the public school system or employment, he is kept under the supervision of the Aftercare Component (a Director and staff member). It works directly with the student and gains important feedback useful in modifying and improving PEC's program. Some of the major difficulties in this transition period are the adjustment to larger classes and the impersonality and formality in public schools. Once PEC's staff feels that a student is ready to "graduate" from the program, Juvenile Court is informed and court approval requested in those instances where enrollment in PEC is a condition of probation. The court may agree and exercise one of several options: the youth may be continued on probation or probation may be terminated either informally or by formal court order. The court might, although never has, disapprove of PEC's recommendation and request continuing enrollment of the youth in the program. After the youth has "graduated," the Aftercare Component becomes the only link between the youth and PEC. This link is maintained for at least six months. About 20% to 25% of the "graduates" require regular and intensive care to prevent backsliding, like truancy.

PEC's core professional staff of administrator, management, teachers and social workers consists of twenty-six people, equally divided between black and white, male and female. All have Bachelor's Degrees, mostly in education and sociology. Three have Master's Degrees and one is a Ph.D. The facility is located in a predominantly black, low-income residential neighborhood, and consists of three stories and a basement. The 1973-1974 budget was \$421,969. Of this total, \$315,993, or 74.9%, was in the form of a federal grant from the Law Enforcement Assistance Administration of the U.S. Department of Justice. The remaining \$105,976, or 25.1% was a "local share" contribution. PEC's costs are substantially higher than the average per student cost incurred by the public school system, but are also considerably lower than the cost of treating delinquent youths in either of the other two institutional programs available to the Juvenile Court. PEC's cost per youth was \$3300 a year in 1972-73, whereas the Missouri Hills Home for Boys was \$6800 and The State Training School was about \$11,000. Thus PEC seems to offer an



alternative approach to the treatment of delinquents that is economical and relatively inexpensive compared to residential programs. PEC's boasts a recidivism rate of approximately 12%, while other programs conducted in the same area of St. Louis experience a recidivism rate of 50% or more.

KENSINGTON, MD., June 23, 1976.

HON. CHARLES MATHIAS,  
*Russell Senate Office Bldg.*  
*Washington, D.C.*

DEAR SENATOR MATHIAS: We were very impressed with your presentation on television on Tuesday evening, June 22, regarding the Juvenile Court system.

On May 26, 1976, we experienced an unbelievable day in Juvenile Court, Rockville, Maryland. This afternoon we called your office to ask whether your office would be interested in our case and we were directed to send our materials to Bob Kelley.

We will appreciate your interest and whatever your committee may do to improve the Juvenile Court System.

Sincerely,

STANISLAW M. LECH.  
MARIE M. LECH.



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE  
PUBLIC HEALTH SERVICE  
HEALTH RESOURCES ADMINISTRATION  
Bethesda, Maryland 20014  
November 24, 1975

BUREAU OF HEALTH PLANNING AND  
RESOURCES DEVELOPMENT  
Division of Facilities Development

*Miss Kelly -  
I will be away  
from my office thru 28  
through July 5th. Tel. 496-9161  
Marie M. Lech*

Dear

Our program (Hill-Burton) has changed names and also moved to a new location. I can now be reached at:

Division of Facilities Development  
Bureau of Health Planning & Resources Development  
Health Resources Administration  
Federal Building, Room 410  
9000 Rockville Pike  
Bethesda, Maryland 20014  
Phone: (301) 496-9161

*Marie M. Lech*  
Marie M. Lech  
Hospital Nurse Consultant  
Technical Assistance Branch

P.S. Actual Visiting Address is:

Federal Building (Room 410)  
7550 Wisconsin Avenue  
Bethesda, Maryland 20014

June 23, 1976  
 Marie M. Lech  
 4009 Simms Drive  
 Kensington, Maryland 20795

Joseph E. Owens, Attorney at Law  
 Chairman, Judiciary Committee  
 House of Delegates  
 502 Suburban Trust Building  
 Rockville, Maryland 20850

Dear Mr. Owens:

On May 26th, 1976, Judge Leonard Reuben summarily dismissed a case in Juvenile Court before the defense put on his case. A prima facie case was presented by my husband and by me. We both testified that Gregory Kraft admitted breaking the window in our house on November 1, 1975; yet Judge Reuben dismissed the charges at the close of the prosecution and before any defense was presented. We were not asked to be present in the court room when Judge Reuben dismissed the case. We learned of the dismissal when the attorney for the defense, Edward Gorman, rushed from the court room to the waiting room shouting, "We've won, we've won! Case dismissed!" Screaming behind him was the boy who broke the window, Gregory Kraft, and his friend, Robert Logan, who had been playing ball with him in our carport on the day the window was broken (November 1, 1975).

The sequence of events involving the Juvenile Court Intake Officer, Mary Torrison Smith, (who also without our knowledge dismissed the case at an earlier date and only rescinded her decision at our insistence), the activities and events of our day in Juvenile Court and the Judge's apology read more like fiction than fact. (Please see: Attachment I, items #1-9, Background Information re: Broken Window 12014 Galena Road, Rockville, Md.; Attachment II, Summary of Day's Activities in Juvenile Court, May 26, 1976; Attachment III, Summary of Meeting with Judge Reuben, May 26, 1976; and Attachment IV, Additional Experience with the Juvenile Court.)

Since we feel we have been denied our constitutional right of protection by law of our personal property, we respectfully request a review of the procedures carried out by Juvenile Court personnel and judges. We are absolutely stunned and cannot believe that this is how our judicial system functions. Needless to say, none of our friends or business co-workers can believe what we experienced. The principle involved here is that the present Juvenile Court system, which we observed, does not help the juveniles nor does it protect the public.

We feel the whole incident was not creditably handled, therefore, we will appreciate your immediate investigation of the matter.

Respectfully yours,

*Marie M. Lech*

Marie M. Lech  
 Nurse Director  
 U. S. Public Health Service

**ATTACHMENT I: BACKGROUND INFORMATION RE: BROKEN WINDOW, 12014 GALENA RD., ROCKVILLE, MD.**

SUNDAY, OCTOBER 26, 1975.

For the Record:

Re: Trespassing at 12014 Galena Road, Rockville, Maryland 20852

Re: Gregory Kraft and Robert Logan

On Sunday, October 26, 1975, I went to my house at the above address around 3:30 p.m. and found the gate to the carport left open and the iron rod which secures the gate missing. I then asked the boys who were playing on the street if they knew who had opened the gate to my carport, had removed the iron rod from the gate and who had been playing in the carport. The answer was that Robert Logan and his friend had been playing in the carport. I then went to the Logans' home and saw Robert and Gregory coming out of the house. When I asked them why they had opened my gate to the carport, removed the iron rod and had been playing in the carport Greg Kraft answered that they had played in the carport and backyard but the gate was open and they did not remove the iron bar. I told them that I had inspected my house at noon that same day and that I had left the gate closed and the iron bar was inserted in its place. They still denied the opening of the gate. I then went to talk with Col. and Mrs. Logan. After presenting the facts to them, Col. Logan summoned the boys to my carport gate and told them to cover the whole yard on their hands and knees to find the iron rod. He also forbade them to ever again play in my carport and yard. As soon as Col. Logan departed, Robert Logan and Greg Kraft found the iron rod under the big bush near the gate where they apparently had thrown it. After replacing the iron rod in the gate and closing the gate to the carport, I told the boys (Robert Logan and Gregory Kraft) that I never again wanted them to open my carport gate and play in the carport and yard. They nodded, indicating that they accepted my warning.

STANISLAW M. LECH,  
KENSINGTON, MD.

FOR THE RECORD:

Saturday, November 1, 1975  
through November 16, 1975

Re: Trespassing and breaking of window at 12014 Galena Road, Rockville,  
Maryland 20852  
re: Gregory Kraft and Robert Logan

At about 6:30 p.m., Saturday, November 1, 1975, we (Stanislaw M. and Marie M. Lech, owners of above property) received a telephone call from Mrs. Barbara Kach, (next door neighbor) saying she had just received a call from another neighbor (across the street) that a front window in our house had just been broken. My husband and I went there immediately. Mrs. Kach and her children greeted us in the driveway. The gate to the carport was open. I started asking questions as to who was in the carport, who had broken the window, and said that I was going to call the police, etc. Gregory Kraft suddenly stepped forward and said he did break the window playing ball with his friend, Robert Logan. Gregory said he would pay for the broken window, go home and tell his father about it and his father would take care of it. We complimented Gregory for accepting his responsibility and therefore said I would not call the police. I gave Gregory my business card adding my home telephone number to it. After not hearing from Gregory for several days I called him. He said he told his father and his father would take care of it. I called again and got the same response. The following week, the week of November 9th, I called and asked to speak to Mrs. Kraft. She put Mr. Kraft on the phone. He promised to call me the next day when he returned from work and we planned to meet at 12014 Galena Road. He did not call me on that day. I called his home about 10 p.m. and another son (not Greg) said his father was visiting a sick uncle in the hospital. I requested that Mr. Kraft call me. No response. On Saturday, November 15th, about 9 a.m. I called Mr. Kraft's home; another son answered and wanted to know who was calling, etc. I gave him my name and purpose adding that my husband and I would be at the Galena house at 10:30 a.m. and would be meet us there. He didn't appear and didn't call us during the rest of the day. At about 11:15 a.m. that same day I went to the Logan home. I told Col. Logan that I was surprised that neither Mr. Kraft nor he had contacted us. Col. Logan made a remark about our insurance company covering the damage, but I informed him that insurance companies do not; however, the principle here was the boys and their parents assuming responsibility. Mrs. Logan appeared and asked why I had waited so long; I replied that I had expected the boys and their parents to contact us and to assume the responsibility, thereby avoiding police records for their sons. Mrs. Logan told me the children always played in other people's yards, especially ours because it was on a hill and that she would not "become involved". I replied that if that was how she felt about her son and if she wanted him to have a police record it was her decision. I then got up and left. From there we went to the Kraft residence. Although there was a car parked in front of the house, no one answered the door. We waited all day to hear from the Krafts; there was no call. On Sunday, November 16th, we called the police. Officer Raspberry came to the Galena house and we presented him with our facts.

Marie M. Lech

*Marie M. Lech*

KENSINGTON, MD., DEC. 1, 1975

Mr. RICHARD B. KRAFT,  
*Rockville, Md.*

DEAR MR. KRAFT: Enclosed is a xeroxed copy of the bill covering the cost of replacing the front window in our house, 12014 Galena Road, Rockville, Md., which your son Gregory broke while playing ball with Robert Logan on Saturday, Nov. 1, 1975.

Sincerely yours,

S. M. LECH.







JANUARY 5, 1976.

## For the Record:

Mr. Kraft called this evening and asked me whether I had the broken window replaced. I said, I did and that I had sent him a xeroxed copy of the bill by certified mail and had no response from him. He said, he had never received the letter. I said, I had the signed receipt. I told him what the cost was and he promised to send me a check the following day. See attached receipt and bill.

STANISLAW M. LECH.

P.S. To date no check was received from Mr. Kraft.

FEBRUARY 27-MARCH 3, 1976.

## For the Record:

On February 27, March 1 and March 2, 1976, I made calls to Mrs. Mary Torrison-Smith, Intake Officer, Department of Juvenile Services, Juvenile Court Services Division, regarding the status of my complaint relating to Gregory Kraft and Robert Logan. I was unable to speak to her until March 3, 1976. I had also called Mr. Davis, Assistant Department Director on March 1, 2, and 3.

When I asked Mrs. Smith the status of the complaint, she said that after talking with the Krafts and Logans she assumed the matter had been taken care of. I asked how this could be possible when my husband and I, the victims, were never approached by the Department of Juvenile Services. We discussed the facts of the complaint and I requested a hearing. On March 8 I was notified that I would be advised of future action by the State's Attorney's Office or the court. On April 30, 1976 my husband and I were notified to attend the hearing set for 11 a.m., May 26, 1976 at the District Court of Maryland for Montgomery County.

MARIE M. LECH.

*Mem # 6*

Robert C. Nixon  
Department Director



DEPARTMENT OF JUVENILE SERVICES  
JUVENILE COURT SERVICES DIVISION

State of Maryland

15825 SHADY GROVE ROAD

ROCKVILLE, MARYLAND 20850

762-7700

*5/8/76*

RD Number 257-620

Dear *Mr. Link*

Our Department recently received a police report alleging a delinquent act; *Truancy*.

It is the function of our office to review the complaint and determine if the Court has jurisdiction and the juvenile's need for care, treatment or rehabilitation.

We have reviewed and considered this complaint with the child and his parents and feel judicial action would be appropriate. We have authorized the State's Attorney's Office to prepare a petition in this case.

You will be advised of future action by the State's Attorney's Office or the Court.

Sincerely,

*William Lewis Smith*  
Intake Officer

*11 am  
May 26 76*



DISTRICT COURT OF MARYLAND FOR MONTGOMERY COUNTY  
SITTING AS A JUVENILE COURT

Matter of .. Robert Logan & James Kraft ..... Docket No. ..564-76,565-76.....

WITNESS SUMMONS

STATE OF MARYLAND .....6th District, Montgomery..... County, To Wit:

TO: A. B.

Stanislaw Lech.....

(Address)

4009 Simms Drive...Kensington, Maryland

GREETINGS:

You are hereby summoned to attend a hearing in the above-entitled cause set for .11:00.....  
A.M./P.M. on the ..26..... day of ....May....., 19..76.., at ...15025.....  
Shady Grove Road, Rockville... Maryland, to testify on behalf of the State/Respondent.

IF YOU FAIL TO ATTEND, YOU WILL ANSWER AT YOUR PERIL.

ISSUED the ..30..... day of ..April....., 19...76

WITNESS the Honorable .....Douglas H. Moore, Jr....., Judge  
of the ..Juvenile..... Court for ..Montgomery..... County, Maryland.

(SEAL)

*Evelyn P. [Signature]*  
Clerk

RETURN OF SERVICE

Summoned .....  
by personal service [[and delivering]] of a copy of  
this Summons to the said .....  
at ..... this ..... day  
of ..... 19.....

Non Est: .....  
Other: .....

ATTEMPTS AT SERVICE

Date	Time	Date	Time
.....	.....	.....	.....
.....	.....	.....	.....

By: .....  
Deputy Sheriff/Police Officer/Other

*Item # 8*



DISTRICT COURT OF MARYLAND FOR MONTGOMERY COUNTY  
SITTING AS A JUVENILE COURT

Matter of Robert Logan & James Kraft ..... Docket No. ... 564-76, 565-76 .....

WITNESS SUMMONS

STATE OF MARYLAND ..... 6th District, Montgomery ..... County, To Wit:

TO: A. B. *Max's*  
..... *Harold Lech* .....  
..... (Address)  
..... 4009 Simms Drive, Kensington, Maryland

GREETINGS:

You are hereby summoned to attend a hearing in the above-entitled cause set for ... 11:00 ....  
A.M./P.M. on the ... 26 ... day of May ....., 1976 ... at ... 15825 .....  
Shady Grove Road, Rockville .., Maryland, to testify on behalf of the State/Respondent.

IF YOU FAIL TO ATTEND, YOU WILL ANSWER AT YOUR PERIL.

ISSUED the ... 30 ... day of ... April ....., 19...76

WITNESS the Honorable ... Douglas H. Moore, Jr. .... Judge  
of the Juvenile ..... Court for ..... Montgomery ..... County, Maryland.

(SEAL)

*Eric Lynn ...*  
Clerk

mf

RETURN OF SERVICE

Summons ..... Non Est: .....  
by personal service [[and delivering]] of a copy of ..... Other: .....  
this Summons to the said .....  
.....  
at ..... this ..... day .....  
of ..... 19.....

ATTEMPTS AT SERVICE

Date	Time	Date	Time
.....	.....	.....	.....
.....	.....	.....	.....

By: .....  
Deputy Sheriff/Police Officer/Other

SUNDAY EVENING, MAY 23, 1976.

## For the Record:

At about 9 p.m. on Sunday evening, May 23, 1976, I was awakened by the ringing of the telephone. When I answered a male voice identified himself as the brother-in-law of Mr. Kraft and began discussing the hearing scheduled for May 26th. He also intimidated me by asking me if I knew what could happen to me in court. I replied that I would take that chance. He concluded by saying facetiously that he hoped I could sleep at night.

MARIE M. LECH.

## ATTACHMENT II—SUMMARY OF DAY'S ACTIVITIES IN JUVENILE COURT—MAY 26, 1976

We arrived and checked in at the Juvenile Court about 10:30 a.m. Shortly thereafter State Attorney Michael Mason met with us and explained the ground rules we had to observe during the court hearing. I (Marie Lech) informed him about Mr. Canfield, attorney for the defense and brother-in-law of Mr. Kraft (father of the boy who admitted breaking the window of our house), calling me Sunday evening, May 23, 1976, and intimidating me (see attachment). Mr. Mason then explained a possibility of resolving the case without a hearing and to which we did not agree. We did agree, however, to receiving an apology from both sets of parents and payment for the broken window. They did not agree to this and so the hearing was to be held.

During the morning we saw the Logans, the Krafts, the two attorneys chatting and laughing with Officer Raspberry and patting him on the back. We did not think this was permissible; Officer Raspberry (the officer who answered our call to the police and who arrested the boys November 16th) did not make any effort to talk with us. We were informed at intervals by Mr. Mason that the workload was heavy, the case might have to be postponed, and finally that a judge was coming from Bethesda to hear the case.

My husband was the first to be called in to give his testimony and I followed. When I finished and left the court room my husband was sitting in the waiting room and I went to Mr. Mason's office so everyone could see we were not communicating. Shortly thereafter I heard some noise in the waiting room and at the same time my husband and Mr. Mason were coming into Mr. Mason's office. My husband said he heard Mr. Edward Gorman, attorney for the defense (Gregory Kraft and Robert Logan), loudly and jubilantly announcing "We've won, we've won, the case was dismissed." (This took place in front of everyone in the waiting room.)

Mr. Mason started to explain the reason for the dismissal of the case to us, saying that the judge felt we did not have sufficient evidence that Gregory Kraft was trespassing on our property and that he had broken the window. We were absolutely stunned, both of us started to talk at the same time, saying that Gregory was on our property when we arrived at the house in answer to the call from Mrs. Kach, the neighbor who notified us that a window had been broken. When I started to ask who broke the window and say that I would call the police Gregory had stepped forward and admitted he and Bob (Logan) had been playing in our driveway and carport and that he, Gregory, threw the ball that broke the window. He asked me not to call the police and stated his father would pay for the broken window. See resume marked (1).

Suddenly Judge Reuben appeared; see summary.

The next day we returned to ask Mr. Mason specifically for Judge Reuben's reasons for dismissing the case.

Mr. Mason said that Judge Reuben felt we had evidence that the boys (Gregory Kraft and Robert Logan) had been and were on our property, but not on the day in question. (On November 1, 1975 we, Stan and Marie Lech, talked with Greg Kraft in our driveway about one hour after he had broken the window; he admitted breaking the window.)

Mr. Mason said Judge Reuben summarily dismissed the case before the defense put on his case. The three people who testified were Stan M. Lech, Marie M. Lech and Officer Raspberry. I asked Mr. Mason how did Officer Raspberry fail in his testimony and he replied that he never gave the date that the window was broken.

It is our opinion that the operations of the Juvenile Court merit investigation. In particular, we respectively request replies to the following questions:

1. On what authority did the Social Service worker, Mrs. Mary Torrison-Smith dismiss the case without consulting us. The hearing was scheduled only because I insisted upon it; her reply was that the parents told her everything was taken care of and she believed them. This was done without any contact or agreement with us.

2. Is it customary for the Juvenile Court to import non-juvenile court judges from Bethesda to hear cases rather than postpone a case because the case load is heavy.

3. Is this acceptable procedure—to have a non-juvenile court judge preside over hearings in juvenile court?

4. Are officers of the Juvenile Court permitted to socialize with the defendants, their parents and attorneys as Officer Raspberry did throughout the day of the hearing?

5. Is it permissible for a judge to apologize for his dismissal of the case, as Judge Reuben did? Was it because he felt guilty in not affording us legal protection of our personal property?

6. Would Officer Raspberry be considered competent if he did not review his notes beforehand to remember the date the window was broken?

7. Should we (the victims) have been in the court room when Judge Reuben dismissed the case?

8. Did Judge Reuben have the authority to dismiss the case before the state's attorney questioned the boy who admitted to us that he broke the window and that his father would pay for replacing the window? (The window was never replaced or paid for by Mr. Kraft).

9. As citizens and taxpayers, have we been denied our constitutional right of protection by law from the government of our personal property? Judge Reuben's dismissal gives the boys free reign to trespass on our property and break more windows.

10. Are these practices of protecting the guilty going to continue in Montgomery County? What protection will be given us for our personal safety as well as for our personal property?

11. Are all cases of broken windows dismissed by juvenile court judges?

12. Why aren't the parents held responsible?

#### ATTACHMENT NO. III

MAY 26, 1976.

Summary of our talk with Judge Leonard Reuben in the presence of Mr. Michael Mason, State's Attorney, Juvenile Court.

Right after Mr. Mason told us, in his office, that the case was dismissed and we started asking questions, Judge Leonard Reuben suddenly appeared. He said he came "to take the monkey off the State's Attorney back for his dismissal of the case." He indicated he was in sympathy with us but could not do anything else. I (Marie Lech) asked him if he knew why the Juvenile Delinquency rate is so high in Montgomery County and continued that it was so because of judges like him who make the kind of rulings he made this afternoon. He replied with, "You don't know how many cases worse than yours are dismissed." He then went on to say that he has a problem with his own son who is going to have a Bar Mitzva and wants a mini bike like all his friends got and he is not going to get it for him. Judge Reuben said there was nothing he could do—the laws were such that he had to abide by them and he couldn't do anything. S. M. Lech asked, "What's the matter with the laws—are they archaic?", and Judge Reuben replied, "Yes, they are." Marie Lech asked, "What can be done about it?" Judge Reuben said we would have to go to members of the state legislature to have the laws changed and suggested we go to see a friend of his, Margaret Schweinhaut. Judge Reuben also said he knew the parents were "lousy" but that he could not reprimand them. He admitted they should have paid for the broken window.

In disgust I said that he (Judge Reuben) could do something to change the situation and which he did not; also that Gregory Kraft and Robert Logan now have free reign to go and break more windows in our house and that we are being denied protection by law of our personal property.

Judge Reuben kept repeating there was nothing he could do because he had to abide by the laws.

If what Judge Reuben says is fact, then I want to know what the State of Maryland is doing to protect my personal property inasmuch as this is a responsibility of the State, and, my constitutional right to protection of my personal property was deprived by Judge Reuben.

#### ATTACHMENT IV—ADDITIONAL EXPERIENCE WITH THE JUVENILE COURT, ROCKVILLE, MARYLAND

During the Summer of 1975, while having some carpentry work done in the basement at 12014 Galena Road, the carpenter discovered a broken pane in the carport door

to the dining room and on entering the house the carpenter discovered a young man sound asleep, in his sleeping bag on the living room floor. The carpenter woke the young man, got his name, reprimanded him and let him go. S. M. Lech, the owner, reported the case to the police who eventually arrested the young man and brought him to trial.\* The attorney for the defense argued the case citing *People vs. Brown* case because the police officer had improperly charged the young man for breaking into an occupied house when in fact it was illegal entry.

Question: What is lacking with Montgomery County police officers that they are not competent to make the proper charges? Why didn't the U.S. Attorney make the correction on the charges before trial?

Because of this we sustained the financial losses.

\*At Juvenile Court, Rockville, Md.

Mrs. MARIE M. LECH,  
Kensington, Md., June 23, 1976.

DISCIPLINARY BOARD,  
DISTRICT OF COLUMBIA BAR,  
Washington, D.C.

Subject: Complaint regarding Edward Canfield, Attorney and Edward Gorman, Attorney

Listed below are several incidents which constitute a complaint against Attorneys Edward Canfield and Edward Gorman. I respectfully request an evaluation of these incidents, which are described below, by the Disciplinary Board. It does not appear to me that Mr. Canfield and Mr. Gorman acted in an ethical manner in fulfilling their responsibilities in reference to these incidents.

*Background information:* Mr. E. Gorman was the attorney for two young boys, Gregory Kraft and Robert Logan, at a hearing at Juvenile Court held on May 26, 1976, in Rockville, Maryland. Both boys were arrested on November 16, 1975 for trespassing on our property at 12014 Galena Road, Rockville, Maryland on November 1, 1975. One boy, Gregory Kraft, admitted at the time of this trespassing to having just broken a front window on our property, for which he assured us Mr. Kraft, his father, would pay. Mr. Kraft to date has not paid for the cost of replacing the window. After about four months of waiting for Mr. Kraft to assume responsibility, I insisted upon a hearing which was finally scheduled for May 26, 1976 in Juvenile Court.

*Incident No. 1:* At about 9 p.m. on Sunday evening, May 23, 1976 I was awakened by the ringing of the telephone. When I answered a male voice identified himself as the brother-in-law of Mr. Kraft and began discussing the hearing scheduled for May 26th. He also intimidated me by asking me if I knew what could happen to me in court. I replied that I would take that chance. He concluded by saying facetiously that he hoped I could sleep at night. (The male voice belonged to Mr. Edward Canfield, as verified by Edward Gorman, Attorney, during the trial.)

*Incident No. 2:* When Mr. Gorman cross-examined me at the hearing, he twisted the intimidation by Mr. Canfield to mean that the purpose of Mr. Canfield's call had simply been to ask me if I had ever been approached for payment of the window. (My husband had sent Mr. Kraft a xeroxed copy of the bill for replacing the window by certified mail—return receipt requested.) However, his conversation did not revolve around the cost of the window. He accused me of persecuting the parents of the boys in addition to the above mentioned intimidations and I felt that his call was made purely to intimidate. I also feel that had the call been made to discuss the cost of the window, it was a tardy and ill-timed approach, as Mr. Kraft had had since November 1, 1975 to take care of this. Does an attorney wait until 2-3 days before the scheduled hearing to discuss this matter?

Their behavior was also questionable on several other points:

On our day in court, Mr. Michael Mason, State's Attorney, my husband and I witnessed throughout the day the socializing of both aforementioned attorneys with the officer who had made the arrest and whose testimony was crucial to our case. The case was dismissed on the technicality that this police officer could not remember the date on which the window was broken. Was this behavior ethical on the part of the two attorneys?

In addition, was it ethical for Mr. Gorman to shout in a loud voice before all the people in the waiting room at the Juvenile Court, "We've won, we've won! Case dismissed!", before we were informed of the decision?

Since I have learned that Mr. Canfield is not a member of the Montgomery Bar Association, I would like to know if this fact disqualified him from participation in any of the proceedings of the hearing, including his sitting in court throughout the



hearing when my husband and I were not permitted to be there except for when we testified.

I will appreciate your evaluation of these actions and this behavior.

Sincerely,

MARIE M. LECH.

---

JIM CARTER, PRESIDENT, BALTIMORE COUNTY POLICE,  
COMMUNITY RELATIONS COUNCIL (PARENT COUNCIL),  
Baltimore, Md., June 23, 1976.

Senator CHARLES MCC. MATHIAS,  
*The Senate Juvenile Delinquency Subcommittee.*

DEAR SENATOR MCC. MATHIAS: The Baltimore County Police Community Relations Council (Parent Council) is concerned with the juvenile crime problems in Maryland as well as in Baltimore County. Our concern is shared by the seven Police District Community Relations Police Councils which make up the Parent Council.

Reports from all areas tend to support the feeling that the juvenile justice system has fallen short. In Maryland there is a total lack of juvenile correctional facilities to house the serious offender.

We would urge the Senate Juvenile Delinquency Subcommittee to consider:

Community Arbitration System in all Maryland Police Districts.

Police Youth Services in all Maryland Police Districts.

Police Community Relations in all Maryland Police Districts.

Lower the juvenile Delinquency age from 18 to 15 in Maryland.

Complete review of the juvenile justice system.

In Civic and Community Service.

JIM CARTER  
Baltimore, Md.

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LUTHERAN SOCIAL SERVICES OF MARYLAND, INC.  
Baltimore, Md., June 23, 1976.

Hon. CHARLES MCC. MATHIAS, Jr.,  
Baltimore, Md.

DEAR SENATOR MATHIAS: I am sorry that I will not be allowed to testify at the public hearing on juvenile justice to be held in Baltimore, Maryland on June 24th. However, I hope you will read this letter and give serious consideration to what I have to say because it grows out of six years of experience in directing three group homes for troubled youth.

The first and most important point I wish to make is that the State Department of Juvenile Services is a total failure. I cannot go into detail in this letter but, if you are interested, I will gladly meet with you and describe in detail how this agency fails to help the youth who are brought under its control, fails to reduce juvenile crime in our communities and fails to use both State and Federal funds effectively due to a lack of competent management and solid program development.

Due to the conditions mentioned above, I would strongly recommend that federal funds be used to purchase services for troubled youth from non-government agencies and that grants for new programs development go directly to local community groups.

I hope this information will be of some interest in your deliberations on this important matter.

Sincerely,

The Rev. WILLIAM J. BLACK,  
Executive Director.

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NORTH CENTRAL YOUTH SERVICE BUREAU  
Baltimore, Md., June 23, 1976.

Senator CHARLES MCC. MATHIAS, Jr.,  
Russell Senate Office Bldg.,  
Washington, D.C.

DEAR SENATOR MATHIAS: To respond to your letter of June 16, regarding hearings of the Senate Judiciary Subcommittee to Investigate Juvenile Delinquency, Mr. Jerry Klarsfeld, Director of Lighthouse, Inc., and Mr. James Doolan, Director of the Carroll County Youth Services Bureau, are both testifying on behalf of The Maryland Associa-

tion of Youth Service Bureau's and its membership. I would in general endorse and support the testimony of both these gentlemen, and I did participate in preparing the statement Mr. Klarfeld will present.

To add to that, although the intent of the Juvenile Justice and Delinquency Prevention Act shows considerable foresight and concern, it has not always been implemented here in Maryland with that same foresight. Local control has meant representation of vested interests rather than representation of youth or even youth serving agencies. Innovative prevention programs have been resisted and even where funded snowed under with million dollars accountability structures for fifty thousand dollar program resulting in too much money for administration and not enough for program. The safe extension and recycling of old programs and old ideas has been the rule.

Unfortunately, here in Maryland, the Juvenile Justice and Delinquency Prevention Act might well be judged a failure, not because of intent, but because of implementation.

Sincerely,

MICHAEL W. MCKAIN,  
*Director.*

---

BOYS' TOWN HOMES OF MARYLAND, INC.  
*Baltimore, Md., June 24, 1976.*

Senator CHARLES MCC. MATHIAS, Jr.,  
*U.S. Senate, Baltimore, Md.*

DEAR SENATOR MATHIAS: The speaker and those testifying at the Juvenile Delinquency hearing in Baltimore today pointed up Maryland's problems with troubled youth.

While there were a number of solutions suggested, almost no mention at all was made of residential facilities (group homes). Only Edgar Boyd, representing the Greater Baltimore Committee, testified on behalf of the important role group homes contribute. At the time Greater Baltimore Committee recommended a Task Force, our agency volunteered our expertise on the committee. However, neither Governor Mandel nor Director Hilson have responded to this citizens' voluntary concern.

Since I know you are familiar with our agency and its objectives, and you are acquainted with our President, Judge Robert B. Watts, I need not repeat our goals and accomplishments. Our three Homes were operating successfully and our boys were returning to their homes and communities with new outlooks and attitudes.

However, sustaining monthly deficits of approximately \$300 per boy, finally, ploughed us under. We found it necessary to discontinue operating two homes (20 boys) last September, but have been able to salvage our third home and it is successfully serving eight boys. Just as soon as our local, state and federal governments assume their rightful responsibilities to support these children's basic costs, Boys' Town Homes again will expand.

All three of our Homes were financed by LEAA. When the original grants were awarded it was with the understanding that the state would pick up the slack at the end of the three year period. (Why not five years like Florida?) State moneys have been slow to trickle in, and while we were successful in having legislation passed this year which would provide individual negotiated payments, according to a child's needs, the Governor vetoed the bill.

At the same time we closed two Homes, Harford Haven also closed two, and Lutheran Social Services shut down all three. Others are considering the same action.

We think residential facilities for youth fill a wide gap between rehabilitative services in the child's natural home and a maximum security facility.

We earnestly request that you and your Senate Judiciary Subcommittee to Investigate Juvenile Delinquency give serious consideration to increasing financial support to group homes, whether through LEAA or some other agency.

We respectfully ask that you enter this letter along with other Subcommittee testimony, and request to be placed on your Subcommittee's mailing list so that we can be informed of any future hearings.

Thank you again for giving us this opportunity to express our views.

Yours for better youth,

MARGARET K. CLARK,  
*Director of Community Relations.*

YOUTH COMMISSION OF ST. MARY'S COUNTY,  
COURT HOUSE, LEONARDTOWN, MD.,  
June 24, 1976.

Senator CHARLES McC. MATHIAS, Jr.,  
Russell Senate Office Bldg.,  
Washington, D.C.

DEAR SENATOR MATHIAS: I would like to congratulate you for the leadership you have taken in studying the juvenile delinquency problems in this Country. I hope that your hearings will result in some positive recommendations with new directions toward solving this complex question.

The St. Mary's County Youth Commission has recently completed a study of "Youth Services and Youth Needs for St. Mary's County," which is enclosed. This study may be reflective of other rural areas throughout the Country. If these results can be of use to you, please feel free to use them.

If I can lend any further assistance, don't hesitate to contact me.

Sincerely,

ROBERT E. WENTWORTH, JR.,  
Executive Secretary.

A Comprehensive Study Of

YOUTH SERVICES  
and  
YOUTH NEEDS

By the St. Mary's County Youth Commission  
For the St. Mary's County Commissioners

Frank D. van Aalst  
Chairman

Robert Wentworth  
Executive Secretary

LETTER OF TRANSMITTAL

March 18, 1976

The St. Mary's County Commissioners

Mr. James M. McKay, President  
Mr. John K. Parlett  
Mr. Ford L. Dean  
Mr. Larry Millison  
Dr. J. Patrick Jarboe

Dear Sirs:

Since our appointment in September, the reconstituted Youth Commission has worked with deliberate speed on this comprehensive study to enable us to recommend to you ways that youth services can be improved, priorities determined, and programs coordinated to meet the needs of St. Mary's County youth. We have held eight hearings and additional deliberative sessions to obtain an overview and to hear first hand from the persons in Southern Maryland who know most about youth and spend their time working with and for youth. We have also administered a 175-question professionally prepared questionnaire to all high school seniors and spent many hours in tabulating the results.

The report that we are now presenting to you is a preliminary assessment of current youth needs, an evaluation of existing services, and recommendations for your consideration. Some are specific, others only define issues that need further study. We are forwarding one complete copy of the transcripts of our hearings. Two sections of the report are not included here: the analysis and interpretation of the results of the Questionnaire and the section on financing youth services, including our specific budget recommendations for FY 1977. They are in process and will be forwarded to you within a short time. In addition to your consideration of our specific recommendations, we would appreciate assistance in setting priorities for further study.

Our first concern is that youth not be considered only as problems requiring control, but rather as a major segment of our community for whom we have not provided a fair share of services. It is partly because of this neglect that youth tend to become problems and cause problems that cost the taxpayer larger amounts of money.

Secondly, we have been impressed overall with the quality and variety of youth services available, and the dedication of the persons providing them. But, the lack of any administrative coordination of these programs results in serious wastage of talent and reduction of services.

Thirdly, we feel strongly that government programs are only a small part of what is needed in our community to address the requirements of youth. Families need to be strengthened, schools improved, volunteer programs encouraged, and perhaps most important, ways be found for youth to help youth. Our recommendations touch on all these areas.

We trust that this report will assist you in your governance of St. Mary's County and that you will find time to give careful consideration to our recommendations.

Respectfully submitted,

\_\_\_\_\_  
KEN ROSSIGNOL

\_\_\_\_\_  
FRANK VAN AALST, Chairman

\_\_\_\_\_  
LEROY J. THOMPSON, JR.

\_\_\_\_\_  
DON BRYAN, Vice-Chairman

\_\_\_\_\_  
JOHN SLADE

\_\_\_\_\_  
PATRICIA A. MORRIS, Sec.

\_\_\_\_\_  
ELLA THOMPSON

\_\_\_\_\_  
LISA DIAMOND, Youth Chair-  
person

\_\_\_\_\_  
WILL FOREMAN

\_\_\_\_\_  
JACKIE LANCASTER

\_\_\_\_\_  
TERRY LEBLANC

\_\_\_\_\_  
JOHN J. RUSSELL

\_\_\_\_\_  
ROBERT E. WESTWORTH, JR.  
Executive Secretary

YOUTH SERVICES AND YOUTH NEEDS

## CONTRIBUTORS

YOUTH AND THE LAW: John Slade and Ella Thompson  
Intern - Jim Burke

Speakers: Marvin Kaminetz - Juvenile Master  
C. W. Kreamer - Department of Juvenile Services  
Lt. C. H. Muchow - Maryland State Police  
John Pleisse - Public Defender  
Dorothea Rees - Tri-County Department of Juvenile  
Services  
George Sanger - St. Mary's County Sheriff  
George Sparling - States Attorney

COUNSELING: Randy Buehler and Lisa Diamond  
Intern - Sue Berry

Speakers: Jeanne Biscoe - Supervisor Public Health Nurses  
Dr. Frank Gunzberg - Health Department - Mental  
Health Division  
Dr. Pat Hawkins - Southern Maryland Drug Abuse  
Program  
Rob Hill - Tri-County Youth Services Bureau  
Donna Jabury - Tri-County Youth Services Bureau  
Jim McCleaf - Board of Education - Department of  
Pupil Services  
Ken Sola - Walden Counseling Center

EMPLOYMENT: Patricia Norris, Jackie Lancaster  
Intern - Wes Cook

Speakers: John Bennett - Vocational Rehabilitation  
Beverly Ervin - Tri-County Community Action  
Committee - Youth Employment  
Program  
Pat Noell - Civilian Personnel - NAS Patuxent  
River  
Mary Salisbury - Employment Security Division  
Nick Smith - St. Mary's County Chamber of  
Commerce

## CONTRIBUTORS (cont.)

EDUCATION: Leroy Thompson, Jr., Mike Lynch

Speakers: Jim Jankowski - Baycroft School  
 George Sullivan - St. Mary's Tech Center  
 Nick Vuckmer - St. Mary's County Board of  
 Education, Career Education  
 Program  
 R. Oakley Winters - St. Mary's College of  
 Maryland

RECREATION Ken Rossignol, Will Foreman

Speakers: John Baggett - Recreation and Parks Department  
 Kenny Bryan - NAS Teen Center  
 George Klear - Upper St. Mary's County Junior  
 Baseball League  
 J. Irving Knott - Take It Easy Ranch  
 Rev. Albert Lane - Lexington Park United  
 Methodist Church  
 Jack McJunkin - St. Mary's College of Maryland  
 Fred Pumphrey - Carpool Study  
 Jean Schilling - 4-H Agent  
 Stan Schrader - Board of Education  
 John Taylor - St. Mary's County Little League  
 Association

ATTITUDES Donnie Bryan, Terry LeBlanc

ORGANIZATION Frank van Aalst

SPECIAL PROGPAMS Bob Wentworth

QUESTIONNAIRE Allen Schor, Jim McCleaf

FINANCES Joe O'Dell

YOUTH AND SOCIETY Frank van Aalst



YOUTH SERVICES AND YOUTH NEEDS  
IN ST. MARY'S COUNTY

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## I. YOUTH AND SOCIETY

They have not yet assumed their full role as responsible parent and productive worker in society; on the other hand they are no longer dependent children. They are youth, in transition from childhood to adulthood, full of contradictions and prone to error, the best educated and best fed of their age group ever in history. <sup>1</sup>

In earlier, less complicated times, a person was either a child or an adult. The former remained close to the family until his/her own marriage and frequently even then the male remained with his parents and brothers on the same farm or in the same business. This is now seldom the case, as American young people become increasingly independent in their mid-teens. A driver's license and a part-time job keep them away from home for all except sleeping and some eating. Leaving high school frequently means leaving home, even though marriage and career are still far in the future. This new adolescence, or youth, is a recent phenomenon, a part of contemporary industrialized, mobile, technocratic society. <sup>2</sup>

Somewhere between 16 and 30, most individuals make the transition to adulthood. With voting and legal majority pushed back to 18, the magic of reaching 21 is lessened. Insurance companies have calculated that individuals become more responsible at 25; in popular legend one loses one's youth and inevitably becomes an adult at 30.

