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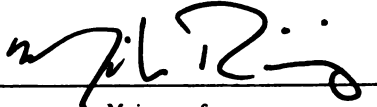
**A SOCIO-HISTORICAL ANALYSIS OF THE MICHIGAN
YOUTH CORRECTIONAL FACILITY: ECONOMIC
TURMOIL AS AN IMPETUS FOR SOCIAL AND
POLITICAL CHANGE**

presented by

Adam T. Histed

has been accepted towards fulfillment
of the requirements for

Masters _____ degree in **Criminal Justice**


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By

Adam T. Histed

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ABSTRACT

A SOCIO-HISTORICAL ANALYSIS OF THE MICHIGAN YOUTH CORRECTIONAL FACILITY: ECONOMIC TURMOIL AS AN IMPETUS FOR SOCIAL AND POLITICAL CHANGE

By

Adam T. Histed

Over the past eight years, the State of Michigan has been swept into a tide of national sentiment advocating punitive juvenile justice reforms. This thesis argues that the shift to a *just deserts* model of juvenile corrections can be traced to the poor economic conditions of the late 1970s. Due to the intertwining of the juvenile and adult systems of justice, juvenile offenders were equally caught in the swell of public sentiment as witnessed in the development of such control devices as juvenile waiver statutes. Furthermore, Michigan's specific shift in juvenile correctional philosophy combined with its desire for cost-savings has fueled the expansion of the prison-industrial complex and the construction of the Michigan Youth Correctional Facility (MYCF). The arguments presented herein are derived from a socio-historical analysis of the MYCF.

This Thesis is dedicated to the memory of my mother, Deborah A. Histed.

ACKNOWLEDGEMENTS

The compilation of the information presented within the pages of this Thesis were made possible by the cooperation of juvenile justice specialists, policy makers, and politicians across the State of Michigan. Without their contributions, the story of the development of the Michigan Youth Correctional Facility may never have been told.

I wish to also express my sincere appreciation to Dr. Michael Reisig, my advisor, for all the guidance, support, and direction he has offered throughout the process of completing this Thesis.

TABLE OF CONTENTS

LIST OF TABLES	vii
LIST OF FIGURES	viii
CHAPTER 1	
INTRODUCTION	1
Socioeconomic Conditions	2
Sociopolitical Conditions	4
Research in Context.....	6
Organization of Thesis	6
CHAPTER 2	
REVIEW OF EXISTING LITERATURE	8
Sociopolitical Factors	9
Divergent Methods of Social Control	9
Shifting Objectives of the Criminal Justice System	12
Juvenile Justice Reforms	15
Socioeconomic Factors.....	18
Fiscal Strain on the State	18
The Prison Industrial Complex	20
Synthesis of Existing Literature.....	23
Existing Literature as a Framework for the Present Analysis	26
CHAPTER 3	
METHODOLOGY.....	30
In-depth Interviews.....	30
Unobtrusive Measures.....	35
CHAPTER 4	
INCEPTION: MICHIGAN'S PLANS FOR A JUVENILE PRISON.....	40
The Idea Takes Shape.....	40
Economic Precursors to Change	41
Juvenile Justice Reforms: The Michigan Perspective	45
Discussion.....	52
CHAPTER 5	
FORMULATION: PRIVATIZATION TAKES ROOT IN MICHIGAN.....	56
The Move Toward Privatization.....	57
Wackenhut's Fast Track to Baldwin	59
Lake County: History, Intrigue, & Economics	62
Construction Continues.....	68
Discussion.....	69

CHAPTER 6	
DISPOSITION: PROBLEMS AND PROGRESS	73
A Series of Debacles: Wackenhut Nationwide	73
Difficulties at Home: Wackenhut in Michigan	75
From Blunders to Business: Wackenhut Recovers	80
The MYCF Today	83
Discussion	85
 CHAPTER 7	
CONCLUDING THOUGHTS	88
 APPENDICES	
Appendix 1: Core Questions	95
Appendix 2: Common Questions	96
Appendix 3: Exclusive Questions	97
 BIBLIOGRAPHY	98

LIST OF TABLES

TABLE 1
NATIONAL AND STATEWIDE UNEMPLOYMENT CONDITIONS: 1990-1995.....
.....44

LIST OF FIGURES

FIGURE 1	
SNOWBALLING NETWORK ANALYSIS.....	32
FIGURE 2	
TWELVE-MONTH UNEMPLOYMENT RATE AVERAGES: 1975-2002.....	42
FIGURE 3	
ANNUAL FEDERAL AND STATE PRISON POPULATIONS: 1977-2001.....	53
FIGURE 4	
MINORITY POPULATIONS AS A PERCENTAGE OF THE TOTAL POPULATION FOR LAKE COUNTY AND THE STATE OF MICHIGAN.....	64
FIGURE 5	
Median NON-FAMILY HOUSEHOLD INCOME FOR THE YEARS 1950- 2000.....	67

CHAPTER I

Introduction

In Baldwin, a small town nestled in the hills and pine forests of Lake County in northwestern Michigan, there exists a prison for youthful offenders. These offenders, convicted as adults for the serious crimes they have committed – some as young as 14 years of age – have not only been labeled “punks” (Engler, 1995; 1996), but have been identified as the “worst of the worst” as far as juvenile offenders are concerned. Furthermore, those housed in the facility face a very different reality than most juveniles convicted of less serious crimes at a young age since their vistas of concrete and razor wire do not dissipate at age 20, but rather, continue indefinitely following their likely transfer to one of Michigan’s adult prisons.

It would not be difficult to drive through Baldwin and fail to realize that the town harbors some of the most serious types of juvenile offenders in the State of Michigan – murderers, rapists, and arsonists to name a few. Off the main strip that weaves its way through the quaint town, is an unmarked dirt road, lined with pine trees. However, the scenery changes only a short distance down the road, when the trees dissipate, revealing Michigan’s “dirty little secret.” The facility’s façade looks quite different than what one would expect. In fact, at first glance, one could easily assume that the facility is nothing more than a corporate office or some form of business enterprise. Ironically, the facility is exactly that – a hybrid of sorts – a combination of corporate America and the state’s correction function. Specifically, the facility is owned and operated by one of the world’s

largest private providers of corrections services: The Wackenhut Corrections Corporation. The facility prompts many questions including: *What factors contributed to the development of a prison dedicated to harden youthful offenders? Why did the State of Michigan choose to contract with a private provider for juvenile corrections services? Has the facility been successful in its endeavors? What can be expected with regard to juvenile corrections in the future for the State of Michigan?* This is the story of the Michigan Youth Correctional Facility (MYCF) and the economic, political, and social forces that contributed to its inception, formation, and disposition.

Past research is rich with examples of individuals who have addressed the development of prisons over time as a function of both existing socioeconomic and sociopolitical conditions from a qualitative perspective (Colvin, 1992; Hallinan, 2001; Jacobs, 1977). It is within this tradition that the dynamic factors that contributed to the development of the MYFC as a response to crime committed by juveniles will be addressed.

Socioeconomic Conditions

From a criminal justice system perspective, the social ramifications that arise from existing economic conditions are key to the exploration of the MYCF's development. Substantial qualitative research addressing the influence of economic conditions on social policy specific to the criminal justice arena was published by Rusche and Kirchheimer in 1968. These researchers posit that increased punitive measures by a society, usually through greater use of

incarceration as a disposition for criminal offending, can be attributed to a society's desire to eliminate the threat posed by those who are unemployed during periods of trying economic conditions. Rusche and Kirchheimer's theory has since been supported empirically by Jankovic (1977) and Inverarity and McCarthy (1988), thus providing an impetus to explore the relative impact of economics within the context of the MYCF.

However, further exploration of existing socioeconomic literature enhanced Rusche and Kirchheimer's theory and addressed the impact of poor economic conditions on public and private sector organizations, ultimately (as this research will demonstrate) contributing to the development of the Prison Industrial Complex (PIC).

O'Connor (1973) suggests that conflicts arise between public and private sector entities such that during times of economic distress, the public sector experiences the strain of social welfare programs that must be provided to those the private sector has either laid-off or is unable to employ. The ease with which O'Connor's research can be integrated with that of Rusche and Kirchheimer is truly compelling and begs to question whether the MYCF could be a result of a public sector solution to a problem initially grounded in the private sector. In other words, O'Connor's (1973) research also serves to enrich the understanding of the political element arising from economic distress by illustrating the response of the public sector (comprised of all individuals functioning in a political capacity) to private sector shortfalls.

Another interesting facet of the MYCF that has prompted the present research is its administration. Unlike most other juvenile facilities statewide (and nationwide for that matter), not only is the MYCF a prison for juveniles, but it is owned and operated by a private corporation – the Wackenhut Corrections Corporation based in Palm Springs Gardens, Florida. From an economics standpoint, difficult economic conditions did not oppress all private sector entities during the timeframe that this analysis encompasses, but rather fostered the substantial development and growth of private providers of correctional services. This topic will be explored to a greater extent in the following chapters.

Only in a capitalist market system could one expect the surfacing of opportunists in an expanding corrections market, desiring to “cash-in” on and capture market share by promoting their services to public sector agencies with promises of cost savings during such times of fiscal strain. The work of Hallinan (2002) and Schlosser (1998) specific to the growth of the PIC and its likely impact on the State of Michigan will be explored to a greater extent.

