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For youths' sake, change TYC policy

Opinion Editorial

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This spring, when news of shocking conditions of confinement and abusive practices of staff in Texas Youth Commission facilities made headlines, the response from elected officials was swift, strong and hopeful. Texas leaders took a firm stance in opposition to the sexual and physical abuse, endemic violence, substandard medical care and ineffective treatment programs plaguing the Youth Commission. They immediately put into place a number of oversight mechanisms and standards for better care of children in Youth Commission custody. The legislative session ended in May with elected officials claiming that the adopted reforms would put Texas well on the path toward becoming a national model for juvenile corrections.

That same month, I had the privilege of serving on a task force at the University of Texas School of Social Work, convened at the request of then-Acting Executive Director Ed Owens. A group of nationally recognized juvenile justice experts, leading Texas juvenile justice professionals, researchers and youth advocates provided Youth Commission with expert guidance as it undertook its laudable goal of total system reform.

At the two-day meeting, we were told by Youth Commission officials that the agency would be moving in a new direction. Rather than relying on punitive and ineffective methods, Youth Commission officials would implement evidence-based rehabilitative programming improving chances of success for children returning home to their communities and increasing public safety by reducing recidivism.

However, in just three short months, it appears that the reform effort has gone awry. Violence and under-staffing continue to plague Youth Commission, and no official treatment program has been implemented to replace the old curriculum. According to media reports, the primary response of new Youth Commission leaders has been to introduce the increased use of pepper spray and send a vague letter of warning to youths and their families as a way to stem institutional violence. The commission's response seemed incredible to me and certainly is not based on evidence of efficacy.

The decision to increase the use of tear gas and pepper spray is a particularly disturbing sign that Youth Commission officials have been misinformed in their attempts to "fix" the problems in the state's institutions. Though pepper spray has been viewed by some as a solution to violence in correctional facilities, it usually creates more problems than it

solves. Staff come to rely on chemical agents in lieu of communicating with youngsters to defuse confrontational situations.

I have seen firsthand the kind of abuses that can result from use of pepper spray. In one case, youth correctional counselors responded to a mentally ill youth who was in the midst of attempting suicide by repeatedly spraying him with pepper spray before they removed the sheet wrapped around his neck. Introducing chemical agents as a primary way to reduce violence in juvenile facilities has never succeeded, and it is an invitation to abuse, staff and youth injuries, and costly litigation.

Good intentions aside, it is high time for Texans to make a decision about the direction in which the Youth Commission will move. Will Texas become a national model for juvenile corrections or continue to be a national disgrace? The Youth Commission must improve its staff-to-youth ratio, pay its staff members a living wage, increase quality training and develop a meaningful rehabilitative and academic program for incarcerated youth. State and agency leaders should embrace proven juvenile justice "best practices" and the recommendations of the best national and local experts. The Youth Commission must reinstitute a "culture of caring" for its most troubled young people. Anything less will lead Youth Commission right back into the "bad old days" that have embarrassed the Lone Star State before a worldwide audience.

Krisberg is the president of the National Council on Crime and Delinquency. He has been involved in the reform of juvenile correctional facilities in California and several other states.

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