In the process, youth experiment with the privileges of adulthood without accepting the full responsibility, only gradually breaking the ties of dependence upon parents. A number of factors in American society today are extending the age when youth settle down as parents, workers and adult consumers. They are not needed on the job market, not on the battlefield just now; they can easily enjoy sex without having children; higher education is readily available and also considered necessary to get a good job. But good jobs are very hard to find, and an increasing number of college graduates are overqualified for the first full-time job they get, so they don't consider it permanent; they keep looking. <sup>3</sup> The net result is that the basic life-time career decision is delayed. An increasing number of Americans have not yet assumed adult roles in society at age 24. This is complicated by the fact that the 16 to 24 age group is a larger proportion of our total population than ever before, and will continue to be at least into the 1980's. <sup>4</sup>

Part of being a youth is that the critical decisions about marriage and career are now made more in discussion

## I. YOUTH AND SOCIETY (Cont.)

with the other youth than with parents. Much ignorance is shared, but it is also true that most youth get more formal education than their parents did, that the pace of change in society is so great that adult knowledge about college curricula and job opportunities is usually out of date and youth don't expect to pursue the same careers as their parents anyway, that their special world teaches them things that an earlier generation will never quite understand, and whatever the reason, there is a serious communication problem between youths and adults. 5.

There is a deeper problem, inasmuch as the lack of communication between youth and adults reflects a mutual lack of respect and confidence. Youth are more susceptible to negative reactions to Watergate and questionable activities of the FBI and CIA currently being reported in the news. They tend to have deep concerns for good human relationships and quality environment. There is a danger that they conclude that the main institutions of society are corrupt. Our society needs to find ways for youth to express these concerns constructively, and to respond positively to them. When adults do not take youth seriously, and when society provides no significant work for them to do but blames them for not working, their estrangement is increased and the society as a whole is weakened.

Recent research indicates that it is probably not appropriate to call this a generation gap, with the implication of irreconcilable values and priorities. Today's youth share many of the same values as their parents, including a strong commitment to work,<sup>6</sup> but they enjoy a very different life style. It is appropriate to talk about a youth culture, but not a counter culture. The admen have proven to industry that there is a youth market; there are youth radio stations, and youth bars and youth styles of clothing and youth literature. Experimentation with drugs is largely a youth phenomenon. All of this simply demonstrates that it is no longer adequate to think of two stages of life, childhood and adulthood. Youthhood must be understood as a discrete period of human development.<sup>7</sup>

This separate period has its serious problems. It is the time when the individual establishes his/her identity. Because the outlines of the period are vague and shifting, it is a time of uncertainty for the individual. Because the adult society did not experience such a prolonged period of uncertainty, it has difficulty appreciating the new reality. Parents are hurt by early declarations of independence and then alarmed at the delay in settling down to family and job. The result is that youth are left

## I. YOUTH AND SOCIETY (Cont.)

stranded in society leaning only on each other, with no institutionalized support for their special needs. The adult society has responded only in emergencies, to try to control gangs or crush demonstrations. Some bemoan the breakdown of the family, but as important as the family is, and as much as it needs to be strengthened for the healthy development of the child, it is not an adequate institution in technological society for support of youth. Nor does there seem to be any hope of the church meeting this need.

Youth in our society are pretty much left high and dry with the result that they currently clog our welfare rolls, unemployment lists and judicial system. The society spends billions of dollars on them as problems, because it spends so little on them as a separate group of human beings who need support. They are hooked on welfare or booked in jail in alarming numbers, not so much because they are bad, or because families have failed, but because society has not provided the types of services needed for their healthy development. 8.

Meeting the needs of youth is also to address the needs of the child, because, in spite of the problems and confusion of youth, the 10 to 15 year old has one ambition: to enter their ranks; the heroes of children are not adults but youth, best symbolized by the football player who expects to find another career when he is too old to play, when he reaches 30.

### Conclusion

- A. To insure normal growth, so that you have a chance to become healthy adults, they need ways and means to live meaningfully as youth, including:
1. Wholesome recreation and social programs to develop mind, body and social skills.
  2. Broader education which teaches reading and writing without requiring academic skills, which prepares for careers without restrictive vocational training.
  3. Opportunities to participate in adult society without the requirement of career commitment, as apprentice or intern.

I. YOUTH AND SOCIETYConclusion (Cont.)

4. Opportunities to assume responsibility for the older youth to be models and help the younger. Youth programs can be structured so youth help youth, meeting the needs of both the older and younger group at the same time, not requiring an adult bureaucracy to design and administer programs for youth.
- B. At a next level, children and youth with a tendency to become delinquents or suffer mental illness need special preventive programs.
1. The abused child needs protection.
  2. General counselling services as adjuncts to the recreation-social programs can be established as drop-in-centers and group counselling programs. Individual formal counselling is beyond society's ability to finance.
  3. Drug education and drug abuse counselling (including alcohol).
  4. Stand-in family members for those who lack a parent or older sibling, on volunteer basis.
  5. Vigorous adult education about youth, including parent effectiveness training.
- C. For serious problems, control and therapy programs are needed.
1. Mental health therapy for child, youth and parent when referred by school or court or preventive counsellor.
  2. Residential centers for a variety of needs, emergency shelter, runaways, rehabilitation, CINS, special education, etc.
  3. The court system.

The purpose of these is to ease the transition to adulthood and contribute to the general well-being of society. The first set of programs are best seen as essential to meeting the basic needs of all youth; the second as preventive, and the last for those few for whom the prevention has failed.

## NOTES TO I.

1. See Youth: Transition to Adulthood, Report of the Panel on Youth of the President's Science Advisory Committee (1972), University of Chicago Press, 1974.
  2. See Hans Sebald, "Adolescence In Perspective", Ch. 18 in Adolescence: A Sociological Analysis, Appelton - Century - Crofts, New York, 1968, in which he says "The adolescent or teenager as we know him today is a modern invention." p. 501.
  3. One explanation for the extension of schooling is that society wants to delay entry to the labor market; youth are not needed as workers. But this now is having adverse effects as described in James O'Toole's "The Reserve Army of the Underemployed" in Change, May and June, 1975.
  4. The size of the 14 - 24 year old age group will peak in 1977. The 20 - 24 year old age group will peak in 1980. See Youth pp 45 ff and Social Indicators 1973, 8/11.
  5. "The combined effect that these changes in family structure and function have on the adolescent is the teenager's tendency to become involved in peer subcultures, to make family - independent career decisions, and to become engaged in non-familial career preparation - all circumstances and tendencies that place youth in subcultural environments and make his transition into adulthood more difficult." Sebald, p. 504. One of the characteristics of youth culture according to Youth: Transition to Adulthood is "the increasing need for close relations, for the psychic support and security of another or others very close. Those needs have always existed for young persons, and for persons of all ages. But the difference now is that young persons turn much more to other young persons than they once did." p. 116.
  6. The findings of Daniel Yankelovich in his national attitudes studies of college students, 1968 to 1971, indicate a positive attitude toward work, not an anti-work ethic that has been thought to be a characteristic of the counter culture.
    - 79% believe that commitment to a meaningful career is a very important part of a person's life.
    - 85% feel business is entitled to make a profit.
    - 75% believe it is morally wrong to collect welfare when you can work.
- Only 30% would welcome less emphasis on working hard.

## NOTES TO I. (Cont.)

But youth are concerned about meaningful and interesting work and don't want to be "bossed around". These attitudes are discussed in Work in America, Report of a Special Task Force to the Secretary of HEW, MIT Press, 1973, pp. 43 - 51. This report suggests it may be more appropriate to compare contemporary youth with their individualistic grandparents rather than their security-seeking, management-accepting parents. p. 48.

7. A good representation of the ideas of the main authorities on the youth culture of the late 1960's and its continuing influence on American society is The Cult of Youth in Middle-Class America, edited by Richard Rapson, (D. C. Heath, 1971) which contains chapters by Bruns Bettelheim, Kenneth Keniston and Theodore Norzak. A conservative description of youth culture is in Youth: Transition, pp. 112 - 125.
8. Youth: Transition sees this as a failure of traditional education to meet the broad needs of youth. (pp. 76 - 91; 145 - 160); Sebald sees it more as related to changes in the family structure growing out of urban-industrial development, which make adolescence a "delinquency-prone period in modern man's life cycle". (p. 389)

## II. ORGANIZATION AND ADMINISTRATION OF YOUTH SERVICES

There is an impressive and sometimes confusing array of youth services available in St. Mary's County.

The major state agencies all have local offices, including DSS (Department of Social Services), DJS (Department of Juvenile Service), Employment Security, Extension, Health Department. Together with the police and courts, these institutions are intended to serve the needs of individuals and society when the family breaks down, the school fails, and an individual cannot find a job, or the law is broken.

Within the past ten years, four new institutions have been established at the Tri-County level, each designed to qualify for special funds: Loretta House, as a group home for CINS (Children in Need of Supervision), from LEAA (Law Enforcement Assistance Administration); Southern Maryland Drug Abuse Program for drug counselling from DAA (Drug Abuse Administration); Tri-County Youth Service Bureau for delinquency prevention from LEAA and now DJS; and Tri-County Community Action Agency for poverty alleviation from HEW (Health, Education and Welfare). Each of these programs has become established and is doing responsible work in our community, both as preventive services and alternatives to referring minor cases to the court. But, their flexibility in being able to respond to specific community needs is limited, there is continual uncertainty about funding sources, and a tendency to compete for clients. Much time is spent in travel and in coordinating activities at a Tri-County level while the main state agencies with whom they interact have county bases. (DJS does have a Tri-County office in addition to a county office.)

Both the DAA and Tri-County Youth Services Bureau (TCYSB) programs have focused on general counselling, overlapping with school counselling services and pupil personnel. Truants are being referred to DJS and then to either Walden or TCYSB. The directors of TCYSB and DAA programs are not directly responsible for the total program to any Board of Commissioners, nor to the Tri-County Council. TCYSB has a Tri-County citizens board, as does Loretta House; the DAA program has a local board for Walden, but the local director is responsible to the Tri-County director. Recently, significant strides have been taken to develop mental health services for all ages through the Health Department. This clearly



overlaps with Tri-County Programs and there is no established mode of coordination. The recommended Tri-County Mental Health Facility would potentially involve only part of the youth services.

During this same time, St. Mary's County has identified additional needs and established special programs: The Southern Maryland Youth Service program on the base, the Summer Youth Employment and now SIBS (Big-Brother-Sister) along with Youth Day, etc. Each has been organized in a different fashion. Also, Citizens for Progress has developed community programs in response to needs but with minimal consultation with the larger community.

Much time has been spent by staff of different programs collecting the same information (at one point three groups were developing resource files at the same time), counselling the same individual, consulting back and forth about who should do what, and trying to stay out of each other's way. In times of funding uncertainties, they go after the same funds and consider redesigning their programs on the basis of funds available rather than on priorities determined locally. All this because there is no one to whom all are responsible, and no one through whom all relate to state agencies and Boards of Education. The County has not filled the position of Director of Citizen Services, who would most naturally provide the required leadership.

This is in no sense a criticism of the quality of services rendered or the integrity of the persons involved. It is simply a recognition that there is no management structure. Perhaps the fact that each of these agencies brings its separate budget request to the Commissioners is the best indication of the weakness, as the Commissioners have no staff person to bring a coordinated request for youth services. Proper organization can reduce duplication of records and excessive consultations, priorities can be established, multiple services can be coordinated, and support services strengthened.

Present problems include:

- a. Program Directors meet to discuss cooperation, but no one is in charge, and no one represents County policy.

- b. They compete for same funds and clients, and are reluctant to let another be responsible for one type of service (e.g., Parent Effectiveness Training).
- c. They apply for new funds more to keep going than to meet local needs.
- d. Directors and Boards do not have overview of all services.
- e. County directors of state programs have to coordinate with Tri-County Directors of special services.
- f. Directors of Tri-County programs have to deal with three County budget offices, Boards of Education, Commissioners, Health Departments, etc.
- g. Consultations about jurisdiction (to clarify administrative confusions) are used as statistics.
- h. No one knows how many clients appear as statistics in multiple agencies.
- i. In disposition of serious cases, consultation of 6 or 8 persons is frequently required, not representing separate expertise but only overlapping concerns.
- j. There is no senior County employee responsible for these programs able to negotiate with other senior department heads or state agencies local directors.

Participation in diverse Tri-County programs was appropriate in applying for grants and initiating new services. Now that programs are established, expanded, and more local money is involved and special local programs have been developed, it is appropriate that we move toward effective administrative arrangements responsible to the County Commissioners.

One obstacle is that state/federal funding was obtained and still is received both for Drug Abuse Program and Youth Services Bureau. We should therefore proceed in a fashion that does not jeopardize the funding for FY 1977.

Services should not be disrupted, nor any unnecessary hardships be caused to current staff. Discussions should begin immediately with involved agencies and the other counties to discover whether a single Tri-County Youth agency or separate County Youth agencies can best (quality of service and economy) meet youth needs.

In the meantime, all Tri-County and County Youth Service programs should report to the Youth Commission and under its direction work toward coordination of services, including clarification of their relations with the Board of Education, DJS, DES, Health Department, DSS, Police, and the Courts.

To implement this, a member of the Youth Commission, appointed by the Chairman, should serve on the Boards of Walden, TCYSB, Loretta House, Recreation and Parks, Southern Maryland Youth Services, Community Action and Citizens for Progress as representatives of the Youth Commission which has responsibility to coordinate youth programs in St. Mary's County. Budget requests to the County Commissioners should be presented to the County through the Youth Commission.

These are interim arrangements pending final resolution of the funding question and creation of a single department responsible for all youth services and programs, either at the County or Tri-County level.

Mental health services represent one part of youth services; it may be appropriate that they be organized under one agency and other services in a second agency.

### III. SUMMARY OF HEARINGS

#### A. Youth and the Law - John Pleisse; Public Defender

The purpose of the office of the public defender is "to provide legal representation for indigent defendants and juveniles who are charged by way of petition. It is designed and set up under Article 27A of the Annotated Code of Maryland and the purpose is to insure that the juvenile has proper representation at his hearing and in all the important parts of the proceedings against him."

Mr. Pleisse considers it a major problem that youth have a very limited understanding of the law; once this misunderstanding is explained, they feel they should go unpunished. If not punished, the word spreads that the penalties for juvenile crime are minimal and thus to be ignored.

The Public Defender recommends an educational program similar to that in Carroll County, in which Junior High School Social Science teachers are paid to take a seminar on the law and then later pass this knowledge on to their students back in school.

#### George Sanger: Sheriff

Mr. Sanger views recreational facilities as critical, and suggested making available places for youth to play ping-pong and pool.

He labels the 13 to 17 year old age group as being the ones most in need of the Youth Commission's attention. He attributed the violent disturbances in Lexington Park to older adult types with reputations of being troublesome.

Some cases involving minor infractions of the law by youth are better handled by a simple "talking to" by a deputy. This is highly effective he says, and it reduces the number of cases handled by DJS (Department of Juvenile Service).

Lt. C. H. Muchow - Maryland State Police

Lt. Muchow attributes the problems of youth and the law to a permissive environment and parental apathy. He views the permissiveness as the source of the "I can get away with it" attitude and the apathy to the lack of public supported alternatives to legal action.

He feels the critical age group for focus by the Youth Commission as being 13 to 17. It is his contention that good supervision during this age results in proper adult attitudes.

Lt. Muchow recommended more easily enforceable laws holding parents responsible for their children and the reduction of the age governing juveniles to 16.

C. W. Kreamer - Department of Juvenile Service

Mr. Kreamer defines his job as protecting the community and the control and treatment of delinquents. This process is accomplished through Community based programs for offenders supervision of probation and court services and the administrative supervision of all state detention, rehabilitative and diagnostic institutions.

He sees the problems with youth in St. Mary's County as coming from a definite lack of imposed responsibility on the parents, a lack of foster homes, lack of transportation and the lack of employment for those youth out of school.

With this in mind, he views the most critical ages for guidance to be 16 to 18 year olds, being a separate group different from 15 year olds, and not yet into the types of activities of the 19 year olds. This is probably related to the law permitting beer drinking for 18 year olds. It is, however, his idea to focus on prevention and to do this, influence must begin at a much earlier age, even at the preschool level.

Mr. Kreamer's recommendations are to increase parental responsibility and awareness, more employment openings, explore and pursue potential juvenile residential facilities and increase mobility of the rural inhabitants.

Department of Juvenile Service statistics show:

1. Recidivism is very low;
2. Out of approximately 65 monthly police cases, 45 are processed at intake;
3. 75% of all youth at intake are referred to other community services.

George Sparling - States Attorney

Mr. Sparling views the primary problems in St. Mary's County as being a poor attitude on the part of the youth toward the law and punishment, and the difficulty in imposing responsibility on parents.

To Mr. Sparling the focal age group is 10-13 years of age; by the age of 15 years he feels there is little chance of changing the youth's attitude.

The States Attorney recommends increased parental responsibility, lowering the adult age to 16 years for high impact offenders, and the instituting of a Big Brother type program.

Marvin Kaminetz: - Juvenile Master

Mr. Kaminetz sees the problems as being the ineffectual laws pertaining parental responsibility, the lack of recreational and residential facilities, with priority being placed on CINS (Children in Need of Supervision) placement.

His solutions are an increase in recreational and residential facilities and the institution of a Big Brother type program.

Dorothea Rees - Department of Juvenile Service

Ms. Rees pointed out the complexity of the myriad of youth problems, and the need to identify which youths you are referring to before trying to find solutions. The common characteristics of youth in trouble seem to be reading difficulties and a strong need to be accepted by peers. The best place to start for prevention is with young parents. She also suggested that it might be enlightening to look at drug usage as developing from delinquency problems rather than vice-versa.

Throughout the discussion on types of residential facilities needed, it was clear that mental health and court related needs are difficult to resolve in single facilities. It was also stressed that LEAA (Law Enforcement Assistance Administration) grants are of limited value for services because they are temporary. Purchase of care arrangements are preferable.

A most urgent need is for temporary detention centers, shelter care facilities, and better diagnostic services available. It should be possible to combine these under at least a single administration.

#### Summary

The general feelings about the problems with youth and the law are:

1. The youth have a limited understanding of the law and even less respect for it.
2. There is a lack of parental involvement in disposition of juvenile cases.
3. There is a lack of facilities to hold both delinquents and CINS.
4. There is a lack of organized recreation, i.e., dances, pool tables, etc.
5. There is a lack of employment opportunities.
6. There is a lack of public transportation.

### III. B. COUNSELING

#### Frank Gunzberg - Mental Health Department

The Mental Health Department offers various community counselling programs. They have "Couples" counselling for pre-marital and marital couples to aid in communication, "sexual adjustment" counselling for couples, "relaxation" counselling, social skills counselling, "single parent" counselling and occupational skills counselling. These services are aimed at all members of the community with an emphasis on helping the adult members to cope with their day-to-day life.

The costs of these services are dependent on the financial ability of the client. Those able to pay are received and treated the same as those less economically fortunate.

The main source of referral to the Mental Health Department is personal or self referred. However, the Mental Health Department does give and receive referrals to and from all the other services in St. Mary's County.

Dr. Gunzberg sees his department's primary problems as being a general lack of space and staff.

His recommendations are to increase available space and staff to expand the already existing programs.

#### Jeanne Biscoe - Health Department Nurse

The Public Health Nurses operate several professionally oriented services. They have special clinics for children, adolescents, geriatrics, hearing, sight, family planning and crippled children.

These programs provide specialized care for persons eligible for medical assistance or Medicaid.

Ms. Biscoe views her office's problems to be a lack of space and staff. Each nurse handles between two and three hundred cases, plus the schools in her geographic area.

Nurse Biscoe receives referrals from other services in St. Mary's County, but her office works primarily with the Department of Social Services.



## III. B. COUNSELING

Jeanne Biscoe - Health Department Nurse (cont.)

Her recommendations to the commission for improvement of her department are as follows:

1. Increase the number of staff
2. Increase the amount of space available
3. Improve available public transportation

Robert Hill and Donna Jabury - Tri-County Youth Services Bureau

The TCYSB supplies family and individual therapy, psychological and court evaluations, and parent and school group counselling services to St. Mary's County.

There is no charge for these services.

The TCYSB does referral work for all the public agencies in the Tri-County area. The bulk of the referrals (approx. 75%) come from the schools and the remainder from Department of Juvenile Services and Social Services.

Mr. Hill and Ms. Jabury view their service's major problems as being a lack of staff and people's inability to communicate and express themselves.

Their recommendations for improvement of the TCYSB services is to increase the staff, to cope with the increasing load, and to educate the public about the benefits of counselling.

Dr. Jim McCleaf - Board of Education

Dr. McCleaf represents the counselors of the school system, who counsel, consult with student and parent, and coordinate the other available services in relationship to the student. There is no extra charge to the student.

The sole benefactors of these services are the students of the high schools and middle schools. If school counselors cannot provide the needed counselling, they will and do make referrals to applicable services available in the area.

## III. B. COUNSELING

Dr. Jim McCleaf - Board of Education (cont.)

He sees the major weakness in service as being no elementary level counselors, students' lack of understanding what counselors are for, and the minimal number of counselors available for individual counseling.

Dr. McCleaf recommends the reinstatement of elementary level counselors, the education of the students to the workings of a counselor, and an increase of staff enabling greater individual attention.

Ken Sola - Walden Counseling Center

The services at Walden are varied to include the panorama of young people's problems. These services include family, educational, emotional adjustment, sex and drug counselling, and crisis intervention.

The cost varies with the service, the pregnancy test is \$1.75 and the fee for the drug school is \$20. The remainder of the services are free.

Walden receives from and refers to all the existing services, both public and private.

His recommendations to improve the counselling services in St. Mary's County is to obtain additional funding, and to accelerate programs of public education including wide distribution of good quality brochures.

Dr. Pat Hawkins - Southern Maryland Drug Abuse Program

There is a serious need for shelter care of various types, and qualified staff for crisis intervention. Purchase of care arrangements are much preferable to LEAA Grants.

Reverend Albert Lane - Lexington Park United Methodist Church

Church youth groups do serve a segment of the population, but churches are limited in their ability to reach out into the community to meet the needs of those who do not voluntarily come to their programs. For effective programs of this sort, broad community support is required and this has been lacking in the Lexington Park area.

## III. B. COUNSELING

Reverend Albert Lane - Lexington Park United Methodist Church (cont.)

Some clergy have the interest and the training to do general counselling and if asked, might be able to augment existing counselling programs.

General Recommendations

1. Existing counselling services need to be expanded, space and staff to keep up with the increasing complexity of today's societal needs.
2. Make "public transportation" available to provide transportation to the counselling services.
3. Educate the public as to the purpose and workings of counselors.

There seems to be a tendency among counselling program staff to claim to do everything, with little focus on main emphases, though in general there is a division by age group, (5-18 TCYSB; youth, Walden adults, Mental Health) and there is a professed willingness to cooperate and consult. Claims for more staff are not related to specific needs. It is not clear what relationship of counselling agencies is with court system, as counselling is normally purely voluntary and courts are coercive.

## III. C. EMPLOYMENT

The question of employment is particularly sensitive, as demonstrated by the lively debate that occurred among the persons asked to speak. St. Mary's youth admit that jobs are uppermost in their minds. The recession, large number of youth (even a higher percentage in St. Mary's County than the rest of the state or nation) and changing job patterns are complicated further by the disagreement in St. Mary's County between those who want industry and those who don't, feeling it will harm the environment. Because the discussion flowed by issue rather than separate program, it will be summarized in that fashion.

Numerous job training programs exist, from Neighborhood Youth Corp, to Vocational Rehabilitation, to the County Summer Youth Employment Program, to the

## III. C. EMPLOYMENT (cont.)

special community focused programs on the Navy Base. Representatives from all agreed that more youth are trained than can find subsequent regular employment locally. This is a source of great frustration to the program personnel and even worse for the young person. This includes the Tech Center graduates. The major national job training programs available are all provided in the County.

In spite of all the training programs there still exists a feeling that youth need more opportunities to learn basic work attitudes in addition to skills.

Youth must be prepared to go out of the County to find employment and the community must move toward economic growth to provide more employment opportunities. There are no jobs available in County industries or businesses for college graduates.

There was much discussion on wages; youth seem to be unrealistic in their expectations, being unsatisfied with the minimum wage beyond a training period. They prefer a higher wage with no benefits, even when it means long commuting expenses. Local employers are not able to pay high enough to satisfy the applicant, and frequently even feel that youth applicants are not worth the minimum wage. The general picture is a very bleak one, especially for youth who want to remain in St. Mary's County.

Youth should take all tests available to get on job registers, apply early for summer jobs, and have a driver's license.

Transportation continues to be a serious problem.

Increased career information has recently been made available at the schools.

Observations

Better training does not create more jobs; frequently it only increases frustration.

We will not begin to solve the problem until more jobs are created. Youth must also learn to be more realistic. This includes lowering salary expectations and job levels, at least temporarily. This is another factor which tends to prolong youthhood, and also contributes to negative attitudes toward society.

## III. C. EMPLOYMENT

Observations (cont.)

The employment significance of the Base, including provision of quality training programs is well noted.

More flexible and more advanced technical education would be helpful if it could be made available in the County.

## D. EDUCATION

Our purpose in this area was to discover various special educational opportunities in St. Mary's County that prepare the child for entering youthhood, and the youth for becoming an adult. We did not consider the regular curricular programs of the schools or the colleges. The Counselling and Pupil Personnel programs in the schools have already been mentioned in the section on Counselling.

St. Mary's College

Provides a broad range of non-credit learning opportunities and activities in sports, crafts and natural studies for children on Saturdays and during the summers; a concurrent enrollment program for high school students to enable select students to earn college credit while completing high school, and the Summer Music Camp which is open to local students. These programs are self-sustaining financially though there are some scholarships for the Music Camps.

St. Mary's Technical Center

Offers vocational education for high school students during the year, and a special vocational training program for persons wanting it during the summer. This is free and transportation is provided.

Regular two-year courses are offered in cosmetology, licensed practical nursing, horticulture, electronics, masonry, electro-mechanical servicing, marine engine and boat repair, auto mechanics, auto body, carpentry and food service.

Main problems seem to be lack of basic skills (math and reading), scheduling, inflexibility of the two-year program, lack of employment opportunities locally, and unrealistic expectations by employers of

## III. D. EDUCATION

St. Mary's Technical Center (cont.)

young people who have only 1,000 hours of training. Some revisions of the curriculum may be desirable. The greater diversity and flexibility in a comprehensive high school is not possible here because of distances.

The Vocational Advisory Committee is reviewing the offerings. Many of the best graduates go on for further education; the poorer ones are handicapped due to lack of math and reading skills. A course in job attitudes and work habits is provided. Adult education programs are available in evenings for those who have dropped out of school. Only a small number enroll right away after quitting school.

Baycroft

Baycroft is not a County agency, and its residents are mostly from other places, but it does provide an example of one type of residential center for troubled youths. They have developed an education program for residents with minor learning disabilities combined with major discipline problems, and would like to develop this into a special education program open to community youngsters.

Career Education Program - Board of Education

The Career Education Program is a carefully designed curriculum enrichment program, whereby career information is made integral to the curriculum K through 12. Teachers have been introduced to the concept and goals have been articulated. First evaluation will occur this spring.

4-H Program

The 4-H Program offers a wide variety of enrichment activities for children and youth and seems to be particularly successful in reaching the less advantaged element of the County. The staff is experienced and successful in training volunteers.

Observations

There seems to be inflexibility in the vocational education program that makes it difficult to be responsive to the real needs of the students. Could not vocational programs be made available to younger students, with the possibility of one person taking

## III. D. EDUCATION

Observations (cont.)

more than one program? Could this be used as a means of teaching reading and math before it is too late? On the other hand, perhaps the programs as designed are too bookish, and a fresh approach could be more appreciated by the students. Also the whole Career Education Program seems very theoretical and bookish.

Given the fact that many Tech Center graduates go on for further education, and long standing concerns about higher education career preparation opportunities, the need for a community college type program seems evident with four hundred St. Mary's Countians currently enrolled in Charles County Community College.

There are a wide variety of learning opportunities available through special programs at St. Mary's College, the Board of Education adult education programs and summer programs. Perhaps the 18 - 24 year old population could be particularly in mind when deciding what is to be offered and in the advertising.

The establishment of a special school for students with behavior problems could be a major asset to the community.

4-H materials and staff expertise can perhaps be more broadly utilized.

## III. E. RECREATION

There are a good variety of recreational programs available in St. Mary's County, some provided through Recreation and Parks, others available for the asking, others organized on a volunteer basis, such as Little League and Junior Baseball.

These programs can be strengthened through cooperation and mutual support; the provision of storage space to Junior Baseball by Recreation and Parks is one example; the growing cooperation between Recreation and Parks and the Board of Education concerning use of school facilities after school and on weekends is a commendable development.

Even though there are numerous participants in these programs, there are serious questions about whether the most needy are being served. Tennis

## III. E. RECREATION (cont.)

courts for example are relatively expensive for the number of persons served.

A public beach is a highly desirable facility, and the Elms property is a good location. Outdoor basketball and availability of pool tables for youth are also very desirable.

The Director of the NAS Teen Center described its successful program. Discussions about such a center in the County have occurred with regularity over the past decade, with disappointing results. There are now two possibilities to test the viability of such a program. at the Leonardtown Middle School and at the proposed Citizens for Progress Community Center. Recreation and Parks will require staff at the former to make a fair test of the value of a teen center.

The Lexington Park area is still overlooked, and there are potentials for growing problems in the Mechanicsville/Golden Beach area. Businessmen and concerned citizens must be brought together to face these issues realistically.



**IV. RECOMMENDATIONS****A. Coordination**

The Youth Commission recommends that:

1. The senior position of Director of Citizens Services be filled, to have responsibility for supervision of all County youth services (including St. Mary's branch of specially funded Tri-County agencies).

to assign responsibilities to avoid overlap;

to implement priorities determined by Commissioners;

to coordinate with State agencies and Board of Education;

to seek appropriate State and Federal funding.

2. The organization of youth services be re-evaluated and a single organization be considered.
3. A member of the Youth Commission be appointed to the Board of each youth service agency.
4. All youth service budgets be presented to the County through the Youth Commission.

**B. Residential Facilities**

The Youth Commission recommends that:

1. Appropriate State authorities be informed that St. Mary's County is receptive to suggestions of types of youth residential facilities that can be located in this County to assist in meeting critical State needs.

2. That a task force be appointed to research local needs and recommend residential facilities to alleviate problems of detention, short- and long term shelter, CINS, and other needs not covered under the category of mental health.

#### C. Volunteer Programs

1. The Youth Commission in response to a suggestion from the Juvenile Master, proposes to administer a Stand-In Brother and Sister (SIBS) Program similar to the Big Brother-Big Sister National Program.
2. The Youth Commission proposes to provide a variety of opportunities for older youth to help younger youth by pairing juniors and freshmen in schools, and an extensive tutoring program.
3. To implement these volunteer programs, a full-time staff person is required, as requested in the Youth Commission Budget for FY77.

#### D. Employment and Education

The whole area of career education and youth employment needs further consideration. The career education program being developed in the schools is a positive step, and the Technical Center provides good vocational training.

There seem to be continuing gaps, especially considering that final career decisions are being delayed; youths are finding it difficult to get their first job experience, and there seems to be some mutual distrust between employers and youth.

We recommend a five-pronged endeavor:

1. Design the SYE to provide youth with a first job experience among peers with a recommendation to a local employer for a subsequent summer.
2. Extended dialog with local businessmen about ways they can use youth effectively. Solicit reactions from those who have hired youth.

3. Modifying the Southern Maryland Youth Service Program to provide an in-depth consideration of a career each week; with the County providing 50% of the budget to replace the State funds which have been received for the past three years.
4. Serious Consideration must be given to the provision of a Community College type program in St. Mary's College.
5. Better education does not create jobs. We urge that the County actively solicit industry.

#### E. Recreation

1. We urge Parks and Recreation to maximize the use of the Leonardtown Middle School facility at least two nights per week as a full program teen center with one night for Lexington Park youths, with transportation provided. (Practice room for a band might be in exchange for a weekly performance.)
2. The County should proceed toward the development of a public beach on the Elms Property as quickly as possible.
3. The Youth Commission proposes to convene meetings of concerned citizens and officiate in both Lexington Park and Golden Beach/Mechanicsville area to discuss special needs for area youth for the coming summer. An outdoor basketball league may be considered.
4. The Youth Commission proposes to launch an Alcohol Education Campaign, utilizing youth leadership to slow down alcohol consumption and stop sale to minors.

#### F. Parent Education

The Youth Commission recommends that the Youth Service Bureau develop regular parent effectiveness training programs, with a special target group of parents of sixth graders. Also to provide a special course to which parents of youth who come before the courts can be referred.

CAMBRIDGE, MD., June 24, 1976.

DEAR SENATOR MATHIAS: Night before last I saw you on television interviewing people in Annapolis on what to do about Juvenile Delinquency. If possible, I'd appreciate a transcript of these interviews.

Meanwhile, may I share with you what it's like to try to address this problem in a poor county such as Dorchester?

In 1974, Tom Flowers, who is a Supervisor in the Dorchester County school system, was elected as a County Commissioner. He imparted to his fellow commissioners his concern about the young people (children, teenagers and young adults) of the county. The commissioners appointed a Task Force to look into these problems. This task force was from a wide spectrum of the people who deal with children and youth. The Human Resources Commission employed a young woman through C.E.T.A. to do the actual survey of the problem.

She was able to determine that in 1974 there were 350 children suspended from the school system, 135 dropped out, and 130 failed to make passing grades. The law enforcement agencies arrested 388 young people and 169 of these cases were serious enough crimes that they went through formal court proceedings. The crime rate per 1000 youngsters is the 6th highest in the state for juvenile delinquency. Now all this may seem rather small potatoes compared to the problems in the cities, but these are our children and we care a great deal about all of them. From 1972 to 1974 we had a 59.2 percent increase in juvenile crime. Our law enforcement agencies estimate that between 25 percent and 50 percent of children over 10 years old use some sort of drugs, and from 50 percent to 75 percent are regular users of alcohol.

Poverty, poor housing, apathy, little motivation to pursue educational goals, or in fact any kind of goals, are all here in abundance. Many of our black families are second or third generations away from the migrants Col. Phillips imported to work at Phillips Packing Co. many years ago. Many of them were people deprived of education, and pushed off the land by Agribusiness. So, once again, "the sins of the fathers—"

At any rate the Task Force recommended that the Youth Coordinator write up a program of prevention and try to locate funds. They submitted their report to the Commissioners on June 17, 1975. She has been actively pursuing funding for a counseling center for a year now. At first L.E.A.A. said we could count on three years support for the project if we could pass a stiff evaluation to show that we were getting the results we were trying hard to achieve.

(I say we, because in the meantime I was appointed to the Human Resources Commission and have been working as a volunteer to the Youth Program.)

We still don't have a dime, but have been notified just a few days ago, that the funding will be assured for only one year. Our county commissioners have willingly agreed to the \$2,500 for the proposed county share, but they have already warned us that they cannot pick up the \$35,000 that will come through state from Federal, if this dries up. Sometimes you can do more harm than good by starting something and then having it shut down just when it gets well underway.

Another thing that really disturbs us is that they are specifying that walk-ins are not to be served. The whole thing is an effort to combat juvenile delinquency. Can you imagine anything more destructive to a kid than to tell him we cannot serve him, after he has gotten up the courage to come and try to find help?

Who in the world writes guidelines such as this? We're saying in effect "You've got to come to our program because you're a rotten kid!" or even worse, "You can't come to our Center because you're not a rotten kid!" What a can of worms that could be. What happens to the self image of these young people? Were you aware of these requirements?

To share with you some of the positive things that have happened, our Youth Coordinator has started to publish a Youth Calendar that is distributed through the Library and the schools and is published in the local papers to let the youngsters know what is going on around the county where they would be welcome. The Dorchester County Library has permitted the use of their meeting room one night a week for a Do It Yourself Teen Center. We have had classes in all sorts of crafts, music instruction, sketching instruction and free movies, the Beatles, etc., that the teenagers all seem to love.

She has been able to get many volunteers interested in children and youth and they in turn have worked with Recreation and Parks on sports, and 4H on all sorts of enrichment programs.

She has been successful in securing funding through ACTION for a Youth Challenge Program. This will be administered through the school system and some of the youngsters who are "making it" in school will be tutoring kids who are having problems.

She is also trying to get a Big Brother, Big Sister program started along with the other mid-shore counties, i.e., Talbot, Caroline and Queen Anne.

In cooperation with the Maryland Children's Aid and Family Service Society, Inc., The Eastern Shore Council for the Emotionally Troubled Child, Inc. and the Mental Health Association we're all hoping to have some Effectiveness Training for Parents.