Sociopolitical Conditions

From a sociopolitical perspective, three concepts have guided the present research: *mass versus class society* as articulated in the work of both Colvin (1992) and Jacobs (1977), and *just deserts* described by both Emmanuel Kant (1887) and von Hirsch (1976). These concepts guide the present research in that they may help explain the emergence of a just deserts system of criminal

justice in relation to the shift from mass society to class society as a result of deteriorating economic conditions during the 1970s.

Not only do Colvin's (1992) and Jacobs' (1977) examinations of the development of prisons within an economic, political, and social context provide a sound foundation that the present analysis is rooted, but they also expand on the social outcomes of policy decisions and political philosophy as they relate to the granting of individual rights. Whereas *mass society* is concerned with the granting of individual rights as a form of benevolence by policymakers (usually the socially elite), *class society* suggests that rights are granted only to generate a sense of equilibrium between the classes. When this equilibrium is unable to be maintained, forms of social control, such as imprisonment, are employed.

The above concepts are important with regard to exploration of the development of the MYCF in that they may explain the shifts in the objectives of the criminal justice system in that they invariably swing from one extreme (rehabilitation as explained by *mass society*) to the other (just deserts as explained by *class society*).

Finally, the concept of the *just desert* as it relates to the shifts described above will be addressed within the present research. Of particular importance is the differentiation between the just desert concept as illustrated under Kantian philosophy (1887) as being an end in-and-of-itself as opposed to the work of von Hirsch (1976) that identifies it as being a mean to an end (punishment and perpetrator/societal equilibrium).

Research in Context

Although much can be gleaned from scholarly research, the present research will expand far beyond simply a review of existing literature (as will be provided in the following chapter) to better understand the MYCF. Using this past research as a contextual framework, the exploration of the MYCF's development will not only employ existing theory to enrich the story of the facility, but will also examine the impact of socioeconomic and sociopolitical conditions from a Michigan perspective over the past two decades.

The most significant insight as to the development of the facility, however, will come directly from those involved with its inception, formation, and disposition. The results of interviews with some of Michigan's most influential policy makers, juvenile justice practitioners, and correctional experts will be presented and analyzed within the framework established above. These interviews provide highly substantial and intriguing information as to the decisions regarding the need for a facility such as the MYCF, changes in juvenile justice statutes and policies, corrections service providers, facility placement, facility operation, demographic conditions in Lake County, and the future of the facility as society moves into the next millennium.

Organization of Thesis

The story of the MYCF will begin with a review of past research by prominent prison scholars, such as Colvin (1992), Hallinan (2001), Jacobs (1977), and Rusche and Kirchheimer (1968). In addition, a review of topics related to the development of the MYCF including the dynamics of social control,

changing philosophies of punishment, and juvenile justice reform will be provided as a contextual framework upon which the story of the facility may be told.

Chapter III, Methodology, will describe the scientific process by which the author obtained information necessary to comprehensively address his research objectives. Chapters IV, V, and VI provide a detailed exploration of the three primary phases of the MYCF's development: formulation, inception, and disposition, respectively. The final chapter will expand on the information from the preceding chapters and will focus on making informed predictions regarding the future of the facility.

CHAPTER II

Review of Existing Literature

The development of corrections, both juvenile and adult, in the United States has been a subject of research and debate for decades. Whereas prominent scholars, such as Hirschi, Gottfredson, and Sutherland, spent much of their academic careers studying the etiology of crime; other scholars, such as Colvin, Jacobs, Hallinan, Rusche, Kirchheimer, and O'Connor, devoted significant time to the study of the underlying factors that contribute to the development of correctional systems.

The research that these individuals have conducted contributed greatly to the existing body of literature that guides the present research. Their findings can be categorized into two broad groups that are inherent in the inception of any correctional movement or facility – namely sociopolitical and socioeconomic factors. The Michigan Youth Correctional Facility (MYCF) is no exception. The sociological component of the aforementioned economic and political factors substantiates the individual and/or group influences on economic and political policy.

For the purposes of the present research, sociopolitical factors refer to the combination of multiple sub-factors specific to society's pressure on politicians to bring about change. Sociopolitical sub-factors include such things as mass versus class society theories that explain the use of prison as a means of social control, shifts toward a just deserts philosophy of criminal justice, and statutory

developments in juvenile waiver provisions. Similarly, socio-economic factors refer to the combination of multiple sub-factors related to the societal reaction to existing economic conditions at a particular point in time. These sub-factors consist of fiscal strain on the state, and the emergence of the prison-industrial complex. However, it must be noted that none of the sub-factors mentioned above completely lend themselves to independently contribute to either a sociopolitical or socioeconomic factor. Rather, there is somewhat of a crossover effect when addressing the sub-factors in relation to their large factor category. For example, mass and class society theories, although primarily contributing to an understanding of sociopolitical understanding of correctional development, also touches on issues otherwise affecting socioeconomic factors.

The following pages explore the components of these factors upon which the present socio-historical analysis of the development of the MYCF is based. In addition, the synthesis of the factors in totality have resulted in guiding questions that will evaluate the development of the facility from its inception to its disposition.

Sociopolitical Factors

Divergent Methods of Social Control

Colvin's (1992) and Jacobs' (1977) sociopolitical research in itself is a substantial contribution not only to penology, but to the social sciences in general. However, their analyses indicate that conditions within the American judicial and correctional systems can be attributed to a mélange of societal

factors, rather than a single factor or phenomenon that could explain the shifts in correctional philosophy that have occurred over the last century.

Specifically, Colvin (1992) and Jacobs (1977) evaluate *mass society theory* by explaining it as being the development of a society where the disparity between the civil and human “rights” historically reserved for those in positions of power is minimized by the extension of rights to citizens considered to be members of marginal societal groups, such racial minorities, indigents, and prisoners. Rather than placing full confidence in mass society theory as being the most appropriate explanation of shifts in correctional philosophy, Colvin (1992) elaborates on the theory as being intimately related to that of *class society theory*. This theory posits that rights are not granted to marginal groups out of a sense of benevolence, but rather are granted by those considered to be the socially elite or captains of industry in order to alleviate class conflict until the point at which external pressures prevent the maintenance of equilibrium between the elite and the masses. When equilibrium is unattainable, “structures of social control” are necessary to address the discord between the two groups (Colvin, 1992, p. 19).

Furthermore, the social and political analyses presented in Colvin’s (1992) and Jacob’s (1977) research provide evidence that the United States has transitioned between punitive and rehabilitative objectives within the judicial system due to a combination of social, political, and economic conditions. What then, if at all, could be the elusive underlying condition that can explain the shifts in the judicial system’s objectives in the context of social and political pressure?

The answer may well be found Rusche and Kirchheimer's (1968) *Punishment and Social Structure*.

Primarily qualitative in nature, Rusche and Kirchheimer's (1968) analysis and evaluation of Western society's response to crime claims that changes regarding the acceptance and subsequent rejection of rehabilitation as being the principal objective of judicial systems is explained by fluctuations in the number of persons unemployed due to varying economic conditions. Their theory posits that as economic conditions improve and the demand for labor increases, a liberal philosophy supporting the rehabilitation of offenders will be pervasive in a society in order to supply industry with the necessary means of production (Rusche & Kirchheimer, 1969, pp. 24-33). However, during times of economic stress and/or when labor surpluses exist, society historically advocates the imprisonment of offenders as both a form of social control and in order to minimize the financial impact on the state, merchants, and propertied classes to provide social welfare programs to unemployed laborers (pp. 94-97). This theory has been supported by more contemporary researchers.

Based on the analysis of both imprisonment and unemployment rates during the period between 1926 and 1974, Jankovic (1977) found that the relationship between these two variables was direct and positive as hypothesized, even when controlling for the volume of criminal activity. Similarly, Inverarity and McCarthy's (1988) research, which was based on unemployment and imprisonment rates from 1948 and 1981, revealed a statistically significant relationship between unemployment and imprisonment. More specifically,

increases in unemployment led to increases in rates of imprisonment. However, unlike Jankovic (1977), Inverarity and McCarthy (1988) could not completely rule out the influence of crime rates on rates of imprisonment.

Shifting Objectives of the Criminal Justice System

As described in the previous section, when the economic conditions in a society cause unemployment levels to increase, it leads to societal pressure (presumably on politicians and policy makers) to employ imprisonment as a form of social control over labor surpluses. The result is a shift from a rehabilitative to a just deserts philosophy of criminal justice.

The philosophy of the just desert traces its roots to the works of Immanuel Kant in the latter half of the nineteenth century. Kant (1887) advocated the punishment of offenders as being a responsibility of society for the wrongs that were committed unto it based on the violation of previously established expectations (laws).

Clear (1996) elaborated on two versions (justifications) of the just desert philosophy: benefits and burdens, and moral education. The benefits and burdens claim suggests that offenders offend because they receive pleasure from the crimes they commit. For example, an individual who robs a bank enjoys the fruit of the crime through spending the stolen money. Therefore, a punishment proportionate to the harm realized by society must be given to the offender. Thus, the benefits of the crime (money) are cancelled by the burden (imprisonment) placed on the offender (p. 96). Secondly, just deserts can also

be described as a moral response to offending in that rather than balancing benefits and burdens, punishment provides an avenue through which the offender is made aware of the immorality of his actions and their negative impact on society (p.97). Taking into account the description of the just deserts philosophy as described above, such an approach theoretically encompasses societal objectives regarding both deterrence (by demonstrating the *potential* for and *likelihood* of proportionate punishments in response to criminal offending) and retribution (by requiring the offender to repay society for a wrong committed unto it through punishment). According to von Hirsch (1976), however, just desert philosophies fail to include rehabilitation as an ingredient as salient to punishment as incapacitation and deterrence (p. 46).

It is important to note, as implied above a just deserts philosophy makes few concessions for rehabilitative initiatives regarding the offenders, but rather supports a belief in the proportionality of the punishment to the seriousness of the crime committed. In other words, the 'punishment should fit the crime.' As the social and political climate of the mid-1970s became more conservative, just deserts beliefs surfaced and favoritism was given to greater punitive measures in the justice system – particularly imprisonment (Lawrence, 1991).

It is impossible to identify an exact point in time or a specific occurrence that both illustrates the validity of the aforementioned scholars' theories and shifts in political opinion. However, two examples of historical significance that took place in the 1970s provide insight into the climate of the time as being supportive of a shift to a just deserts rather than the rehabilitative model of

criminal justice that existed in the beginning of that decade: a) the publication of Robert Martinson's "nothing works" study regarding rehabilitative practices in corrections, and b) the third sociopolitical sub-factor specifically, expansion of juvenile waiver statutes.

The objectives of both the adult and juvenile justice systems as being centered on rehabilitation were confronted in 1974 with the publication of Robert Martinson's controversial study entitled "What Works? - Questions and Answers About Prison Reform." In this study, Martinson directed attention toward the questionable positive effects of offender rehabilitation efforts. Specifically, Martinson evaluated over 230 studies conducted between 1945 and 1967 that addressed the efficacy of rehabilitation efforts in both United States and foreign correctional systems as indicated by recidivism rates.

Ultimately the findings of Martinson's inquiries were summed with the asking of his famous, or infamous for that matter, question: "Does nothing work?" (Martinson, 1974, p. 48). This question was subsequently answered in a twofold response, such that the lack of evidence indicating rehabilitation programs have a positive effect on reducing recidivism could be explained by either: a) programs then offered were either not fully developed or substantially effective, or b) the belief that treatment can cure criminality is flawed since it fails to take into account the normalcy of crime in society and offenders' criminal behavior as a natural response to conditions within a society that are conducive to the precipitation of criminal acts (1974, p. 49). Martinson's claims were a satiric commentary that attempted to elucidate his belief that no particular form of

offender rehabilitation was a panacea in and of itself, and that research had yet to provide evidence of the success of existing programs. Regardless, his misinterpreted research essentially became a battle cry for conservative politicians that advocated a more stringent approach toward offender sanctions.

Even though Martinson (1979) publicly clarified his previous "nothing works" position the subsequent and drastic changes that took place within the United States criminal justice system were already established due to its influence on decisions made by policy makers and criminal justice professionals. This was evidenced by growing support of deterrence (a function of the just deserts model) as a means to reduce recidivism (Gendreau, 1995).

Juvenile Justice "Reforms"

Perhaps one of the most prominent examples of change in the juvenile justice system that began during the 1970s was the movement toward increasing the means that juvenile offenders could be tried, convicted, and sentenced by an adult court. These changes, needless to say, were viewed and continue to be viewed as one of the most controversial developments within the juvenile justice system since its inception at the end of the last century, for they seemingly contradict the courts original objectives.

The juvenile justice system can be traced to the progressive era of the late nineteenth century, particularly to a group of people known as the "child-savers" who advocated a movement toward a *parens patriae* model for adjudicating

youthful offenders (Klein, 1998; Moak & Wallace, 2000; VanVleet, 1999). Thus the court would act in a parental capacity.

In 1899, the Illinois legislature sanctioned the creation of the first juvenile court system in the United States (Klein, 1998; Roush, 1996), which was based in Cook County (Moak & Wallace, 2000). Inherent to the new court was an enlightened view of the court as the entity responsible for the care and rehabilitation of juvenile offenders. These views soon became a widespread initiative across the country and were accepted as a tenet of the greater American judicial system. Most importantly, judges were now able to use their discretion in determining the most appropriate disposition that would provide the desired blend of treatment and care and would ultimately lead to the production of a lawful and contributing member of society.

It is important to note that even during this period, most state legislatures enacted statutory provisions that allowed juvenile court judges to transfer (or waive) their court's original jurisdiction to adult court in juvenile offense cases of a especially serious and violent nature, such as homicide or rape (Long & DeVault, 1992). This process became subsequently known as *judicial waiver*.

Sixty-five years after its establishment, both the purpose of the juvenile court in general and judicial waiver practices in particular were addressed by the Supreme Court in the landmark case *Kent v. United States* (383 U.S. 541 (1966)). Specifically, the Supreme Court noted that the intended purpose of the juvenile court system was inconsistent with then judicial waiver practices (Klein, 1998). In the opinion of the court, a list of eight guidelines or criteria for

determining the appropriate transfer of juveniles to adult court was established (*Kent*, 383 U.S. 541, at 566-567). Of the 46 states (Michigan included) authorizing judicial waiver in 1998, many of these criteria and in some cases all, were in some form incorporated into their state codes (Griffin, Torbet, and Szymanski, 1998, p. 3).

However, since the 1970s the means available for juveniles to be transferred from the juvenile court (that which has original jurisdiction in such matters) to the adult court has expanded, and has even been attributed to an increasingly punitive justice system (Anderson, 1992; Frazier, Bishop, & Lanza-Kaduce, 1998). Currently, all states have the ability to try a juvenile as an adult using one or more of three types of waiver (Griffin, Torbet, & Szymanski, 1998; Klein, 1998; Puzzanchera, 2000; Sickmund, 1994): judicial waiver (as previously explained), prosecutorial waiver (otherwise known as direct file), and statutory exclusion.

As the name implies, prosecutorial waiver (direct file) allows a prosecuting attorney to decide which court to initiate proceedings against a youthful offender under concurrent jurisdiction statutes (Sickmund, 1994). Statutory exclusion waivers, however, are a function of law that mandates the waiver of juveniles to adult court usually based on a combination of their age, prior record, and seriousness of the offense committed (Griffin, Torbet, and Szymanski, 1998; Sickmund, 1994).

Additional or altered juvenile waiver provisions in all states had profound effects on the juvenile justice system as a whole. No longer did discretion in the

waiver process lie solely with the juvenile court judge, but rather was disseminated to prosecutors and/or waiver was statutorily required due to the seriousness of an offense committed. These developments seem to be contrary to the original intent of the juvenile court. The objective of a court reserved for juvenile offenders was to address juvenile-specific problem behaviors and act in a parental capacity by offering guidance and treatment with a firm hand (many times lacking within their home) ultimately providing a second chance for success to wayward youth. However, fragmenting the juvenile court through the possibility of waiver has limited its fundamental original jurisdictional purview, bringing into question its necessity as a separate court (see Federle, 1999).

Furthermore, although it has been reported that juvenile waivers to adult court only occur in about one percent of formally processed delinquency cases nationwide (Puzzanchera, 2000), this statistic may be diluted in that some states may take advantage of juvenile waiver provisions to a greater extent than other states. For example, from 1992-1997, of those juvenile delinquency cases referred to the courts in Florida, between 6.8 and 9.6% were transferred to the adult court in any given year (Frazier, Bishop, & Lanza-Kaduce, 1999), a finding at least outwardly more substantial than that of the country overall.

Socioeconomic Factors

Fiscal Strain on the State

Reeling from the Vietnam War that had endured for over nine years and consumed exorbitant numbers of American lives, the already weakened spirit of the citizenry was further damaged with an economic recession that initially began

in 1974 and continued for several years. During this period, unemployment grew to levels not seen since the Great Depression, and the prison population exploded in an unprecedented fashion (Colvin, 1992).

In many ways, the 1974 recession can be considered a catalyst that initiated substantial and significant socioeconomic changes in the United States criminal justice system. Such changes are described in O'Connor's (1973) research describing imprisonment as a response to fiscal strain on the state.

O'Connor's (1973) research indicates that social crises can be explained by fiscal strain on the state, usually arising due to the relationship between the monopoly and state (henceforth known as private and public) sectors. Perhaps the most concise definition of the private (monopoly) sector, as herein referred, was provided by Quinney (1977). In his renowned book *Class, State, and Crime*, Quinney defined the private sector as encompassing "the large corporations and multinationals that control virtually all capital-intensive industries, [and] is the primary force of private capital accumulation in the advanced capitalist economy" (1977, p. 117).

The relationship between the private and public sectors is fascinating. Although fundamentally different with respect to the objectives of each, the private sector creates conditions that must be addressed by the public sector. Specifically, O'Connor (1973) argues that in this respect, when issues arise in the private sector that cause a decrease in the demand for labor (i.e., poor economic conditions) the public sector becomes responsible for the care of those persons unemployed, by means of social welfare programs.