So, we are addressing the problems as best we can, but we feel ham-strung and discouraged by the curious response by the faceless bureaucracy. In addition C.E.T.A. (Comprehensive Employment Training Agency) funding is rapidly running out and since our Youth Coordinator, Ms. Jane Scheuerman, needs a job, we may lose her.

Another thing weighing heavily on my mind is the fact that Social Services is only able to pay \$114.00 per month to foster parents for teenagers and some sports minded boys, can eat more than that. So less and less, of the people who would be willing to be foster parents, can afford to subsidize raising these kids who are not delinquent, but just unfortunate, and who, for one reason or another need homes. So the courts send them to the already overcrowded training schools and forestry camps where they come back, turned off young monsters, who prey upon society and whom we then have to support in one fashion or another for the balance of their lives. In addition to an increased allotment for Foster Children, we need more support for Group Homes. When the family unit breaks down and no foster homes can be found, group homes are the next best solution, but they are closing at a rapid rate because of lack of funding.

It seems to us here in Dorchester that a congress that so readily grants itself a raise and who spends much time and energy ensuring its pension plans, not to mention the mis-use of public funds by certain members, can and should do better by the future voters of this country. We keep saying that our children are our future, let's put some of our money where our mouth is!

Anything you can do to address some of the above mentioned problems will be deeply appreciated. It was refreshing to hear you express your interest. Many times those of us who try to be child advocates get to feeling that nobody we have to deal with was ever a child themselves, or if they were, they've forgotten what it was like.

Sincerely,

Mrs. RUSSELL A. MAYER.

Statement for the Committee on Juvenile Delinquency meeting on June 24, 1976 in Baltimore, Maryland given by the Reverend Frederick J. Hanna

I appreciate the opportunity to have this statement included in the minutes of this Committee Hearing. My strong feelings about the prevention of juvenile delinquency come from working with young people throughout my ministry, in very special ways these past twelve years. As Director of the Churches Crisis Center in downtown Baltimore for five years, as Coordinator of Drug Abuse for the Baltimore City Health Department, and now back in the parish these past six years, I have seen well over 4000 young people during that time period. Many of these young people had minor problems that required only a little listening, a little loving, and some reflection together. Others had far more serious problems which needed much more help and which sometimes ended in tragedy.

Like all complicated problems, juvenile delinquency has no simple answers but we often seem to avoid the basic steps that common sense would seem to dictate as we try to come to grips with it. Working harder to strengthen the individual and the family unit within which that individual is living is essential, not easy but essential. Providing institutional care for a small segment of the juvenile population that really needs it in order to prevent infection of the larger segment that doesn't is another major need that we do our best to ignore.

Among the hundreds of young people I've worked with over the past twelve years who usually acted out through drug abuse, sexual activity, or running away as they became involved in delinquent behaviour, the ones who got into serious difficulties had one common thread running through their experiences. The common denominator was low self-esteem and it showed up with young people from good homes as well as broken homes, with lots of money or no money, with good education or practically no education. Low self-esteem, the youngster really didn't feel good about himself or herself and the low self-esteem showed up in many different ways.

I believe we could help here with earlier and more effective testing of children to help them discover their talents. No child any of us know should be allowed to grow up thinking they have no talents -- they all have different gifts, different abilities, different contributions to make to the world in which they live but they need help discovering and developing those gifts. We could go a long way in cutting down on delinquent behaviour if we would work harder at helping young people find out what their talents are and then nurturing those abilities. Parental encouragement is good and necessary but more professional analysis and an objective testing would go along way in convincing youngsters of their skills and potential.

We need to help all youngsters learn to read -- there is an amazing correlation between juveniles who get into serious difficulty and those who cannot read properly. We must give young people the basic skills they need in order to function in the world in which they are going to live and there just is no substitute for learning to read no matter how much the media may provide. Young people who cannot read are handicapped and they know it and react to it, very often in delinquent patterns.

In all of this we must balance out the building up of the individual ego with a sense of group responsibility. No child should be allowed to grow up believing he has a right to do anything he wants to do anytime he wants to do it. Individual self-worth and respect for one's own person must be paired with respect for other people and other people's property and that must be taught from a very early age.

- 2 -

The family must still bear the major responsibility for the training and development of the child. No other force has the effect on a child that his family does. For good or for bad, what happens in the home stays with the child throughout his lifetime and it is true that what a child lives with will determine what he learns.

But no family raises their children all by themselves any more. The pressures -- peer pressures on the children, media pressures on the whole family, society's pressures on parents and children -- prevent the family unit from functioning the way it did just a few generations ago. All too often helping professionals don't take that into account. As a people, Americans are going to have to determine what rights they are going to give to the family to go along with the responsibilities they still put on them. We have people now advocating children's rights, or starting advocacy groups for adolescents, when what we need most is some family advocates. Far too often parents are told to "get off the kid's back", to let him make his own decisions, to stop telling him what to do and what not to do. Very often families are made to feel a bit guilty about establishing ground rules that any objective observer would say were very reasonable. The "helpers" who want to let a fourteen or fifteen year old child do whatever he wants to do should have to live with that same child twenty-four hours a day, seven days a week before handing out that advice. Frankly, having to make your own decisions all of the time is too much weight for most fourteen, fifteen, or sixteen year old adolescents. We need more "family advocacy" throughout society.

The passing of the CINS legislation in Maryland and other such laws in other states should be reviewed carefully. Here it has produced as many problems as it has solved. We have taken what was basically a good idea and ruined it for lack of follow-through. As long as we are going to remove the threat of being "put away" for incorrigible youngsters then we're going to have to find other ways of supporting the family when the child refuses to abide by reasonable ground rules. Someone must have the authority to step in and help Mom and Dad when they spot a lot of "red flags" indicating the youngster is getting into serious trouble before he actually breaks the law.

We must make up our minds about when an adolescent becomes an adult and can be held accountable as an adult. Too often now, we give them all sorts of freedom without letting them know they will also be held responsible. And while some sixteen and seventeen year olds can be very responsible, others cannot and we may need to do more to strengthen the guidelines that determine the parents rights to lay down rules and to enforce those rules.

Right now we are going through an "anti-institutional" phase in dealing with many special segments of the population, we want to deal with everyone right in the community and the hard fact is that most communities are not prepared to accommodate special segments of the population. We need institutional care and the full range of it for juveniles as well as for many other people. From foster home care through large institutions, recognizing the fact that some people seem to function far better in a large institution than they do in a small unit where they are confronted daily with their own inadequacies. We need institutions and there is no reason we cannot have good institutional care if we work at it.

There are many who see no value at all in "institutionalizing" a kid and would do away with all such resources. I agree that the great majority of juvenile delinquents may not need institutional care but a small percentage does and as long as we refuse to provide it for that small segment of the juvenile population we are infecting the far larger segment who deserve some consideration too. We may have to face the fact that even if institutional

care doesn't benefit the individual juvenile, the community may benefit when nothing else will hold the youngster in check. My major concern here is that the young people are telling each other now that they can freely engage in petty criminal behaviour, some not so petty, without any fear of anything happening to them. They are telling each other in my community that if they do get caught they only have to talk with juvenile workers and even if they put you on probation you only have to call in once a month. We are really encouraging the delinquent behaviour by our failure to discipline effectively. We throw the pleasure-risk ratio scales all out of wack and that's what often guides the juvenile. We increase the profit and the pleasure by expanding ways they can get material things and decrease the risk by minimizing any chance they will be restricted or confined even when caught.

Unfortunately it has been my experience over the past decade that no one wants to assume responsibility for the fourteen to eighteen year old. They are the most ignored group within our total population, no one is willing to step in and help, no one wants to interfere, we have philosophical arguments against giving them any restrictions, we have adults who are intimidated by children, and we wonder why the juvenile crime rate continues to skyrocket.

Again, strengthening the individual and strengthening the family unit in which the individual is living should be our top priority. We need to do more to help in every way we can there and our social institutions, the schools, the family, the churches and others all need to work together. The family comes first, but it must be supported by schools, religious community, government.

But we also need to provide the full range of institutional care for our young people who cannot for any reason continue to live in their own homes. And we just aren't willing to face up to that concept so that we are doing harm to countless young people who will suffer for our neglect.

The great majority of young people growing up in America today are just as bright and beautiful and loving and loyal as any other children have been at any other time and I get weary of people putting young people down. We need to do more to boost them up if they are going to both realize and recognize their own potential.

Statement of the Reverend Frederick J. Ha-na  
Rector, All Saints' Episcopal Church  
Reisterstown, Maryland 21136



STATEMENT TO THE SENATE JUVENILE DELINQUENCY SUB-  
COMMITTEE, BY JOHN D. ADAMS, AS A PRIVATE CITIZEN,  
JUNE 24, 1976.

The reason for this statement is to bring to the attention of the Subcommittee some observations on the general subject of juvenile delinquency and the areas where current attention may be most effectively given by the public correctional agencies.

The professional experience of the witness is: 1946-1949 psychologist, U.S. Public Health Service at the Federal Penitentiary, Atlanta; 1949-1954, psychologist Maryland Dept. of Corrections; 1955, psychologist, Patuxent Institution, Jessups, Maryland; 1956-1968, systems analyst, Maryland State Dept. of Social Services. Designed the reporting system and records for juvenile offenders, when the Department Social Services was superceded by the State Department of Juvenile Services. Incidental thereto, observed at the Boys Village, Cheltenham.

General Observations.

Much progress has been made in the treatment of juvenile offenders in the past ten years, specifically the growth of the State Department of Juvenile Services, and the organization of the Juvenile Courts within the District Court system, the use of masters, and the specialized sections within the Baltimore City Police Department. If some problems of coordination and cooperation have arisen, this is reasonably to be expected in dealing with a problem as complex and important as juvenile behavior. The release of arrested juveniles to their parents is an established policy; and an increase in the use of probation has been fostered by a shortage of facilities for confinement.

This committee is to be commended for it's efforts through these hearings. to evaluate the half dozen or more innovative approaches, each of which has some merit. Special topics for comment follow.

- 2 -

Reporting and Record Keeping.

This feature of law enforcement, with which the witness was familiar some years back, should not be ignored. Good records furnish prompt and accurate information from the initial contact through Court action, to disposition, and eventual discharge. It must be computerized, and obviously safeguarded against significant errors of identification or fact. It should be as readily available to the Court, as is a Motor Vehicle record.

Large Scale Institutional Care.

The commitment of juveniles to institutions of the size of the Maryland Training School has been called into question in recent years, as expensive breeding places for adult crime. It should be noted that this is not universally true, and that there have been times and places where the well administered institution with high morale has filled a need notably. Sometimes privately operated--"boys'towns" and "junior republics" can be cited for illustration.

Maximum custody institutions for either juveniles or adults may be an illusion, since the very element of freedoms for recreation, schooling, and vocational training defeat the conditions necessary to close custody. The solution seems to lie in sufficient financing for enough well trained staff.

Group Home Care.

The use of small group homes, mostly privately operated, have proven very satisfactory recently, until closed for lack of financing. Two things have contributed to the abandonment of the program. First it was oversold to the public from the standpoint of costs, and second, there is a sad lack of available facilities. If young delinquents in the city number around 8000, some 800 homes taking ten each will be required. No such number is in sight, and the staffing of a large number of homes will indeed cost money.

There is also another factor in community housing, whether for juveniles or adults. An offender may be put back into a

- 3 -

setting with old cronies and old temptations, that were too much for him originally.

Nevertheless, community correction appears to be the mode of the future, and should be given another trial for young offenders for whom it appears suitable.

Due Process for Juveniles.

Due process for juveniles (infancy through 17) is still unresolved in this witness' mind, and no discussion is offered beyond noting that in the City of Baltimore there is an unusual opportunity to evaluate the conciliative role of special police, against the more formal process of the State Department of Juvenile Services.

Evaluation of the Juvenile Delinquent.

Case histories and studies of young offenders abound, all done to inform the public, and to assist the young human to get along better in the community during his formative years. The record rooms of the training schools abound with file folders, and there is information about intelligence, education, health, family, etc. Plans are made for a better social milieu--better recreation, more schooling, and better housing.

However, one thing seems to have been lacking in correctional programs. This witness never saw evidence of an attempt to get the young person to face up to the consequences of his behavior.

Never did anyone say, "Billy, that old lady whom you knocked down to get five dollars, will be a cripple for the rest of her life. What do you think that you should do about it?"

Confrontation, and an effort to make the juvenile accept responsibility for his behavior, may hold the key to delinquency.

John D. Adams  
310 Westshire Road  
Baltimore, Md. 21229

**Greenbelt CARES Youth Services Bureau**

133 CENTERWAY, GREENBELT, MARYLAND 20770

301 345-3456

June 25, 1976

E.O.

Charles McC. Mathias, Jr.  
 United States Senator  
 United States Senate  
 Washington, D.C. 20510

Dear Senator Mathias:

This letter is being written in response to your letter of June 16, 1976, informing this bureau of field hearings of the Senate Judiciary Subcommittee to Investigate Juvenile Delinquency. We were unable to attend the hearings and no longer hold membership in the Maryland Association of Youth Services Bureaus. We are responding to your concern about the "spectacular failure" in Juvenile Delinquency prevention. We feel that there are specific approaches that work and these approaches deserve special attention and critical review as potential models. Our efforts may well be such an approach.

We have been operating a Youth Services Bureau for the City of Greenbelt for the past 3½ years. During that time the juvenile arrests in Greenbelt have decreased, contrary to trends in the county, state, and American suburbs in general.

The 1975 Crime Analysis of Prince George's County summarizes the county data: "...the data for 1974 show that although the 15-20 year old age group comprised only 8.8% of the total county population, they represented over 45% of defendants of serious crimes and over 35% of the defendants for non-serious crimes."<sup>1</sup> As of 1970, youth 10-17 comprised 9% of this local community of Greenbelt and we have had a fairly stable population since that time.

The City of Greenbelt has its own police force which is responsible for all peace keeping within the city limits. All arrests are forwarded to the county. Greenbelt is included in county patrol beats C-1 and C-4, which reflect very low rates of serious and low rates of non-serious crime although surrounding beats report low to high rates.

<sup>1</sup> Maryland Park and Planning Commission, Crime Analysis of Prince George's County, August 1975, p. 16.

Arrests of juveniles in Greenbelt have gone down since the inception of our Youth Services Bureau, (in March '72) as follows:

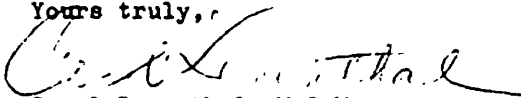
<u>Years</u>	<u>Average Juvenile Arrests</u>
1972 (1st 3 months)	58 per month
1973	30.8 per month
1974	25.2 per month
1975	24.1 per month
1976 (1st 3 months)	8.6 per month

Since both the Police Department and a Recreation Department pre-existed in the community, certainly our presence should be given responsibility for some of this decrease. Only a portion of our services involve clients referred by Department of Juvenile Services.

We have good data on which to evaluate the effectiveness of our counseling and auxiliary programs overall. Moreover, recidivism rates for our families referred by Department of Juvenile Services counseled in the behavioral mode in a non stigmatizing open setting are 42% as compared to a 51% recidivism rate for Prince George's County juveniles in general. Results, by self report, show that we seem to have considerably alleviated or solved the problem of 89% of clients followed up.

We would be very happy to discuss our views on prevention of juvenile delinquency with you.

Yours truly,



Carol Leventhal, M.S.W.  
Acting Director

## Offender Aid and Restoration

OAR of Maryland, Inc.

Post Office Box 365  
 Annapolis, Maryland 21404  
 301/224-1238, 224-1239  
 June 25, 1976

Mr. Bob Kelly  
 Senator Mathias Office  
 United State Senate  
 Washington, D.C. 20510

Dear Mr. Kelly:

In reference to our conversation at the Juvenile Justice Hearing on June 22, 1976 in Annapolis, I am sending you the enclosed information that you asked for about our program.

OAR of Anne Arundel County is now in it's second year of LEAA funding. In that time we have trained fourty some volunteers who inreturn has assisted 118 offenders. Of the 50 offenders assisted by an OAR Volunteer for over a month, only two has been turned to the local Detention Center here in Annapolis.

OAR's primary purpose is to assist those people who ask for help while in jails and prisons. We sim to help offenders retain or gain self-respect; to enter the mainstream of community life as self-sustaining citizens.

The work of the Volunteers is the central part of OAR's function. They can serve as a bridge between jail and freedom in the community - to assist and visit the person on the inside, then to help them get back on their feet after release, perhaps by helping them find jobs or a place to stay.

Our particular emphasis is on the individual who will be locked up only a short time, someone who usually is there for mincr offenses. We do not condone what these people have done, but we are concerned about what they will do in the future. In many cases a concerned Volunteer can make the difference between further crime, or a free and productive life.

Volunteers have a certain built in advantage that the professional worker does not have. They do not represent the law, do not have to be sternly authoritative, do not have to deal out punishment. A Volanteer can be a friend, represent acceptance, understanding, affection and concern.

With a staff of only three people, OAR's strength rests untimately in the contribution of dedicated Volunteers.

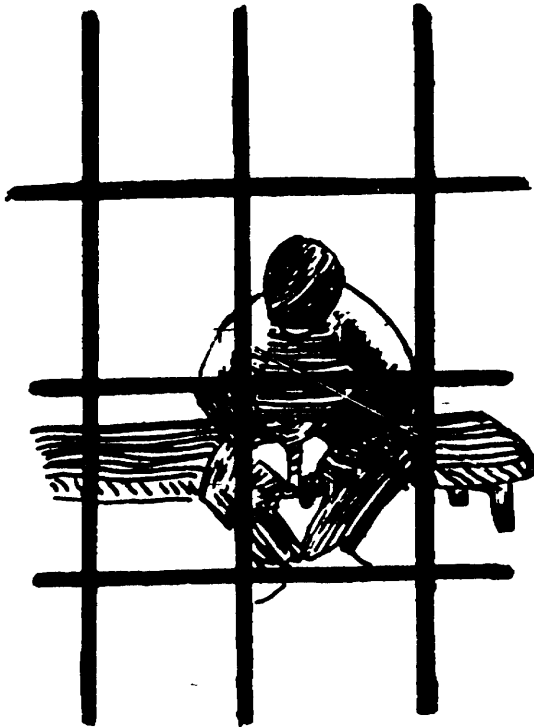
I hope with the above information and attachments, that you now have a understanding of just what Offender Aid and restoration is all about. If there is any additional hearings in the future wherein we can be of assistance to you, please let us know.

cc:

Sincerely,

*Gerald Turner*  
 Gerald Turner,  
 Administrative Assist.

To make  
your Community  
a better place to live



Offender  
Aid and  
Restoration

OAR

**YOU ARE CORDIALLY INVITED to help make your community a better place to live . . . To salvage the lives of many people . . . and deepen the lives of others through Offender Aid and Restoration (OAR).**

Over 3 million men and women, boys and girls are locked up in America's jails, every year. These millions of jailed people are seen from two points of view—

They are often thought of in the mass as "the reason for our crime problem." From that point of view, something must be done about them just to make our streets safe.

In a second sense, the prisoners and their dependents represent the hard core poor. Practically no one in the jails is comfortably-fixed or well-to-do. Many are "repeaters"—some have been jailed 50 times and more. The lives of the poor people who return to jail again and again are being wasted. If we truly believe that all men and women are our brothers and sisters, we must help them to help themselves.

There are 3,921 jails in the United States. Most are run by conscientious men doing their best. Nevertheless, because of public apathy, they do not have the means to work with their prisoners. When a person is locked up in the jail there is nothing for him or her to do, generally speaking . . . but to sit there endlessly idle and bored . . . in close contact with experienced criminals . . . and often developing a more radical view of society. Once out of jail, one is more likely to commit some serious crime than before being first locked up. One comes out scarred, disgraced, with damaged self-respect—feeling oneself the victim of an unjust society—probably broke and jobless.



**WHAT CAN BE DONE** to salvage a man or woman who has tasted jail? How can such a person be helped back to self-respect, to a decent and self-sustaining life? Psychologists say that there is a necessary condition: if a person is to go straight after jail, some one must enter that person's life—must come to know and care about the person in such a way that he comes to respect himself or herself and the world we live in.

**OAR IS A WAY TO HELP OFFENDERS AND TO CHANGE JAILS** through citizen involvement—by recruiting citizen volunteers to go into the jails and to give prisoners a helping hand. OAR Volunteers go to school for three evenings of preparation. They receive OAR credentials. Then they enter the life of an offender.

To "enter the life of an offender" . . . that doesn't sound like much, but

. . . . for the offender it means a chance to salvage his or her life.

. . . . for the volunteer it means a chance to learn about the criminal justice system and about the dynamics of human behavior; a chance to serve.

. . . . for the community it means a constituency of informed citizens who will work to make the jail something better than a school of crime.

**OAR STARTED OUT IN SIX PILOT COMMUNITIES**, all in Virginia, in 1971 and 1972. During nearly three years of pilot operations, some 865 volunteers joined OAR in the six communities. OAR Volunteers and staff befriended offenders in jail and after leaving jail, helping them to obtain jobs, medical care, housing and the like, until there was reason to believe that the ex-inmates were on their feet.

OAR Volunteers and staff have aided directly more than 10,700 offenders, as of the beginning of 1976. According to a 1975 evaluation of OAR's efforts, paid for by the Law Enforcement Assistance Administration, OAR's aid significantly affects the "repeater" rate over the first 18 months after release from jail.

What's more, the jails themselves reflect the Volunteers' sustained interest. In some communities, the volunteers are creating alternatives to the practice of jailing offenders, through pre-trial diversion and third party advocacy. In others, earnest new correctional efforts are underway, such as adult education classes, improved living conditions, group counseling, and medical screening.

Now OAR is in the exciting business of spreading the principle of citizen concern and caring. During 1975, citizens of Maryland, North Carolina, New York and Pennsylvania, as well as Virginia, were actively operating OAR programs, or were creating a structure for change through OAR.

**NO ONE HAS ALL THE ANSWERS** when it comes to aiding and restoring offenders. We welcome your interest, your insights and your assistance. If you want detailed information about OAR in relation to your own community or State, just write or phone. The address and number are on the next page.

**L. Harold DeWolf, President  
OAR of the United States, Inc.**

Most inmates of American jails are young men in their early 20's. Most come from broken homes and have broken educations. Over one-third of them were unemployed when they were jailed, and practically all are unskilled or only semi-skilled. About half have families of their own. The numbers of prisoners of minority races far exceeds the proportion of minority people in the general population.

Nearly all want a chance to make good, but few have a firm idea of how to go about it.

Do you care to help these people find self-respect, and a self-sustaining life? Then get in touch with

OAR of the United States, Inc.  
414 4th Street, N. E.  
Charlottesville, Virginia 22901  
Telephone (804) 295-0089

*OAR OF ANNE ARUNDEL COUNTY*

"You make me feel like somebody! ... I think the chip is off my shoulder."

SO WRITES AN INMATE to his volunteer. With luck, this new self-confidence will help him "make it" when he gets out. And there will be somebody out there who cares.

IT'S LITTLE THINGS that the OAR volunteer does that can bring this about: an hour a week just rapping, a phone call to a loved one, being at the trial, getting a tutor if (as many are) he or she is functionally illiterate, and helping to job hunt.

OAR of Anne Arundel County started in 1974 at the Detention Center, which houses an average of 1600 inmates a year. 80% will return directly to the communities they came from, and, without our help, some 60-70% will be back in jail again, for a new and possibly more serious offense.

IF YOU CAN HELP, by supporting OAR, volunteering to work with offenders, or hiring ex-offenders in your business contact:

Offender Aid and Restoration  
P.O. Box 365  
Annapolis, Md. 21404

Telephone: 224-1238  
From Balt: 269-1350 ex1238  
From Wash: 261-1650 ex1238

"In your hands are the  
keys to someone's future."

*(A private, non-profit organization)*

Log of Service Provided by Offender/Volunteer Coordinator  
in Typical Day at Detention Center (1:30-4:00 p.m.)

Answer questions about:		
A.A.D.C.....	8	
Community Services .....	1	
Parole/Probation .....	2	
Courts .....	3	
Other Prisons.....	3	
Give Advice About:		
Personal Problems.....	2	
A.A.D.C .....	2	
Assistance:		
Assign to Volunteer.....	1	
Post Phone numbers .....	2	dorms
Post addresses.....	2	dorms
Art Supplies.....	1	
Referral to:		
Employment .....	3	
Psychological Services .....	1	
Convey Information:		
From Public Defender.....	1	
From Parole & Probation .....	1	
Phone Calls to Make:		
Personal.....	13	
Courts, Parole & Probation, etc.....	6	

Total inmates assisted: 29

MAKE-UP OF OAR VOLUNTEERS AS OF MARCH 1976

Professional .....	14	<i>Including</i> Probation Officer, Ex-offender, Manager A.F.L.- C.I.O., Insurance Executive, Administrative As- sistant to County Executive, C.I.A. analyst.
Technical .....	9	Three (3) Engineers, Two (2) Former prison Counselors.
Homemaker .....	5	
Student .....	1	An ex-policeman.
Retired .....	2	
Secretarial .....	4	
Clergy .....	1	
Education .....	3	Administrative Assistant to College School Prin- cipal.
Men .....	20	
Women.....	19	

Three (3) of seven Volunteers trained in February are black.

## Offender Aid and Restoration

OAR of Maryland, Inc.

Post Office Box 365  
Annapolis, Maryland 21404  
301 224 1230, 224-1239

### EX-OFFENDERS PRAISE OAR VOLUNTEERS

1. "I felt as though I needed to find hope, a person ... on the outside, and a friend. I heard that OAR was a good program and I'm convinced that it is well established."

Note: Employed ex-offender speaks of his Volunteer, an Electrician from Annapolis.

2. "I learned the value of trusting someone from a different culture."

Note: Offender now enrolled in drug program speaks of his Volunteer, an Insurance Salesman from Severna Park.

3. "I needed someone to help and assure me that things could be better."

Note: Ex-offender now studying the ministry speaks of his Volunteer, a teacher of retarded children in Baltimore.

4. "This was the first time I have ever been in jail. Just someone to talk to when the chips are really down."

Note: Employed ex-offender speaks of his Volunteer, a Real Estate Agent from Crofton.

5. "Gave me somebody to talk to who could help me get my head straight."

Note: Ex-offender now studying to be a minister speaks of his Volunteer, an Advertising Director from Annapolis.

6. "My Volunteer has something everyone in the world should have, and that is understanding. She has helped me to get back on my feet part of the way by making me feel like a person. Now, I'll get back the rest of the way on my own."

Note: Offender awaiting parole hearing speaks of his Volunteer from Glen Burnie, employed by B.J. Franke Landscaping.

(LETTER FROM OFFENDER ASSISTED BY AN OAR VOLUNTEER)

September 1, 1925

Tuesday morning

Dear Mr. Stevens

I am writing to you in concern with Mrs. Betty Orem. Mrs. Orem worked with me for several months, and, to me she is a wonderful person. Mrs. Orem has something everyone in the world should have and that's understanding. I wanted to always meet someone like her. Mrs. Betty can see that people often fall down, but she doesn't turn her back on them because they do. Mrs. Betty has helped me to get back on my feet part of the way by making me feel like a person. Now I have to get up the rest of the way on my own. I have felt pretty down at times and Mrs. Betty gave me some pride in myself. I can talk with her as if she was my own mother. If everyone would try helping each other like she has helped me things would be alot better. For someone to help someone on there on time free, this person really cares about someones other life. In the time that I have I don't think I would have made it without her. Since I have known her I think of

Her as more than a friend. I just hope she can  
help the next person like she has me. Its pretty  
rough in here any a person needs someone to talk to.  
I hope she still comes to visit me.

Thank-you



JOSEPH M. BURKE  
*Baltimore, Md., June 25, 1976.*

Senator CHARLES MCC. MATHIAS, Jr.,  
*Baltimore, Md.*

DEAR SENATOR MATHIAS: I would be deeply grateful to you if you would send me a copy of the transcripts of the Juvenile Justice Hearings over which you presided in Annapolis, Maryland on Tuesday, June 22nd and in the G. H. Fallon Office Building in Baltimore on June 24th, 1976 when those transcripts are printed.

The testimony which I was able to hear was very impressive. Unfortunately, the acoustics were not good in the room, perhaps due to the lack of a microphone and an amplifier. However, I was able to hear and understand every word which you had to say.

Hopefully some good will come from your hearings, not only in the Congress but in the Maryland State Legislature as well. I would like to have the transcripts in order to bring some of the more pertinent testimony to the attention of our state legislators.

I do believe that you will agree with me that our main problem in this field is NOT juvenile delinquency. Juvenile delinquency is the most serious result of PARENTAL DELINQUENCY in this nation; and parental delinquency must be reduced or eliminated if we are to succeed in our efforts to stem the appalling rate of juvenile crime.

On another matter, I would also appreciate it very much if you would send me a copy of The Freedom of Information Act of 1966 as amended.

Thanking you for your kind attention and with kindest regards and best wishes, I am

Very sincerely,

JOSEPH M. BURKE,  
*Retired Lieutenant,  
Baltimore Police Department.*

# Big Brothers and Big Sisters of Central Maryland, Inc.

2220 St. Paul Street

Baltimore, Maryland 21218

(301) 243-4000

July 1, 1976



Mr. John M. Rector, Esquire  
 Staff Director  
 Juvenile Delinquency Sub-Committee  
 United States Senate  
 Washington, D. C. 20510

Dear Mr. Rector:

In line with the testimony that we obtained during your Maryland State hearings on Juvenile Delinquency during the month of June 1976, I would like to submit the following information for consideration by your sub-committee.

Much has been said regarding the disproportionately growing population and incidents of juvenile delinquency. Vast sums of money have been spent on programs and research. Multifarious recommendations have been made for the resolution of the problem and all too often these recommendations add up to merely more money to continue marginal programs.

We have a wealth of information that I believe needs to be better assembled so that we can more appropriately reorder our priorities and focus funding in a more effective fashion. Certainly the element of self perpetuation of existing programs is one that has to be considered. But the fact is that, in order to have an impact on delinquency we need to have a more appropriate thrust in terms of prevention, rather than the focusing of funding on treatment programs or merely the apprehension of criminals whether they be juveniles or adults. It may be that more money and funding of more programs could be a solution, but we need to keep in mind the importance of cost effectiveness and be guided accordingly.

Many elements of the Juvenile Services Administration have been unfairly attacked for their ineffectiveness but some of this is of their own making. Yielding to political pressures resulting in high caseload ratios makes for a juvenile services worker to be less effective with the individual referred to his attention. This kind of false economy of the past has led to our present untenable situation of high cost and low yield in the present juvenile service structure. But it is this very structure that is its own worst enemy by not using their experience and the facts at hand in impressing on the various legislatures, the recognized forecast of the growing problem of juvenile delinquency.

July 1, 1976

There is a recognition of the "profile of delinquency" such as the juvenile delinquent coming from a background of a minority family living below poverty standards or dependent on welfare, and an inner city resident often times living in subsidized housing or housing projects. One of the most important contributing factors in relation to this profile seems to be politically ignored and that is the fact that one of the major causal factors of poverty which results in welfare dependency, dependence on subsidized housing or having to live in ghetto areas in large urban cities is the fact that these are single parent families. It is politically expedient to ignore this as an important contribution to the delinquent's profile. It is easy to attack or to identify the nebulous poor black inner city welfare and housing dependent family but when we identify a purely social profile of single parent status this is risky and dangerous because there are many single parent families living even in the suburbs.

When we speak of the disproportionate contribution of the single parent family to the delinquent problem we do not mean to say all single parent families but rather those with special needs and these are identifiable. We cannot blame or castigate the single parent for their status nor can we point fingers because of the benign neglect to their children when they are under tremendous social pressures to earn a living and raise the family. In these days it is difficult enough for an intact family and certainly many instances both parents are working in order to provide for the intact family. This will give us an index of the difficulty and extreme hardship of trying to rear a family in a single parent status. As mentioned, not all single parents need assistance, many mothers are capable of continuing to rear their family without assistance but some are not. Some, having to respond to the multitude of social pressures find themselves incapable of coping; these are the families who become dependent. They are the poor living in subsidized housing or in ghetto areas. If we look at their backgrounds we may find not only benign neglect of their children, but we may also find violent emotional abuse by the former partner and then abrupt abandonment rendering the remaining parent incapable of coping, and needing assistance.

With all of these negative factors, we must keep in mind another element that is characteristic of the single parent family that is, the love that the parent has for the children. Many of these parents recognize that the children are going "downhill", they are literally searching for help. Many single parents come to social agencies for assistance, many apply for Big Brothers and Big Sisters. One thing

Mr. John M. Rector  
Juvenile Delinquency Sub-Committee

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July 1, 1976

we cannot take away from these parents and that we need to recognize, is the tremendous love they have for their children and the fact that they are looking for guidance and assistance. Often times assistance with even part time care of their child is sufficient to enable them to cope with the remainder of their tremendous social problems.

One of the most common elements in all delinquency, whether the child comes from a single parent or from a family with many interested members, whether they be both mother and a father and including two sets of grandparents, is the characteristic of inconsistency in the delinquent's rearing. When there is inconsistency in the basic unit of society, the family, it is difficult for a child so reared to have respect for the consistent laws of the greater society, the neighborhood and the community. A child reared in a background of inconsistency will probably have difficulty in making adjustments to the laws of the greater society.

We know that a child from a single parent family is six times more apt to find himself in difficulty with the law and to "make the scene" through the Juvenile Justice System. But the system fails to recognize this kind of disproportionate contribution from another identifiable minority of the population and yet, this minority is quite obvious. We know that the children of single parents live in this status from four to six years before the parent may be remarried. But this intervening period is most crucial in the child's development. This is when the seeds of delinquency may be bred and germinated. Anyone from the janitor of the juvenile institution to the judge of the Juvenile Court can recognize that a majority of the delinquents comes from single parent families, yet we fail to isolate this kind of disproportionate contribution from a minority segment of the population. We fail to address ourselves to the preventive aspects of delinquency when we focus our funding on the apprehension and warehousing of an adjudicated delinquent.

No one person has the answer to delinquency and it is laudable that the sub-committee is having hearings to collect the aggregate knowledge of the various facets of those agencies and services addressing themselves to the delinquent problem. Even this brief presentation does not bring sufficient focus but as we gather information we must come to the conclusion of more fundamentals and a recognition of the beginnings of delinquency. We must address ourselves to the root causes to prevent delinquency rather than to treat, in a more costly fashion, the results. I believe we have the knowledge and the expertise. We need to assemble, as the sub-committee is doing, a wide range of facts and figures. We need to identify and bring into proper perspective all of the contributing factors; the recognition not only of the population boom of the age range as reflected in the

Mr. John M. Rector  
Juvenile Delinquency Sub-Committee

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July 1, 1976

1970s statistics, but we need to take into cognizance too the changing fabric of our society and the increasingly disproportionate rise of single parent families, and with this, the fact that single parent status has always been a disproportionate contributor of children to the delinquent patterns. Again, we must take care not to alienate a substantial portion of our population in this classification by a broad classification in itself but rather to identify particularly those single parents that have been violently emotionally abused and then abruptly abandoned. This is a distinct minority for whom no one has spoken.

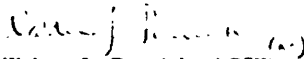
With the facts and figures in the constellation of considerations of the juvenile delinquent, we can no longer hide behind the broad socially acceptable profiles of poverty, minority, welfare dependent, inner city, or the housing project resident, but we need to take into cognizance also the fact that single parent status, as a minority in itself, makes a disproportionate contribution. We need to recognize the proper place and we need to address ourselves to this consideration.

Please feel free to extrapolate the sense of my remarks. I realize there has been some overlapping or duplication. I trust that any condensing of this material will be presented in its proper sense or perspective and that isolated portions will not be taken out of context.

I would look forward to having a copy of the hearings as they took place particularly in Maryland during June of 1976 and further I would be most happy to participate in any further study or analysis of factors contributing to delinquency. The presented material is essentially taken from our experience, some of it empirical, much of the material is documentable.

Looking forward to hearing from your sub-committee further.

Sincerely,



Walter J. Pasciak, ACSW  
Executive Director

**ISI**Learning Systems  
IncorporatedJonathan B. Peck,  
President**Pre-  
trial  
intervention project**Eddie Harrison,  
Director

July 12, 1976

Mr. John Rector  
Staff Director and Chief Counsel  
U.S. Senate Committee on the  
Judiciary  
Subcommittee to Investigate Juvenile  
Delinquency  
Washington, D.C. 20510

Dear John:

In going through my file, I have found volumes of material on the Baltimore City Police Department's Limited Adjustment Program (LAP). Most of it is repetitive and came to me heavily marked up. I am sharing with you pieces which I think are representative of concerns about the program. As you know, the scenario, Pomerleau has publicly attacked the Juvenile Services Administration (JSA) for dealing with juvenile crime ineffectively and irresponsibly, and it is felt by many that LAP is an unfunded special program initiated at a time of police layoffs is perhaps questionably motivated. More troubling, however, is the potential for police abuse and the support Judge Karwacki who, in the opinion of many, was acting outside his authority on the Bench to officially endorse a "pre-intake" diversion project. Also, please note the stated concern over Index Crimes in comparison with the actual offenses eligible for diversion.

At this point, we are still waiting to see what the reality of the program will be. Similarly, to date, there has been no apparent significant impact of the curfew bill which was so hotly debated. Of more immediate concern to us all is the approach to implementation of the J.D. Bill which is being taken by the Governor's

2500 Eutaw Place Baltimore Maryland 21217 301/669-9050

**Isi**  
Learning Systems  
Incorporated

Jonathan B. Peck,  
President

**p**ro-  
**t**rial  
**i**ntervention project

Eddie Harrison,  
Director

Page 2  
July 12, 1976

Commission. I missed Wertz's testimony but found Jim Doolen's remarks particularly interesting because it has been so difficult to discern what is actually happening. It would be very helpful to us all if the Subcommittee could focus on the policies developed for Maryland and exert some influence to see that the spirit of the law is realized. I think Jim is a valuable resource for help in identifying and clarifying the issues for inquiry and am sure he would be glad to talk with you.

I enjoyed seeing you again and will be interested in what flows from the hearings.

Sincerely,

*Ann Jacobs/ms*  
Ann Jacobs  
Program Analyst

AJ/ms

Enclosure

2500 Entaw Place Baltimore Maryland 21217 301/669-9050

POLICE DEPARTMENT, CITY OF BALTIMORE,  
Baltimore, Md., May 29, 1975.

HON. ROBERT I. H. HAMMERMAN,  
Supreme Bench of Baltimore City,  
Court House, Baltimore, Md.

DEAR JUDGE HAMMERMAN: I am forwarding herewith our proposal for Court Sanctioned Police Limited Adjustment Authority.

As I have previously stated, we, the police, do not want to intrude into another agency's authority; but we would like to reduce the juvenile involvement in Index Crime. The Department of Juvenile Services has admitted they cannot fulfill their statutory obligation—they simply don't have the necessary resources. It is because of this lack of resources and the high involvement of juveniles in Index offenses that we ask for Sanctioned Limited Adjustment Authority. We want to be helpful.

Hopefully, we can, as you have suggested, overcome philosophical differences and begin to do something meaningful. I believe our proposal is a start in this direction.

Sincerely,

D. D. POMERLEAU,  
Commissioner.

POLICE DEPARTMENT,  
Baltimore, Md.

### COURT-SANCTIONED POLICE LIMITED ADJUSTMENT AUTHORITY

#### PROPOSED JUVENILE PREVENTION PROGRAM

##### *Introduction*

Juvenile involvement in serious criminal activity continues to ascend in Baltimore in spite of prevailing juvenile services. The inadequacy of the existing formal response, a result of limited available resources, is dramatically illustrated in the custody profiles of these young offenders—the majority boasting repeated contacts, usually beginning at an early age with some act of minor social misbehavior. It is to this beginning the Baltimore Police Department's request for Court Sanctioned Limited Adjustment Authority addresses itself. The goal of this proposal is the ultimate reduction of the number of juveniles involved in Index Crime.

The most promising and effective method of reducing juvenile delinquency is prevention—efforts prior to the commission of a crime, prior to the juvenile's entering the formal system. Prevention is recognized as primarily a responsibility of the community with cross-pollination of governmental agencies, but care must be taken to prevent the community from abdicating this responsibility to government. The requested Court Sanctioned Limited Adjustment Authority is a prevention effort of the Baltimore Police Department designed to prevent minor acts of misbehavior from escalating to more serious, violent crimes through offering a greater degree of community-based alternatives to the present formal system.

Baltimore Police officers now exercise broad discretion in screening and referral practices involving juvenile offenders. While this agency has adopted juvenile procedures which conform to existing statutes and court decisions governing juvenile offenders, legal codes do not specifically sanction law enforcement discretionary practices and diversion of juveniles prior to the filing of a complaint at the intake level of the Department of Juvenile Services; most remain silent on this issue. The Court Sanctioned Police Limited Adjustment Authority, however, will provide uniform guidelines and criteria in the use of law enforcement discretion and pre-intake diversionary practices.

Between 1969 and 1974 juvenile arrests for all offenses rose from 10,594 to 25,892, an increase of 144 percent. Arrests for Index Offenses over the same period increased also over 100 percent. Projected data indicates a continuance of this trend. Those who suggest the increase in arrests is commensurate with juvenile population growth, fail to recognize the juvenile population in Baltimore has decreased approximately 9.7 percent since 1969.

An immediate benefit of the Limited Adjustment Program will be a lightened Department of Juvenile Services Intake Unit case load, thus enabling DJS to deal more adequately with the more serious, pre-violent crime offender, hopefully, resulting in greater protection for the juvenile and the community, as well as reducing juvenile involvement in Index Crimes.



*Purpose*

The purpose of this proposal for Court Sanctioned Police Limited Adjustment Authority is to establish mutually agreeable guidelines and criteria for pre-intake screening and informal police adjustment and discretionary referral of juveniles who have committed minor offenses—see Annex A. This program supplements established departmental policy regarding juvenile offenders and is an expansion of the present citation procedure, as it pertains to the Baltimore Police juvenile custody report—see Annex B. Part 56 of this report is a tear-off portion signed by the parent, guardian or custodian and acts as a promisory to bring the child before the proper designee when directed to do so.

*Summary of Proposal*

When a police officer, pursuant to law, takes a child into custody for a specified delinquent act, he shall with all reasonable speed:

Release the child to his parent, guardian or custodian, upon their written promise, (to be specified in Block 56 of the Juvenile Custody Report), to bring the child before the Police District Juvenile Adjustment Police Officer on a date specified.

*Pre-Intake Adjustment Authority of the Police Juvenile Officer*

The Police District Juvenile Officer will have several options to exercise as part of his adjustment authority in disposing of cases within his purview, i.e.:

- (1) Warning and Release.
- (2) Limited Counselling (Voluntary).
- (3) Diversion to approved Community Referral Services.
- (4) Diversion to approved Community Service Work Programs.
- (5) File Complaint with the Intake Unit, Department of Juvenile Services.

The juvenile's involvement in this program will be predicated upon and consistent with those guidelines provided by the Court. The juvenile's Constitutional guarantees, as applicable, shall be insured.

Valuable input will be provided the juvenile officer by the beat officer or investigator prior to the scheduled meeting with the juvenile. DJS shall also be consulted on a need basis.

The options exercised by the Police Juvenile Officer shall be in accord with parameters sanctioned by the Court and existing legal codes relating to juveniles.

An important function of the Police Juvenile Officer is the referral of these youths in need of services offered by various public and/or approved private agencies. Ideally the community will possess the services required by youths. If it does not, the department will illuminate these needs to the police district community relations councils, for the community itself must assume its responsibilities to youth. Additionally, through close liaison between the juvenile officer and the community relations sergeant, weak areas within the community can be addressed.

The Community Service Work Program will be available to youths who have reached the age of fourteen years. Resources to provide for meaningful, paid tasks for affected youths are requisite. These resources may be developed through both public and private sources and the work afforded shall as much as possible correspond to the offense, i.e., a child who admitted to destruction of shrubberies and trees, etc., will be given a job planting shrubberies, trees.

*Selection and Training of Police Juvenile Officers*

Police Officers selected for assignment as District Juvenile Officers shall be carefully screened and specially trained for work with juveniles, consistent with mutually agreeable selection criteria. A training program will be developed in concert with the Department of Juvenile Services to include instruction in the concepts and philosophies applicable to this program.

*Program Evaluation*

An evaluation component shall provide for ongoing monitoring as well as a meaningful comparison of the various dimensions prior to implementation of the program and at some appropriate time thereafter. A program coordinator shall also be appointed.

**ANNEX A**  
**OFFENSES SELECTED FOR COURT SANCTIONED**  
**POLICE LIMITED ADJUSTMENT AUTHORITY**

- |   |  |
|---|--|
| 1. Assault & Battery, nonaggravated   | 20. Possession of pyrotechnics (fireworks)   |
| 2. Cruelty to animals   | 21. Receiving stolen goods valued under \$100.00                                       |
| 3. Destruction of property under \$500.00                                   | 22. Resisting Arrest   |
| 4. Disturbing the peace and/or disorderly conduct                           | 23. Unlawful removal of grocery carts and personal property                            |
| 5. Consumption or possession of Alcohol                                     | 24. Rogue and Vagabond   |
| 6. False alarm of Fire  | 25. Threats and threatening letters  |
| 7. False statement to police  | 26. Tampering with Autos   |
| 8. Glue Sniffing  | 27. Throwing trash on land of another or public property                               |
| 9. Hindering or obstructing a police officer, security officer, guard, etc. | 28. Trespassing on private or public property  |
| 10. Impersonating a Police Officer  | 29. Wrongful opening of mail   |
| 11. Indecent Exposure   | 30. Public nuisances   |
| 12. Interfering with Firemen  | 31. Playing ball unlawfully in the streets   |
| 13. Killing and injuring animals  | 32. Violations—Minors in public places of amusement (bowling alleys, pool rooms, etc.) |
| 14. Larceny under \$100.00 (including shoplifting)                          | 33. Minors gambling  |
| 15. Littering   | 34. Refusing to pay Mass Transit or other public conveyances                           |
| 16. Loitering   |  |
| 17. Telephone misuse/harassment   |  |
| 18. Placing injurious substance in street                                   |  |
| 19. Possession of Alcohol   |  |

*Ann Jacobs*

**ACLU**

AMERICAN CIVIL LIBERTIES UNION OF MARYLAND  
1231 NORTH CALVERT STREET / BALTIMORE, MARYLAND 21202 / PHONE (301) 685 6460

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**Executive Director**  
JOHN C. ROEMER, III

DEC 2 1975

November 24, 1975

Robert Hilson, Director  
Juvenile Services Administration  
201 West Preston Street  
Baltimore, Maryland 21201

**BOARD OF GOVERNORS** Dear Mr. Hilson:

- E. DALE ADKINS, III
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- JOSEPH WHITEHILL
- RUTH WOLF
- WILLIAM H. ZINMAN

We are concerned about reports that the City Police Department is developing its own juvenile pre-trial diversion project or arbitration program. Even when not administered by the police such programs are potential threats to due process, the presumption of innocence, freedom from self-incrimination and confidentiality of juvenile records. If pre-trial diversion becomes an official adjunct of the police, virtually nothing remains of due process, as the police would serve as law enforcers, prosecutors, judges, defense counsel and probation officers all at once. The intentions of the police may be benevolent, but the Constitution prohibits such an amalgamation of powers, on the principle that no person or agency can safely exercise unchecked enforcement and judicial authority.

We hope that you will give any police proposals the closest scrutiny and reject them if they substitute police supervision of accused juveniles for proper judicial or administrative processes.

Sincerely,

*John Roemer, III*  
John Roemer, III  
Executive Director

JR/bdb

Police Department  
Baltimore, Maryland

General Order

Index As: Adjustment Program  
Alternative Handling of Child Offenders  
Court Sanctioned Pre-Intake Adjustment Program  
Youth Services Officer

*Name predisposes that  
kid will go to Intake*

Subject: Court Sanctioned Pre-Intake Adjustment Program

GOALS AND OBJECTIVES

The Baltimore Police Department, in cooperation with the Honorable Robert L. Karwacki, Judge of the Juvenile Division of the Supreme Bench of Baltimore City, has established a program within this Agency for pre-intake adjustment in certain cases involving juvenile offenders in lieu of formal adjudication. This adjustment may include referral to community based services. *with intake*

*implies that a more serious offense will occur*

Prior to the commission of a more serious offense, some rehabilitative mechanism must be developed in order to successfully adjust and divert child offenders.

The <sup>goals</sup> of this division are:

*all objectives*

- (1) To address rehabilitative counselling and community referral, where appropriate, to the enrolled child, immediately. *provision*
- (2) To impact upon the asocial behavior of the child prior to the commission of violent, criminal acts.
- (3) To channel adolescent time, energy, curiosity

*good*

G. O. Subject: Court Sanctioned Pre-Intake Adjustment Program

Goals and Objectives (Cont'd.)

and peer association to more socially acceptable activity.

*good*  
*ju*

(4) To generate an awareness of the responsibility of the community to provide meaningful developmental activities for children.

(5) Provide a satisfactory response to the victims and complainants of child misbehavior.

*This won't happen*

(6) To reduce the caseload of more sophisticated formal services to allow their concentration on more serious offenders.

*what County DIS what else*

To these ends, this Agency will solicit the active participation of community based supportive services to provide the most meaningful and effective program possible, thus dissuading the juvenile offender from repeated or escalated delinquent activity.

*proach of*

*assumes here will re*

The following discretionary alternatives to formal adjudication are available to this Department:

Warning and Release

Limited Counselling

Diversion to Approved Community Service

*[Handwritten scribbles]*

Referral to Approved Community Service Work Program

The participation of the community, both individual and corporate, is vital to an effective rehabilitative program.

PURPOSE

The purpose of this General Order is to establish and outline the functions, authority and responsibilities of this agency in or-

G. O. Subject: Court Sanctioned Pre-Intake Adjustment Program

ELIGIBILITY CRITERIA

- I. Any child is eligible for the program who satisfies the following criteria:
- A. Participated in one or more of the 34 offenses listed in Annex B.
  - B. Not an escapee, wanted nor on probation.
  - C. Not presently a participant in the Department of Juvenile Services Commitment-Arbitration Program. *(in placement)*
  - D. Voluntarily wished to be enrolled in the program.
  - E. Voluntarily admits guilt with no self-incrimination.
  - F. Parental/Guardian consent and Complainant consent.

SELECTION AND PARTICIPATION CRITERIA

- I. Child suitability for program enrollment and subsequent alternative referral may be determined by consideration of the following criteria:
- A. Welfare of the community.
  - B. Welfare of the child as determined by possible removal from the environment/home setting.
  - C. Potential for successful rehabilitation under the system.
  - D. The child's age, delinquent patterns, family support and cooperation.

DISCRETIONARY ALTERNATIVES

- I. After eligibility and suitability determinations, the special discretionary alternatives shall be determined based on SELECTION AND PARTICIPATION CRITERIA above.
- A. Warn and Release

G. O. Subject: Court Sanctioned Pre-Intake Adjustment Program

Discretionary Alternatives (Cont'd.)

1. After initial counselling interview with the child.
2. After initial interview with parents/guardian.

B. Limited Counselling

- role counselling*
1. Schedule subsequent counselling/interview sessions with the child and parent (if practicable).
  2. Conduct sessions in company with apprehending officer (if practicable).
  3. Number of subsequent sessions to be dictated by the needs of the child.

C. Diversion to Approved Community Services

1. Select from existing community or citywide resources the most potentially rehabilitative as determined by the needs of the child.
2. If deemed necessary, include limited counselling and periodic inspection interviews to monitor the child's progress.

D. Diversion to Approved Community Service Work Program

1. Select from existing community employment opportunities that opportunity which will best serve the needs of the child.

Legitimate increase of income

An awareness of property values

Attainment of work skills and habits

G. O. Subject: Court Sanctioned Pre-Intake Adjustment Program

Discretionary Alternatives (Cont'd.)

Formation or strengthening of acceptable normative values.

If deemed necessary, include limited counselling and periodic inspection to monitor the child's progress.

E. Refer to Intake.

1. Should the Youth Services Officer in concert with the Apprehending Officer determine program enrollment is not in the best interest of the child or the community, he shall proceed in accordance with General Order 70-11.

REQUIRED ACTION

I. Responsibility of the Apprehending Officer

Upon taking a child into custody for any offense, the apprehending officer shall:

- A. Request a records/wanted check from the Central Records Division via Centrex Telephone Extension.
- B. Proceed in accordance with established procedure where a complaint would not normally be filed;
- C. Determine eligibility of the child for program participation in accordance with ELIGIBILITY CRITERIA above;
- D. Process those children not eligible in keeping with established procedures;
- E. Complete Juvenile Custody Report Form, entering "REFERRED" in the disposition block for those children determined eligible; (Tab 2, Appendix 2, Annex C)
- F. Contact the Youth Services Officer in District of apprehension to determine enrollment suitability of eligible children; and



G. O. Subject: Court Sanctioned Pre-Intake Adjustment Program

Required Action (Cont'd.)

*Complainant does not get a copy of form*

- G. Contact complainant, advise of the child's eligibility for program enrollment and obtain complainant's signature certifying understanding and consent.
- H. Where practicable, participate in subsequent interview counselling sessions.

II. Responsibility of the Youth Services Officer (District of Apprehension)

Upon notification by the apprehending officer that a child is eligible for program enrollment, the Youth Services Officer (or his qualified designate) shall:

- A. Confer with the apprehending officer as to the suitability of the child for program enrollment;
- B. Provide parent/legal guardian and the child Pre-Intake Adjustment Program Fact Sheet, Explanation of Rights Form and waiver form for signature; (Tab 4 to Appendix 2 to Annex C)
- C. Forward signed forms to the Youth Services Officer in the District wherein the child resides;
- D. Address initial counselling to the child and the parents prior to release of the child;
- E. Initiate Tracking Sheet; forwarding original to the Youth Services Officer of the District wherein the child resides; copy to the Youth Section; and (Tab 3, Appendix 2, Annex C)
- F. Upon determining the child is not suitable for program enrollment, or parent/legal guardian does not agree to enroll child, or child refuses to participate in the program, or apprehending officer does not concur with the child's suitability, the Youth Services Officer shall complete a supplemental report to the Juvenile Custody

G. O. Subject: Court Sanctioned Pre-Intake Adjustment Program

Required Action (Cont'd.)

Report stating "the reason the eligible child is not to be enrolled", *in future*

Note -

Should the parent/legal guardian not be available to the Youth Services Officer, the Pre-Intake Adjustment Program Fact Sheet shall be given to the adult responding to take custody of the child. Waiver Forms will be presented to the parent/legal guardian by the Youth Services Officer of the District wherein the child resided at a later date.

III. Responsibility of the Youth Services Officer (District of Residence)

A. The Youth Services Officer is authorized to:

1. Determine which of the discretionary alternatives describes above best suits the needs of the child bases on the information available.
2. Determine the appropriate handling of a child enrolled in the system who is subsequently arrested. Criteria to be used shall include eligibility of the subsequent offense and current suitability of the child. No child shall be enrolled or remain in the system who is presently enrolled in a treatment service of the Department of Juvenile Services or the Juvenile Court.
3. Expel from the system any child who consistently fails to respond to rehabilitative efforts or who consistently fails after subsequent counselling to participate in referral assigned alternative activity;

G.O. Subject: Court Sanctioned Pre-Intake Adjustment Program

Required Action (Con't.)

Note -

The Youth Services Officer may, after consultation with the system director, request of the court an extension of the 90 day referral period in the best interest of the community or the child or for conclusive results of the referral effort.

- B. The Youth Services Officer in the District wherein the child resides shall:
1. Establish and maintain a secure file for Tracking Reports, Juvenile Custody Reports and Cards and other information associated with this program;
  2. Contact complainant for certification of waiver form as well as parent/legal guardian and child if this has not been completed;
  3. Notify the child, parent/legal guardian, complainant, and apprehending officer of any child expelled from the program;
  4. Complete a supplemental report to the Juvenile Custody Report indicating the final action taken on the child's termination with the program by either successful completion or expulsion;
  5. Complete the Tracking Report Form as to final status of the child;
  6. Transmit a copy of the completed form directly to the Youth Section, original to be maintained in District File; and
  7. Effect meaningful liaison with the community-based referral organizations and transmit to

G. O. Subject: Court Sanctioned Pre-Intake Adjustment Program

Required Action (Cont'd.)

those organizations any perceived need for community-based services as determined by his actual experiences. He shall apprise his District Community Relations Sergeant of these needs.

PROGRAM ADMINISTRATION

I. Line Supervision

- A. The Chief of the Patrol Division shall, in keeping with his authority, act as the supervisor of the line functions of the Youth Services Officers within the various Patrol Districts. He shall also effect liaison with the administrative supervisor of the Pre-Intake Adjustment Program, the Chief, Community Services Division.
- B. The District Commander of the District of Residence shall:
  - 1. Maintain line authority over the Youth Services Officers in his command; and
  - 2. Assist and coordinate liaison between the Youth Services Officer and the District Community Relations Sergeant within the District.

II. Staff Supervision

- A. The Chief of the Community Services Division shall act as reviewing authority of the work product of the Youth Services Officers as well as the application of the concepts and philosophy. He shall also serve as Liaison Officer to those community based services which serve the City as an entity from a central location.

It is the responsibility of the Chief of the Community Services Division to monitor, evaluate and redirect as necessary the development and operation of this system.

G. O. Subject: Court Sanctioned Pre-Intake Adjustment Program

Program Administration (Cont'd.)

- B. It shall be the responsibility of the Director, Youth Section, to:
1. Create and maintain a secure and confidential central repository for all information including:
    - Juvenile Referral Tracking Report (copy)
    - Parental/Legal Guardian/Complainant Waiver Form
    - Juvenile Offense Report
    - Custody Report
    - Custody Cards
    - Other related reports and forms
  2. Develop from available base data as provided by the Youth Services Officers and other sources an effective criteria for the evaluation of this system;
  3. Facilitate and encourage ideas, rehabilitative programs and community service resources;
  4. Provide System Director, Chief, Community Services Division, an ongoing evaluation of program bases on recidivism of enrollees and other behavioral modification indicators, as well as other information necessary to effectively direct the administration of the Court Sanctioned Pre-Intake Adjustment Program.
- C. Three System Coordinators, one per Patrol Area, shall:
1. Serve as administrative monitors of Youth Services Officers.

G. O. Subject: Court Sanctioned Pre-Intake Adjustment Program

Program Administration (Cont'd.)

(They shall be limited to the officers' work product, line supervision remains with the District Commander);

2. Shall be available to assist and coordinate referral across geographic boundaries;
3. Shall report directly to the Headquarters and Services Lieutenant, Youth Section.

III. Staff Support and Logistics

- A. It shall be the responsibility of the Central Records Division to:
  1. Respond to the apprehending officer's request for child's record and status concerning probation, escapee or wanted on an outstanding warrant;
  2. Specify available dispositions for past delinquent activity with particular attention to any "REFERRED" entries as dispositions.
  3. Forward to the Youth Services Officer of the District in which the child resides and to the Youth Section, completed Child Contact History, including dispositions, and reproduced copies of Custody Reports, Custody Card and all appropriate supplemental reports. (Tab 1, Appendix 2, Annex C)
  4. Update juvenile custody card file as appropriate when advised via supplemental report to the Custody Report that a referred case has been submitted to the Department of Juvenile Services for formal adjudication or that the child has successfully completed the 90 day pre-intake adjustment period.

(See Annex C - Flow of Reports and Forms)
- B. It shall be the responsibility of each Shift Commander within the Patrol Districts to maintain an accurate list

G.O. Subject: Court Sanctioned Pre-Intake Adjustment Program

Program Administration (Cont'd.)

of all subordinate officers who have undergone the specialized Youth Services Officer Training. This list shall be available at the Booking Desk to any apprehending officer.

- C. The District Community Relations Sergeants, in concert with Council Presidents and Community Relations Aides shall:
1. Develop lists of existing participating community-based groups by name, function or purpose, address, etc. These lists shall be forwarded to the Chief, Community Services Division, for approval prior to implementation as part of the referral program.
  2. Be responsible for generating such groups in areas (athletic, vocational counselling, volunteer work projects, etc.) where they do not exist in the community, and forwarding same to the Chief, Community Services Division.
  3. Explore and report to the Commanding Officer, Community Services Division, the possibility of creating worthwhile rehabilitative work projects (with remuneration) for the referred children.
  4. Make these lists and revisions to these lists available to his District of Assignment Youth Services Officer, with copies sent to the Chief, Community Services Division, for approval and citywide dissemination.

SCOPE

- I. Selection Criteria for Youth Services Officer

See - Annex A

G. O. Subject: Court Sanctioned Pre-Intake Adjustment Program

Scope (Cont'd.)

II. List of Eligible Offenses

See - Annex B

III. Flow of Reports and Forms

See - Annex C

IV. System Organization Chart

See - Annex D

REVISIONS

None

EFFECTIVE DATE

This Order is effective on the date of publication.

D. D. Pomerleau  
Commissioner

Distribution "A"

I certify that I have read and fully understand this Order.

\_\_\_\_\_  
Signature



ANNEX A (Selection Criteria  
for Youth Services Officer) to  
General Order

Police Department  
Baltimore, Maryland

SELECTION CRITERIA FOR YOUTH SERVICES OFFICER

1. Members of this Agency, Police Officer/Agent with one year or more of Patrol experience.
2. Demonstrate interest in assignment to position and:
  - a. Obtain favorable Command recommendation based on first-line supervisory recommendation;
  - b. Possess a favorable educational and professional performance background;
  - c. Merit approval by Oral Interview Board, composed of Director, Personnel Division; Director, Youth Section; and a Patrol District Commander, subject to the approval of the Chief of Patrol.
  - d. Demonstrate sensitivity to the Community;
  - e. Upon tentative appointment, successful completion of the training curriculum as developed. See Appendix I - Training Curriculum for Youth Services Officers.

D. D. Pomerleau  
Commissioner

Distribution "A"

G. O.

**SPECIALIZED TRAINING PROGRAM  
FOR PERSONNEL ASSIGNED TO THE COURT  
SANCTIONED JUVENILE OFFENDER ADJUSTMENT PROGRAM**

**INTRODUCTION**

The continuing involvement of Juveniles in criminal or anti-social acts, coupled with an ever increasing youthful population has aroused the concern of the total community.

The victimization of adult and youthful residents of this city is increasing, while the facilities and services designed to remedy the problem are overburdened. Simply stated the Juvenile Justice System as it now operates finds it increasingly difficult to cope with the complexity and gravity of the problem.

The police, in turn, the primary input agency into the Juvenile Justice System plays an extremely limited role. In Baltimore the current diversion practices of the police department are informal and unstructured.

The proposed court sanctioned police adjustment program is designed to divert some of the youthful offenders from the courts and institutions of the state's Juvenile Justice System. Not only will diversion place the police in a position of actively participating in continuing programs of delinquency prevention but it will also provide relief to the over-extended Department of Juvenile Services. Thus, this agency will be able to deal more effectively with the more troubled youth.

This proposed training program will be presented by the Education and Training Division of the Baltimore Police Department and will call upon the knowledge and expertise of university professors, practitioners in the field of Juvenile Justice and qualified police personnel.

The ten (10) day program will be presented to personnel selected to become youth services officers. Candidates will be expected to complete this course satisfactorily as a prerequisite to selection.

**PURPOSE**

The Purpose of the training program is:

1. To familiarize the officer with the philosophy and legal processes of the Juvenile Justice System.
2. To discuss and explain the police role in controlling and preventing juvenile delinquency.
3. To develop a better understanding of adolescence and its attending problem.
4. To review contributing factors of juvenile delinquency.
5. To introduce and explain the concept and philosophy of diversion.
6. To train police officers in interviewing and counselling techniques.
7. To review and discuss judicial decisions affecting the Juvenile Justice System.

**OBJECTIVES**

1. To establish a better understanding of the police function as it relates to juvenile delinquency.
2. To assign a highly trained officer in the diversion program.
3. To acknowledge the need and appreciate the objectives of the diversion process.
4. To create greater sensitivity to the community and its needs.
5. To involve the community in delinquency prevention program.
6. To have the police department actively participate in community based juvenile prevention programs.
7. To alleviate the burden of the Department of Juvenile Services.

## PROPOSED CURRICULUM

- |    |  |         |
|----|--|---------|
| 1. | <u>Orientation</u> .....<br>An explanation and review of the Education and Training Center's rules of conduct and general orientation. A review of the program to demonstrate its application to the course objectives, ... Police Commissioner's opening address of welcome ..... (Staff) (Police Commissioner)   | 2 Hours |
| 2. | <u>Police Role in Contemporary Society</u> ...<br>This block of instruction stresses the need to redefine the police role in order to deal with the complexity of urban problems. It indicates the relationship existing between the traditional role of the police and the contemporary approach of reaching objectives. (Staff)  | 1 Hour  |
| 3. | <u>Police Discretion</u> .....<br>An exploration of the discretionary concept and its application to youthful offenders. Emphasis will be placed on the court sanctioned programs and the various factors to consider when utilizing discretionary authority. (Staff).   | 2 Hours |
| 4. | <u>History and Philosophy of the Juvenile Justice System</u> .....<br>The history of the development of the Juvenile Justice System discusses the philosophy and the motivating factors leading to the establishment of juvenile courts. Historical examples are presented along with audio-visual presentation depicting the workings of the Juvenile Justice System - Addresses itself to parole, probation, commitment and foster care. Describes the functions of the Department of Juvenile Services. (Staff) (Guest) | 4 Hours |

5. Understanding Juvenile Delinquency..... 3 Hours  
 This orientation lecture presents an overview of the problem of juvenile delinquency and describes the various contributing factors. (Staff)
6. Adolescent Growth and Development..... 5 Hours  
 This module describes and explains the physical and psychological changes occurring during adolescence and their impact upon the individual. This portion of the program discusses fads, peer group influence, conformity and other behavioral characteristics common to adolescents. Consideration is given to normal and abnormal methods of adjusting to this most difficult period. (Consultant)
7. The Juvenile and the Law :..... 5 Hours  
 The application and ramifications of juvenile law and legal procedures. Case law to include Supreme Court decisions is discussed and explained. Consideration is given to the legal responsibilities of parents and children and the marriage contract. (Staff)
8. The Family in Contemporary Society ... 3 Hours  
 A study of the family as the basic unit of society and its impact upon the child. Family disorganization including the broken home, sibling conflicts, fragmentation and other anomalies having a negative influence on the child are also examined. (Staff)

14. Community Resources ..... 4 Hours  
 A Panel presentation of representatives of community resources that may be used by the youth service officer. (Staff) (Guest Speaker)
15. Field Trip ..... 7 Hours  
 Supervised field trip to agencies in the Maryland Juvenile Justice System to include intake department, court and training schools, diagnostic center, etc.
16. Departmental Juvenile Procedures .... 3 Hours  
 A discussion and explanation of departmental procedures to be followed in the Diversion Program. (Staff)
17. Practicum ..... 7 Hours  
 A general review and demonstration and application of the diversion process through role play. (Staff)
18. Critique and Examination ..... 3 Hours  
 Course Evaluation and Final Examination

*Observe Com Arbitration*

ANNEX B (List of  
Eligible Offenses) to  
General Order

Baltimore, Maryland

LIST OF ELIGIBLE OFFENSES

- |   |   |
|---|---|
| ✓ 1. Assault and Battery, non-aggravated                                      | ✓ 19. Possession of Alcohol   |
| ✓ 2. Cruelty to Animals   | ✓ 20. Possession of Pyrotechnics (Fireworks)  |
| 3. Destruction of Property under \$500.00                                     | ✓ 21. Receiving Stolen Goods Valued under \$100.00  |
| ✓ 4. Disturbing the Peace and/or Disorderly Conduct                           | ✓ 22. Resisting Arrest  |
| 5. <i>Possession of Alcohol on public streets</i><br>Consumption of Alcohol   | ✓ 23. Unlawful Removal of Grocery Carts and Personal Property   |
| ✓ 6. False Alarm of Fire  | ✓ 24. Rogue and Vagabond  |
| ✓ 7. False Statement to Police  | ✓ 25. Threats and Threatening Letters   |
| ✓ 8. Glue Sniffing  | ✓ 26. Tampering with Autos  |
| ✓ 9. Hindering or Obstructing a Police Officer, Security Officer, Guard, etc. | ✓ 27. Throwing Trash on Land of Another or Public Property  |
| ✓ 10. Impersonating a Police Officer  | ✓ 28. Trespassing on Private or Public Property   |
| ✓ 11. Indecent Exposure   | ✓ 29. Wrongful Opening of Mail  |
| ✓ 12. Interfering with Firemen  | <i>duplicate</i> ✓ 30. Public Nuisances   |
| <i>duplicate # 2</i> 13. Killing and Injuring Animals                         | 31. Playing ball unlawfully in the Streets  |
| ✓ 14. Larceny under \$100.00 (including shoplifting)                          | <i>duplicate # 4</i> ✓ 32. Violations - Minors in public places of amusement (bowling alleys, pool rooms, etc.) |
| ✓ 15. Littering   | ✓ 33. Minors Gambling   |
| ✓ 16. Loitering   | ✓ 34. Refusing to pay Mass Transit or other Public Conveyances  |
| ✓ 17. Telephone Misuse/Harassment   |   |
| ✓ 18. Placing Injurious Substance in Street                                   |   |

MINUTE ORDER OF  
Reports and Forms) to  
General Order

Baltimore, Maryland

**FLOW OF REPORTS AND FORMS**

**APPENDIX I            . Flow of Reports and Forms**

**APPENDIX II         Sample Reports and Forms**

**D. D. Pomerleau**  
**Commissioner**

**Distribution "A"**



Annex C to  
General Order

SAMPLE REPORTS AND FORMS

Child Contact History

Juvenile Custody Report

Tracking Report

Program Fact Sheet/Rights and Waiver Form

Child Contact History  
Form 75/148

Last Name		First	Middle	Date of Birth	Race	Sex
Address				Requested By:		Assignment
AKA				Remarks:		
Date and Time Request Received				Photo/Fingerprint Yes No		D. P. I. No.
Date	Custody Number	C. C. Number	Disposition	"REFERRED" Yes/No		
Clerk: Cadet:		Date	Sent To:		Additional Yes No	

**JUVENILE CUSTODY  
REPORT  
FORM 77/11**

**POLICE DEPARTMENT  
BALTIMORE, MARYLAND**

1. JUVENILE'S NAME (LAST FIRST MIDDLE)				AGE		COMPLAINT NO.	
20. CAR NO.	21. POST	22. REPORTING AREA	23. STREET CODE	3. ADDRESS		CITY	ZIP CODE
24. TAKEN INTO CUSTODY LOCATION AND TIME				5. SEX	RACE	DOB	6. HT.
25. LOCATION OF INCIDENT				26. SOBERITY	7. SCHOOL		GRADE
29. DATE & TIME OF INCIDENT				27. NARCOTIC	8. ALIAS/NICKNAME		9. SOCIAL SEC. NO.
28. VEHICLE INVOLVED: LICENSE STATE YEAR				12. EMPLOYED		BUS. PHONE	
29. OFFICER IN CASE: (11)				14. INCIDENT (EXPLAIN)		15. COMP. FILED	
10. P. RENT GUARDIAN CUSTODIAN (11)				ADDRESS		CITY	ZIP CODE
31. (12)				RES. PH.		BUS. PH.	
32. COMPLAINANT				ADDRESS		CITY	ZIP CODE
33. REPORTING PERSON WITNESS				ADDRESS		CITY	ZIP CODE
34. ACCOMPLICE				SEX	RACE	AGE	ADDRESS
35. HOW TRANSPORTED				36. CAR NO.	37. SEARCHED BY		38. NATURE OF INJURY
39. DATE & TIME ADM. TO YOUTH DIVISION				41. ORIENTATION APPROVED BY		42. ADMITTING OFFICER	
43. NAME OF PARENT, GUARDIAN OR CUSTODIAN NOTIFIED (14)				DATE & TIME		45. OFFICER	
44. RELEASED TO (SIGNATURE)				47. ADDRESS		ZIP CODE	48. PH. NO.
49. DATE & TIME RELEASED				51. RELEASING OFFICER		SEQ. NO.	52. SUPERVISOR
53. CHECK ONE:				IN NEED OF SUPERVISION		DELINQUENT	NEGLECT
54. JUVENILE'S MONEY (PROPERTY)				DEPENDENT		MENTALLY HANDICAPPED	
50. NARRATIVE							
56. TO: _____ (PARENT, GUARDIAN OR CUSTODIAN), _____ IS RELEASED TO YOU AFTER BEING IN THE CUSTODY OF THE BALTIMORE POLICE DEPARTMENT. NOTIFICATION WILL BE GIVEN IF A COMPLAINT IS FILED WITH THE CIRCUIT COURT OF BALTIMORE CITY, DIVISION FOR JUVENILE CAUSES.							
ARTICLE 26, SECTION 16-10 (A)(1) OF THE ANNOTATED CODE OF MARYLAND REQUIRES YOUR WRITTEN PROMISE TO BRING THE CHILD BEFORE THE COURT WHEN REQUESTED. FAILURE TO OBEY A REQUEST OF THE COURT MAY RESULT IN THE ISSUANCE OF A WARRANT FOR THE CHILD AND A PROCEEDING AGAINST YOU FOR CONTEMPT.							
I PROMISE TO BRING THE CHILD BEFORE THE COURT WHEN REQUESTED: _____ SIGNATURE OF PERSON RELEASED TO:							
ADDRESS: _____ AGE: _____ RELATIONSHIP: _____							
RELEASING OFFICER: _____ SEQ. NO. _____ UNIT: _____ DATE & TIME: _____							

Court Sanctioned Pre-Intake Adjustment Program Fact Sheet

The concept of diversion of child offenders to limited adjustment programs in lieu of formal adjudication is authorized under the Annotated Code of Maryland. The Court Sanctioned Pre-Intake Adjustment Program operates in cooperation with the Juvenile Division of the Supreme Bench of Baltimore City.

The Baltimore Police Department shall operate this Pre-Intake Adjustment Program to the mutual benefit of the child and the community. Its specially trained Youth Services Officers have the exclusive authority to determine the child's eligibility in keeping with standards approved by the Juvenile Court -- as well as his/her suitability for program enrollment.

Should the Youth Services Officer determine the child is not eligible or is not selected for program enrollment, the case may be forwarded to the Department of Juvenile Services for further review.

Should the child be deemed eligible and selected for enrollment in the system, he/she will be expected to participate in one or more of the following services:

1. Limited Counselling - Interview sessions with parent, child and Youth Services Officer (and arresting officer, where practicable). This service may be included with other referrals;
2. Referral to Community Services - as determined by the Youth Services Officer, the child may be scheduled to participate in educational, recreational, medical, social and such other programs as the Youth Services Officer feels best meets the needs of the child. This may also include temporary employment for the child in the community.

The Courts and Judicial Procedures Article, Section 3-110 of the Annotated Code of Maryland states in part:

"The Intake Officer may propose an informal adjustment of the matter if based on the complaint, his preliminary inquiry, and such further investigation as he may make, he concludes that the court has jurisdiction but that an informal adjustment, rather than judicial action, is in the best interests of the public and the child. If the Intake Officer proposes an informal adjustment, he shall inform the parties of the nature of the complaint, the objectives of the adjustment process, the conditions and procedures under which it will be conducted and the fact that it is not obligatory. The Intake Officer shall not proceed with an informal adjustment unless all parties to the proceeding consent to that procedure.

If all of the parties do not consent to an informal adjustment, or such adjustment cannot, in the judgment of the Intake Officer, be completed successfully, he shall forthwith authorize the filing of a petition."

Youth Services Officers will assume these responsibilities. ✓

EXPLANATION OF RIGHTS/WAIVER FORM

RIGHTS OF THE CHILD ENROLLED IN THE COURT SANCTIONED PRE-INTAKE ADJUSTMENT PROGRAM:

*Why, is at a legal process?*

- (1) Right to have legal counsel present during the initial interview sessions.
- (2) Right to remain silent or stop talking at any time during any interview or counselling session.
- (3) May not have self incriminating statements used against him/her at any time.

REQUIREMENTS FOR CHILD ENROLLMENT IN THE COURT SANCTIONED PRE-INTAKE ADJUSTMENT PROGRAM:

- (1) Admits to have committed the offense of \_\_\_\_\_ on \_\_\_\_\_ within the purview of the Court Sanctioned Pre-Intake Adjustment Program.
- (2) Is determined suitable for program enrollment by the Youth Services Officer.
- (3) Has the certified permission of the Apprehending Officer, parent or legal guardian, child and the complainant.

I fully understand the provisions of this program, and the RIGHTS of the child, and voluntarily agree to participation and/or allow participation.