Rusche and Kirchheimer's (1968) economic, and O'Connor's (1973) fiscal strain theories, when taken in tandem, seem to be able to explain the pendular nature of the justice system within the United States. During times of economic prosperity when unemployment is low and the demand for labor is high, a liberal philosophy will take root throughout society and will advocate a rehabilitative model of corrections based on the need to continually provide labor to the private sector. However, as economic conditions worsen and the private sector requires less labor, unemployment increases placing financial strain on the state to provide support to those without employment by means of social welfare programs. As state expenditures on social welfare programs increase, three things will likely occur: a) debt, taxes, or both will be increased in order to finance such programs; b) citizens will advocate a more stringent *just deserts* model (as explained below) of criminal justice; and c) due to pressure exerted by social and political forces, the state will "control" the surplus labor through incarceration. Ideally, the state under these circumstances will seek the most cost-effective means to incarcerate those whom it deems as threatening to the already strained social order. As far as corrections is concerned, the public sector has addressed its fiscal strain through the prison-industrial complex (PIC), which is the second socioeconomic sub-factor to be discussed.

The Prison-Industrial Complex

The cold war commencing in the 1950s and continuing for over thirty-five years brought with it the concept of a military-industrial complex (MIC). Proponents of the MIC felt that the build-up of military power through industry not

only provided the stability of jobs for the masses but also protection from the threat of communism (Hallinan, 2001). As the foundation of communism began to crumble in the 1980s and the MIC became less necessary, the development of a PIC began to develop in response to the startling growth of prisons nationwide.

The PIC may best be defined as “a set of bureaucratic, political, and economic interests that encourage increased spending on imprisonment regardless of the actual need” (Schlosser, 1998, p. 53). Schlosser also points out that although the PIC is not a conspiracy between private industry and public officials, it is more of an opportunity for businesses to take advantage of services necessary to prison operation from which they could potentially profit. The importance of this concept becomes an integral focus of the present analysis since it helps explain the expansion of corrections (in this case the privatization of corrections) as a result of the social and political pressures for public sector action in relation to crime. Specifically, as economic conditions worsen and pressure falls on the state to control surplus labor, corrections become an expanding institution that provide both an opportunity for the private sector to “cash in” by selling their goods and services to the prisons and inmates themselves and also opportunities for individuals to gain employment.

The PIC is unique in that prisons are necessary to house increasing numbers of convicted offenders yet not all counties or other geographic locations are clamoring for the jobs and revenue a prison can bring to an area. There is a concept in the criminal justice arena known as NIMBY or “Not in my back yard,” which explains the hesitancy of many citizens to allow prison placement in close

proximity to their homes, schools, and businesses. Frequently, those communities that are not financially starved or in need of jobs to rejuvenate their economies are able to prevent prison placement. However, examples resound of those communities or geographic areas, that due to a dwindling tax base, limited industry, and high unemployment, embrace prisons as a form of financial stability (Hallinan, 2001; Schlosser, 1998), and even if not, are unable to effectively oppose them due to a lack of resources.

The PIC goes beyond providing jobs for residents of the communities in which prisons are placed. Private industries nationwide that provide products and services to the correctional community, and inmates specifically, also have much at stake within the prison industry. Numerous companies, such as AT&T and MCI, regularly place pay phones within correctional facilities due to the staggering amount of income generated through collect calls made by inmates (Hallinan, 2001; Schlosser, 1998). For example, inmates in the State of Louisiana alone during 1995 averaged an annual telephone bill of \$605.00 (Hallinan, 2001, p. 146).

Other companies such as Proctor & Gamble, Dial Corporation, Correctional Cable TV, and Pillsbury Company, generate huge profits by marketing their products to correctional facilities (Hallinan, 2001, p. 156-157). Even Helene Curtis Industries, Inc. had a booth at an annual American Correctional Association meeting in attempts to sell its high-end shampoo to prisons (p. 157).

As evidenced, the PIC is far from being devoid of private interests, but perhaps the greatest private interests lie in the two largest private prison companies: the Corrections Corporation of America (CCA) and the Wackenhut Corrections Corporation who, in 1998, housed approximately 65,000 inmates combined (Schlosser, 1998, p.63).

Citing changes in state-specific correctional philosophies in Illinois, Georgia, and New York, Hallinan (2001), has indicated that the days of prisons as the preferred form of social control for the state, and cash-cows for private organizations may be numbered. Specifically, Hallinan's research has demonstrated that states may now be exploring the possibility that their policies and existing legislation may have widened the net too far, contributing to perpetual under-capacity in the corrections sector.

Synthesis of Existing Literature

Consider the totality of the circumstances of the 1970s explored within the confines of the present analysis, specifically the economic recession of 1974, Martinson's "nothing works" position regarding rehabilitation, the changes that took place within the juvenile justice system specific to the additional juvenile waiver provisions that were created, and how these circumstances can be viewed in the context of Jacob's (1977) writings on *mass society*, Colvin's (1992) elaboration thereof to include *class society*, and Rusche and Kirchheimer's (1936) and O'Connor's (1973) theories of social control through incarceration in attempts to explain those circumstances' immediate outcomes.

Elements of mass society were most certainly present in 1974, and as previously discussed, are identified as the extension of human rights to marginal classes within society, including minorities and prisoners. Both Colvin (1992) and Jacobs (1977) identify the extension of rights or in other forms – leniency – to the prisoners of the Penitentiary of New Mexico and Stateville, respectively, which likely developed out of the broader extension of human rights to such marginal groups as African Americans, arising from the civil rights movement of the 1960s. However, as economic conditions adversely affected the private sector thus increasing unemployment, strain was placed on the state sector to address the needs of mass society. Unable to operate under such fiscal pressures, and influenced by the social and political forces of Colvin's (1992) *class society*, a punitive response to criminal offenses was advocated, leading to a rise in imprisonment as predicted by Rusche and Kirchheimer (1936) and used ultimately as a form of social control.

This analysis presents an immediate question: *Did the United States prison population increase during the period following the recession?* The answer is a resounding “yes.” In fact, since 1978 the number of inmates in the United States has tripled. Placing this fact into context is enlightening. Although the general population of the United States represents five percent of the world's total population, the United States incarcerates 25 percent of those incarcerated globally – a total of approximately two million people (*Overview: Critical resistance to the prison-industrial complex*, 2000, p. 1).

Perhaps initially, increasing rates of incarceration through a shift to a just deserts model of criminal justice as previously discussed, may have alleviated social and political pressures to “get tough” on crime as well as reduce the surplus population (i.e., unemployed). However, another question presents itself regarding this foundational analysis: *In the light of past research, why did incarceration rates continue to increase during the economically prosperous decade of the 1980s?* The answer to this question is twofold.

Prison incarceration rates have increased substantially over the past 25 years in the United States and have shown little evidence of dramatically declining. Had Rusche and Kirchheimer the opportunity to predict (based on their 1936 research) the specific situation that occurred during the 1970s when rates of imprisonment increased in response to the poor economic conditions within society, they surely would have believed those rates to decrease during the economically prosperous conditions of the late 1980s. However, they did not make such assertions. It has been suggested that the United States economy has become less dependent on manual labor traditionally found within manufacturing and commodity subsections of the private sector, and more dependent on information and information processing (see O'Connor, 1973). In this way, the economic prosperity of the country during the 1980s came without the demand for the same levels of manual labor as were necessary during the previous decade. Thus, absent was the influence of those in the private sector to obtain employees that would have contributed to reductions in unemployment and the use of imprisonment as a form of social control for those unemployed.

Furthermore, new initiatives based at the federal level may have been responsible for increased incarceration that has continued to this day, especially the “War on Drugs.” Under the Reagan administration, the federal government publicly declared war on the trafficking, sale, and use of illegal substances. Changes in both federal and state laws advocated for harsher treatment of those convicted of those offenses and has undoubtedly contributed (although its extent has been exaggerated at times) to the growth of the prison population (Greenberg & West, 2001).

Existing Literature as a Framework for the Present Analysis

The work of those scholars previously discussed, begs to ask how their research can provide a theoretical framework that will help explain the establishment of the MYCF as the State of Michigan’s response to strenuous underlying economic conditions. To attempt to answer this question is particularly important since past research addresses the phenomena of adult rather than juvenile incarceration. It is assumed by the author, within the confines of this analysis, that changes in juvenile adjudication and correctional philosophy come part and parcel with those in the adult system. In other words, increases in juvenile incarceration obviously cannot be explained as a direct effect of Rusche and Kirchheimer’s theory as being the removal of surplus labor. Rather, the juvenile system is intimately connected with the adult system in that they travel together through time on a parallel continuum, both equally and simultaneously influenced by the same social forces. In this respect, it is

assumed that changes with regard to the juvenile justice system will be expressed as a function of those occurring within the wider adult system.

With this being said, the primary research-guiding question (or *Guiding Question 1*) of this analysis is: *Can the MYCF ultimately attribute its existence to a complex tapestry of interwoven social and political influences that originally surfaced due to the poor economic conditions experienced in the United States during the mid-late 1970s, rather than a purported increase in juvenile crime?* By analyzing these influences within the State of Michigan, broader generalizations can essentially be made with regard to the United States as a whole concerning the influences underlying the contemporary judicial and correctional systems' shifts in objectives and philosophy.