\_\_\_\_\_  
(Child Enrollee) (Date)

\_\_\_\_\_  
(Parent or Legal Guardian) (Date)

\_\_\_\_\_  
(Complainant) (Date)

\_\_\_\_\_  
(Youth Services Officer) (Date)

\_\_\_\_\_  
(Apprehending Officer) (Date)

Form 75/115

2nd. Interview with Child

Conducted by: P. O. \_\_\_\_\_ Date \_\_\_\_\_

With/Specify \_\_\_\_\_ (Parent/Guardian) Time \_\_\_\_\_

Remarks: (If rejected, specify reasons)

3rd. Interview

Conducted by: P. O. \_\_\_\_\_ Date \_\_\_\_\_

With/Specify \_\_\_\_\_ (Parent/Guardian) Time \_\_\_\_\_

Remarks:

4th. Interview

Conducted by: P. O. \_\_\_\_\_ Date \_\_\_\_\_

With/Specify \_\_\_\_\_ (Parent/Guardian) Time \_\_\_\_\_

Remarks:

CHILD'S STATUS: ? Released \_\_\_\_\_ Date \_\_\_\_\_  
Expelled \_\_\_\_\_ Date \_\_\_\_\_

(Specify Reasons for Expulsion)

*Whose responsibility  
to act on*

(Referral - Satisfactory) \_\_\_\_\_ Date \_\_\_\_\_

(Referral - Unsatisfactory) \_\_\_\_\_ Date \_\_\_\_\_

Subsequently Arrested: \_\_\_\_\_ (Date)

\_\_\_\_\_ (Charge) \_\_\_\_\_ (Youth Number) \_\_\_\_\_ (C. C. Number)

Status Recorded by: P. O. \_\_\_\_\_ District \_\_\_\_\_

Date \_\_\_\_\_

Referral  
Tracking Report  
Form 75/115

C. C. # \_\_\_\_\_  
Youth # \_\_\_\_\_

\_\_\_\_\_  
(Apprehending Officer)

\_\_\_\_\_  
(Charges and Date)

\_\_\_\_\_  
(Child's Name)

\_\_\_\_\_  
(Address) Sex \_\_\_\_\_ Race \_\_\_\_\_ D. O. B. \_\_\_\_\_

\_\_\_\_\_  
(School Attended) (School Address)

Specify: (Parent/Guardian Name) \_\_\_\_\_ (Address) \_\_\_\_\_ (Phone) \_\_\_\_\_

Above information recorded by: \_\_\_\_\_  
(Officer Name/District of Assignment)

**Initial Interview with Child**

Conducted by: P. O. \_\_\_\_\_ Date \_\_\_\_\_

With/Specify \_\_\_\_\_ Time \_\_\_\_\_  
(Parent/Guardian)

Remarks: (If rejected, specify reasons)

**REFERRAL:** Date \_\_\_\_\_ Time \_\_\_\_\_

Child Referred to: Mr. \_\_\_\_\_  
Ms. \_\_\_\_\_  
Mrs. \_\_\_\_\_

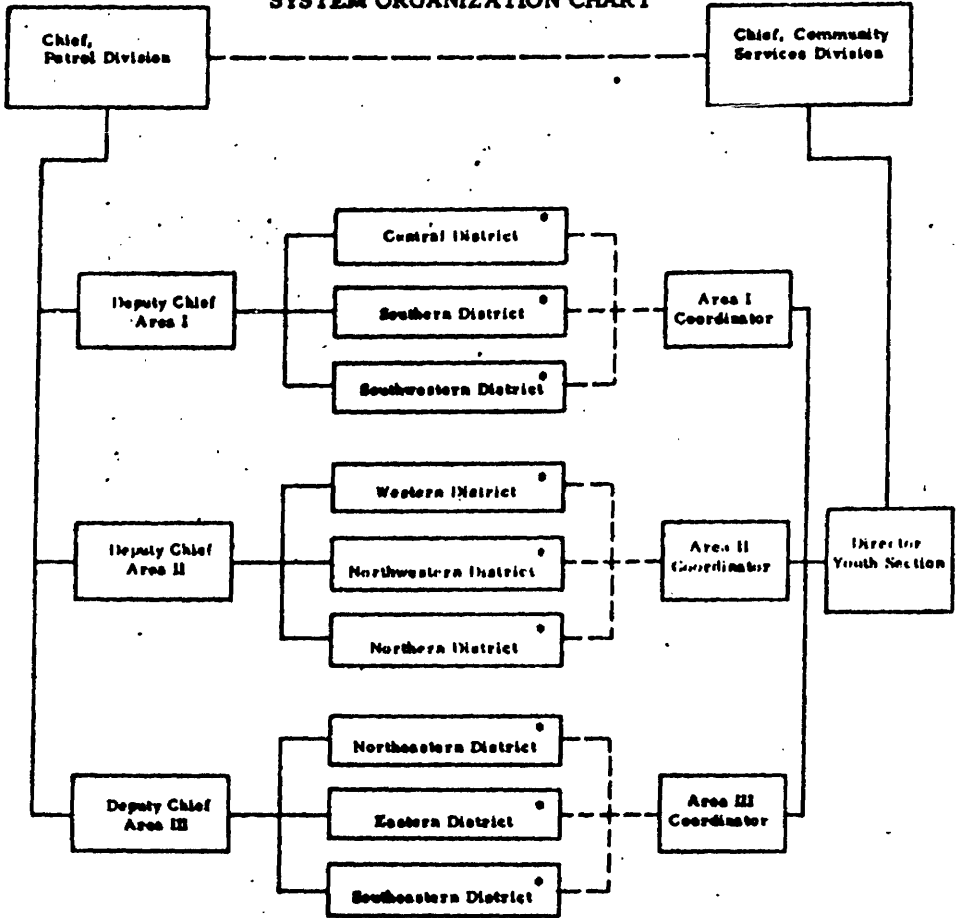
\_\_\_\_\_  
(Organizational Name) (Address) (Function)

By Referral Officer \_\_\_\_\_  
(Officer Name/District of Assignment)

ANNEX D (System Organization Chart) to General Order

Police Department  
Baltimore, Maryland

SYSTEM ORGANIZATION CHART



Prepared by:  
Planning and Research Division  
Baltimore Police Department  
November 1975

Baltimore Police Department  
Court Sanctioned Pre-Intake Adjustment Program

**LEGEND**  
 - - - - - Staff Authority  
 \_\_\_\_\_ Command Authority

• Each District includes:  
Youth Services Officer,  
Community Relations Sergeant  
Council President and  
Aide



**CITY OF BALTIMORE**

WILLIAM DONALD SCHAEFER, Mayor

**MAYOR'S COORDINATING COUNCIL  
ON CRIMINAL JUSTICE**RICHARD W. FRIEDMAN, Director  
26 South Calvert Street, Baltimore, Maryland 21202

December 1, 1975

Honorable Robert L. Karwacki  
 Supreme Bench of Baltimore City  
 Division for Juvenile Causes  
 Court House - Room 134  
 Baltimore, Maryland 21202

RE: Court Sanctioned Pre-Intake  
 Adjustment Program

Dear Judge Karwacki:

I have reviewed the original and revised proposed General Order on the above referenced program as developed by Commissioner Pomerleau. I also reviewed earlier today a copy of Ed Lang's memorandum to you of November 28. In addition, I have received a copy of a November 24 letter to Bob Wilson from John Roemer, III Executive Director of the American Civil Liberties Union of Maryland, expressing their concerns over a Police Department administered pre-trial diversion project.

The Commissioner is to be complimented for attempting to emphasize and formalize the police role in the provision of appropriate services for youth allegedly involved in violations of law. A network of youth services, involving a variety of City and State resources, is vital to our basic crime prevention objectives and critical throughout the juvenile justice process.

According to statistics provided by the Juvenile Services Administration, the City Juvenile Services offices handled 20,690 cases during FY '75 and Police Department referrals accounted for 75% (15,607) of this total caseload. Of this total, 43.5% (6,790) of the police referrals were heard by the Court in formal petitions. Therefore, it is evident that a viable pre-intake program emphasizing police participation in referrals to counseling services, educational alternatives, job training and placement options, and related supervision services are important to a well coordinated youth service delivery system. The cooperation of the Police, Juvenile Services, Juvenile Court, and the community-at-large is critical for this program to function appropriately.

I would like to raise several issues for further discussion and clarification as highlighted in the Police Department's proposal. These concerns primarily relate to the intake process as determined by statute, Court rules, and Juvenile Services policy, the role of Juvenile Services in this program, record keeping, and the need for evaluation of the effectiveness of all police diversion efforts.

December 1, 1975

1. The screening done by Juvenile Services at Intake follows the discretion already available to the Police at the point of arrest and at the decision to refer to Juvenile Services. It is part of our checks-and-balances and separation of executive powers. Whatever diversion efforts are established within the Police Department should be viewed as separate and distinct from the formal/informal decision-making process mandated to the JSA Intake Officer. The best interests of the community and child must again be reviewed by Intake without bias toward previous programs. It is critical to emphasize that if the presenting problem can be resolved without the filing of a petition, it would certainly be to the benefit of all concerned.

2. There must be voluntary participation in the Police Pre-Intake program just as there is at the point of participation in the informal decision of JSA Intake. I could find no explicit procedures that are to be followed if a youth does not perform satisfactorily in the proposed Police program. If a youth admits participation in the alleged offense - and perhaps Miranda warnings and assistance of parent or counsel is appropriate - and fails to perform in alternative programs satisfactorily, is the youth to be referred to Intake with an expectation for a formal court hearing? What records are available at Intake of the success or failure of the youth's participation in the Pre-Intake Program? Are out-of-Court statements to the Police in order to participate in the Pre-Intake program or subsequent statements to Intake acceptable as evidence in future court hearings?

3. If this is to be a "Court Sanctioned" program at the pre-Intake level how does this affect a future Intake Officer's decision? Will Intake still exercise independent judgment on a new charge filed by the Police? The role of the judiciary as a participant in the "Court Sanctioned" Pre-Intake Program is quite sensitive and care must be taken to maintain neutrality in future hearings on specific matters.

4. Is the Police/youth/family/victim decision to voluntarily participate in this program upon admission of guilt an irrevocable one? What time frames are appropriate for measuring success or failure of the efforts? If specific counseling or job referral options are presented and the youth or family does not participate to the fullest extent (i.e. fail to appear after first few sessions), should the police wait for a new alleged law-violation or can they refer the original complaint into Intake with the notation of a failure in the Pre-Intake Program?

5. The record of previous warnings by the Police and/or referrals to community resources for appropriate diversion services become an important part of considering a juvenile as a past or multiple offender. How long will records of participation in a police diversion program be kept and who will have access to them? Are they subject to review by counsel, juvenile and parent, in order to supply additional information?

6. In order to clarify the population to be served by this program and determine existing services to these youth, it would be helpful to know the number and percentage of cases among the list of thirty-four (34) proposed offenses currently handled informally by JSA or closed at Intake.

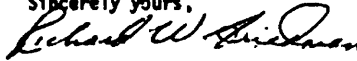
Honorable Robert Karwacki  
Page 3

December 1, 1975

The City was allocated \$120,000 in LEAA funds by the Governor's Commission on Law Enforcement and the Administration of Justice in 1975 in order to provide alternative services to a community arbitration program similar to that being implemented in Anne Arundel County. Since Juvenile Services has withdrawn from the City their portion of LEAA funds for an arbitration program, a question remains as to whether we will be able to use the federal funds for the proposed police program. As soon as this structure is agreed upon, however, I will pursue this matter with Commission staff. The role of Community and neighborhood organizations remains critical to any successful juvenile diversion program.

I hope these questions and similar concerns will be carefully reviewed at the December 3 meeting. If appropriate, I would be glad to seek the assistance of the City Solicitor or Attorney General in order to clarify the program prior to its implementation. I believe that with maximum in-put from a variety of interests the Police Pre-Intake Adjustment Program will become a vital link in our City's juvenile justice system.

Sincerely yours,



RICHARD W. FRIEDMAN, Director  
Mayor's Coordinating Council  
on Criminal Justice

cc: Commissioner Pomerleau  
Robert Hilson  
Edward Lang

## MARYLAND ASSOCIATION OF PRE-TRIAL DIVERSION PROGRAMS, INC.

## MEMORANDUM

To: Board of Directors, Members of Limited Adjustment Program Review Committee.  
 From: Eddie Harrison, President.  
 Re: Meeting with Colonel Bishop L. Robinson.  
 Date: March 30, 1976.

On the day that I was scheduled to meet with Colonel Robinson, March 22, 1976, I received a letter from Commissioner Pomerleau (copy attached) acknowledging receipt of my letter and indicating that Colonel Robinson would be in touch with me to discuss the concerns raised. Colonel Robinson and Colonel Watkins met with me on the afternoon of March 22, 1976. Colonel Robinson assured me of the Police Department's willingness to consider the issues and change anything that might be inappropriate. He further stated that the Police Department should have a broader community role and the increasing number of juvenile offenders was the rationale for expanded involvement by the Police Department.

In discussing the issues raised in the letter, Colonel Robinson did not answer all the questions to my satisfaction. On certain pertinent issues, his response is indicated below:

*Confidentiality*

All standards of confidentiality will be strictly adhered to, special instructions and care will be taken to insure the greatest degree of protection. Records of project involvement will be strictly confidential and destroyed after termination.

*Legal Status*

Participants will not have been arrested. Police complaints will be written but not processed. Successful completion would stop the complaint from being filed. Non-successful completion would reactivate the complaint which would then be forwarded to Juvenile Services Administration.

*Voluntary Participation*

Colonel Robinson gave his assurance that it was the intent of this program to only serve those who were willing to be a part of the program and every attempt would be made to preserve the voluntary nature of enrollment.

*Consent Agreements*

All parties involved would be required to agree to active participation including parent (or guardian), complainant and the potential enrollee.

*Cost Per Client*

No funds would be available to programs who accept referrals from the Police Department. All cost involved would have to be absorbed by the agency providing the service. There are not expectations that this situation will change in the future.

*Legal Safeguards*

In my opinion, this area was not satisfactorily addressed. I am not convinced that the program has a solid legal foundation, and I suspect that a class action suit will be forthcoming if modifications or clarifications are not made in this area.

*Other Contingencies*

Colonel Robinson frankly did not know how to answer some of the policy or procedural questions presented in the letter. He stated that policies will be developed as the situation warrants and admitted some discomfort with trying to answer a letter which presented hypothetical situations.

*Summary Statement*

As I pointed out to Colonel Robinson, the major concern of MAPDP is the lack of procedural guidelines for the Limited Adjustment Program. It was also explained that MAPDP has the operational experience to be of assistance in the development of procedural guidelines.

Colonel Robinson appeared to be sincerely interested in the Association assisting with the development of procedural guidelines for the operation of the Limited Adjustment Program. I am satisfied that the offer to assist in procedural matters is genuine and some type of follow-up should be instituted. Colonel Robinson is aware of the concerns expressed by the American Civil Liberties Union and is prepared to address those concerns at the appropriate time.

I will write a letter expressing our thanks for the meeting and to indicate our willingness to assist as indicated.

It was also pointed out that our meeting was not considered a formal response to our letter, and Colonel Robinson stated that he would get back to me, which I feel indicated a reluctant agreement to respond in writing.



## POLICE DEPARTMENT . . . CITY OF BALTIMORE

401 E. PAYETTE STREET

BALTIMORE, MARYLAND 21202

396-2525

Area Code 301

DONALD D. POMERLEAU  
Commissioner

MAR 22 RECD

March 15, 1976

JACK CLAUSEN  
Administrative Bureau  
FRANK J. BATTAGLIA  
Operations Bureau  
THOMAS J. RYDER  
Services Bureau  
Deputy Commissioners

Mr. Eddie Harrison  
President  
Maryland Association of  
Pre-Trial Diversion Programs, Inc.  
Post Office Box 3785  
Baltimore, Maryland 21217

Dear Mr. Harrison:

This will acknowledge receipt of your letter of  
March 3, 1976 concerning the Pre-Trial Diversion Program.

During my absence from the city appropriate  
Command and Staff officials have been responsive to your  
request and it is my understanding you have an appointment  
to discuss the content of your letter with the Chief of our  
Patrol Division, Colonel Bishop L. Robinson. I feel  
certain Chief Robinson will be responsive to your needs.

Sincerely,

  
D. D. Pomerleau  
Commissioner

MARYLAND ASSOCIATION OF PRE-TRIAL DIVERSION PROGRAMS, INC.,  
March 3, 1976.

Commissioner DONALD POMERLEAU,  
Baltimore City Police Department,  
Baltimore, Md.

DEAR COMMISSIONER POMERLEAU: The Maryland Association of Pre-Trial Diversion Programs, Inc. represents, among others, all of the youth diversion programs and youth service bureaus in the City. One of the Association's purposes is to coordinate the activities of its membership and develop new programs to increase opportunities for youthful offenders. As the time grows near for implementation of the Police Department Pre-Intake Limited Adjustment Program, our Association is attempting to establish policy recommendations regarding possible referrals from the police to our programs.

Lieutenant Codd has met with some individual members of our Association to discuss the possibility of the Police Youth Services Officers referring to our programs. Because of the potential impact of the Limited Adjustment Program, we feel it is essential for the Association to establish guidelines for participation in the program by its membership. An *ad hoc* committee has formulated the following questions which we wish to have addressed prior to referrals being made to our membership organizations.

A number of local and national organizations have developed extensive standards for pre-trial services. As you are well aware, legal and operational safeguards in this area are essential to the guaranty of due process and equal protection. Our concerns about the Baltimore Police Department Limited Adjustment Program lie in primarily two areas:

How will the following individual rights be protected?

the right against self-incrimination

the right to counsel

the right to voluntarily participate in the police program or elect to be referred to Intake

the assurance of confidentiality

the right against double jeopardy (i.e. if the youth makes a poor adjustment in the Police Program, is he then referred to Intake?)

What procedures will be involved from arrest to termination from the program?

What is the legal status of persons enrolled?

When is the decision made about the child's eligibility to enter the program, the same day as the arrest or much later?

What are the specific procedures involved when the child appears before the Police Youth Officer?

What role does the victim play in the decisionmaking process? Is he present when the decision is made? If not, is he informed of the decision?

If a youth is referred to one of our programs, by what method will he be referred? (telephone, information data sheet with reason for referral, etc.)

Do you expect progress reports or any other communication?

Do you wish to be informed of the youth's adjustment?

Have you established pertinent data forms for city-wide use by programs to which you refer?

How do you plan to evaluate your program?

Is our success your success? If so, what constitutes success?

Does every child who fails in our program get referred to Intake?

What funding is available through the Police Department to enable our programs to service its clientele?

Specifically, from your General Order, revised, please clarify:

Eligibility criteria: E. Voluntarily admits guilt with no self-incrimination. Isn't this contradictory? (p.3)

Selection and Participation Criteria: B. Welfare of the child as determined by possible removal from the environment/home setting. When would the police be considering this as a factor? After arrest for a misdemeanor? (p.3)

Required action: Why is an extension of supervision requested of the court? What role does the court play heretofore? How long of an extension? What constitutes "the best interest of the community of the child"? (p.8)

B. No. 3: Why is the complainant and apprehending officer informed of the child's expulsion from the program? Does this violate the child's right to confidentiality?

Program Administration B. No. 4: What are other behavioral modification indicators? (p.10)

C. No. 2: How will Community Relations generate new service groups. Through existing staff? With whose consultation? (p.12)

Selection Criteria for Youth Services Officers: (Annex A: d) Shouldn't Youth Officers demonstrate sensitivity to youth?

The Maryland Association of Pre-Trial Diversion Programs, Inc. and particularly its Baltimore City membership is desirous of providing service to youthful offenders. We acknowledge that the Police Pre-Intake Limited Adjustment Program may afford us this opportunity. However, we do not wish to undertake service to a large number of youths without assurance of firm legal grounds and responsible planning of a clearly defined program which will be helpful to Baltimore City residents. As proposed, the objectives of the program are unclear to us and the method of measuring the program's success and effectiveness seem undefined.

We are asking for this clarification both as potential participants in the program and in our role as existent community service programs concerned with the quality of justice for our youth and the public at large.

Your response is anticipated.

On behalf of the Board of Directors,

EDDIE HARRISON,  
*President.*



## PART 2—NEWSPAPER ARTICLES FOR THE RECORD

[From the Baltimore Sun, Nov. 1, 1974]

### JUVENILE JUSTICE DEFENDED—POMERLEAU IS ACCUSED OF "SCAPEGOATING"

(By Robert P. Wade)

The head of the city's Juvenile Court yesterday called the city police commissioner's criticism Wednesday of the juvenile justice system an attempt to find a scapegoat for a rising crime rate.

At the same time, the director of the state Department of Juvenile Services said he has "hard data" to show his department has been coping with the problem of juvenile crime.

Donald D. Pomerleau, the commissioner, criticized the Juvenile Court and the Department of Juvenile Services for failing to handle the problem of juvenile delinquency adequately. "The juvenile courts and juvenile services are obviously not doing the right thing," Mr. Pomerleau said through a spokesman Wednesday.

"The commissioner, I believe is very frustrated over the high incidence of crime and over the apparent failure of his gun bounty program," said Judge Robert I. H. Hammerman, the head of the city Juvenile Court.

#### JUDGE'S ADVICE

Judge Hammerman said instead of "attempts at scapegoating," the commissioner should look to his own department for improvements in dealing with juvenile delinquency.

"I have urged for a long time that they ought to substantially beef up their juvenile squad," the judge said. "They are lagging behind other cities."

Judge Hammerman was also critical of the department's handling of warrants from his bench.

"They have not been doing a good job of serving warrants on juveniles who don't appear for court. Most, not all but most of them stay in the drawer," Judge Hammerman said.

Mr. Pomerleau said half of all persons arrested so far this year for major crimes were juveniles. Robert C. Hilson, the director of juvenile services, agreed, but said he thinks his department has been doing a creditable job "protecting public safety" by rehabilitating convicted youths.

#### "24.5 PER CENT REPEATERS"

To back up his assertion, Mr. Hilson produced figures from an unreleased study of offenders from 1967 to 1973. The study, based on 98,733 juveniles convicted over that period, shows that "only 24.5 per cent were repeaters," Mr. Hilson said.

Mr. Pomerleau said "many" of those arrested are repeaters, citing a nationwide trend that was discussed at a recent police chiefs convention.

"It's time that the juvenile authorities do something more effective to protect society from young hoodlums," he said.

Mr. Hilson compared the results of his study to a national recidivist rate of between 60 and 70 per cent to show the effectiveness of the state's programs.

The word repeater, he said, means any youth convicted of one offense who later "becomes involved in a crime for a second or more times."

A spokesman for Mr. Pomerleau said he could not respond to the study but was incredulous at Judge Hammerman's criticism of the police juvenile section.

"Their primary mission is to follow up cases of juveniles against juveniles," said Dennis S. Hill, the spokesman. "They apparently feel they have enough men to do that."

Other crimes committed by juveniles are investigated by detectives, he said.

## "ACROSS THE BOARD"

Mr. Hill said the only figures on the service of juvenile warrants are from September and show that 107 of the 172 issued were served, mostly by members of the juvenile section.

He said the department does not feel it is responsible for solving the problem of juvenile delinquency.

None of several professionals in the field interviewed yesterday blamed any particular agency or program for the rise in juvenile crime. Judge Hammerman, for example, placed the "blame across the board."

"I would blame the homes, the schools, the legislative and executive branches, the police, the courts and the Department of Juvenile Services," the judge said.

Judge Hammerman said he is glad to see the concern on the part of the Police Department about juvenile crime and added he hopes the concern spreads to the community.

## POLICE CO-OPERATION

While community organizations have expressed concern for the rising crime rate and have started neighborhood patrols at night, several of them also are funding some of the more successful efforts to combat juvenile delinquency.

The East Baltimore Youth Diversion Program, sponsored by the East Baltimore Community Corporation, handled the cases of 100 young offenders last year, of whom only 2 returned to court, according to its director.

Diversion programs intervene in cases of first offenders before the case gets to court but after an arrest has been made. One of the criticisms police officials traditionally make is that youngsters they arrest never appear before a judge.

Marie Washington, the director of the East Baltimore program, said she gets excellent co-operation from Eastern district policemen and the first referrals for the project came from the district.

She said youthful crime in her area has barely increased in the last year.

Commenting on Mr. Pomerleau's charges, she said she thinks "it's not fair to blame it (rising crime) on a set of programs. It's a multitude of things that causes the problem."

John Ramsey 3d, the director of the Southeast Corporation's Youth Diversion Project, said his year-old program dealt with 39 youths last year. Five have gotten in trouble again, he said.

While the diversion projects deal with first offenders who have committed serious crimes, one of Mr. Pomerleau's most serious criticisms is of the treatment of violent and incorrigible youths.

During a radio interview yesterday, he lashed out at juvenile authorities, saying that there is a "need for a different philosophy in handling juvenile offenders."

He said the system must "recognize that there are people who need to be removed from society, incarcerated and kept there if we are to reduce crime."

## JAIL FOR SOME

Both Mr. Hilson and Judge Hammerman said they agree with the need to lock up certain juveniles to protect public safety.

"The one thing I'm most anxious to emphasize is that every single day of the week we commit juveniles to certain facilities. Every single day of the week we waive jurisdiction to the adult courts on serious crimes," the judge said.

Mr. Hilson said that while "it's been proven that incarceration is not the answer to the protection of the community" in most cases, "there will always be some need for an institutional program for a relatively few children who cannot adjust to many community programs."

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[From the Baltimore Sun, Nov. 4, 1974]

## JUVENILE CRIME STUDY URGED HERE

(By Robert Timberg)

Walter S. Orlinsky, the City Council president, has proposed a comprehensive research study of juvenile crime here, a problem which he said is reaching "monumental proportions."

The purpose of the study, Mr. Orlinsky said, is to develop a detailed profile of the juvenile offender as a first step in formulating a "constructive and positive approach" to the problem.

The study group which the council president said would be comprised of professionals, would seek to assemble confidential information on all juvenile offenders in the city over the past two years.

"A number of people have been talking about the problem of juvenile crime, but I have learned that there is simply no comprehensive research on what the juvenile offender is all about," Mr. Orlinsky said.

#### MEMO TO MAYOR

The proposal was contained in a memorandum to Mayor Schaefer who Friday criticized Mr. Orlinsky for his denunciation last week of Donald D. Pomerleau, the police commissioner, as an uncreative, unresponsive and unimaginative man whose ineffective leadership has resulted in a "largely demoralized" police force.

Though Mr. Schaefer for the most part, couched his criticism of Mr. Orlinsky in general terms, he strongly suggested that the council president had failed to couple his remarks about Mr. Pomerleau with constructive criticism.

Mr. Orlinsky sent both Mr. Schaefer and Richard Friedman, executive director of the Mayor's Coordinating Council on Criminal Justice, a general outline of a grant proposal he hopes to submit to obtain federal Law Enforcement Assistance Administration funds to underwrite the study.

#### DETAILED GRANT PROPOSAL

He said a detailed grant proposal, including the anticipated cost of the study, will be submitted in two weeks.

Results of the study are to be used to determine three things, Mr. Orlinsky said. They are:

Have public agencies which deal with juveniles been functioning properly, or do they require greater authority to effectively deal with and reduce juvenile crime?

Should the Council consider new legislation to deal with the juvenile crime problem?

What recommendations, if any, should the council make to the General Assembly to reduce juvenile offenses?

The research, Mr. Orlinsky said, "must be done with the utmost integrity and thoroughness if the ultimate findings are to be meaningful and have the necessary credibility."

He has suggested a trained staff approved statistical methods and a target completion date of six months from the start of the project.

The statistical data the study group would be required to develop would include information on the following:

Geographic, including the residence of both assailant and victim and location of the crime.

Type of crime.

Disposition of the case.

Family of the assailant, including income level and "significant sociological factors."

Race and ethnic background of assailant and victim.

[From the Baltimore Sun, Dec. 10, 1974]

#### YOUTHS, OFTEN REPEAT OFFENDERS, COMMIT HALF OF CITY'S ASSAULT-ROBBERIES, POLICE REPORT SAYS

(By Robert A. Erlandson)

Assault and robbery, one of the most feared crimes in any city, is being committed increasingly by Baltimore's young people, many of them repeat offenders, according to Police Department statistics.

For the first 10 months of 1974, the figures show that persons under 18 represented 51.7 per cent of all those arrested for assault and robbery.

City police arrested 1,332 youths for that crime between January and October. However, the statistics showed that 231, or 17.3 per cent, were repeat assault and robbery offenders within the same 10-month period.

Of 21 juveniles arrested in October who were repeaters this year, 4 of them had been arrested earlier in the same month for assault and robbery, the report showed.

The report was a huge accumulation of statistics and case histories of juvenile criminals this year compiled for Donald D. Pomerleau, the city police commissioner.

Commissioner Pomerleau distributed it to the chief state and city judges to bolster his argument to them that juvenile crime in Baltimore is out of control.

The commissioner blamed this on the philosophy and judicial handling of young criminals, which he asserted has broken down completely.

He pointed out that the arrest percentage by his men far exceeds the national averages in all categories for cities of comparable size. The commissioner argued, in effect, that an overwhelming desire to handle juvenile offenders delicately puts them back on the streets, repeating their crimes, before the officers who arrest them get back on the beat.

Of the juveniles arrested for assault and robbery, 65 per cent had previous records and 9.3 per cent had been arrested 10 or more times, the statistics showed.

The Police Department maintained a separate record on the 8,688 reported victims of assault and robbery from January to October that did not classify them as adults or juveniles.

The victim record did show, however, that blacks predominated as both known assailants (12,668, or 94.5 per cent) and as victims (4,885, or 56.2 per cent). Black and white males were most frequently the robbery victims, according to the record.

Commissioner Pomerleau maintained that a "domino effect" of crime exists. When youths found that they "got away" with the so-called "minor offenses" such as vandalism or trespassing, they became bolder and moved progressively into more serious crime: burglary, assault and robbery, even murder, he said.

The commissioner argued for the imprisonment of juveniles on their first arrest for a violent crime. This is not simply a "get-tough" policy, he said, because the chances are great that it is not their first brush with the law and is probably symptomatic of future behavior.

Many of the case history records included in the report appear to bear out Commissioner Pomerleau's assertion that there is a progression of criminal behavior, and many of the progressively more serious crimes bear the notation "Released to Parents."

The commissioner said the present Juvenile Court system should be abolished in favor of Family Courts that would involve the entire "family structure" in the solution of the juvenile problem.

Commissioner Pomerleau said the overall statistics for the first nine months of 1974 showed persons under 18 represented 36.6 per cent of all arrests in Baltimore, but that they also represented 53 per cent of all arrests for the most serious crimes: murder, rape, robbery, aggravated assault, burglary, larceny and car theft.

"The number of juvenile criminal offenders and their involvement is awesome," the report declared. "These data reflect failures in system and programs designed to insure some degree of stability and safety in our city.

"They reflect occasions of human suffering and loss at the hands of juvenile criminals in overwhelming numbers. More succinctly, they reflect and overt disregard for the victims of crime, not only those who have been exposed to these horrors but those who daily live in fear of such exposure."

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[From the Washington Post, Dec. 13, 1974]

### MANDEL SEEKS JUVENILE JUSTICE SHIFTS

(By Fred Barbash)

ANNAPOLIS, Dec. 12—Maryland Gov. Marvin Mandel is preparing legislation designed to increase uniformity in processing juvenile offenders throughout the state and remove some of the informality in the current juvenile justice system.

The Mandel package, to be proposed to the upcoming session of the General Assembly, will also include a renewed drive for legislative appropriation of money to build the state's first maximum security prison for offenders under the age of 18, according to Alan M. Wilner, Mandel's chief legislative aide.

Mandel's program, as described by Wilner, would also require Montgomery County to automatically refer armed robbery suspects over 16 years old to criminal court. Because of variations in juvenile crime laws among jurisdictions, Montgomery is now the only county where such suspects are first referred to a juvenile court, which may then send the case for adult treatment in the criminal courts.

Under the Mandel bill, the criminal court would be able to refer a case to juvenile court if it so desired.

Much of the program is designed to eliminate such differences between counties, creating a uniform system. Montgomery's exclusive use of district courts for juvenile offenders, as opposed to circuit courts, would also be ended.

One of the main targets of the bill is the system now used in about four Maryland jurisdictions—including Prince George's County—in which "masters" act as advisors to the court in disposing of juvenile cases.

Wilner said that masters' proceedings are generally informal, unrecorded and extremely flexible. Although technically masters only advise judges, Wilner said, "they have in effect become judges."

The bill would require approval by the chief judge of Maryland's Court of Appeals of each master appointed in a jurisdiction and would require following certain procedures, much like those in a regular court proceeding, in conducting a case.

Wilner said that he and the governor have been studying juvenile court problems for many months, although a recent controversy over Baltimore city's rate of juvenile recidivism has increased the pressure for new measures.

A report released yesterday by the state Department of Juvenile Services said that about 25 per cent of the youths referred to the juvenile justice system are brought in again on new charges. The rate is about 23 per cent in Prince George's and Montgomery counties.

Wilner said that a maximum security prison for juveniles would remove the "10 per cent who need to be locked up" from the state's minimum security juvenile centers so that the other 90 per cent could get proper help.

The legislature has twice refused to approve such an institution, Wilner said, because "no one wants it in his county."

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[From the Baltimore Sun, Dec. 19, 1974]

### TOO MUCH CRITICISM, TOO LITTLE ACTION

(Editorial)

In advance Police Commissioner Pomerleau shunted off blame for rising crime by going on the offensive with statistics to show that the Police Department was arresting youthful offenders by the thousands, but juvenile authorities were letting them go free. Juvenile authorities have tried to shore up their own defenses by discounting the Pomerleau statistics and citing their own more favorable ones. Mr. Pomerleau says he can't elicit responses from Juvenile Judge Hammerman, and the state juvenile director, Robert Hilson, says he can't get reports from Mr. Pomerleau. And so it goes.

Everyone officially concerned with juvenile crime is busily calling attention to someone else's shortcomings, while the crime becomes more prevalent and vicious, fueled in part by the lawlessness set loose by the police strike. Concurrently, but off in another corner, a series of hearings in the schools has produced an outpouring of complaints from the teachers about the small, disruptive minority in the school population that drinks, curses, fights, assaults, steals and otherwise makes life miserable for the majority. The troublemakers in the schools are the same youths who, now or later, are going to make trouble for the police, juvenile court and juvenile authorities, but there is little indication of a rational, coordinated approach to the handling of the disruptive element.

The anguished teachers want only to have the bad actors out of their classes and isolated in specially designated schools. Mr. Pomerleau wants them locked up after their first violent offense. Juvenile judges want a maximum security institution to which they can send the worst of them, while juvenile authorities want lots of small community-based centers to take care of the bulk of them. Nobody has an answer that is big enough, or comprehensive enough or rooted firmly enough in realities to offer much hope, and there is little indication so far that the Mandel administration is thinking in large terms.

What Mr. Pomerleau has called the Baltimore "horror story" is, of course, a national phenomenon, with suburban ramifications but acutely concentrated in large urban centers. It is hardly coincidental that the upswing in violence has occurred as the anti-poverty war has petered out, to be replaced by the callous Nixon policy of benign neglect and more recently by devastating inflation and unemployment. Much of the hope has gone out the the inner cities, and in its place has come the feeling of rejection from early school days onward, reinforced now by the goods and jobs beyond reach. In the absence of a more profound national commitment to urban ills there is not a great deal that a city or state can do on its own. But certainly an obvious starting point is to have the schools, police, courts and juvenile authorities working together instead of wasting time pointing critical fingers at the other fellow.

[From the Baltimore Sun, Dec. 19, 1974]

### OFFICIALS TO MEET ON JUVENILE CRIME

(By Robert A. Erlanson and Steven M. Luxenberg)

Judge Robert I. H. Hammerman of Juvenile Court, yesterday invited Donald D. Pomerleau, the police commissioner, to meet to discuss the city's rising juvenile crime problem.

The two men have been publicly at odds about the extent of the problem and the responsibility for reducing it.

Dennis S. Hill, the Police Department spokesman, said, "Of course the commissioner will meet with Judge Hammerman."

Mr. Hill said he expects the meeting to take place early next month.

Judge Hammerman offered his chambers for it and said he feels the "time is particularly propitious for such a meeting in view of the General Assembly beginning its new session shortly." The Legislature convenes January 8.

Judge Hammerman also invited Robert C. Hilson, director of the State Department of Juvenile Services, and Edward J. Lang, director of its city office, to the meeting.

Mr. Hilson applauded Judge Hammerman's initiative in seeking the meeting "of all those agencies most intimately involved, in an effort to seek methods of reducing the problem."

In offering the resources of his department, Mr. Hilson said, "It does no good to point fingers at the causes of the problem without at the same time, offering viable methods to resolve them."

Three weeks ago, Commissioner Pomerleau gave to the chief city and state judges, and the press, a voluminous statistical study on juvenile crime this year in Baltimore.

At the same time, the commissioner declared that the figures reflect a "horror story" of rising juvenile crime of increasing violence and with a large recidivism rate which he blamed on the current "philosophy that permeates the juvenile justice spectrum."

Earlier in November, Commissioner Pomerleau also criticized the Juvenile Court system, and Judge Hammerman accused him of using juvenile crime as a "scapegoat" for police failures.

Judge Hammerman refused comment on the statistical report, saying he had not seen it. However, he denied that the Juvenile Court "coddles" young criminals.

On Tuesday Mr. Lang challenged the arrest statistics in the commissioner's report as an attempt to "snow the public" into believing the juvenile system has broken down.

Fewer than half the 18,831 arrests cited in the report reached his department, Mr. Lang said. He continued: "The reason I'm raising the issue is that the commissioner has accused juvenile services of not doing anything to solve the problem. We can't do anything with juveniles we never see."

Because of the discrepancies between police and juvenile department statistics, Walter S. Orlinsky, the City Council president, requested the two agencies to reconcile their date for presentation next month to the special Council committee on juvenile crime.

Mr. Hill said yesterday that Maj. Ron Mullen, chief of research and planning, is studying the statistics to see if he can find the disparities.

Mr. Orlinsky and Mr. Lang suggested that the commissioner was using overall arrest figures as his crime picture instead of those cases actually referred to the Department of Juvenile Services.

Mr. Hilson said yesterday that he has made several calls to Lt. Col. Bishop Robinson and Major Mullen to schedule a meeting for reconciling the statistics but that no date is set.

In his invitation, which was hand-delivered to Commissioner Pomerleau's office, Judge Hammerman said he felt a meeting between them "is perhaps past due."

Judge Hammerman noted in his letter that they had met before on particular issues "and have effected some meaningful changes" without the public being aware of the sessions.