To comprehensively address the above-mentioned question, several sub-questions that are grounded in theory will be assessed in order to guide the present research. First, *Were the increases in the number of incarcerated persons in the United States (including juveniles) the result of the aforementioned poor economic conditions of the 1970s?* The research of Rusche and Kirchheimer (1969) and O'Connor (1976) suggest that such conditions significantly impact the prison population as a form of social control prompted by the need to address fiscal strain on the state and to control labor surpluses caused by unemployment.

Second, *Did economic conditions in the private sector place fiscal pressure on the State of Michigan resulting in greater punitive measures being formulated with regard to juvenile offenders?* This question, based on

O'Connor's (1976) research aims to address the existing pressures under which private sector employers were experiencing (i.e., low demand for products) which led to industrial overcapacity and resulted in increased rates of unemployment.

The next question: *Who was primarily responsible for initiating the move toward greater punitive measures with regard to juvenile offenders and why did they do so?* This question addresses whether the government of the State of Michigan was the primary proponent of shifts away from rehabilitative to a just deserts philosophy of criminal justice as a form of social control during times of economic instability (Colvin, 1992; Hallinan, 2001; Jacobs, 1977; and Rusche and Kirchheimer, 1969).

Fourth, *Why was the MYCF placed in the town of Baldwin in Lake County, Michigan?* Hallinan's (2001) socio-historical research suggests that prisons are placed in remote, economically depressed areas for the state to both provide jobs to the unemployed as well as to functionally exile those incapacitated there from their usual environment.

Lastly, what does the future have in store for the facility as it gets a foothold in the twenty-first century. More specifically: *Will the correctional philosophy of the State of Michigan shift back to a rehabilitative focus centered on decreased prison construction and the alteration of existing legislation in a way that limits how far the "net" is cast?* This question addresses two notions – namely philosophical shifts and mass versus class society theories. Colvin (1992) and Jacobs (1977) speak extensively about the shifts in justice system philosophies from just deserts to rehabilitation and vice versa. Furthermore, with

additional “rights” granted to citizens (suggested by mass society theory)

**additional penetration of offenders into the prison system would be limited. Thus,
movement away from a “class society” would be had.**

CHAPTER III

Methodology

The research methodology utilized in the present research was inspired by the socio-historical designs of previous prison researchers (Colvin, 1992; Jacobs, 1977). These researchers explored the social, political, and economic factors that led to the development of prisons. The author's choice of a similar methodology leveraged two categories of data, namely in-depth interviews and unobtrusive measures. The following two sections explore the elements of these categories of data, and how they were used to enrich the story of the MYCF.

In-depth Interviews

In order to obtain detailed information about the MYCF, the author began by obtaining a small sample of well-informed individuals to contact and arrange interviews. Colvin (1992), Hallinan (2001), and Jacobs (1977) incorporated interviews into their research methodology to obtain information regarding the development of the prisons they researched. The author initially contacted three personal associates with considerable knowledge of both the MYCF and the workings of Michigan politics. Two of these individuals were still involved with the Michigan "political machine" and offered great insight as to whom should be contacted in order to obtain useful information, the other associate (the Chair of the author's Thesis committee) provided an entrée into the Michigan Department of Corrections. These initial leads were not sufficient in-and-of-themselves, so the author used a *snowball* sampling technique to identify, contact, and interview additional informants.

Hagan (2000) describes snowball sampling as obtaining a primary subject (or in this case, several primary subjects by way of my associates' referrals) who then refers the researcher to another subject and so-on-and-so-forth until an "adequate" number of individuals are interviewed. Such a technique was used in Jeffrey Fagan's (1989) study of drug use and dealing among urban gangs.

Overall, interviews were conducted with informants representing five different groups: a) Wackenhut Corrections Corporation operation specialists; b) Michigan Department of Corrections operations specialists; c) political specialists; d) historical specialists; and e) juvenile justice specialists. The above categories were thought to provide a comprehensive group of target individuals with knowledge specific to their area of expertise and also provided a general guide when choosing to contact referrals. In order to graphically depict the snowballing methodology utilized, as did Wright and Decker in their 1994 book entitled *Burglars on the Job: Streetlife and Residential Break-Ins*, a quasi network analysis diagram is presented in Figure 1 below.

analysis, the common problem of coding the data obtained from open-ended questions is avoided. Furthermore, open-ended questions can be used to facilitate discussion, which in this case uncovered some of the intricacies of the MYCF. Lastly, the questions were aligned with existing research, the concepts and theories explored within that research, as well as the needs of the research inasmuch as establishing those concepts and theories in relation to the development of the MYCF were concerned.

All nine subjects that were interviewed were offered confidentiality prior to the interview per federal human subjects requirements. Written consent was obtained both from those who wished to have their identity to remain confidential and from those who chose to share their identity. Therefore, some names and/or genders of individuals cited in the following pages have been changed to protect individual identities. For the most part, however, information obtained during the interview process is provided in quotation marks, without a specific source being cited. This form methodology is more conducive to the telling of the MYCF story, and has been used by other prison researchers, such as Colvin (1992). Information regarding referrals per the snowball technique has also been withheld to protect the identities of those involved.

Due to specific qualifications, information, and positions of key informants, certain questions were posed to all individuals (*core questions*), some were posed to most individuals (*common questions*) and others were posed exclusively to only certain interviewees (*exclusive questions*). Below, these

categories of questions are discussed, and samples of these questions and their respective rationales are provided when necessary.

“Core questions” were asked of all interviewees. An example of this type of question is: *Do you feel that the MYCF can attribute its development to social pressures on politicians to ‘get tough’ on juvenile crime?* This taps into aspects of Rusche and Kirchheimer’s (1969) theory explaining the “get tough” approach as resulting from economic stress on the masses and their subsequent pressure on politicians to clamp down on crime. Additional “core questions” can be found in Appendix 1.

“Common questions” were frequently, but not always, posed to specialists to obtain their insight into the MYCF. Questions such as these included the following example: *What do you feel the impetus was for choosing a private vendor rather than the State Department of Corrections?* This question reflects whether the decision to construct and operate the prison by a private vendor was cost-driven, thus supporting O’Conner’s (1973) theory regarding fiscal strain on the state. The remaining “common questions” are listed in Appendix 2.

Finally, “exclusive questions” were those questions that could only be answered by specialists in a specific category. Examples of these types of questions were: *When did you begin working for Wackenhut Corrections Corporation? In the MYCF?* This question was only asked of Wackenhut specialists, whereas only MDOC specialists were asked: *When did you begin working for the MDOC?* Other “exclusive questions” can be found in Appendix 3.

Interviews were then conducted in a manner most convenient for each subject. For example, several of the subjects interviewed were from remote locations throughout the State of Michigan. In order to obtain information from these subjects, the author traveled to those locations to conduct interviews. Still others wished to meet in person, and either a designated meeting location was established (i.e., coffeehouse) or a visit to their respective workplace was arranged. In some cases, consent forms for study participation were faxed to subjects who were unable to meet in person or wished to be interviewed via telephone. In this case, the signed consent form was returned and interviews were conducted over the phone. The time to conduct interviews varied in time due to the amount of information a subject wished to provide or due to their own time constraints. However, the average length of time for each interview was approximately an hour-and-a-half.

Unobtrusive Measures

Four forms of unobtrusive data were collected. These data consisted of existing numerical data (including incarceration, labor, and census statistics), newspaper articles, existing documents, and a site visit to the MYCF.

The numerical data obtained for the analysis came in three forms: a) adult incarceration rates from the Bureau of Justice Statistics (BJS); b) economic data specific to unemployment rates from the Bureau of Labor Statistics (BLS); and c) socio-demographic census data from the Bureau of the Census (BOC). Adult incarceration rates were obtained for the years 1975-2002 to determine whether the increase in punitive measures against juveniles as a function of the adult

system of criminal justice. Data gathered from BJS were used to conduct an incarceration rate trend analysis during the period specified above. Labor statistics obtained from the BLS were used in a trend analysis to investigate periods of high in order to draw conclusions regarding economic impacts on both criminal justice and the Prison Industrial Complex. Finally, census data were obtained on national, state, and local (Lake County) levels to illustrate the variations in overall minority populations within all three venues. Specifically, it was necessary to compare the racial proportions on a national and state level with those of Lake County to explore the demographic disparities of that locale.

Using existing numerical data can be problematic since researchers cannot always be sure of its absolute integrity and accuracy. However, all data used in the present analysis were obtained directly from the federal agency responsible for compiling them rather than relying on other researcher's data compilations. Therefore, these data can accurately address changes over time of various social, economic, and demographic features. These changes are an integral part to the understanding of the development of the MYCF.