The latest proposed meeting, however, "should not be with any notion of defending a particular status quo anywhere," Judge Hammerman wrote, but to probe for improvement in the existing system and to find areas where others can provide improvements.

He said he believes "the community rightfully wants and expects us to promote" the use of collective judgment and expertise to help guide elected and nonelected community leaders.

[From the Baltimore Sun, Dec. 21, 1974]

### JUVENILE AGENCY, POLICE CONFER

(By Steven M. Luxenberg)

Juvenile services officials asked Baltimore city police yesterday to evaluate their arrest procedure and determine whether the police should turn over more arrested youths to the Department of Juvenile Services.

William C. Litsinger, one of the officials, said he made the request at a 2½ hour meeting between officials of the juvenile services agency and the Police Department to reconcile apparent discrepancies in each agency's statistics.

Mr. Litsinger said that the youth agency would use sample cases cited in a recent report by the police commissioner, Donald D. Pomerleau, to trace the route of juvenile offenders through the juvenile justice system and calculate the system's effectiveness.

According to Mr. Litsinger, the police conceded at yesterday's meeting that they turned over less than half of the 23,020 youths arrested in the first 11 months of this year.

Under the present juvenile system, police have discretionary powers to release juveniles without referring them to the Department of Juvenile Services.

The juvenile services agency, in turn, reviews all complaints filed by police, and an agency consultant decides which cases should be sent on to the court.

The two departments will meet again soon to discuss their findings, although they have not set a date, Mr. Litsinger said.

None of the three police officials who attended the meeting could be reached for comment.

The meeting was called after Edward J. Lang, director of the city's juvenile services office, challenged arrest statistics released by Mr. Pomerleau as an attempt to "snow the public" into believing the juvenile justice system had collapsed.

Mr. Lang said Tuesday that of the 18,831 arrests cited in the commissioner's report—a three-volume study released three weeks ago—the police had referred only 8,000 to the office.

Mr. Pomerleau's report was based on the first nine months of 1974.

Dennis S. Hill, a spokesman for the commissioner, replied that the police could not explain the discrepancies, and said the department did not know how many arrested youths were released.

The police were represented yesterday by Lt. Col. Bishop Robinson, chief of patrol, Lt. Edward Eben, of the Planning and Research Division, and Maj. Ron Mullen, who compiled the commissioner's report.

Mr. Litsinger, Mr. Lang, and Sandra Green, data coordinator, for the Department of Juvenile Services, appeared on behalf of their agency.

[From the Baltimore News American, Dec. 29, 1974]

### JUVENILE COURT PROCEDURES REVISED

(By Robert Bomboy)

In a major change in the operation of the Juvenile Court, Judge Robert Hammerman Jr. has agreed to make the recommendations of probation officers available to defendants and their lawyers.

The recommendations weigh heavily on the judge's decision whether to commit a young offender to an institution or put him on probation. They often are the only experts or professional advice available to the court.

Previously a youth's defense attorney was not permitted to know whether probation had been recommended. He was forbidden to see the probation officer's report or ask questions about it.

"I have changed my policy in that regard," Judge Hammerman said. "The recommendation can now be made available and the probation officer can be questioned about it at a disposition hearing."

The new rule is expected to give defense lawyers a stronger basis for arguing against a youth's commitment to a training school.

Where the judge commits a youth to an institution against the advice of a probation officer, the defense may have a basis for further appeal.

Judge Hammerman agreed the probation officer's recommendation could "add a weapon on to the arsenal of the defense." He said probation officers' reports, without the recommendations, had always been available.

Court sources also pointed out that many Baltimore youths accused of crimes are indigent and cannot afford to hire the battery of experts who would normally be retained to examine a child and determine what is in his best interest.

Making the probation officer's recommendation available will provide the defense with that kind of professional opinion.

The change in the use of the probation officer's recommendation resulted from a conflict between Judge Hammerman and Rev. Smith, deputy director of the Juvenile Services Administration.

Last October, Smith ordered the probation officers to begin making their recommendations available. The jurisdictional dispute between Juvenile Services and the court was settled during a conference and an exchange of letters between Smith and Judge Hammerman led to the judge's action.

[From the Baltimore Sun, Jan. 2, 1975]

#### CONTROVERSY DEVELOPS IN JUVENILE AGENCY

(By Robert A. Erlandson and Steven M. Luxenberg)

Juvenile services, once considered a bright spot within the state health department, now finds itself in the middle of a controversy that may result in a reorganization of the juvenile agency.

A rift has developed between juvenile services and state health officials over the degree of autonomy that juvenile services should have within the Department of Health and Mental Hygiene.

Some juvenile officials contend that since 1969, when the agency became a part of the health secretariat, it has been swamped by bureaucratic problems and, as a result, is losing its effectiveness.

These officials argue that juvenile services should be restored to autonomous status, which it had when the department was created in 1967.

Even Judge George B. Rasin, Jr., who chaired the 1966 commission that drafted the blueprint for comprehensive services to juvenile offenders, is critical of the way his program has worked out.

"The time has come to break juvenile services out of the health secretariat," Judge Rasin said. "Morale everywhere in the department and good people are being stymied by bureaucratic red tape."

Dr. Neil Solomon, the state health secretary, said he has heard "rumblings" with the state government of possible efforts to strip the juvenile services from his department and place it under the corrections agency.

"If anyone can show me that any of the (health department) divisions could be better off somewhere else, I would consider it," Dr. Solomon said.

During its first two years, juvenile services was an independent agency that reported directly to the Governor and his staff.

Before 1967, Maryland's capacity to deal with young lawbreakers was limited—the police, juvenile court, probation and welfare departments providing what services they could.

Each subdivision ran its own system, and that system usually differed from county to county, with Baltimore city dominating the scene.

When it became apparent that conflicting budgetary requests to provide the same services for the same people were coming from different agencies, the General Assembly created a committee headed by Judge Rasin to make recommendations for a single, coordinated juvenile services agency.

Richard A. Batterton, now state director of energy policy, was the first director of juvenile services when the department began operations in July, 1967. He had been superintendent of the Maryland Children's Center and assistant director of the state welfare department.

Judges initially were fearful that creation of the new department, intended to centralize services, would reduce the court's authority—and "it took a lot of education to convince them otherwise," Mr. Batterton said.

In 1969, when Governor Mandel reorganized the executive branch, juvenile services wound up under the health department umbrella.

One juvenile service official said this decision was made to end a struggle for agency control between the social services and corrections department, each of which had provided some juvenile services prior to 1967.

Although Dr. Solomon controls juvenile services, he says he has imposed no restrictions on how the juvenile agency allocates its budget.

Juvenile services has grown from a \$9,905,666 first-year budget to its current \$21,099,733 in state funds and a \$1.6 million federal grant.



In the same time, the number of employees has risen from 1,218 to 1,395, with most of the additional staff assigned to administration and the juvenile court services branch.

Although half of the current budget is set aside for maintaining the state's juvenile institutions—the training schools and the forestry camps, among others—the most significant increase since 1969 has been the money spent of community services.

In 1969, the first year the department provided any type of community programs, only \$380,242 was spent. This year, the department paid out \$4,260,249 for community-based programs.

Despite Dr. Solomon's assertion he has allowed juvenile services to function autonomously on a financial level, some juvenile authorities insist the agency is "lost in the swamp of bureaucratic reaction and red tape."

According to Rex C. Smith, the agency's deputy director, "we are having to respond more to the pressures of bureaucracy above than to the pressure from below, from the people we are supposed to be helping."

All requests, he said, for personnel, for programs, for equipment, must be sent to the health secretariat "and they get bogged down there for weeks at a time."

"Our mission was to provide an effective system to help juveniles and that has been lost sight of within the health department," he said.

Dr. Solomon defended his department, however, and said it belonged under his wing.

"Governor Mandel wanted health services to be very broad when he reorganized the state government in 1969," he said. "We tried to change the 'reform school' stigma. The idea was to bring to bear every possible service to help juveniles and most of them are in the health department."

But Judge Rasin said the initial momentum of the juvenile services agency has dissipated since it became a part of Dr. Solomon's department, and that juvenile services must be made independent again if it is to have any effectiveness.

He says there is less and less communication between the juvenile services personnel and the courts, a development which he says occurred after a directive from Dr. Solomon's office.

"I have the feeling that word has come down from on high for the middle-level staff to be careful in talking to judges," he said. "I notice a reticence that wasn't there a year or two ago."

Judge Rasin suggested the state purchase the old Post Office and Courthouse, on Calvert street, for use as a consolidated youth headquarters.

He said a central facility could help eliminate delays in processing young offenders and could lead to better court-juvenile service relations if all the agencies involved—the court, the state's attorney and juvenile services—had offices in the building.

[From the Baltimore Sun, Jan. 3, 1975]

#### INTAKE COUNSELORS "PLAY GOD"

(By Robert A. Erlandson and Steven M. Luxenberg)

Five years after its inception, the critical element in Maryland's juvenile justice system—the intake consultant—has yet to prove itself.

Although juvenile justice experts defend the intake system as a progressive and innovative concept, they argue that it is too early to evaluate the program's success or failure.

Juvenile services officials, juvenile judges and police officers all agree, however, that the intake staff has accumulated considerable power since it was created in 1969.

"The intake consultant plays the role of God," Judge Robert I. H. Hammerman, of the city's Juvenile Court, said in a recent interview. "He has a more important role than I do."

As envisioned by the General Assembly, this new juvenile officer would do two things: first, divert from court insignificant cases that could be better handled informally, and second, find counseling help for those juveniles who commit minor crimes.

#### GIGANTIC BUFFER ZONE

In effect, the intake consultant would become a gigantic buffer zone between the police and the juvenile court, and as such, share the credit and the blame for the problems of juvenile justice.

The Legislature gave the intake staff a wide-ranging role that encompasses a variety of duties, but specifically provided the intake counselor with four basic decisions.

He can:

Throw out a case that he feels is lacking in sufficient evidence.

Close a case—that is release the offender after informal discussions with his parents.

Refer the case to another agency, where the child will receive treatment for his problem.

Send the case to court.

Over the last five years, the intake staff has sent fewer and fewer cases to the court, and juvenile services officials hope that this trend continues.

In fiscal 1970, intake's first full year of operation, only 23.6 per cent of the cases in Baltimore city ended at the intake level.

In fiscal 1974, a whopping 56.6 per cent ended at intake.

The Department of Juvenile Services has set up strict guidelines for the intake staff to follow in deciding how to dispose of a case, but considerable leeway exists.

The guidelines cite 11 factors, including the seriousness of the offense; the child's family life; previous number of arrests; age and attitude of the child; his school record, and the resources available for coping with his problem.

In practice, however, the intake consultant, assumes the roles of parent and adviser, state's attorney and judge.

It is a responsibility that cannot be taken lightly, and DJS personnel, police officials, and juvenile court judges say they are fully aware of the tremendous influence that intake has had on the system.

"We must make sound decisions at the intake level," Robert C. Hilson, juvenile services director, said recently. "It is a weighty responsibility."

Intake is the beginning point of all complaints, Mr. Hilson said. The judge gets only those cases that the intake consultant allows to go on to court.

#### PROGRAM DEFENDED

Mr. Hilson vigorously defended the intake program, although he stressed "that we will not see the results immediately."

"These programs are too new to reach any really evaluative conclusions," he said. "At a minimum, we will not see the results for 5 to 10 years."

The police, however, do not seem content to wait 5 to 10 years. The police commissioner, Donald D. Pomerleau, released a report recently that he said showed the juvenile justice system had broken down.

Mr. Pomerleau, who said that juveniles comprised 36.6 per cent of all arrests in the first nine months of 1974, attacked the philosophy of the system, charging "the current philosophy worked to the detriment of society."

Among juvenile squad officers, however, the attitude is: let the intake consultant handle the juvenile, since intake is trained specifically for that job.

Yet the police apparently turn over only a portion of those they arrest. Edward J. Lang, the director of the city's juvenile services office, says the police referred to his office only 8,000 of the 18,831 youths city police said they arrested for the first nine months of 1974.

Mr. Pomerleau also complained that the intake consultants are releasing too many youths without sending them on for trial, and despite the fact that police officers have the right to appeal the intake consultant's decision, almost none do.

"Why go through the effort when the judges let them off anyway?" asked one veteran of the city juvenile squad. "If the case is closed by intake, at least I'm off the hook."

This type of attitude is the opposite of what the Legislature had in mind when it created intake. Dr. Neil Solomon, director of the Department of Health and Mental Hygiene, recalled that the debate focused on what he termed "trivial" crime.

"The thinking at the time was to screen the trivia from the court, and let the intake people, who would know the range of services available in the community, handle those cases," Dr. Solomon said.

When Governor Mandel reorganized the executive branch in 1970, the Department of Juvenile Services was placed under Dr. Solomon's department.

For the most part, intake consultants spend the majority of their time handling the so-called "trivia"—that is, crimes like vandalism, petty larceny, disorderly conduct and shoplifting.

#### A CRITICAL POINT

Leading juvenile justice experts—those who expound theories of preventive measures—consider the first brush with the law a critical point in halting a delinquent who might be headed for a life of crime.

Yet the intake consultant has woefully few programs at his fingertips that he can use to combat early warning signs of juvenile delinquency.

"I've got only six places I can refer a kid to," John C. Crouch, a city intake worker, said. "Some areas in the city have no youth programs at all."

In fiscal 1974, city intake consultants referred only 945 of the 10,068 cases handled at the intake level—apparently the limit of the community's resources.

This represented a drop from fiscal 1973 of 433—even though total complaints rose slightly. And the commitment to community youth programs seems on the decline.

Just this year, a program called the Youth Advocacy Project ended, apparently because of lack of funds. And last year, the Governor's Commission on Law Enforcement threatened to cut off federal funds from the Youth Service Center, the only vocational program in the city for juvenile offenders.

Mr. Crouch admitted that the lack of community resources has sometimes resulted in an intake consultant closing a case in which he would prefer to give the child additional help.

But the help just doesn't exist, at least not in great numbers. And the reason, according to state officials, is the perennial lament—lack of money.

"We must have more community programs and better-trained staff," Dr. Solomon said. "Still, intake is an excellent idea."

Mr. Hilson points to the staff as a major concern at the present time. He says that while the caseload has increased from 8,391 in 1970 to 17,769 in 1974, the intake staff has not kept pace.

#### RELATIVELY FEW MISTAKES

At present, there are about 80 intake officers around the state—the city has 27—and Mr. Hilson says he would like about 14 more.

He says that in the city, each intake consultant has a monthly caseload of 60 youths, about 30 more than the ideal level he has suggested.

Judge Hammerman, who praises the intake staff, says that the consultants are overworked, and "there's no doubt that they make mistakes of judgment."

Mr. Hilson says that while mistakes are made, they are relatively few. He cites a 25 per cent recidivism rate—meaning that one of every four juveniles whose case is closed at intake commit a second crime.

"We're making the right decision about 75 per cent of the time," Mr. Hilson says. "I'd like to bat 100 per cent, but that's not likely."

That 75 per cent figure has little meaning, however. The national recidivism rate is about the same as Maryland's and that includes systems that do not have intake consultants.

Other judges have criticized the intake program, pointing specifically to the time lag that it has apparently created. According to Mr. Hilson, it takes three months for a city case to get into juvenile court.

Despite all these problems, the Department of Juvenile Services is firmly committed to the intake concept, and each year, DJS provides more and more training designed to help the intake consultants learn how to divert the juvenile offender from the formal judicial process.

"It's difficult to determine the success of intake," Dr. Solomon said. "Just because 75 per cent haven't come back doesn't mean they haven't committed any crimes. It may mean they haven't been caught."

And no one has statistics on that.

[From the Baltimore Sun, Jan. 5, 1975]

#### OFFICIALS UNHAPPY WITH CRIME FUROR

(By Robert A. Erlanson and Steven M. Luxenberg)

As far as juvenile services officials are concerned, the recent furor about rising juvenile crime came at a bad time.

Just as the Department of Juvenile Services was beginning to make the transition from an institution-dominated system to a community-based program, the police commissioner released a report that blamed "the current philosophy" of juvenile justice for what he called the "horror story" of juvenile crime.

This direct attack on community programs has thrown juvenile authorities slightly off balance—and some officials talk openly about their fears that the commissioner's report may result in a giant step backward.

"My greatest fear is that the direction people now want to take will be more punitive," said Robert C. Hilson, director of juvenile services. "That would be a tragic mistake."

As if to confirm Mr. Hilson's fears, a number of respected figures have called for more emphasis on incarceration of youthful law-breakers since Donald D. Pomerleau, the police commissioner, dropped his statistical bombshell just after Thanksgiving.

Judge Robert I. H. Hammerman, of the city's Juvenile Court, renewed his call for a "medium-maximum" security institution for extremely aggressive juveniles—a proposal he first made three years ago.

And Mr. Pomerleau—who has said Judge Hammerman is too lenient and thus is partially responsible for the alleged failure of the juvenile justice system—has suggested that "dangerous" first offenders be jailed.

Maryland's present situation has some similarities to the crisis Massachusetts faced four years ago. Convinced that their institutional-type system did not work, the Massachusetts juvenile authorities undertook a radical restructuring of their youth agency.

Instead of opting for more incarceration, however, Massachusetts firmly rejected that philosophy by closing all its training schools.

The decision is described as a good one by Massachusetts juvenile officials. According to them, the state has reduced its recidivism rate—that is, the percentage of juveniles who are convicted for second offenses—from 80 per cent to about 50 per cent.

"The new system is at least as good as the old one, just about as expensive, and incalculably more humane," said William Madaus, assistant director of aftercare in Massachusetts. "In those terms, it's worth it."

Maryland juvenile experts have watched the Massachusetts experiment closely, but Mr. Hilson said in 1972, that immediate phasing out of the training schools would create chaos.

He favors a gradual transition over a 10-year period, a risky gamble because it does not take into account change in public opinion—a change that appears to have come since Mr. Pomerleau released his report.

And public opinion will carry some weight with the Maryland Legislature, which opens its 1975 session Wednesday. If the General Assembly heeds these cries for stiffer punishment for juvenile offenders, it will be repudiating its own work of recent years—as well as the work of a United States Senate subcommittee.

The Senate subcommittee—headed by Senator Birch Bayh (D., Ind.)—concluded four years of hearings last year with a harsh rejection of the imprisonment of juveniles as a means of rehabilitation.

"Witnesses have testified again and again that once a young person enters the (present) system he will probably be picked up again and again for delinquent acts, and eventually he will graduate to a life of adult crime," the subcommittee said.

The subcommittee's work produced a bill, which President Ford signed September 7, 1974.

One thrust of the law, known as the Juvenile Justice and Delinquency Prevention Act of 1974, is to discourage the state's reliance on training schools and regimented forestry camps by making money and resources available for community-based programs.

The Massachusetts experiment played a prominent role in the subcommittee's hearings. Dr. Jerome G. Miller, the man who was responsible for the overnight closing of the Massachusetts training schools, testified about his decision in May, 1972.

He told the subcommittee that training schools still existed because of political considerations—symbolically, he said, the public felt safer if it knew that the state was locking up its young lawbreakers.

This was "false reassurance," he said. "We will no longer claim that we protect public safety by locking up the offender. The only public safety guaranteed is that of a certain time lag while the youngster is locked up . . . but he returns, less able to function, more cynical, more isolated."

Dr. Miller, who left Massachusetts in 1972 to take a similar post in Illinois, had been hired in 1969 with specific instructions to change things.

A believer in the community-based system, Dr. Miller applied his theories to reality. He tried to make the institutions more humane, allowing long hair and weekend furloughs.

In 1972, despite the opposition of employees in his own department who stood to lose their jobs, he closed the institutions so quickly that 100 of the youths were temporarily housed in student quarters on the Amherst campus of the University of Massachusetts.

Over the last two years, the system has held its own. The recidivism rate apparently has gone down, and the crime rate in Massachusetts is increasing at a slower rate than in Maryland.

Massachusetts has adopted a wide range of programs, everything from traditional counseling to on-the-street efforts to reach wayward youths.

"At first, we concentrated on group homes where kids from broken homes could live," Mr. Madaus said. "But we realized that over the years, if attitudes changed, group homes could rapidly deteriorate into institutions, and we would have the same problem all over again."

So, Mr. Madaus said, a conscious effort was made to diversify the residential program, and increase the number of foster homes, shelter-care places, and other facilities in the private sector.

More than 1,500 people have vested interest in the success of programs purchased from private citizens, Mr. Madaus said. As a result, youths who formerly "had no political power whatsoever now have a link to power through private citizens."

Maryland is attempting to increase community involvement, but some local groups have shown considerable resistance to having juvenile offenders housed in their community.

Faced with local opposition, juvenile officials say that Mr. Pomerleau's criticism of the current philosophy may make their task more difficult in the coming year.

If Maryland does return to an institutional-based system, it may mean that the juvenile agency will be cut adrift from the Department of Health and Mental Hygiene, which it has been a part of since 1969.

The agency was put under the health umbrella because it was felt that the correctional elements of delinquency should be de-emphasized, while the health aspects should be stressed.

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[From the Baltimore Sun, Jan. 13, 1975]

### NEW TICKET SYSTEM SET IN CITY FOR JUVENILES

(By Larry Carson)

A new system, using tickets issued by policemen and quasijudicial arbitrators, is being planned for dealing with juvenile first offenders accused of minor crimes in Baltimore city.

Called the Community Arbitration Program, the system is already working in Anne Arundel county. It brings the victim and the accused perpetrators of misdemeanor crimes committed by juveniles face to face quickly—within one week after an offense is committed.

According to the administrator of the county program, the quick action also dispels the notion among youths that they can get away with minor crimes without ever having to appear in court.

#### PART OF STATE PLAN

Rex C. Smith, deputy director of the Juvenile Services Department, said yesterday that the program is part of a plan for Maryland being submitted to the federal Law Enforcement Assistance Administration through the Governor's Commission for Law Enforcement and the Administration of Justice.

The size of the Baltimore program will depend on how much money is received. Word on that should come in February, Mr. Smith said, and the program should be in operation sometime between May and August.

Anne Arundel's program, in operation since June, was the idea of Warren B. Duckett, Jr., the county state's attorney, and David Larom, the Anne Arundel county director of the state juvenile services department.

#### \$55,000 BUDGET

Using a \$55,000 LEAA provided budget, Mr. Larom hired one arbitrator, a lawyer, two field workers to keep track of cases after arbitration, a coordinator to help with referral work and act as liaison and a secretary.

Mr. Smith said he hopes to get at least \$150,000 for the city program, and would hire as many arbitrators as the money would provide for.

Mr. Duckett drew up a list of misdemeanors or minor offenses to distribute to the police, along with new juvenile summons books. Under the program, a policeman, instead of automatically filing juvenile petitions against a youth, can issue him a ticket specifying the date and time of a hearing before the arbitrator.

#### FIVE DAY WAIT

Hearings in Anne Arundel are now held about five days after the tickets are issued, Mr. Larom said.

Most cases, he said involve vandalism, neighborhood disputes, youths caught with illegal alcohol or marijuana and some minor assault cases. Mr. Larom said he is considering hiring another staff member to deal specifically with neighborhood feuds.

The arbitrator seeks to get the youth to agree to pay restitution or work in a community improvement work project on weekends or to a 45-day supervised probation. Youngsters perceived as having more serious problems are referred to other county agencies.

Mr. Larom stressed that this contact, often a youth's initial one with the process of law, is important in preventing the gradual development of an inclination toward more serious crime.

#### UP TO PATROLMAN

"If they feel they can get away with minor things, later you may have a breaking and entering," Mr. Larom said.

In Baltimore city, the patrolman on the beat is responsible for the initial decision on whether to release a child picked up for a crime.

Once a youth is charged with an offense, it takes an average of 90 days before the trial is held. Often youths simply do not appear for arraignments in juvenile court and the complaints are eventually dismissed if of a minor nature.

Judge Robert I. H. Hammerman of the juvenile court has recently announced a new system for distributing summonses to youths who don't respond to the initial mailing requiring them to appear, but the 90-day average delay is still the case especially for minor offenses.

Mr. Larom said that if a youth does not fulfill the agreement he makes before the arbitrator, he still technically may be prosecuted in juvenile court for the original offense.

[From the Baltimore Sun, Jan. 15, 1975]

### MARYLAND JUVENILE COURT MASTERS SCORED AS "2D-HAND JUDGES"

(By Larry Carson)

The director of the University of Maryland Law School juvenile law clinic last night attacked Juvenile Court masters as "second hand judges" often with limited legal knowledge.

Peter S. Smith, a lawyer who daily directs the legal defense of accused juveniles in Baltimore city's eight juvenile courts made his comments during a discussion of a proposed recodification of the state's juvenile law to be submitted to the legislature at its current session.

The discussion was sponsored by a group called Citizens Concerned for Juvenile Justice, and was held at St. Mary's Seminary in the 5400 block Roland avenue. About 65 people attended.

#### AGREES WITH ASSESSMENT

Judge George B. Raisin, chairman of the Juvenile Services Department advisory board and a Circuit Court judge from Kent county agreed with Mr. Smith's assessment of the master system.

The recodification bill, prepared and explained last night by Alan M. Wilner, an aide to Governor Mandel, retains the master system as it is now apparently because of the cost of replacing masters with fully qualified judges.

There are seven juvenile court masters in Baltimore city, all under the jurisdiction and control of Judge Robert I. H. Hammerman, who may reverse or change their decisions if he feels it is warranted. Four of the masters were chosen since 1970 to keep up with the rising juvenile caseload and the cases created when 16 and 17-year-old city youths changed from the adult to the juvenile legal category.

#### MUST BE LAWYERS

Masters are chosen by the Supreme Bench judges and must be lawyers with at least five years experience and at least 25 years of age. They make about \$22,000 a year.

Juvenile Court proceedings are closed to public scrutiny except when Judge Hammerman allows a visitor to watch. He has done this on the condition that the names of juveniles involved in cases are not repeated outside the courtroom.

Juvenile cases, guaranteed this amount of anonymity, are not reported in the press either.

Mr. Wilner's bill would require that trials before masters be transcribed, a move he said would hopefully prompt masters to be more careful about how they conduct themselves.

The master system is used mainly in Maryland's metropolitan Baltimore and Washington area counties, except for Montgomery, which has two full-time Juvenile Court judges.

Montgomery county's exemption from state juvenile law prompted the recodification bill.

Judge Raisin, said he has observed masters conducting trials while smoking, or with their feet on their desk, while Mr. Smith said that he has often had to indicate to several masters that the trial was not concluded when the prosecution finished presenting its case.

He said several masters sometimes also decide on a youth's intelligence by asking him the answer to one multiplication or subtraction question, using the youth's answer as part of the basis for deciding what to do with him.

He said others have criticized a youth for being poor or allegedly stupid.

#### "TERRIBLE PROBLEMS"

"There are terrible problems in this state with the quality of people sitting judgment of children," Mr. Smith said. He said some masters have declared their ruling in cases in which he was defense attorney, before he even had a chance to present his case.

"I don't want any second-hand judges trying my cases," he told the audience.

Judge Raisin, in concurring with Mr. Smith's view, said children in the criminal justice system should have "the best of everything" in terms of defense lawyers, judges and state's attorneys, so the state can make its best effort with a youth to try to steer him away from a future crime.

Stephen Montanarelli, former deputy state's attorney in Baltimore, has admitted that the youngest and most inexperienced state's attorneys are assigned to Juvenile Court.

#### INSULT TO STATUS

Mr. Wilner admitted that many prospective judges would balk at the idea of sitting in juvenile court, feeling it an insult to their status as judges.

He added that he too, agreed that masters would be better replaced by judges, but said that the legislature would not likely agree to vote the money needed for about 12 new judges statewide and their attendant office and staff needs.

[From the Baltimore News American, Mar. 2, 1975]

#### CURFEW HITS LEGAL SNAG, FOES WEIGH COURT TEST

(By Drew Marks)

Legal resistance to a Baltimore youth curfew has grown as the chance for passage of a bill by the City Council was seen improved.

Mayor Schaefer has received an independent legal opinion that the curfew would not be constitutional, The News American has learned.

And, as the council's Judiciary Committee prepared for its last public hearing on the curfew March 20, at least two legally-oriented groups were considering a court test of the bill.

Meanwhile, Judiciary Committee Chairman Frank X. Gallagher, D-3d, said a majority of letters received by the committee from individual citizens and civic groups favored the curfew.

Richard W. Freidman, director of the mayor's Coordinating Council on Criminal Justice, said his correspondence from individuals has favored the curfew but that letters from civic groups have not.

Seven council members—three less than the number needed for bill passage—appeared to be favoring the curfew. Support appeared strongest in the 1st, 3d and 6th District delegations.

Curfew advocates felt that Police Commissioner Donald D. Pomerleau's qualified endorsement for the proposal aided their cause.

"There are demonstrable fallacies in the underlying rationale of curfew," a committee of nine University of Baltimore Law School students advised Mayor Schaefer.

"But even if the theory were sound, the particular legislation proposed in Bill 1557 would be both ineffective and constitutionally suspect.

"We therefore recommend against its passage," said the committee report to Schaefer.

The mayor had asked for the law school's assistance in preparation of this report and a related report on the area of parental responsibility for crimes committed by their children.

The student committee on curfew—Bruce Frame, Geoffrey Brown, Louis Gitomer, Charlotte Krohn and Barbara Mello—found:

The Supreme Court struck down a Florida vagrancy law as violating the due process clause of the 14th Amendment to the Constitution.

Some language in the proposed Baltimore curfew bill is identical to that found unconstitutional.

The vagrancy law was void because it allowed potential for uneven, apparently discriminatory, law enforcement.

The Florida law was unconstitutional because it proposed to arrest youths to prevent crimes that might result from their being unsupervised on the streets.

"Our system punishes people only for what they have done to offend society's laws, not for what they may do if given the chance," said a summary of the committee's findings.

Councilman Gallagher, a lawyer and advocate of the curfew, believes the bill being considered is constitutional. "There are too many (curfew laws) across the country that have been tested and found constitutional," he said.

There are other lawyers, however, who vigorously disagree with Gallagher and already have begun discussing a court test if the bill passes.

"We are seriously thinking of challenging it in court," said Frank Morgan, a member of the National Lawyers' Guild. "The bill is clearly unconstitutional."

"I've been talking to other folks about a legal challenge if the thing is passed," said John C. Roemer, executive director of the American Civil Liberties Union of Maryland.

"We're adamantly opposed to any type of curfew. We think it's unconstitutional. We think it's impractical. It's not going to be an effective deterrent against youth crime," Roemer said.

"I guess anybody could take it (the bill) to court. But I think they'll lose.

"I think it has an opportunity of passing. The (police) commissioner's presentation on the bill was helpful," Gallagher said.

He said the bill may be ready to be brought before the full council in April.

But it appears he is one vote short of the five needed to get the bill out of the Judiciary Committee with a favorable report.

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[From the Washington Star-News, July 14, 1975]

#### YOUTH CENTER FINANCING FIGHT DUE

(By James B. Rowland)

Efforts to block construction of a 100-bed maximum security center for juvenile delinquents is focusing on a challenge of Maryland's financing of the controversial project.

Del. Charles A. Docter, D-Montgomery, a leader in a futile legislative fight against the facility earlier this year, said yesterday he is continuing his battle with hopes of convincing attorneys who checked the validity of state construction bond sales that the appropriation for the project was illegally approved this year by the General Assembly.

Lawmakers cannot approve money for construction items in an annual capital budget until preliminary plans have been drafted and a site selected, according to Docter. This has not been done for the projected juvenile center, he contends.

A 1975-76 capital budget of more than \$114 million was signed by Gov. Marvin Mandel on May 14 and includes \$8.6 million for the juvenile delinquency center on a yet-unknown tract. It is to be built using 1969 blueprints intended for a 200-bed addition at Boys Village, a juvenile delinquency facility in Cheltenham, Prince Georges County.

Bowing to protests by officials and residents of Prince Georges, Mandel earlier this year decided against expanding Boys Village. The facility is being converted into a state center for emotionally disturbed children.

Docter argues the proposed 100-bed maximum security center for hardcore juvenile delinquents will constitute nothing more than the "warehousing" of youth, runs contrary to modern methods of dealing with the problem, and ignores recommendations in a costly consultant's report made for the state several years ago.



But the Mandel administration's insistence on the new project prevailed during last winter's General Assembly session despite vigorous protest by Docter, along with Sens. Victor L. Crawford and C. Lawrence Wiser, Montgomery Democrats, and Julian L. Lapides, D-Baltimore City.

Opposition in the assembly was so persistent the administration finally gave in and agreed to a virtually unprecedented budget amendment stipulating that "site selection is subject to the approval of the Board of Public Works and the political subdivision in which the facility is to be located but the facility shall not be located at Boys Village of Maryland and the Maryland Training School for Boys, Baltimore County. This facility shall be designed for construction on state-owned land only."

Docter says this violates a state law pertaining to the time at which the administration submits for General Assembly approval a request for money "for a permanent or long-time construction project."

At this particular time the law provides that: "The department, bureau, board, commission or agency of the state government which is to receive the proposed project or some officer of the state government in its behalf, shall submit to the General Assembly preliminary plans and outline specifications therefore as to the size, type of construction and arrangement of the building or buildings included in the project, and as to the sufficiency of the proposed appropriation to pay the full cost thereof."

Robert C. Hilson, director of the state department of juvenile services, conceded the 1969 blueprint will have to be altered to suit the topography and other factors of the site ultimately selected.

Docter said yesterday he feels Atty. Gen. Francis B. Burch is uncertain of the legality of the assembly's action even though the state's chief legal officer has said there is no question about the validity of the capital budget appropriation.

Docter bases his belief on the fact that he has tried for three months to get Burch to put his opinion in writing in a letter to him. Docter first wrote Burch on April 11, again on June 9 and then last Friday sent a registered letter in hopes of getting at least an acknowledgement of his queries.

"I do however note in the newspapers your office is able to respond quickly to opinions involving homosexual marriages. Here is an issue that involves the taxpayers of this state who pay your salary and the expenses of your office. I would appreciate your now responding to my letters immediately," Docter wrote in his last letter.

Burch's office last Tuesday advised Montgomery County officials in a formal opinion not to meddle in the issuance of a marriage license in March to two women who subsequently were wed. Maryland law forbids marriages between two people of the same sex.

Docter contends Burch is afraid to put an opinion on the juvenile center in writing for fear it will be contested and perhaps delayed or will jeopardize the sale of state bonds to pay for the center.

Deputy Atty. Gen. Henry R. Lord said he has told Docter verbally the assembly acted legally and the juvenile center is a valid appropriation, statements Docter concedes Lord made to him. But the delegate wants it in writing so he can prepare to make any formal challenges.

"Mr. Docter's letters are hardly the most significant matters pending in our office . . . I have been working on a reply and I hope to get it in the mail next week," Lord said.

"I've heard that 'next week' stuff every time I've seen Mr. Lord," Docter replied when reached later.

Lord also said he doubted bonds to finance the juvenile center would be marketed before next year.

Hilson said the center is needed immediately, and expects to ask the Board of Public Works next month to pick one of three counties for the project. He has written officials in each county asking for permission to build the facility and received affirmative replies from Dorchester and Worcester Counties, on the Eastern Shore and from Allegany County in Western Maryland.

The sites are on state parkland in the three counties, although in Dorchester state land also is a possibility near the Eastern Shore State Hospital at Cambridge.

Hilson said he hopes construction can begin next spring. Completion will take 18 months to two years. The center will be comprised of six cottages, each with 15 beds, plus a seventh cottage with 10 beds.

[From the Baltimore Sun, Aug. 21, 1975]

## DECISION ON JUVENILE CENTER SITE PUT OFF AGAIN

(By Jeff Valentine)

Annapolis—A decision on a site for the controversial maximum security juvenile detention center has been stalled once more, this time by the indecisiveness of the state health secretary.

The state Board of Public Works yesterday was prepared to endorse a 23-acre site in the Green Ridge Forest of far western Maryland for the center, which had been approved by the Health Department.

But, through a top aide, Dr. Neil Solomon, the health secretary, asked the board to defer action on the request even though just three weeks ago, in a letter to the board, the health secretary urged the board to make a final decision on a site for the center "at the earliest possible moment."

### TASK FOR HILSON

Assigned the task of confronting the board with a delaying request was Robert C. Hilson, state director of the juvenile services administration, who has been a vocal proponent for such a facility.

Explaining that Dr. Solomon "endorsed the concept" for the center, Mr. Hilson said Dr. Solomon was concerned that the \$2-to-\$3 million needed annually to operate the facility will not be available.

"Where do you get that conclusion?" Governor Mandel demanded angrily. "Who ever heard of budgeting operating funds before a facility is even built."

"I'm sorry, but I'm not privileged to Dr. Solomon's sources of information," replied Mr. Hilson.

### WOULD BE MISTAKE

Dr. Solomon, responding after the meeting, said he felt it would be a mistake to move ahead with the center if the funds needed to operate it are not forthcoming.

Noting the state's current austerity program, Dr. Solomon said there was a need to reevaluate all the juvenile programs before making a decision on the maximum security facility.

Following prolonged and heated debate last spring, the legislature approved \$8.6 million in capital funds for a 100-bed high-security facility to house hard-core delinquents.

But, the legislators, mindful of opposition in their districts, directed that any proposed site for the facility would need approval from both the Board of Public Works as well as from the county in which it is located. All but four jurisdictions—Allegany, Harford, Worcester and Dorchester counties—opposed locating the center in their area.

### ASKS NO FURTHER DELAY

Senator Edward J. Mason (R., Western Md. 1st), who sees the facility as a boon to the economically troubled area, told the board, "It's time that we moved ahead and not allow any further delay on this project."

Noting that the facility had the blessing of a majority of the county's legislative delegation as well as other area officials, Senator Mason snapped, "All of a sudden Dr. Solomon bounces another of his crazy ideas off the wall (by delaying action). I hope you take his recommendations with a grain of salt."

Other legislators appeared, however, to urge the board to select another site for the facility for hard-core juvenile offenders, arguing that the center should be built closer to the homes and families of the youths.

### CONCEPT QUESTIONED

Still others questioned the very concept of the maximum security facility and suggested that community-based group homes offered a cheaper and better alternative.

Presently, these hard-core, street-wise offenders are either housed in adult prisons or facilities such as the state Training School for Boys which do not offer adequate security, countered Mr. Mandel.

"I'll tell you one thing. They're not going to be out there in the streets . . . making other people in the community worry about what will happen next," the Governor asserted.

The problem of providing adequate rehabilitation to juvenile offenders has been an ongoing one. An attempted state move toward community correction centers for youths has been waylaid by neighborhood opposition.

## ORIGINAL SITE OPPOSED

The state originally had planned a maximum security institution for youths needing close supervision for lower Prince Georges county but county residents successfully opposed that site.

Then, during the last session, the General Assembly approved funding for a center, with an obvious eye toward Allegany county. The facility is planned to have five 18-bed cottages plus one 12-bed higher security cottage.

When it is opened—about two years after construction begins—the state estimates it will cost from \$18,000 to \$23,000 a year for each youth it houses.

The board deferred action on the site question until its October meeting.

[From the Baltimore Sun, Aug. 22, 1975]

## JUVENILE BACKLOG WORSENS—COURTS FACE DRASTIC RISE IN WORKLOAD

(By Lloyd Brinson)

The number of criminal charges against children has increased so drastically since the first of the year that the workload of the Juvenile Division of Criminal Court has nearly doubled, causing a backlog of cases that may go into the thousands, according to the Baltimore state's attorney's office.

The onslaught of cases coincides with a dispute over the effectiveness of the juvenile justice system between Donald D. Pomerleau, the police commissioner, who claimed the system has broken down, and the Department of Juvenile Services.

"You have to draw your own conclusions," Barbara G. Daly, the assistant state's attorney in charge of the juvenile division said yesterday. "I can tell you that last year, this office processed a total of 10,347 petitions. We are looking at 15,000, 16,000 this year, if the present rate continues."

Noting that the rate increase began early this year, Miss Daly said her staff of 12 lawyers will pass last year's total workload next week, less than two-thirds of the way through the year.

"They are taking cases home with them every night," she said of her attorneys. "The clerk's office needs a computer. They work hard, but they are only moving paper back and forth. There is no manpower there. We don't know what (cases) they have down there."

Miss Daly, who has been with the state's attorney's office since 1969, said the juvenile staff is screening cases more carefully and weeding out marginal cases as well as avoiding needlessly charging youngsters, yet the referrals by police continue to increase.

The increase began after Mr. Pomerleau, citing 23,000 arrests of juveniles by police last year as evidence of the juvenile crime "horror story," was told only 8,000 cases had been referred to the Department of Juvenile Services.

"We can't do anything with juveniles we never see," the juvenile services director, Edward J. Lang, said at the time of the dispute. Both police and the state's attorney's office screen cases to decide if children should be prosecuted.

Despite the fact that the state's attorney's figures support both sides of the argument, the juvenile staff finds itself in the middle. While police refer more cases to prove the commissioner's point, the crush slows down the process whereby children are moved into the care of the Department of Juvenile Services.

And it increases both workloads.

Miss Daly said she has asked for a federal grant to add three lawyers by next month as a stop-gap, but more is needed.

"This operation has historically been underfunded," she said. "Some 47 per cent of the court's work is juvenile. Yet, because of the lack of attention, few people know about it."

"A lot of it is where people think the priorities are. A lot of people will say that juvenile justice doesn't work. Well, that's because no money has ever been put into it."

[From the Baltimore Sun, Aug. 23, 1975]

## LETTERS TO THE EDITOR

## TROUBLED YOUTHS

Sir: The board of directors of Lutheran Social Services of Maryland was forced to act at its August meeting closing its three group homes and residential treatment services program as of December 31, 1975.

Our agency which is owned and operated by 92 Lutheran congregations, cannot survive the massive deficits of the program already incurred and projected for the next few years. The 1974 program cost us \$55,000 more than the state paid and we're projecting additional losses of \$10,000 to \$15,000 per year more for each of the next several years.

Present state funding simply is not adequate for the proper care and treatment of troubled youth. Continuation under present funding policies is not possible since it would lead to the agency's bankruptcy by 1977. At present, it is necessary for Lutheran Social Services to supplement the state's payment by more than 25 per cent to provide care needed for children who are wards of the state. You can understand why we feel this type of funding policy is tantamount to exploitation of private charity by the state.

The result of this policy of forcing charity to supplement the state's payment is to drain the resources of charitable operators of group homes and in the cases of some, to force them to close to avoid bankruptcy. A second but more serious result is that it forces Maryland children from areas of greatest need to receive less care and treatment than children from areas where the charitable dollar is more plentiful.

As children continue to suffer under this policy, our society's welfare is not being served.

What can be done? The state must change its funding policy for operation of Maryland's group homes. It must provide on-going, full-cost funding for Maryland group homes. It cannot continue to drain the resources of its charities.

THE REV. DR. JAMES M. SINGER,  
*President, Board of Directors, Luthers Social Services of Baltimore, Md.*

#### FOSTER HOMES

Sir: Your news article on the stabbing death of an 11-year-old Baltimore boy stated that Juvenile Court sources had confirmed "that the dead boy had been ordered removed from his home as soon as a group or foster home became available, otherwise he would have to be sent to an institution, a sentence he neither deserved nor needed."

There are many homes open for this type of boy, with a complete educational, supervisory and psychiatric program. There are many rooms, too many rooms, empty and waiting.

Organizations, such as the Boys' Town Homes of Maryland, are available to take this type of boy in his predelinquent stages. The only drawback is Governor Mandel and his willingness to gamble that the State of Maryland will not have to spend \$300,000 for his term in the Penitentiary.

Last year the Legislature raised the monthly cost of maintaining this type of boy in a group home from \$400 to \$600 a month, far below actual operating costs. The Governor, trying to make an impression by building a large state surplus, passed the word down the line to the Department of Juvenile Services not to fill the existing vacancies in group homes. In other words, where there were 15 boys at \$400 each, there are now 10 boys at \$600 each. The other five boys are now left to roam the streets, joining ten thousand others with the same problems.

One of the homes has now closed its doors and two others are to be closed in three months—reason: lack of operating funds.

It is time for the Governor, Secretaries Neil Solomon and Richard Batterton and Robert Hilson of the Department of Juvenile Services to recognize the problem and place the true cost of operating these predelinquent homes in the state budget. This is no time to play politics with people's lives. Last year Maryland ranked 8th in the United States in per capita income, but 29th in funds for human services. This is sick thinking.

MAURICE ANNENBERG, *Pikesville.*

[From the Baltimore Sun, Aug. 28, 1975]

#### 17 YOUTH SERVICES BUREAUS BEING DROPPED BY STATE

(By Lary Carson)

The director of the state Department of Juvenile Services has decided to sacrifice 17 youth service bureaus next year, rather than let 13 federally funded delinquency programs die when their federal money runs out.

Robert C. Hilson, the director, said he made the choice because of the severely limited budget ceiling imposed on him by Governor Mandel. The youth service bureaus, scattered throughout Maryland, represent the state's only major preventive delinquency program.

Three other federally financed programs, including two training programs for juvenile services personnel, will be dropped unless rescued by some later appropriation of state money, Mr. Hilson said.

#### BATTLE FOR FUNDS

The youth service bureaus, which also began as federally funded programs, fought a hard two-year battle to win supplemental funding from the state.

Their federal money, like that being provided to the 16 pilot programs this year, had a three-year mandatory time limit imposed as the policy of the Governor's own Commission on Law Enforcement and the Administration of Justice.

The 16 programs are now in their third year of this funding and thus would be dropped unless they got state funds for the fiscal year starting July, 1976.

Mr. Hilson has decided to take the \$960,000 in state money now used for youth service bureaus and use it to save 13 of the 16 federally funded programs.

The programs to be saved deal mostly with first offenders, youngsters judged delinquent but placed on special intensive, supervised probation and others believed on the thin line between being mixed up but easily correctable and being hard-core repeaters.

The youth service bureaus, on the other hand, mainly provide walk-in counseling and referral services, concentrating on trying to deal with young people's problems before they come to the attention of a public agency or of the police.

It is Mr. Hilson's hope, he said, that the counties where the bureaus are located will decide to begin paying for them next year. Some localities already contribute from 15 to 40 per cent of the bureaus' costs.

#### 3 BUREAUS IN CITY

Baltimore city, which has three bureaus, would have to put out about \$280,000 to keep them in operation. The largest, eating up \$154,000 of the total, is in the 5600 block Park Heights avenue. A newer \$70,000 bureau is in East Baltimore, while the smallest is in the north central section, in the 3300 block Greenmount avenue.

Mr. Hilson is alarmed that the 2.8 per cent increase in his current \$26.5 million budget will be taken up with already committed salary increments, leaving only about \$50,000 for new programs or for increased costs in existing ones.

[From the Baltimore Sun, Aug. 29, 1975]

#### OPTIMISM IN JUVENILE COURT--TEENS CAN BE REHABILITATED: KARWACKI

(By George Hanst)

For most judges, serving in Juvenile Court is like serving in prison. There is an unremitting dreariness to both activities, which may explain why few judges experience either one.

The Baltimore court processes about 17,000 juveniles a year, which is too many for anyone to remember the faces of the repeat offenders, who comprise an estimated 70 per cent to 80 per cent of the case load.

Judge Robert L. Karwacki, who has just assumed command of the Juvenile Court for the next year or more, brings a cautious optimism to his new assignment.

#### CHANCE WITH TEENS

The criminal justice system doesn't really rehabilitate an offender who has a record by the time he reaches his 20's, Judge Karwacki says, "but I think we have a shot with a teen-ager."

"I think we can be more optimistic of straightening out a boy or girl under 18 than a repeat offender of 25," the judge adds.

"I didn't exactly seek the position of Juvenile Court judge," says Judge Karwacki, "but I feel very strongly that this is probably the most important area in the criminal justice system." About half of those arrested for serious crimes in the city are juveniles.

The 42-year-old jurist had been sitting in Criminal Court, where he says he saw "the mistakes of people who have come through the juvenile system and haven't benefited by it."

#### WASTE OF RESOURCES

Virtually all are on their way to serving extended time in prison, he believes. "It's just a waste of human resources that bothers me," the judge says, explaining his willingness to tackle Juvenile Court.

Besides a willingness to serve, a judge in Juvenile Court must have the appropriate temperament and special experience or training, according to the legislative criteria.

Appointed to the Supreme Bench in October, 1973, Judge Karwacki soon developed a reputation for his hard work, his command of the law, and his no-nonsense conduct of trials. His nearly-round glasses give him an owlish appearance, which enhances the courtroom image, but he has a ready smile off the bench.

As to juvenile experience, Judge Karwacki cites his own parenthood. His daughter is 17 and his sons are 14 and 12. "I've got them in this dangerous age," he says.

#### SCHOOL BOARD PRESIDENT

He was also president of the school board in 1970 and 1971. "A lot of the problems in the juvenile system reflect the shortcomings of the educational system," he says.

As presiding judge in what is officially called the Division for Juvenile Causes of the Circuit Court, Judge Karwacki is responsible for more than wayward teen-agers. He is nominally in charge of a system that is still trying to cope with a backlog generated by two court rulings.

In 1967, the Supreme Court ruled that juveniles in delinquency hearings are entitled to the same rights adults have in criminal trials. The ruling made juvenile proceedings more complicated and time-consuming, Judge Karwacki says.

Then in 1971, the federal Appeals Court ruled that the juvenile cut-off age in Baltimore should be lifted from 16 to 18 to conform with the rest of the state. "This threw a great burden on a system already overcrowded," the judge says.

#### NOT A STEPCCHILD

There is a need to modernize the clerk's office and the procedures before the eight court masters so that the Juvenile Court becomes a full-fledged partner in the system and "not a stepchild," Judge Karwacki says.

He says he will not make final changes until he has sat in the court for a while.

A city Juvenile Court judge usually serves an indefinite term and is not affected by the one-year rotation of assignments for other judges on the Supreme Bench. A bench committee is studying the tenure question.

Judge Karwacki replaces Judge Robert I. H. Hammerman, who decided to go into the regular rotation after serving in Juvenile Court since 1967.

[From the Baltimore Sun, Sept. 1, 1975]

#### LETTERS TO THE EDITOR

##### SOLOMON WAS RIGHT

Sir: Dr. Neil Solomon was 100 per cent correct when he announced that he is opposed to plans to build a maximum security prison for 100 hard-core juvenile offenders. The entire idea is politically motivated and to fulfill a promise of some jobs in the Western Maryland area.

The project is badly conceived and inequitable. Using the \$8.6 million originally contemplated cost, but a projected cost of \$12 million, the interest and depreciation would easily run to \$1 million per year, plus an estimated \$2.5-million for operating costs. This forms a basic cost of \$35,000 per year to keep one juvenile isolated from the public, and buried as far away from the rest of his family as the state area will permit.

Data that have been released are deliberate falsehoods, a swindle of the taxpayer and an excuse for new construction. There is overcrowding in existing facilities but it has been artificially created by the Mandel administration. In 1974 the General Assembly passed a law that prohibited "children in need of supervision" from being institutionalized. The primary purpose of the law was to treat these troubled or pre-delinquent children in community-based homes rather than "warehousing" them in institutions.

The law was approved, with the intent to reduce or practically eliminate such institutions as the Maryland Training School for Boys. But the Mandel administration "knifed" the law by not providing funds to keep these boys in foster or group homes. The final results are occupancy rates that are high as ever. Many of these boys are repeaters, returning to the institution for the second, third and fourth terms. They will never improve because the program can not allow improvement, merely another type of incarceration. There is a specialized group of homes, part of the Maryland Association of Residential Facilities for Youth (MARFY), who work with foster children, orphans and pre-delinquents. These homes, carefully supervised by the Department of Juvenile

Services, provide necessary educational and psychiatric care. Fifteen of these homes are in dire financial straits, with Harford Haven in Bel Air already closed. Boys' Town Homes of Maryland closing two of their homes, and the Lutheran Social Services closing all their homes by the end of the year. The boys will be returned to the community and create additional problems.

Perhaps our Governor, who is reducing operating funds from these homes to establish a large state surplus, will advise us what to do with a boy of 14 who was found sleeping in abandoned autos. Reason. He refused to return to his home when he discovered his mother was a prostitute. Shall we "lock him up" as a vagrant?

MAURICE ANNENBERG, *Baltimore.*

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[From the Baltimore Sun, Sept. 9, 1975]

LETTERS TO THE EDITOR

JUVENILE CORRECTION

Sir: Lately, I'm sure that each of us has expressed a certain amount of concern over the rising juvenile crime rate in Baltimore county. Police statistics show that in 1974, over 50 per cent of all crimes committed in the county were by juveniles. And the greatest number of the juveniles arrested were between the ages of 13 and 14, a fact which could scare anybody. Heightened controversy over whether our juvenile corrections process is truly effective only serves to increase our concern.

So one may ask, what can be done to prevent our youth from turning into hardened, repeated criminals? Does our present system work, and if not, what changes should be made?

Several months ago, the Baltimore County Young Democrats began a study of the juvenile corrections process, in an effort to improve the situation. Being a "youthful" organization, the idea was to help youth, and through a nonpartisan, public effort, work is being done to find concrete and lasting solutions. By working with the public and the public officials involved, possibly the matter could be better understood.

A public forum on juvenile crime will be held tomorrow at 7.30 P.M. at the Enoch Pratt Reisterstown road library branch, 6310 Reisterstown road . . .

The purpose of the open forum is to educate the public on exactly how the system works, and to get public ideas and stimulation into the project, which may eventually be worked into a package of legislation to be introduced in the 1976 General Assembly.

KEVIN KAMENETZ,

*President, Baltimore County Young Democrats. Owings Mills.*

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[From the Baltimore Sun, Sept. 12, 1975]

LETTERS TO THE EDITOR

PREVENTION

Sir: Governor Mandel has become a poor manager of our once proud state! How can he boast of "no tax increase" when there is a multitude of unmet state obligations that should be a part of any viable state government?

It seems that Maryland's human services system is in a state of collapse, eroding into a decay that will cost future citizens millions and millions of extra tax dollars.

Service to alcoholics is poor, assistance to retardates is lacking; social services to troubled youth in their homes are disappearing; recreation centers are being abolished; and community group homes for delinquent children are being forced to close because our Governor hasn't given them proper priority.

Maryland led the entire nation in the implementation of alternates to "custodial-type" state institutions. If our state government would give this "corrective" and "preventive" approach to delinquency adequate financial support, it promises to dramatically reduce the spiraling crime rate.

However, Maryland's current juvenile justice system is not wise enough to deal in 'prevention', but will only 'lock' away crisis children when it is generally too late and too expensive to save them. Unmeasured quantities of "prevention-responsive" children will be "passed over" again and again until they finally commit some violent act and become a part of the rising crime statistics.

Only "prevention" can reduce crime!

The Governor must stop trying to fool the people . . . he must forget his politically-orientated leadership and meet the needs and issues honestly. Everyone knows it is prudent management to pay the "prevention" price now instead of paying the horrendous price of more apprehension and more containmen later.

Then Maryland would be a happier and safer place to live for all.

JACK COHEN, *Baltimore.*

[From the Baltimore Sun, Sept. 14, 1975]

### AN EVEN COSTLIER BATTLE AGAINST JUVENILE CRIME

(By Larry Carson)

Though city police say approximately 50 per cent of Baltimore's major crimes are being committed by juveniles, the state's efforts at controlling the problem seem to be slowly shrinking, a puzzling phenomenon for state juvenile services people, private agencies who contract to care for wayward juveniles and even for Governor Mandel, whose tight budget is blamed for causing the malaise.

If the numberz of youths committing crimes, breaking windshields, tampering with cars and being generally a nuisance would only stop growing, then perhaps the increase of \$1.5 million in the Department of Juvenile Services fiscal 1977 budget would not represent a reduction of services. But the number is, and has been growing, as have the frequency of vicious street crimes committed by juveniles.

Thus, when Robert C. Hilson, the director of juvenile services, finds that federally funded programs which have proven their worth in diverting delinquent young people will not be provided for in the state budget when the federal financing for them runs out next year, he is bewildered.

It is no less confusing to find the operators of residential group homes deciding to close down because they say underfinancing by the state to pay for the care of juveniles under state custody is forcing them into bankruptcy.

Nor are the questions cleared up by the Governor's avid support for an \$8.6 million maximum security institution for 100 of the toughest, most uncontrollable delinquents.

These youths, who are all already either in the Maryland Training school or in adult prisons, would cost about \$18,000 a year each to care for in a carefully controlled environment. Group homes, which now get \$7,200 a year for each youth, and the 16 threatened federal programs spend far less on young delinquents who are much more likely to change their destructive ways.

Because most of the \$1.5 million added to his budget for 1977 will be taken up with salary increases, Mr. Hilson has been forced to decide whether to cut something out of his current program budget, or to allow the 16 federally funded programs to die at the end of the current fiscal year. Asked about this dilemma at a recent news conference, Governor Mandel said he knew nothing of the situation. Specifically, he said he did not know what programs were being referred to, nor was he aware of the manner in which the federal funding works.

Ironically, it is his own Governor's Commission on Law Enforcement and the Administration of Justice, the agency that distributes federal Law Enforcement Assistance Administration funds in the state, which placed a three year limit on this method of funding. The current fiscal year is the last of three for the 16 programs—including such highly successful ones such as intensive probation and diversion.

Intensive probation allows a probation officer to work with a small number of youths, no more than 10 and usually fewer, to try to steer them away from delinquency. Diversion projects have the same goal, but involve youths who have been charged by the police but have not yet appeared in Juvenile Court for trial. Personal attention, combined with restitution or community work which a youth must complete, is calculated to divert him from a court appearance and from trouble in the future.

Mr. Hilson, who said he cannot speak directly to the Governor, but must follow the chain of command through Dr. Neil Solomon's Department of Health and Mental Hygiene, finally decided he could not afford to lose these federally funded programs. He has now decided to use \$960,000 to save 13 of them. But to accomplish this the 17 Youth Service Bureaus in the state will be taken off the state budget next year, and thus will be in danger of extinction.

The Youth Service Bureau program provides walk-in counseling and referral centers for troubled young people. It is considered the only major activity aimed at preventing delinquency in operation in Maryland. Mr. Hilson said he hopes the counties in which these centers are located will pick up their costs.



The group-home problem, meanwhile, continues to fester. Until two years ago, the state paid \$400 a month each for youths—some judged delinquent, others simply in need of supervision—to be cared for in small residential facilities run by private, non-profit social agencies.

In July, 1974, the homes began getting \$600 a month for each child. They now complain that it costs from \$800 to \$1,100 a month for each resident depending on the home and the number of youths living there.

Three operators, representing about 80 beds, have already begun to close their facilities because of what they call crippling deficits caused by the state's low payments. Ironically, the state got out of the group home business itself because state officials determined that such homes were too expensive a proposition to be operated by a public agency.

The group home operators have been complaining since the beginning of the program that they are being forced to dip into their endowments, use the interest from whatever investments they might have, or simply beg for money from other charitable groups in order to stay alive. Though most are not in as dire financial straits as Boys Town Homes, Lutheran Social Services, and Harford Haven, the three operators that are closing, almost all are using up reserves to keep operating.

Group homes, which typically house about eight young people, are supposed to represent the progressive trend toward personal, individual attention in community based facilities. The major expense in running such a home—aside from providing a building—is salaries. Most homes like to have two adults present at all times, plus an administrator of some sort to help run the two or three homes owned by a single operator. Consulting psychologists and possibly maintenance or secretarial help must also be paid.

The Rev. William Black, who heads the three homes operated by Lutheran Social Services, says his group has provided three buildings—one constructed specifically for its purpose—several vehicles, and in-kind secretarial and administrative services. None the less, he says, the operation is running thousands of dollars in the red. Lutheran's board of trustees passed a resolution calling on the state to pay the full cost of care as the only means of reversing its decision to get out of the group home business.

As the fiscal wrangling continues, probation officers in Baltimore find themselves burdened with caseloads of 50 or 60 youths each, and the Maryland Training School is battling overcrowding that sometimes cuts the length of a delinquent's stay down to 3 months.

The Juvenile Court works against a delay of approximately 3 months—sometimes longer—between the time a juvenile is arrested and the time he appears in court for the first time, and the police confront youths who have nothing but contempt for a system of courts and corrections that in most instances can do little but shuffle them about with the glut of other juvenile cases, and then place them on infrequently supervised probation or send them to do a few months at the Training School.

And young offenders are well aware that many cases never get tried because witnesses won't testify, or lose their nerve after several months of waiting and a day or two of lost work time.

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[From the Baltimore Sun, Sept. 25, 1975]

#### PROGRESS, AND THEN WHAMMY

(By Randi Henderson)

Peter, Avon and Rudy were worried last week about finding themselves a place to live.

A common enough concern, perhaps, for apartment-hunting college students or young couples seeking to settle down. Finding a home is not the usual problem of 14- and 15-year-old boys.

But, Peter, 14, and Rudy and Avon, 15, were the last three residents of Boys Town Homes of Maryland's 1701 Park avenue, and with the home scheduled to close at the end of this month they shared the fear that their future lodgings might not be as pleasant as their current situation.

Licensed to house 12 boys and in operation since 1970, the Park avenue home is one of two Boys Town homes that is closing this month because of financial difficulties. A third home, on Magnolia avenue in Pimlico, will remain open.

Filled with boys between the ages of 8 and 15 referred by the Departments of Social Services or Juvenile Services, Boys Town has always operated with a low staff-client ratio so that sorely needed, individualized attention could be given to each boy and meaningful relationships could be developed with the counselors.

And to see the three boys joke with 28-year-old Jerry Rogers, director of the home, to hear them kid each other about their athletic prowess and recent escapades, there is no question that a warm camaraderie has grown up in the house.

But in social service terms, warm relationships ultimately come down to dollars and cents.

Boys Town has cost \$1,050 a month for each resident and the state has provided \$600 of this. The balance has been supplied by the organization's board of directors, but, according to the Rev. Joseph Hughes, executive director, "we realized we would soon be financially bankrupt and we couldn't continue to meet the deficit. The board had to decide to cut back services."

Mr. Rogers is emphatic about the fact that quality services cost money.

"I don't think there's an institution for child care in the state that's as good as Boys Town," he said with pride. "That's why we're the first to close—we don't want to settle for less than the best."

The young black director, who has an academic background in psychology and says he is "street-oriented," emphasizes that it is usually not the fault of the boys that they are removed from their families and placed in a group home.

"We can't hold it against the kids that they're here," he said. "There is usually parental inability to provide proper care. In many cases there is a history of abuse from the parents."

"The child is not just an offender," Mr. Hughes confirmed. "He has also been offended against."

Reluctant to talk about what had brought them out of their homes to Boys Town, the boys grudgingly admitted to "family problems." They unanimously shared the feeling that their stays at the Boys Town home, from five months to a year, have been beneficial.

"I like it here," said Rudy, reserved and diffident, consenting to talk only when prodded. "It has taught me about sportsmanship."

What brought Rudy to Boys Town, he said, were problems "big as the night" that just keep building so that he could no longer handle them in his family context.

Peter, who, according to Mr. Rogers, has "come a long, long way," agreed that Boys Town has helped him. "I made some changes with my temper, I improved my vocabulary," he said, stumbling on the five-syllable word. "I'm doing a little better in school."

And Avon, irrepressibly high-spirited, though perhaps the most concerned of the three boys about his future residence, said, "Last year I used to do everything bad—I hooked school, I did everything. But I've really settled down this year." He looked at the other boys and at Mr. Rogers and added hastily, "But I'm still a little loud."

The three boys will be placed in other group homes or similar institutions before the end of the month, though other homes are also feeling the financial crunch and several more have announced that they will be closing in the near future.

Peter, however, summed up the poignance and desolation of young people dependent on the state of a home when he muttered, with eyes downcast, "There ain't a place I'd rather be on earth than home with my parents. There are some nice people here and I got to like them. After a while they start to grow on you. But it's not home. There ain't no place like home."

[From the Baltimore News American, Oct. 5, 1975]

#### BOYS TOWN: SUCCESS DOESN'T MEAN SURVIVAL

(By Peggy Cunningham)

Stefan Redd was to have been removed from his home, which authorities had deemed unfit. He was killed before that was ever accomplished. Ironically, one institution considered by many to be effective in dealing with youngsters, Boys Town of Maryland, was forced last week to close two out of three homes because of insufficient funds.

"We're not giving up hope for the future. We're going to retrench and get a better financial base."

This is not the president of a small company, threatened by the recession, speaking. It's the Rev. Joseph B. Hughes, executive director of the Boys Town Homes of Maryland, a young but fairly successful experiment in group rehabilitation for troubled boys, 8 to 15 years old.

Boys Town just closed two of its three group homes, cutting its capacity from 31 youths to just seven.

"I think this really is a loss," said Gorman Davis, who is in charge of the purchase of child care for the Baltimore City Dept. of Social Services. "We should be opening new homes, not closing them."

He said the city had 49 referrals—children who needed to be taken from their homes for some reason and placed in a different environment—and was able to find spots for only 15.

The closing of Boys Town homes meant the city had to find places for nine children. "And there are not many places in the state where we can rush out and put nine boys who need help," said Davis.

One went back to his parents, one to live with a brother, seven to other institutions, and four to temporary foster homes until better arrangements can be made for them.

"Boys Town Homes did a very good job," said Davis. "They did some intensive work with the boys."

There is no going back now. The home at 1701 Park Ave. has been sold. The headquarters at 1801 Eutaw Place is on the market.

"They were not ideally suited for our needs anyway," said Hughes. "When we get new locations they will be different." The only remaining facility is a home-type house unlike the two mansions. It is a frame dwelling at 5506 Magnolia Avenue, at Northern Parkway.

Boys Town homes will continue this program of a high staff-resident ratio and behavior modification. The latter is administered with the emphasis on the carrot, not the stick. Boys at the home learn exactly what is expected of them and what is forbidden, then earn points toward privileges by doing what they are supposed to do.

The reason for closing two homes, for cutting back drastically the number of youths being helped, is strictly money, said Hughes.

"We had about a \$75,000 deficit last year and it would have been \$100,000 this year," he said. "We considered the alternatives and chose to continue with one home on a full program."

He explained all of the boys are referred by the Dept. of Juvenile Services or Dept. of Social Services, all are in the custody of the state. And the state is supposed to pay the bills.

The amount is set by the legislature at \$600 per month; up from \$100 two years ago. The care given by Boys Town, Hughes said, costs about \$1,000 a month. In the past, he said, much of the difference has been made up by federal grants, but these are running out.

Agencies which refer children to Boys Town know the sum is inadequate, he said, but their hands are tied by their budgets and rules.

"It's time the state lived up to its responsibilities," he said. "All the child care residents are running from year to year, wondering if they're going to make it."

Some have not, Harford Haven, Lutheran and Catholic homes have been or are about to be closed.

Margaret Clark, a spokeswoman for Boys Town, said, "If this happened to all group homes, where would the crime rate go?"

"And what happens to the boys? They go back to the home which created the trouble, or into an institution." Boys Town worked with parents as well as boys to try to clear up the conflicts that caused boys to get into trouble which could lead to delinquency.

"Some homes are heavily endowed and can dip into their reserves month after month," said Mrs. Clark. "Those that are privately financed through donations just can't keep the contributions coming in as fast as the debts."

One of the most frustrating aspects of child rehabilitation is deciding how to measure success. Hughes said that since the first homes opened in 1970, about 100 troubled young boys have been admitted to the program.

Some of these, especially at first when no methods had been worked out to determine who would benefit by this program, left within hours or days of admission. So about 75 really became part of the program, said Hughes.

He estimated that 65 could be considered "successes," youths who have adapted well to the group home living and showed some improvement in behavior.

This does not mean their problems are solved. But it shows what methods help some individuals. Many of the boys have progressed well in their own homes or foster homes after leaving Boys Town, Hughes said.

Some who could not adjust, went to what Hughes called "more structured situations," training schools.

Robert C. Hilson, director of the state department of juvenile services, said the cost of keeping a boy in a training school is about the same as the cost of Boys Town but the prognosis is poorer.

"We really need beds in the community for this group (8 to 15 years)," he said. "There are many children who might otherwise end up in training schools who simply don't belong there."

He said the current \$600-a-month rate "might be adequate at this time in rural areas" but is not enough in the city, where Boys Town operates.

Hilson said he could not very well compare the boys in residential homes with those in maximum security areas of training schools who are "more hardened offenders."

He said Boys Town has been successful, especially with first offenders, and has only a 25 per cent recidivism rate with its boys.

"This seemed like such an up-to-date, sensible way of trying to solve the juvenile problem," said Robert B. Watts, an associate judge of the Supreme Bench and president of Boys Town. "I am very disheartened."

"When you sit in court and send people to jail, you often know that if maybe someone had gotten to them sooner it might not have happened."

He said he is convinced Boys Town was on the right track, trying to instill new values and understanding in the boys, easing their emotional problems before sending them home.

As evidence he pointed to boys returning to school and developing better relationships with their parents through training and counseling at Boys Town.

The five-year statistical followup planned by Boys Town will have to be curtailed, he said, but the nearly bankrupt group "will continue to fight."

"I can see very clearly how tragic this is," said Judge Watts. "These homes are closing while public institutions are flooded."

Judge Robert I. H. Hammerman of the Supreme Bench has been interested in the Boys Town Homes organization since its beginning, although he is not now associated with it. "I think this is very definitely a severe loss," he said.

"They perform a marvelous service. They give us a desperately needed alternative to incarceration. They've done a marvelous job."

"I've sent a number of boys there and I'm familiar with the staff and their commitment."

Judge Hammerman said he believes the immediate loss of the resource is important, but equally serious is the long-range effect of the closing.

"It will be a long time before we see organizations like this take up the fight again. They will become so discouraged, so worn out they will just not come into the field again."

He added that the "short-sighted policy" of allowing private rehabilitative homes to close for lack of money will cost more in the long run. "The cost in stolen property, injuries, perhaps deaths, and putting these juveniles through the criminal justice system again is incalculable," he said.

Judge Hammerman said the closing of the Boys Town Homes is like losing "my good right arm."

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[From the Baltimore News American, Feb. 15, 1976]

## MARYLAND AGENCY FIGHTS DELINQUENCY WITHOUT SENDING JUVENILES TO JAIL

(By Carol Keiser)

Maryland became a national innovator in 1966 when it initiated a massive program to combat the problems of troubled youth. Young offenders who were once treated as adult criminals and punished as such were seen as young people with problems in need of rehabilitation.

"The primary goal of the Dept. of Juvenile Services is to prevent delinquency and to provide rehabilitation programs for youths coming through the system," said Robert Hilson, director of the department.

When the Maryland General Assembly created the juvenile services unit, the agency was mandated to provide direct services to troubled youths. Prior to the new agency probation and aftercare services were handled through the local courts.

The legislation creating the Dept. of Juvenile Services became a model for the nation and embodied a six-point goal.

Protection, care, and sound mental and physical development of each child coming through the system.

Removal of the stamp of criminality and the consequences of criminal behavior from a youth committing a delinquent act.

Provision of a centralized statewide program of treatment, training and rehabilitation for the youth while protecting the community that is victimized by the young offender.

Placement of a child in a wholesome family environment whenever possible.

Separation of a child from his parents only when necessary for the child's welfare or the protection of the public.

Judicial procedures to carry out the provision of the law.

To accomplish these goals, Juvenile Services has three broad areas of responsibility: intake, community treatment and institutional treatment.

A revision to the Juveniles Causes statute in 1969 called for a "preliminary investigation into all complaints lodged against juveniles." Intake officers working throughout the state's eight regions review all charges against a youth regardless of the source of complaint. These include complaints from police, parents, school officials and private citizens.

The intake officer is the key to the how far and in what direction the youth's case will go. After screening the complaint, interviewing the charged youth and his family, and taking into consideration certain legal stipulations, the intake officer may:

Close the case at intake.

Place the youth on 90-day informal supervision.

Refer the youth to another unit of the Dept. of Health and Mental Hygiene.

Refer the youth to another child service agency or community counseling program.

Prepare and file a petition alleging the youth to be a child in need of assistance or one in need of supervision (CINS), or request the local state's attorney to prepare and file a petition alleging the youth be delinquent; in these cases the youth appears in juvenile court and a legal decision can be rendered.

Authorize the youth to be placed in detention for alleged delinquency offenses or in shelter care for alleged CINS offenses until the court hearing.

There are two categories of young offenders. Delinquents are youths who have committed criminal offenses such as stealing a car. The category termed CINS are those young people guilty of offenses that wouldn't be a crime if committed by an adult, e.g., truancy and running away.

The intake officer is the youth's first contact with the juvenile system. His role is vital in that he prevents youths from going through the agonizing court procedures when it is unnecessary.

He channels each individual to the area best suited to the individual problem. Less than 50 per cent of the intake officer's cases go all the way to court.

In Maryland law, 14-year-olds committing murder or rape, and 16-year-olds committing robbery with a deadly weapon, are not within the juvenile court's jurisdiction. The intake officer automatically waives this offender to adult court. The confidentiality and special protection afforded to juveniles is also waived for that case.

The Community Treatment program began when it was realized that youths were being placed indiscriminately in training schools. The majority could better learn to cope with their problems while living in the community.

Juvenile Services began to purchase care for juvenile offenders in the community in 1970. The community programs were designed to meet the specific needs of the young offender while protecting the community at the same time.

The range of community treatment alternatives includes private and state-operated group homes, shelter and specialized foster homes, day treatment programs, residential treatment centers for emotionally disturbed youths, community counseling centers, youth service bureaus, programs to divert youths from court, community detention, community arbitration, and purchase of specific treatment and training services.

The available resources now operate at capacity. There are still many youths being inappropriately placed in institutions because of insufficient community resources for their treatment.

"The community treatment programs help the young person learn to cope with their problems in real life situations," said Terry Diener of Juvenile Services. "Almost 97 per cent of the youths coming into the system are placed in community-based programs."

Community programs range from "Ma and Pa" homes where the youth is taken into the family as a member, to the Youth Service Center where the youth lives in his own home and reports to the Center for school.

The third area of Juvenile Service is the training school which the Department attempts to use as little as possible. In 1968, eight percent of all referrals to the Department were placed in institutions. Today, less than three per cent are placed in these juvenile facilities.

Contributing to the declining use of the training schools is a 1974 state law prohibiting CINS from being placed in these institutions. Maryland has become one of these states committing the least amount of youths to training schools.

"Realistically, as much as we'd like all the youths who come through the system to be treated in the community, there are just some kids who have to be completely separated into training schools," Ms. Diener said.

Youths needing the close control that the training schools provide benefit from a vocational and educational program that in many ways surpasses the public school system.

Through the education program the youth can improve his academic achievement by 1.6 grades for every month in the program. The vocational program teaches specific marketable skills that are in demand.

"The 16-17-year-old dropout is the most unemployable group today," Ms. Diener said. "We offer a kid his high school equivalency, and if he shows an interest in college, we offer scholarships. For those wanting a skill we work with vocational schools and local businesses in providing training in cosmetology, electronics, mechanics, dry cleaning, brick laying and other fields. We also place them in job positions when they leave the juvenile system."

The youths in the institutions participate in a nationally-acclaimed treatment program, unique to Maryland, known as Guided Peer Influence, (G.P.I.).

Through a structured group process, the youths help each other with their anti-social behavior problems. The process is complemented by behavior modification and one-to-one counseling.

The youths participate in their own aftercare plans, and each is accepted by a school, job, training program or armed forces before being released.

The recidivism rate for training school youths is 50 per cent. Of the 50 per cent of the cases that the intake officer does not send to court, 75 per cent of these youths do not appear in the juvenile system again over a period of six years.

"Our intake procedures also aid in lowering the youths' recidivism rates," Ms. Diener said. "We believe that the farther the youth gets into the system, the more likely he is to recidivate. By screening each case, the intake officer prevents youths from going farther into the system than necessary."

Responding to a 1971 legislative mandate, Juvenile Services is working with communities to provide prevention services to youths.

The prevention program operates on a two-fold philosophy; that the farther the youth gets into the juvenile justice system, the harder it is for him to extricate himself; and that local communities are in the best position to recognize and serve the needs of the maladjusted youth who is not functioning within that community.

"Youth Services Bureaus provide counseling for youths and are run by individual communities," Ms. Diener said. "Youths may be referred to these bureaus or they may just walk in off the street with their problems."

Ms. Diener said it is difficult to measure the effectiveness of the prevention efforts, but she does believe many youths benefit from it.

The Department of Juvenile Services' biggest problem, according to Ms. Diener, is the inability to effectively deal with youths who don't fall under any specific program.

"We have some kids who are falling through the slats, so to speak. For example, aggressive retardates who are very streetwise, but not very bright, don't fall into any of the community-based programs. We have only one very small program at Boys Village for these youths."

Another problem is the lack of facilities for mentally handicapped and emotionally disturbed youths. "Hospitals are not equipped to give these youngsters the special attention they need."

Ms. Diener also expressed a need for more staff, volunteers, group homes, and shelter care parents.

The broad concepts creating the Dept. of Juvenile Services and placing it within the Department of Health and Mental Hygiene, have given the health and juvenile justice administrators in the state the flexibility to seek innovative ways to help troubled youth.