Recognizing that there was no existing scholarly research available on the facility, attention was turned to other literary sources of information, specifically newspapers. Twenty-seven newspaper articles spanning the years 1994-2000 were obtained that tracked the political, social, and economic development of the facility from a journalistic perspective. Most of these articles were published in the following newspapers: *Grand Rapids Press*, the *Detroit News*, and the *Detroit Free Press*. Using a content analysis approach, the research-relevant

information from all articles was identified and included in the chapters that follow. The inherent drawback using archival data of this type is the potential for journalistic bias, thus tainting the information provided through this form of media. Even though this may be considered problematic, newspaper articles do provide information when none is available from independent researchers. Even journalistic biases uncovered during the course of investigation may be useful in that they help explain the underlying sentiments that exist at certain periods in time.

The use of existing documents primarily refers to both the acquisition of a copy of the actual contract agreement (No. 071B9000096) between the State of Michigan and Wackenhut Corrections Corporation that allowed the latter to construct and operate the MYCF; and copies of Governor Engler's 1995 and 1996 State of the State Addresses. The contract provides explicit details regarding construction requirements of the facility, operating costs, educational program requirements, and American Correctional Association accreditation mandates. Engler's State of the State Addresses were helpful in establishing the objectives of the Governor's Office as far as juvenile justice initiatives were concerned in the mid-1990s.

Lastly, information was gathered and recorded from a site visit to the MYCF using a *participant as observer* approach. The site visit conducted on March 15, 2002, consisted of a tour guided by Lt. Robert Morey (assistant to Warden Frank Elo) and lasted for approximately two hours. Observations of the facility from the exterior as well as interior (including specifics such as cell size,

cell contents, facility amenities, etc.) were obtained to enrich the story of the facility as well as place background research and interviews into context. Polsky (1967) offered valuable advice related to conducting observations when he suggested that although a participant as an observer should not take steps to look exactly like those he or she is studying, neither should they look conspicuous. Therefore, when visiting the site the author “dressed down,” wearing only jeans and a T-shirt. Given that the author was not allowed to bring anything other than his person into the facility, notes specific to the visit and interview with Lt. Morey were recorded immediately following the tour in the facility’s parking lot.

There is one primary drawback to using observational data such as that from the MYCF specifically, the *concern for accuracy* (Hagan, 2000). This concern primarily concentrates on the question: *Did I observe what actually and regularly occurs in the environment in which I conducted the observation?* From past experience in correctional facility tours, the author was quite aware that he was (to put it in the terms of a professional acquaintance) merely a “circus side show” to those housed at the MYCF. He was not an everyday occurrence. He was someone these individuals were not used to seeing on a daily basis. Therefore, he was aware that the behavior he was to witness would most likely not be “run of the mill,” and accounted for that fact throughout this research.

An overall review of the present research’s methodology would suggest that not only is the research consistent with other scholars’ methodologies, but also great lengths were taken to ensure the accuracy of the data gathered from

multiple sources. Rather than relying only on existing data specific to the facility (i.e., newspaper reports) to describe the formation, inception, and disposition of the MYCF, the author enhanced the accuracy of his research by “going to the source” of the data through interviews of key players connected with the facility and by consulting and gathering information specific to numerical data, directly from the federal government. Thus, the author believed that by employing such a methodology, the most comprehensive and accurate picture of the facility might be painted.

CHAPTER IV

Inception: Michigan's plans for a juvenile prison

The present chapter explores both significant sociopolitical and socioeconomic conditions that created an environment conducive to the planning of the MYCF. The chapter begins with some foundational background information, and then discusses economic conditions (as indicated through unemployment rates) on a national level in conjunction with adult incarceration data. The examination of these data provides an avenue to establish the existence of economic influences on the justice system's decision to incarcerate. Michigan-specific conditions that may have affected the State's determination that the MYCF was necessary are also discussed. The remainder of the chapter describes foundational and developmental information regarding the MYCF from print media sources, and personal interviews with some of the State's players in the saga that became known as Michigan's "punk prison."

The Idea Takes Shape

Vying for reelection as Governor of the State of Michigan in late 1994, Republican John Engler included plans in his campaign platform to establish a prison for serious youthful offenders – a facility that he would later dub Michigan's 'punk prison.'

Juvenile justice reforms in Michigan were the driving force of Engler's initiative. Specifically, the prison proposal was intended to "separate the wheat

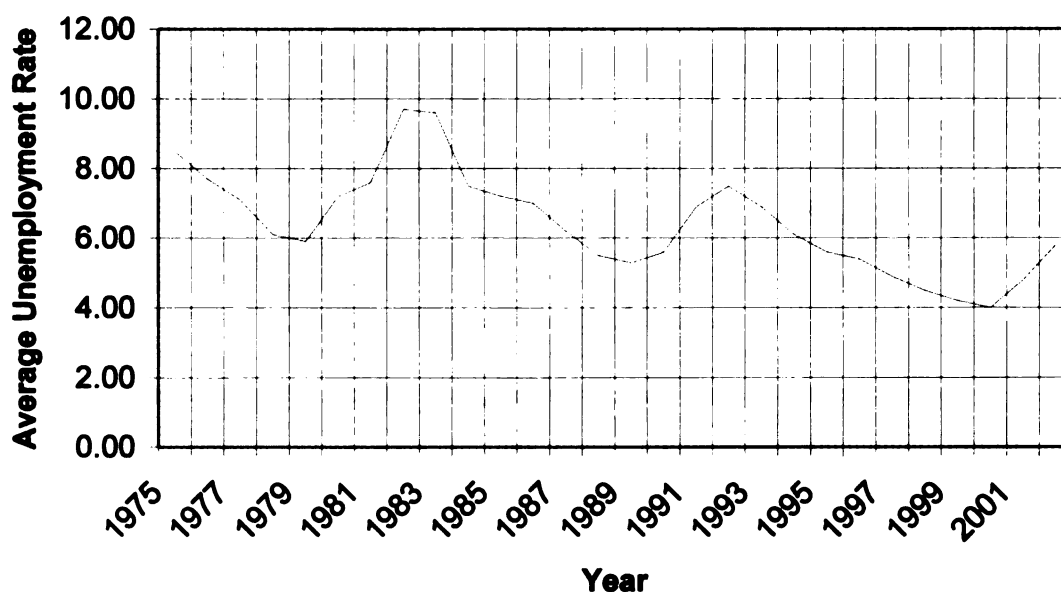
from the chaff” in juvenile facilities rather than a public relations ploy by Republicans to secure constituent approval. The Republicans had a “clear-eye revelation” that there were too many victims of serious juvenile crime. Although drastic actions focusing on this population were neither pleasant nor desirable, “at some point you have to say public safety takes over.”

The Republican plan was to both increase the sentencing discretion of judges then bound to send youths aged 15 years or older and sentenced as adults to the W. J. Maxey Boys Training School in Livingston County and increase punitive standards within Michigan’s juvenile justice system. This plan would require extensive alterations and enhancements to existing Michigan statutes; alterations that were identified as having long been objectives of Michigan Republicans.

Economic Precursors to Change

The efforts of some Michigan lawmakers to alter the State’s laws encompassing juvenile justice practice had continued since 1989 – five years prior to Engler’s announcement. The economic context of the time these efforts directed toward changing the juvenile laws is intriguing, and begs an answer to two specific questions: a) What is the relationship between economics and recent periods of philosophical transition to a just deserts model of criminal justice; and, b) Was the initiative to alter Michigan’s juvenile laws rooted in the existing economic conditions of the time? Figure 2 below provides a trend analysis of annual unemployment rate averages, which is presented as an indicator of economic conditions from 1975 to 2002.

Figure 2. Twelve-month unemployment rate averages: 1975-2002



Note: 2002 unemployment rate average was calculated using monthly rates from January through July

Source: Bureau of Labor Statistics, 2002

As can be seen in Figure 2, there are three specific time periods over the course of the past 27 years when unemployment was particularly turbulent. Specifically, in 1975 the US economy was in the process of recovering from a substantial economic recession – one not only described by Colvin (1992) as a period when unemployment reached unprecedented levels, but one described by Sanford Weil, Chairman and CEO of the world's largest financial institution (i.e., Citigroup, Inc.), as being the most significant since the great depression (Weil, 2002). Interestingly, Martinson's (1974) *What Works* paper was published during the brunt of the economic downturn, and although not definitively tied to his research results, changes in juvenile waiver statutes were implemented during

the years immediately following and were attributed to an increasingly punitive justice system (Anderson, 1992; Frazier, Bishop, & Lanza-Kaduce, 1998).

The second major economic recession occurred during the early years of the Reagan administration. Between 1981 and 1984 almost 10% of those who were able to work were unable to find employment. The following years marked the commencement of the “War on Drugs.” During this time, changes to federal and state laws resulted in harsher treatment of those convicted of drug trafficking, sale, and use (Greenburg & West, 2001).

Economic recession once again became a figurative “thorn in the side” during the middle of the George H. Bush administration and extending into the early years of Bill Clinton’s presidency. It was during these years that the national and state governments began their “get tough on crime” campaigns, but more importantly, from a Michigan perspective, the period was one in which a framework for altering Michigan’s existing juvenile justice legislation was on-the-move.

The early 1990s were a particularly devastating time for the Michigan economy, leading to statewide unemployment rates averaging three percentage points higher than the national average (*Japan bashing: Where the jobs are*, 1992). For a state associated with being the home-base of the big three automakers (i.e., Ford, General Motors, and Chrysler), the economic conditions of the early 1990s led to some of the largest numbers of employee layoffs in the organizations’ histories (74,000 announced by GM in 1992), as well as car production at 30-year lows (*Japan bashing: Where the jobs are*, 1992).