The changes since 1967 have been progressive and historic. All are directed to relevant and effective treatment programs, and to reducing the number of children entering the juvenile justice system each year.

Maryland has accomplished much since 1967. There is still much left to do.

[From the Baltimore News American, Apr. 18, 1976]

## JUDGE HAMMERMAN SAYS STATE SYSTEM DOESN'T WORK

(By William Stump)

Under Maryland law status offenders are called Children in Need of Supervision—and Judge Robert I. H. Hammerman says we're doing a rotten job helping them.

Hammerman, a city Supreme Bench justice who until 1975 was judge for eight years of the bench's Juvenile Court, was a major supporter of successful state legislation which now keeps truants out of the courts and thus out of the Training School.

But these children, plus ungovernables and runaways, the other broad classifications of status offenders, do not get sufficient rehabilitative treatment, and nothing much is being done to improve the situation.

"Nobody seems to have the guts and the imagination to bring about effective changes," says the judge.

"These kids don't belong in the judicial system," he continues. "They have emotional problems, and if you don't deal with those, you don't do anything. If treatment is going to be successful, it has to be intensive. The state is geared to short-term treatment, six months or so, but we need a long range approach. It can take a long time to help some of these kids.

"Historically we've dumped them into the courts, and the excuse is always 'Who else is going to take care of them?' That's self-serving and self-perpetuating. It will continue unless we say it has to stop; when you give the authorities an option, you get inertia. You'll get changes only if you make them act."

Judge Hammerman believes that treatment centers should be established within communities, and he thinks the state legislature should mandate which agencies—either existing ones or perhaps an entirely new youth bureau—should have the responsibility of providing services to help troubled children with emotional and family difficulties.

He says that Maryland has the resources to do the job. He believes the costs would be no greater than they are now, maybe even less. He sees some form of care purchase, in which the state pays agencies or homes a share of the treatment, and he sees the involvement of a variety of volunteer agencies.

"It will be a difficult transition, and some kids will get dropped through the cracks during it," he says. "But we have to find places to help the ungovernable kids, the runaways and the truants make better lives for themselves. Truants are people with entirely bleak futures and during the last school year there were nearly 36,000 of them—that means 36,000 who were absent more than 40 days—in Baltimore."

Adding to the difficulties, Judge Hammerman is convinced, is fear of failure. "We're afraid to fail," he says. "We're going to fail with some kids, and when we do, why don't we just admit it? The way we handle these people now is archaic, discredited. We simply sweep the problems under the rug. If we deal with children through treatment instead of the courts, I think the kids will be better served, and the courts will be more effective because they'll be able to concentrate on dealing with delinquents."

Judge Hammerman blames the city's schools for much of the trouble. He calls the school system rigid, unimaginative and uncaring. Last month, in testimony before the City Council, he said the schools are too "unbending" in the emphasis on straight academics, resulting in the alienation of thousands of youngsters not suited for a traditional curriculum.

He recommended that students be tested for aptitudes at an early age and channeled into programs designed to stimulate their potentials, and he cited the successful results of New York's mini-schools, which are vocationally-oriented; "imaginative courses," he told the council, have turned truants into youngsters eager to come to school.

"The truancy rate dropped and the reading level went up," Judge Hammerman says in further describing the results. "It could be done here. But the people who run the schools basically are very conservative. And they don't have time to think. All the systems concerned with children ought to have think-tank people—planners, innovators—to help us get into the future."

The current state of juvenile justice in Baltimore? Judge Hammerman is gloomy about it. It is better than it was a few years ago, he says, and better than in many other large cities. But it is a long way from approaching adequacy; the failures in handling status offenders extends to lawbreakers as well.

"We have not made any commitment to deal with juvenile problems," he says. "Kids are in trouble for many reasons—their exposure to violence on the street and on television, broken families, lack of jobs, poor health, emotional deprivation, drugs, the constant mobility."

In fiscal 1975 a total of 1,794 Children in Need of Supervision—or CINs, as the courts call them—came to the official attention of the state's office of the Dept. of Juvenile Services in the city. Included were 990 ungovernables, 414 runaways and 330 truants; most were 15, 16 and 17 years old.

During the same period 18,268 boys and girls came through the department's intake process, and 7,348 went to court. According to Edward J. Lang, regional supervisor of the department's city office, the number of CINs and delinquents jumped 16.4 per cent over 1974.

"There's been a steady upward movement since 1970," says Lang. "The real jump has come since 1974."

"Unless we make changing the situation a top priority we're going to pay a heavy price," Judge Hammerman concluded. "We're talking about thousands of troubled or delinquent children in Baltimore alone. We're talking about 45 per cent of the 11,000 children born last year being illegitimate—that's 5,000 children.

"But young people have no voice. They're the constituency of no one. And we squander money because of lobbyists and special interests. The Jones Falls Expressway extension is an example. \$30 million for no reason except self-serving special interests.

"So for the future I'm hopeful; but I'm not optimistic. Being hopeful means that something may happen if you work and try for it."

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[From the Baltimore Sun, May 23, 1976]

#### JUVENILE JUSTICE HELD "FAILURE"

New York—The chairman of a six-year national study of youth crime said yesterday, "It has become increasingly apparent that our traditional system of juvenile justice is a failure.

"It neither safeguards our society from violent juveniles nor provides adequate protection for the alarmingly large number of children reared in brutal environments," said Chief Judge Irving R. Kaufman, of the United States Court of Appeals in New York.

He said the study will recommend a number of reforms including diverting first offenders in appropriate cases to youth-service agencies instead of the formal court process where detention may mean "expert training in crime."

It also will call for upgrading family courts, providing lawyers for children in delinquency proceedings, giving notice and hearing before school discipline and helping children, not punishing them, he said.

Judge Kaufman was head of the joint commission of the American Bar Association and the Institute of Judicial Administration that produced the forthcoming 23-volume study.

Since 1960, violent crime arrests of youths have increased by 246 per cent—twice as fast as the comparative rate for adults, Judge Kaufman said.

"Indeed, children between 10 and 17—a mere 16 per cent of the population—account currently for almost 50 percent of all arrests for theft and criminal violence," he said. "Other statistics reflect the distressing magnitude of violent conduct directed against children.

"Millions of our children grow up in home atmospheres of hate and squalor which breed hostility and failure."

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[From the Baltimore Sun, May 24, 1976]

#### FROM EVERY VIEWPOINT, JUVENILE JUSTICE FALLS SHORT

(By Michael Wentzel and Joan Jacobson)

Mayland's juvenile justice system is a system in trouble.

As seen through the eyes of police, prosecutors and juvenile workers in the Baltimore suburbs, the system suffers from a nightmare caused by a lack of funds, an overworked staff and the steadily expanding role of youths in crime.

High-ranking administrators as well as street-level counselors say the system is blunted further by a lack of coordination among the agencies that handle family problems and by a lack of knowledge on just how to best handle troubled and delinquent youths.

The juvenile justice system as it operates in the suburbs shows the same stark symptoms that clog and almost neutralize the system in Baltimore City.

These symptoms—from bureaucratic inefficiency to the swelling numbers of youths in trouble—erode juvenile justice across the state and the nation.



It is not simply an urban problem or a suburban crisis. It is seen by critics as the failure of every phase and step within the maze that makes up the state's juvenile justice system to reverse the darkening shadow of juvenile crime.

Each facet of the system has a philosophy and a set of problems that contribute to reducing the system's effectiveness:

Police and prosecutors, who each day must face both the juveniles on the street and the victims of crime, argue that the system lets the youth go too easily without punishment or actual treatment.

"The law clearly states that the first responsibility of the state is to the youngster," says Robert O. Mathews, Jr., Howard county police chief, "and the second one is to public safety. We've got to reverse that or at least make it equal."

The administrators of the Department of Juvenile Services, the office that attempts to diagnose and rehabilitate juvenile offenders, complain that theirs is not a system that has failed but one that never has been allowed to operate on an effective level.

The DJS budget for next year has no funds for additional counselors, for example, yet the caseload has increased 19 per cent. This is like asking the same staff to do a sixth day of work in the same five-day work week.

Juvenile counselors, those who interview the youth and his parents after he has been charged with an offense, live in a crowded world that frequently demands they diagnose in 30 minutes problems that have been developing for 15 years.

Probation counselors throughout the metropolitan area must deal with caseloads of between 30 and 75 juveniles, a situation that an Anne Arundel county counselor says means that counselors deal only with emergencies and not with each youth who needs help to keep him from another burglary or shoplifting.

"We put out fires," Mildred B. W. Rayhart says. "And we just go from one fire to the next."

The juvenile masters, who administrate part of the system and hear cases, act with a weak, second-hand judicial power and characterize themselves as personifications of the low priority of the juvenile justice system in the state.

Most masters, along with judges and juvenile experts, believe that the master system should be abolished.

Judges in the state, while calling for a full-fledged court to handle juvenile and family cases, have heavy caseloads and avoid juvenile cases, perhaps for lack of glamour, and because, as Judge James L. Wray, of the Anne Arundel County Circuit Court, says, "There is just an endless parade of depressing, hopeless cases."

And one common, insistent complaint comes from many quarters: There are not enough competent training camps, rehabilitation centers, foster homes, diagnostic facilities, psychologists and counselors.

Increases in crime by juveniles in suburban Baltimore counties are reflections of trends throughout the country.

The cases handled by the state Department of Juvenile Services have shown steady growth in recent years. And the department's figures don't include cases handled and cleared by police.

In Anne Arundel county, 5,296 cases involving some offense by a juvenile were handled in fiscal 1975, an increase of 42.9 per cent over the 1974 figure. In Montgomery county, there was a 48.7 per cent increase in juvenile cases.

Baltimore county handled 6,838 juvenile cases, a 23.6 per cent increase.

Harford county experienced a 9.1 per cent increase in juvenile cases while Carroll county figures show a 21.9 per cent increase and Howard county a 19.4 per cent increase.

Baltimore city with 20,690 cases in 1975 still led the state, but the percentage shift is to the suburbs. In 1973, Baltimore city accounted for 42.2 per cent of the cases in the state involving juveniles. Last year, the city had 36.2 per cent of the cases.

The number of youngsters under 18 arrested in the United States in 1973 increased 144 per cent over the total arrested in 1960. The increase for those over 18 was only 16.8 per cent.

Of the 316,000 people arrested for burglary in the country in 1974, 54 per cent were under 18. At least a million youngsters under 18 were involved with the nation's juvenile courts during 1975.

The recidivism rate of juvenile offenders, a topic of great debate but one difficult to study accurately, also is a growing concern to Maryland officials.

The Department of Juvenile Services conducted a study of cases between 1968 to 1973 which showed a 24.5 per cent rate of juveniles in the state who are repeat offenders.

This means, a departmental study says, one out of every four get in trouble again while a juvenile.

A study by the Maryland Bar Association showed a 25.5 per cent recidivism rate statewide, but an intensive study by the bar group of a smaller group of cases in Baltimore city and six counties found a 45.5 per cent rate of recidivism.

Critics say this high rate shows that the system is not working, while juvenile officials say a ".750 batting average in any league is damned good."

Much of the controversy surrounding the juvenile justice system involves the philosophy of Maryland's "progressive" juvenile law, which says basically that juveniles should not be punished for their crimes.

The purposes of the law, outlined in the law itself, are: "To provide for the care, protection, and wholesome mental development of children . . . and to provide for a program of treatment, training and rehabilitation consistent with the child's best interests and the protection of the public interest."

The law also lists as a goal the removal from children committing delinquent acts the taint of criminality and the consequences of criminal behavior.

The police, the Department of Juvenile Services and the courts administer the law's philosophy with input from a number of other agencies, including the Department of Social Services.

Yet, officials in all of them admit there is little or no coordination and each of the agencies may be providing services to the same family and never contact each other.

While the size of police forces has increased, the size of the police departments, juvenile divisions probably has not. The beat patrolman handling troubled youths and delinquents frequently has little training and little respect for "the social workers" he feels are easy on the kids.

The Department of Juvenile Services experienced a 19.3 per cent increase in cases across the state in 1975. The department's budget, which has remained at about 1.5 per cent of the state's total budget for the last five years, increased only 1.6 per cent for fiscal 1977 with no increases in staff except for federally financed programs.

Robert C. Hilson, DJS director, says a major change in the low state commitment to juvenile justice will be needed to begin to turn the problem around.

"We have one of the best laws in the United States and not enough services to back it up," Mr. Hilson says.

This means that the 15-year-old arrested for a second or third time by police probably will survive a short interview by a juvenile counselor with a heavy schedule and be back to freedom. If he is placed on probation, the counselor will have little time for him unless it is an emergency or the youth is in serious trouble.

The result often is the 15-year-old feels he has beaten the system. And the police and the frightened community agree.

The obvious answers are more money, more staff and more services, things the state has been reluctant to fund. But the first answer, most critics agree, is coordination—perhaps the establishment of a family court to organize and administer all family-connected services, including juvenile delinquency.

Many experts feel that money isn't the only ingredient. These experts call for involvement on the community level.

The National Advisory Commission on Criminal Justice Standards wrote: "If this country is to reduce crime, there must be a willingness on the part of every citizen to give of himself, his time, his energy and his imagination."

Still, there seem to be real limits on how much anyone can understand or accomplish in the complex and often bleak world of troubled youth and juvenile crime.

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[From the Baltimore Sun, May 25, 1976]

#### JUVENILE DELINQUENT SYSTEM FRUSTRATES POLICE

(By Michael Wentzel and Ann Jacobson)

Day after day police arrest juveniles for burglary, auto theft and other adult crimes. The law says the police must treat them as children.

Chronic juvenile delinquents know the juvenile justice system will keep them on the streets even after they are caught a few times burglarizing or vandalizing a neighborhood.

The Maryland juvenile delinquency law emphasizes rehabilitation, not incarceration.

Delinquents today are starting out younger and committing more serious crimes. And police in once quiet suburbs of Baltimore are facing a delinquency problem that has overwhelmed their city counterparts for years.

With the changes, most police have become extremely critical of the juvenile justice system.

One of those critics, Robert O. Mathews, Jr., Howard county police chief, cites county crime statistics:

"Here's a youngster born in 1961," says Chief Mathews, thumbing through a pile of files. "Two counts of burglary and one peeping tom, trespassing, runaway, rogue and vagabond, vandalism, burglary, trespassing—and this is all between September, 1974, to August, 1975. This youngster never served a day in training school. He never even went to juvenile court."

"I think more cases ought to come to us," says Howard Merker, deputy state's attorney for Baltimore county. "Kids today know their records have to be pretty bad before they'll be taken to court. But I think they ought to get that traumatic experience in court."

Police officers who cruise the streets day after day express outrage when they continually see the same youngsters they have arrested, sometimes more than once, for stealing, destroying property and breaking into homes and stores.

"We've got to face the fact that there are bad boys but there are also animals at the age of 16, like there are animals at the age of 35. We cannot continually patronize and placate these kids," says Chief Mathews.

Anyone under 18 is considered a juvenile and cannot be put in jail after arrest. Exceptions to the age cutoff are 16 for armed robbery and 15 for murder and forcible rape.

Instead, when a juvenile is apprehended, the police officer, after reading the youngster his rights and writing a routine report, must call the youth's parents to take the child home to await a call from the Department of Juvenile Services.

From here, a juvenile services intake counselor will decide if the case will go to juvenile court, will be handled informally without court action or will be dropped altogether.

Many police officers and prosecutors argue that the intake officer is not trained legally for the decisions he makes in dropping cases or sending them to juvenile court.

"You see what happens now, you arrest the youngster, and within 30 days an intake counselor decides to adjudicate the case on an informal basis," Chief Mathews says. "Then you see the continual offenders. Our police officers become frustrated with the system because they keep arresting the same face over and over again for the same basic offense.

"And they have no idea why the person hasn't been confined."

Police and juvenile services have opposing definitions of juvenile delinquency. Police who are confronted daily by juveniles are looking for punishment as an answer to the crimes.

Juvenile services counselors, on the other hand, accuse police of ignoring the youngsters' behavioral problems which are often the root of the crimes.

They criticize prosecutors for being too hasty in asking judges to waive juveniles into the adult system when the resources of the juvenile system—repeated probation and training school—have not been exhausted.

But the number of cases sent from the police to the juvenile services administration is climbing and exceeds both the manpower of juvenile services and the suburban police departments.

The system's malfunction, some police say, begins in the home and is only deteriorated further by the law. "Once the family breaks down the system will not work," says Lt. John E. Koontz, of the State Police in Westminster.

Maj. Patricia A. Hanges, head of Baltimore County Police Department's youth bureau, says she worries the system does not make juveniles and parents accountable for crimes.

"It takes a week or two before Department of Juvenile Services even talks to the child after he is apprehended by police," Major Hanges says. "The juvenile justice system is so overcrowded it's becoming totally ineffective.

"Here's little Johnny Jones who gets picked up for stealing Joey Smith's \$70 bike. Police bring him in. They have a little interview with him. Jones is back out in the neighborhood that night and he's telling everybody, 'man, I stole that bike and here I am out on the street.'"

Major Hanges' blunt arguments are repeated by police throughout Baltimore's suburbs.

Because of the frustration with the state juvenile law and with the overcrowded Department of Juvenile Services, the larger suburban jurisdictions like Baltimore and Montgomery counties have turned to a program they call diversion.

Diversion applies to first-time offenders and is an alternative to sending a case to the intake counselors at the Department of Juvenile Services.

The police department takes the first-time offender, the teen-ager who smashes a neighbor's windows or shoplifts some lipsticks from a drug store.

The youngster is counseled by police department staff who try to find the root of the youngster's problem before he or she gets into more serious trouble. Police often urge the child and parents pay the victim either with money or services.

But Major Hanges cautions: "We don't coddle these kids. If they come in here and they have a bad attitude, and they're arrogant . . . then the kids go to juvenile court."

Anne Arundel county does not use diversion because it has a community arbitration system, a quasi-judicial hearing that deals with misdemeanor offenses. An arbitrator meets with the young offender, his parents and the victim to find a way to deal with the problem, such as restitution by working in the community.

Diversion is not practiced in the smaller jurisdictions where all cases are sent to Department of Juvenile Services.

In the five counties that surround the city—Baltimore, Anne Arundel, Carroll, Harford and Howard—the number of cases sent from the police department to DJS between 1974 and 1975 has grown by 32 per cent—from 9,530 in 1974 to 12,593 in 1975.

Large percentages of the total arrests in the suburbs are juveniles, with burglary, assault and auto theft the most frequently committed crimes by juveniles. In 1975, 44 per cent of the arrests in Baltimore county were juveniles; 25 per cent in Harford county; 25 per cent in Carroll county; 24 per cent in Anne Arundel county, and 21 per cent in Howard County.

However, despite the large percentage of juvenile arrests, suburban police departments utilize few if any of their officers to deal specifically with youth.

In Baltimore's five suburban counties, only two have youth bureaus in their police departments. Baltimore county has a staff of 19—detectives, officers and one counselor for the diversion program. Anne Arundel has three detectives.

[From the Baltimore Sun, May 26, 1976]

#### FUNDS, STAFF LACK GIVES DJS FEELINGS OF FUTILITY

(By Michael Wentzel and Joan Jacobson)

*"The utter futility of articulating the chronic staff shortage and attendant problems has become obvious. Nothing will happen, no one who has the authority to correct the situation will respond."*

Memo to state from David W. Larom, Anne Arundel county supervisor of Department of Juvenile Services.

Dave Larom is a juvenile delinquent from New York who made good.

He remembers being arrested and going to court, but most of all he remembers his probation officer.

"I was only one of a few cases he had," he recalls. "It's no wonder he was able to help me."

Mr. Larom now heads a county department that will handle more than 7,000 cases this year, nearly a 20 per cent increase over the last. The state did not fund any increase in staff.

Many of his probation officers will have 70 cases each, while the demand for the time of his intake counselors will be so much that they sometimes can spend only 15 minutes with each case.

The only new people he can get he obtains through what he calls "the creative art of writing federal grants."

But, federal grants run out. So there never are enough people.

"We don't have enough people to accurately diagnose and plan treatment for delinquents," he says. "We lose track of them, and they are out in the community and will finally come back in to us after they've done something else and will have to be put away because they haven't had the treatment the law says they deserve to have."

*"Ultimately, our judgment is a subjective judgment based on a feeling for the kid and the family and for the personality of the child. We are a bureaucracy dealing with an imperfect science."*

Laurens Carner, Anne Arundel county intake supervisor.

The intake counselor has a great deal of power in the juvenile justice system. This counselor decides if there is a case against the juvenile and if the case should go to court.

In fiscal 1975 in Maryland, only 36.9 per cent of the 57,162 cases handled by the Department of Juvenile Services went to court.

Intake counselors across the state last year disapproved or closed 50.1 per cent of the cases. This means the counselors decided the legal case was insufficient or could be dismissed after a warning and without further supervision.

This crucial decision, because of staff problems in most of the metropolitan counties, is made after only a short interview.

"I regret saying this," says Ann E. Sentman, intake counselor in Anne Arundel county, "but the number of bodies out in the hallway determines the amount of time I take. I try to take as much time as I can."

The hallways often are crowded with children and parents. On her first day at work in the county, Ann Sentman had 50 interviews.

"I try to find out what the act—a burglary or whatever—meant to the kid," she says. "I try to find out what is in his head, what his attitudes are, what kind of supervision he gets at home. I look at the attitude of his parents during the interview. I check prior records if I can. I try to make the interview as therapeutic as I can. I explain what the alternatives are and what might happen if he continues. I admit that what I decide is almost a gut reaction."

This is done in about 45 minutes.

The intake counselor also can put a youth on informal supervision and, if the counselor has time, work with the child and his family.

Intake counselors handled 13 per cent of their 57,162 cases this way in fiscal 1975. This is in addition to the 50.1 per cent closed or disapproved by the counselors.

It is this visible 63.1 per cent of 57,162 cases that intake counselors kept out of court that draws fire from police, prosecutors and communities.

"We are trained to work with kids and to know what is the best course of action and best treatment for kids," Dave Larom, the DJS supervisor in Anne Arundel, says. "Law enforcement officials have no business in treatment."

*"I would have a horrible time here and I would be terribly overworked if it were not for the great agencies in the county."*

Joseph E. Walter, intake counselor in Carroll county.

Joe Walter is the only intake counselor in Carroll county. Last year he handled more than 800 referrals.

Since he is the only intake counselor, he also must handle night calls that roust him out of bed about twice a week.

"The Youth Services Bureau here is one of the very best agencies I have ever known," Mr. Walter says. "Junction, the agency that handles drug cases in the county, is tremendous. Without them, I'd be lost."

Joe Walter knows the pressures of the job. He has worked in Flagstaff, Ariz., and Baltimore city as an intake counselor. In the 2½ years he has been in Carroll county, he has watched the rate of referrals increase.

"I get along great with about half the police and the other half hate me for not sending everything into court," he says. "We have a good state's attorney here and the police and the victim have the right to petition my decision to the state's attorney. He has reversed me more than previous state's attorneys but I trust his discretion."

*"We only stamp out fires. If a kid isn't a fire, you don't do anything."*

Mildred B. W. Rayhart, supervisor of probation in Anne Arundel county.

There are four probation counselors in Anne Arundel county who carry more than 70 cases. The other probation counselors have less but only because they are on grants and cannot go above a certain level.

The probation counselor gets a juvenile who has been through court. The juvenile knows the system and has had to be involved in a number of crimes before he reaches the probation stage.

By the time probation gets involved, the youths are streetwise and the families are in trouble. The job asks for the probation counselor to handle both.

Charles Ford, who handles the southern part of Anne Arundel county, has a case load of more than 60 juveniles each month. He travels hundreds of miles every week.

Charles Pettibone handles the heart of the county. His caseload peaked at 67 in December, 1975. But, a federal employment program enabled him to split his territory. He now has 35 youths on his list.

"I aim to see everyone," Chip Pettibone says. "But, I never can. Some I see often. Others, I don't see at all. It makes a big difference having fewer cases. I can spend time with the kid and his family and I can spend more time with more people."

If I can't spend time with them, they just go back with the friends they got in trouble with."

Chip Pettibone, who inherited a caseload of 25 on his first day at work and never received any training until the fourth month on the job, knows he can't do it all.

"We need more foster homes, group homes, vocational training, schools for re-education," he says.

*"There are definitely some kids who take to rehabilitation. But when a kid comes to court over and over and he is sent to a counseling agency 10 times, I don't think it's been terribly successful.*

*"We have to rehabilitate, but at times you'd think the kid has no right to punishment. I can't see where it does any good to force \$10,000 worth of psychiatry down his throat if it doesn't help him."*

Greg D. Corbin, juvenile counselor, Baltimore county Department of Juvenile Services.

As long as the Maryland law calls for reforming delinquents instead of punishing them, juvenile counselors will keep referring them to tutors and family counselors with state money.

Only as a last resort are delinquents sent to training schools.

Most youths, who come to juvenile services by way of the police department or the school system, never come back after their first visit.

But sometimes a youth is referred one, two or maybe five times before juvenile services will send him to court. Then the court might put him on probation.

"So, the next day, he goes out and commits the same offense. He wasn't punished so he tried it again," says Rudolph J. Horried, a probation supervisor for Baltimore county.

"As long as we have a law that says they're delinquent (rather than criminal) we must help them."

*"CINS cases are almost impossible to deal with because we have no hammer, no alternative when dealing with these kids."*

Robert T. Jacobs, juvenile counselor in Baltimore county.

CINS, or Children in Need of Supervision, are youths who run away from home, are truant from school, or whose parents can no longer control them. In January 1974, a law was passed preventing courts from sending CINS to training school.

If a youth refuses to go to school, or continually runs away from home, it is an educational or a family problem. An outside counselor can do little to help if the family or school won't cooperate with the counselor.

"Maybe the kid is heavily involved in drug use, but he's never been caught for drug use, only for running away," says Mr. Jacobs.

*"A man came in here one day with his son. The man had two or three marriages. He's had 16 kids and he's tired now. He has trouble with his teen-age son. He doesn't want the responsibility anymore."*

James L. Scagg, supervisor for Harford county Department of Juvenile Services.

Mr. Scagg continues the story.

"He says, 'I've had this kid for 16 years and I'm tired of him.' Little does he know that for 16 years he's screwed the kid's mind up.

"Parents want to leave their kids here with us. They start walking out the door and we have to say, 'hey, wait a minute, come back here, this is your responsibility.'

"We're dealing with human nature, not with cogs and wheels you can put back together again."

Today's troubled teen-agers often are the products of irresponsible parents. Mr. Scagg says the Department of Juvenile Services has become a last resort for parents who have lost control of their children.

He argues that juvenile services also has become the dumping ground, not only for unwanted teen-agers, but for the Board of Education's acute truancy cases and for the Department of Social Services family cases that develop into juvenile delinquency cases.

"Not much is being done to make parents responsible. We've become a babysitting service. The Department of Juvenile Services is often thought of as a second-class citizen. We don't carry the clout that social services and the board of education carry."

*"My job is prevention. I go everywhere to talk to people—to schools, communities—I try to reach as many people as possible. We have to start early to prevent juvenile problems. We have to start in the schools, to teach kids how to be responsible parents when they grow up, and how to decide whether or not to be parents at all."*

*"We have people coming in here with their kids. They say, 'We had no idea it would be this difficult to bring up a child. We don't want him anymore.'"*

Harry Langmead, prevention specialist,  
Baltimore county Department of Juvenile Services.

Mr. Langmead is paid as a prevention specialist through a federal grant. The money will run out this fall and his position will be eliminated.

His job is to go into the communities, to explain to people they can't run away from neighborhood youth problems. They must let rehabilitation agencies like group homes and Youth Service Bureaus come into their backyards.

"But communities don't want to deal with prevention," he says.

Mr. Langmead, the only prevention specialist in the county, says he is overwhelmed by the scope of his job.

"Yes, I guess my job is to change society," he says.

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[From the Baltimore Sun, May 26, 1976]

#### JUVENILE SERVICES CHIEF WANTS HIGHER PRIORITY, MORE MONEY

Robert C. Hilson has that quiet look of a man who has learned to weather the storms of government.

He heads the Department of Juvenile Services, a state Health Department agency under attack and blamed for the increase in juvenile crime.

He faces a department that he feels is understaffed and often troubled with morale problems.

And each year he must go to the state almost begging for funds.

"The needs of the troubled youth, and the youth in trouble, in Maryland must receive a higher priority within state government if we are to have any impact upon reducing the ever increasing incidents of juvenile crime and thereby make our society a safer place in which to live," Mr. Hilson wrote in a cover letter to his 1975 annual report to Dr. Neil Solomon, state health secretary.

It is a letter he has written many, many times.

"Our services are grossly inadequate," Mr. Hilson says. "Every aspect of the department is underfunded. We have not kept pace with the demands made by increasing juvenile crime or changing philosophies of treatment.

"The law we have is a very good law if we had the tools to implement it. There is no increase in our budget for fiscal 1977 for intake counselors, yet referrals to intake are up 19 per cent. That's like adding another day's work.

"Something has to give. Unfortunately, it's the quality of work that goes. An intake counselor can't spend a half hour with a family and get the job done."

On his desk he has a thick report with rumpled edges. It is a recently completed five-year plan for the department.

He describes it as "conservative, realistic and definitely not the ideal budget."

"This plan will only meet our minimum program needs," Mr. Hilson says. "It will not keep pace with the increasing workload. It is a realistic approach to money, not our needs."

Yet, this proposed five-year plan calls for budget increases the department has not seen in years.

For fiscal 1977, the department received a state-funded increase of 1.6 per cent. The department's budget has been 1.5 per cent of the total state budget for years.

The plan includes three budgetary option levels—a 5 per cent increase, an 8 per cent increase and a 10 per cent increase for each of the 5 years.

The 10 per cent budget alternative for fiscal 1978 calls for a total departmental budget of \$32,627,652 providing 124 new positions to the statewide staff of 1,462.

This is up from the current budget of \$29,436,390.

The 10 per cent alternative budget of \$35,940,448 providing 130 new positions.

The director predicts that with proper case load levels, the recidivism rate could be cut by as much as 10 per cent, down from a level that varies in the metropolitan area from 25 per cent to 45 per cent.

Mr. Hilson says the 10 per cent budget is the minimum increase the department must have to handle the expanding workload.

"Actually, we need to double our staff to do the job," Mr. Hilson says. "There must be a major turnaround in commitment of state funds if we are to do our job. If the state is concerned, they must stop paying only lip service to the problem. It's been a long time since we received a 10 per cent budget increase, but I'm optimistic."

On an equal plane with money in Mr. Hilson's eyes is coordination.

"We have a nonsystem," he says. "Everyone in the juvenile justice system, every component, has a responsibility and an interdependence upon the other. This implies coordination. And I don't see any."

"There is a real fragmentation of duties and duplication of duties. And I don't see anyone doing anything about it. I support anything that will end fragmentation and bring about coordination."

He will not say outright that his department should be separated from Dr. Solomon's far-flung Health Department. But, he does support a family court concept and a reorganization of his department.

"I don't consider myself a health official," Mr. Hilson says. "Dr. Solomon knows that. A better answer might be a department of youth affairs."

He says the state must place juvenile problems higher in its list of priorities, but adds that communities must do the same.

"The tough test for the juveniles comes in living in the community, not in living in institutions," he says. "We must have programs that show the troubled youth how to live in the community. And the community must accept these programs and become involved in them."

[From the Baltimore Sun, June 17, 1976]

#### PANEL ASKS JUDGES FOR JUVENILES

(By Michael Wentzel)

The Governor's Commission on Juvenile Justice has voted to recommend to the General Assembly that the use of masters for hearing juvenile cases be abolished.

The commission's recommendation is that judges should be handling all juvenile cases in the state by July, 1978.

"The kids have a right to a better shake and to better justice than they are receiving now," said Delegate David G. Ross (D., P.G. 24th), a member of the commission who is a former master.

The commission recommendation parallels one by the Maryland Judicial Conference, the organization of state judges, which in April called for the abolition of masters.

The judge's conference recommendation, however, is more conservative, calling for a five-year phasing out of masters.

The commission describes its recommendation as the opinion and direction the commission would like to proceed but lists it as tentative until public hearings are held.

In a series of articles on juvenile justice in *The Evening Sun* in May, the masters system was described by many officials and judges as "illustrative of the low priority of juvenile justice."

The series pointed out that a number of those involved in juvenile justice in the state have urged the abolition of masters.

There are 7 full-time masters in Baltimore city and 11 other masters in eight counties.

Under the masters system, the masters act as referees hearing the charges against a juvenile and then writing up a report that includes a decision in the cases.

The masters cannot make final decisions. A judge must review the cases and sign the final orders. If the defense or the prosecution objects, another hearing is required before a judge.

"I feel very strongly about accountability," Delegate Ross said. "I think that the man who looks the kid in the eye should make the decision and that man should be a judge."

"The idea that a judge knows about a case before a master is a fable," he said. "To say that the circuit court judge reviewing cases is involved is just not true. The master is the real judge yet the Court of Appeals has said he has no power. A juvenile deserves the same justice as an adult."

Alfred J. O'Farrell, deputy state public defender, agreed that "juveniles" get a different kind of due process than adults.

"One of the ultimate aims of the commission is to upgrade the juvenile court," Mr. O'Farrell said. "Instead of being a secondary court, we ought to put the court at the highest level. You don't when you try kids before masters."

Mr. O'Farrell, a commission member, said that the masters system also leads to constitutional problems involving double jeopardy.

The vote on the abolition of masters Tuesday night was 9 to 0 with Christian Kahl, a master in Baltimore county, abstaining.

The commission is appointed by the governor but reports to the legislature. The commission plans to present a series of recommendations for legislation on juvenile justice before January 1.



The commission is divided on establishing a state juvenile or family court. The commission did vote Tuesday night to recommend the establishment of a position of chief state juvenile judge on the level of an associate judge of the Court of Appeals. This judge would be the administrator of all juvenile judges.

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[From the Baltimore News American, July 18, 1976]

### GIVE TWO CHEERS

(Editorial)

Baltimoreans have reason to murmur a cheer or two—not three cheers—at the crime statistics for the first half of this year, as issued by the Police Dept.

Murders, rapes, robberies and aggravated assaults were almost 18 per cent fewer than during the same period of last year. Larceny is the only crime category in which there was substantial increase and police attribute this in considerable part, to an epidemic of citizens' band radio thefts from autos.

There is an extremely disturbing note, however, in the department's otherwise gratifying, if unspectacular, report.

Juveniles—persons under 18 years old—committed 49.6 per cent of all crimes and well over half of the crimes against property. This is  $4\frac{1}{2}$  per cent above the national average.

The statistic is alarming not only in itself but in its implications for the future.

There can be much speculation as to the reasons that Baltimore has a higher proportion of youthful criminals than the nation. A combination of factors are undoubtedly involved. The high truancy rate and other failings in the school system probably are involved. And since many juvenile offenders are repeaters, inadequate facilities and operation of the correctional system probably play a substantial part. Underlying all other causes are societal ills, which affect rearing of the young—jobs, housing conditions, social welfare services, etc.

Whatever the explanations, the grim fact is that lawbreaking by juveniles is abnormally high in Baltimore and that, in absence of effective action, this presents dark prospects as to prevalence of crime in the future.

Therefore, while there is mild comfort from the police report, its chief impact should be to bring the gravity of the juvenile crime problem starkly home, to the citizenry as well as officials, and to foster firm determination to do whatever is necessary to alleviate it.

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[From the Baltimore Sun, Sept. 20, 1976]

### DIVERSION PLAN AIDS JUVENILES, STATE, TOO

(By Joan Jacobson)

Within the bureaucracy's maze of programs for juvenile delinquents, city police have something new for teen-agers arrested for such crimes as shoplifting, playing ball illegally in the street or destroying a few hundred dollars worth of property.

The program, commonly called, "diversion" or "limited adjustment," is designed for the first time offender—a juvenile who gets in trouble, sometimes because of emotional family problems or because his friends dared him or merely for the lack of anything better to do.

The program began in May after 38 police officers went through a two-week training session with lectures in adolescent psychology and how to deal with youths' problems.

The officers act as counselors for the children, mostly teen-agers, who, for the first time, may have committed such crimes as drinking, disturbing the peace, tampering with a car or even impersonating a police officer.

These are some of 34 offenses which fall under the guidelines of the new program.

"The primary purpose is to prevent a juvenile from being labeled a delinquent," said Lt. Charles Codd, administrative coordinator at the Police Department's youth section.

A juvenile can only enter the program if he or she first admits guilt. Then the parents, the victim and the police officers involved must agree to let the youth enter the program.

Baltimore county has had a similar diversion program for the last year for first time offenders involved in minor crimes. However, it has only a few volunteer counselors and is not as structured as the city's.

Officer William Wielechowski, one of the city's new Youth Service Officers, said he always enjoyed working with juveniles when he was on patrol.

"But in patrol you don't have the time to help them. You never see the kid again, unless you bump into him," he said.

During the program's first three months in operation the department reports 578 juveniles entered the program. Of these, 352 were warned and released by the Youth Service Officer, statistics show.

Most of the others were either given counseling by the officers or sent to outside agencies for special juvenile or family counseling.

However, 21 were expelled from the program and one youth, police statistics show, was referred to a work project. Lieutenant Codd said "archaic child labor laws," prohibiting teen-agers from working many jobs, make it difficult to find work for a teen-ager whose idle time gets him or her into trouble.

The program gives the officer a chance to get at the root of the child's problems.

Officer Joseph M. Russell, another diversion officer, cited one example. "Once I said to a kid, 'If you were alone (and not with friends) would you have done this?'"

The teen-ager realized he had not made up his own mind and was only dared by his peers, Officer Russell said. He really was not bad, the policeman said. "You'd like him if you met him."

One of the biggest problems the officers face is that they find they have no control over the child's home environment.

"The parents and kids don't see eye to eye," Officer Wielechowski said. "You sit down with the kid and he's normal, but you get the mother and father in there and he clams up—he's got a negative attitude."

A lack of recreational facilities in the city is another problem, Officer Russell said.

"At the ages from 14 to 16 they're neither here nor there (not old enough to drive)," he said. "They need some place to go to be with their friends but away from adults."

The program is an alternative to the usual procedure where the youth is arrested and sent to the state's Department of Juvenile Services. There an intake counselor decides whether to dismiss the child's case, to continue counseling or to send the case to court.

The Police Department's program was set up to alleviate the state's heavy case loads. Without the diversion program, all juveniles in the police program would have gone to the Department of Juvenile Services.

Officer Russell said the difference between his job and that of a counselor at the Department of Juvenile Services is, "we are counselors with a hammer (with the authority to arrest). We're not social workers in the broad sense, but we had experiences as police officers and we know kids."