Table 1 below provides annual unemployment rate averages for the United States, the State of Michigan, and the Detroit, Flint, Grand Rapids, and Lansing metro areas.

Table 1. National and statewide unemployment conditions: 1990-1995

Year	Location					
	U.S.	State of Michigan	Detroit	Flint	Grand Rapids	Lansing
1990	5.6	7.6	7.6	9.8	6.2	6.3
1991	6.9	9.3	9.3	12.7	8.0	7.5
1992	7.5	8.9	9.2	12.0	7.6	5.7
1993	6.9	7.6	7.3	9.6	5.6	5.1
1994	6.1	5.9	5.8	8.0	4.5	4.1
1995	5.6	5.4	5.1	6.8	4.0	3.7

Source: Bureau of Labor Statistics, 2002

Table 1 demonstrates the magnitude of economic impact the recession had on the State of Michigan when compared with the nation as a whole. During the brunt of the recession (during the latter half of 1990 through 1992), the Michigan unemployment rates were significantly higher than those of the nation, particularly in the Flint metro area with a 1991 unemployment average of 12.7. In fact, a 1991 article in *U.S. News & World Report* identified Genesee County (i.e., where the city of Flint is located) as one of four most affected by the recession.

Specifically, the Flint area had lost upwards of 19,000 GM jobs during the decade previous to the recession, received a funding cut of \$30 million in 1991 by Governor Engler eliminating the County's General Assistance and Emergency Needs programs for residents, and had reached their maximum property tax rate that was predicted to drive the County into further deficit spending during the following fiscal year. Furthermore, the county jail staff had been reduced from 167 to 146 from 1988 to 1991 although they experienced a 58% increase in the number of inmates during the same time period (Boroughs, Black, and Collins, 1991). Unemployment rates were not the only thing fluctuating in Michigan during this time. Policies regarding juvenile waiver to Michigan's probate court were also changing.

Juvenile Justice Reforms: The Michigan Perspective

In the early 1990s, prosecutors could either request the waiver of a juvenile aged 15 years or older charged with certain serious crimes (i.e., murder or rape) to the adult/circuit court or file charges directly with the adult court. In either case, the judge determined whether the case should remain within the purview the circuit court or be remanded to the probate court. However, between 1989 and 1990, prosecutors were becoming frustrated with the decisions of Circuit Court judges to remand juveniles to the Probate Court. The judicial climate demonstrated limited prosecutorial discretion and resulted in a greater push by both prosecutors and some Michigan politicians to make legislative changes. These changes were focused on allowing prosecutors to direct file charges against juveniles within the Circuit Court system for a greater number of

offenses, to have those charges remain in the Circuit Courts, and to allow for the sentencing of juveniles (as young as 10 years old) as adults. Those efforts aimed at expanding prosecutorial and judicial discretion, as well as the “net” that would snare these young offenders, would prove to be copious in the coming years.

Not only would substantial procedural changes be made to the juvenile and adult systems, but also Michigan's practices for youthful offenders would have to be altered under Engler's initiative. As it then stood under Michigan law, the State Department of Social Services (DSS) had jurisdiction over the correction and rehabilitation of all youthful offenders including those charged as adults and waived to adult criminal courts. An act of legislation would be necessary to allow the latter to be housed in a prison under the jurisdiction of the Michigan State Department of Corrections (MDOC) until they reached the age of majority and were transferred to an adult facility. Furthermore, Engler had to raise support for this initiative among law makers at all levels of government in order that the estimated \$40 million price tag for the construction of a new or refurbishment of an existing facility be allocated in the 1996 budget (Hoffman, 1994), which was presented in February of 1995.

During the waning days of 1994, spokespeople for both the DSS, as well as Governor Engler's office (Karen Smith and John Truscott, respectively), spoke of rehabilitation and protection of youthful offenders as being the main objectives of any future juvenile prison initiatives (Hoffman, 1994, p. 6A). However, the

developments in juvenile offender policy and practice throughout the state differed from those objectives.

Initial evidence of support for Engler's juvenile prison was found in the January 2, 1995 edition of the *Detroit News and Free Press*. The paper's editorial staff endorsed the separation of exceptionally serious juvenile offenders from other less threatening juveniles in training schools and juvenile facilities; recognized the importance of preventing the placement of juveniles in adult facilities where they may become targets for mistreatment by their adult counterparts; and postulated as to the benefits that could be realized by melding the rehabilitative function of training schools within a punitive environment such as one that may exist in a prison for juvenile offenders (*Kids in trouble*, 1995).

Engler had much to say regarding his prison proposal during his formal *State of the State Address*, which he delivered on the evening of January 17, 1995. During the speech, Engler proclaimed that the "Michigan Renaissance is real" (par. 13) referring to efforts being taken to improve the quality of life, employment, education, etc., throughout the state. Included in this 'Renaissance Plan' was Engler's justification for developing stringent juvenile justice initiatives, such as the juvenile prison. Toward the end of his speech, Engler stated:

Unfortunately, there are other young people who put the rest of us at risk. They have no concept of personal responsibility, and no compunction about preying on others. Our message to these thugs and punks must be unambiguous. They not only forfeit their childhood: they forfeit their right to privacy and special treatment . . . The public is demanding – and I concur – that young punks be treated as adults" (pars. 67-68).

With a budget proposal due in February, Engler took this opportunity to prime Michigan's Legislature for the yet-to-be-requested hefty allocation of funds for this and related endeavors:

But this commitment is not without cost. Soon I will submit to you a special appropriations bill that comes with a price tag of over \$200 million – money for [along with other facilities, expansions, and refurbishments] a 'punk prison' (par. 70).

Governor Engler's words that evening were most certainly not the last said on the topic of the now-dubbed "punk prison" during 1995. There was much work in the legislature during this period to alter existing statutes, and to create new legislation that would enable Engler's 'punk prison' to become a reality. In fact, these issues were being addressed by both the Michigan Senate Judiciary Committee under the chairmanship of Senator William VanRegenmorter (R-Georgetown), and member of the House of Representatives, such as Michael Nye (R-Hillsdale) and Claire Duvet (also a Republican, but whose district cannot be disclosed for reasons of confidentiality).

Senator VanRegenmorter indicated that his committee's primary focus was Michigan's waiver process, with efforts directed toward securing for prosecutors greater discretion in the processing and charging of "arrested juveniles that posed a particular threat." In the House, Nye and Duvet played significant roles in legislative development. Specifically, Nye's legislative drafts, which were begun as early as 1990, provided a framework for a final legislative package.

According to Duvet, she had “tremendous involvement” with regard to these issues. The following is a paraphrased excerpt from an interview with Ms.

Duvet:

The way it [legislative development] worked was that the Republicans converged to discuss this issue [juvenile justice reforms]. The Republicans excluding myself, wanted to reduce the age at which juvenile offenders could be sent to the adult court. This was lunacy. They also wanted to ‘get tough on crime.’ I wanted to keep the kids in Probate Court because the judges there have expertise in, and know how to handle youthful offenders. The others thought that Circuit Court judges would be, or had the reputation of being ‘hard-noses,’ a reputation they considered desirable, whereas Probate judges were considered ‘soft on crime.’ I wanted to put more methods into the hands of Probate judges due to their expertise, and let them decide if a juvenile should be sent to adult court, be kept in probate court, or if they should delay the sentencing of a youth. The results included the age in the bill being lowered to 14 for prosecutorial waiver however, the proposal also gave more authority to Probate judges to waive as well, thus increasing their discretion.

Mr. Nye’s comments mirror those of Duvet as to the climate of legislative development of the juvenile statutes. As a past Public Defender, Nye reflected on those concerns that girded his attitude toward serious juvenile offenders at the time:

[When I was a public defender] I noticed that the ones [juveniles] who had their hands slapped and were placed on probation were the ones I wound-up defending over and over. [These kids] needed to be hit with a two-by-four to get the message. [Tougher sanctions were necessary because] a crime is a crime is a crime whether 14 or 50 [years old]. If you kill someone, you kill someone.

In December the *Detroit News* reported that a bill was in the state legislature that if approved would solidify the Governor’s plans for a punk prison by authorizing its construction. Furthermore, it was reported that a plan was before the board of commissioners in Macomb County that if approved would

establish the punk prison's location in Clinton Township. Contrary to previous estimates, the cost of construction for the prison was estimated at \$75 million with an annual operating cost of \$21 million (Savitske, 1995a, p. 5C).

Prophetically, Macomb County Commissioner Michael Sessa indicated that "The only downside to this whole thing is the 'not-in-my-back-yard' syndrome . . . People want to see these punks incarcerated; they just don't want them close to where they live"(Savitske, 1995a, p. 5C). These words rang true when twenty days later the *Detroit News* reported that Macomb County was no longer a contender for the punk prison. Sessa indicated that the benefits (economic) the prison would have brought were not greater than public concern over prison's proximity (Savitske, 1995b). Although placement procedures in Macomb County had failed, Engler spokesperson John Truscott said, "The governor has indicated the punk prison will be built in southeastern Michigan" (Savitske, 1995b, p. 3D).

With the wheels set in motion for site selection, Engler maintained the objective's momentum twenty days later in mid-January 1996 with his yearly *State of the State Address*. As in the previous year, emotionally charged language regarding Engler's perceived need for the juvenile prison confronted the State's residents when he said the following:

If you're serious about getting tough on violent criminals, then you'd better get serious about building the prisons to lock them away. . . . [I]t is critical that we build four new prisons. And that includes the 'punk prison' I called for last year. . . [I]t's time to stop pampering punks (Engler, 1996a, pars. 49-51).

In May 1996, the *Detroit News* reported that Tuscola County was being considered as a possible location for the juvenile prison. Specifically, it would be

located at the Caro Center psychiatric facility (Williams, 1996), but just as with Macomb County, there were concerns. Representative Mike Green, (R-Mayville), felt that the biggest challenge to this new proposed location for the prison was the apprehension of county residents toward having this facility within close proximity. At that time, the actualization of these concerns through the rejection of the placement proposal would have most certainly been another inconvenience for the State Department of Corrections. According to Green, officials desired the placement of the juvenile prison to be within 100 miles of metro-Detroit since it was anticipated that the majority of its population would be comprised of youths from that area (Williams, 1996, p. C3).

With increasing efforts being made to establish a location for the new prison - only matters of law were left to be addressed. As described previously, under existing Michigan law, juveniles convicted of crimes as adults were under the jurisdiction of the MDSS until the age of 18 and unable to, in any way, be part of the adult correctional system of prisons run by the MDOC. However, in June 1996, Governor Engler signed a 21-bill package that provided some resolution for these and other related issues. Among these bills were measures that included, but were not limited to: a) lowering the age at which adult-charges could be brought against a juvenile from 15 to 14; b) adult sentencing for serious crimes; and c) the creation of a 'punk prison' (Engler, 1996b; Puls, 1996). In response to this legislation, Joan Young, a chief judge in the Oakland County Probate Court said: "Now we don't have to send kids that won't be rehabilitated to expensive treatment programs. Jail time is an option" (Puls, 1996, p. 4B).

Discussion

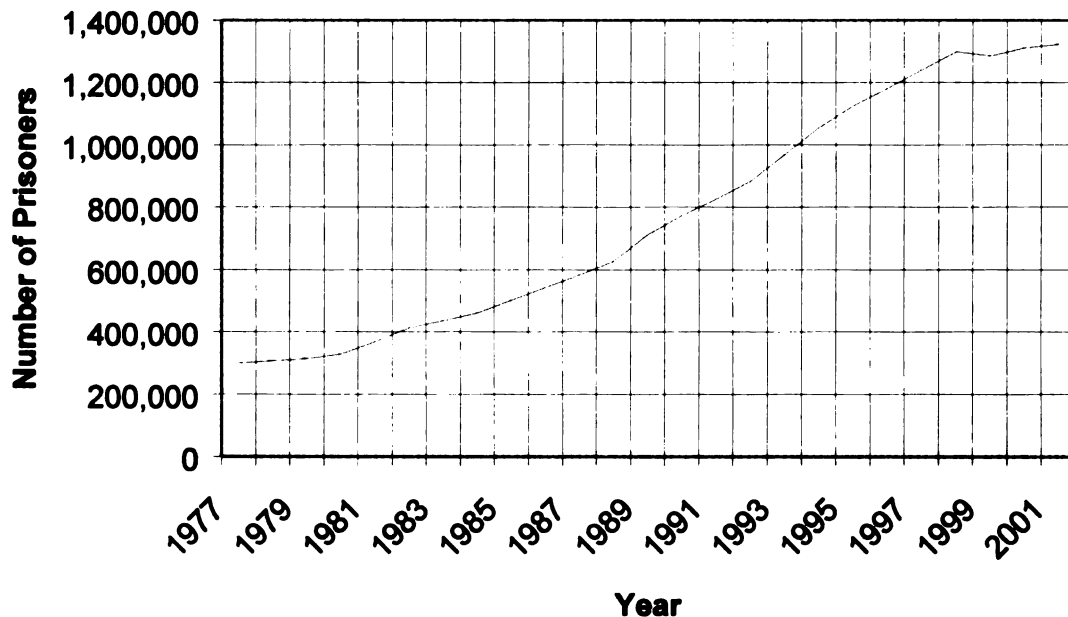
Information provided within this chapter speaks to the first three guiding questions as outlined in Chapter II, which centered on the relationship between unemployment and incarceration, fiscal strain on the state as a precursor to greater use of incarceration as a social control, and the key players behind Michigan's youth prison initiative.

The unemployment trends and analysis presented earlier in the chapter (see Figure 1) are thought provoking, and seem to support past research that suggests a governmental and social emphasis on forms of social control, such as imprisonment, during times of economic instability (Colvin, 1992; O'Connor, 1973). But how can one apply the research of Rushe & Kirchheimer (1969), Jankovic (1977), and Inverarity and McCarthy (1998) that indicated incarceration rates will increase in conjunction with unemployment rates? Is there a relationship present between these two factors at present?

Unfortunately, juvenile incarceration rates (or residential placement rates as the statistic is referred to in the field) on a national level have only been collected in a comprehensive fashion the past five years, and are currently reported through the federal government's Office of Juvenile Justice and Delinquency Prevention's (OJJDP) *Census of Juveniles in Residential Placement*. According to OJJDP officials, the Bureau of the Census also collects similar statistics, but on a much more limited basis. Therefore, as assumed earlier in the present analysis, that juvenile incarceration rates increase and

decrease in conjunction with those of adults due to the political, social, and economic climate of the times, adult incarceration (prison) rates from 1977 to 2001 were obtained and are presented in Figure 3 below for analysis.

Figure 3. Annual federal and state prison populations: 1977-2001



Source: Bureau of Justice Statistics, 2002

Figure 3 above, demonstrates the significant growth witnessed in adult corrections stretching back to the 1970s. Unlike Figure 2, it is difficult to pinpoint certain timeframes during which there was a particularly significant increase or decrease in prison populations. Rather, the number of prisoners in federal and state prisons seems to increase steadily and substantially over time. Even though both Jancovic (1977) and Inverarity and McCarthy (1988) both identified statistically significant relationships between unemployment and incarceration

rates (i.e., increases in the former will lead to increases in the later), Figure 2 suggests that their findings may be a function of the time when they conducted their research, and should similar research be conducted in the present day, alternative patterns may be observed. As previously discussed, O'Connor (1973) suggested that the US economy is increasingly dependent on forms of labor other than those of a manual nature. Whereas Rushe and Kirchheimer (1969) supported findings that were more aligned with those of Jankovic (1977) and Inverarity and McCarthy (1988), perhaps their inability to foresee the substantial changes in labor demographics in the late twentieth century explain the disparity between their contention that incarceration will be used as a form of social control during times of economic turbulence.

Therefore, it may be the case that the poor economic conditions of the early 1970s contributed to a shift in criminal justice philosophy to one more centered on just deserts and that incarceration (as a form of social control) was employed. However, shifts in labor demographics and the subsequent decrease in demand for manual labor, which Rusche and Kirchheimer suggested would contribute to a more lenient justice system, have resulted in a figurative "incarceration ball." This ball, set in motion during the early 1970s, was left not only to "roll," but was further supported during future periods of economic difficulty, ultimately resulting in unprecedented prison population growth in the United States. More specifically, when Michigan experienced devastating blows to its economic base with the massive layoffs from the Big Three auto-makers in the early 1990s the fiscal strain on the state (as indicated by O'Connor, 1976) to

provide welfare services to residents also contributed to an environment conducive to the use of incarceration as a form of social control. However, the social control package in this case came in the form of a juvenile prison facility wrapped in the rhetoric of its primary sponsor – Governor John Engler.

Now that the idea or as some would call it, the “mandate,” was set forth to develop a prison specifically for the “punks” of the State of Michigan, revisions to the state’s existing legislation specific to the juvenile justice process had to be undertaken and a site had to be selected to “host” what would become known as the “Governor’s baby.” These issues are explored in the following Chapter.

CHAPTER V

Formulation: Privatization Takes Root in Michigan

A series of new “get tough” bills, which were signed the previous year, were scheduled to take effect in the early spring of 1997. Included among the assortment of legislation was the Public Act 164, which not only established the Governor’s “punk prison,” but also allowed for the construction and operation of the facility by a private vendor (Truscott, 1997). The legislative process resulting in a private correctional institution for Michigan youths was controversial since many of the changes made to existing Michigan law were monetarily based rather than based on reform, correction, or rehabilitation.

The development of a private prison for serious youthful offenders prompts many questions. Who was responsible for initiating the move to privatized juvenile corrections? What was the rationale for such a proposal? How was the private vendor chosen? As mentioned in the previous chapter, Engler was originally unwavering in his support for facility placement near the Detroit area due to the projected inmate demographics that suggested a large portion of its occupants would originate from that area. Why then, would the MYCF be placed in the very opposite corner of the state – over 250 miles from the Detroit-metro area? What was it about Lake County, Michigan that attracted the attention of the Governor’s Office as being an ideal location for his “baby?”

The Move Toward Privatization

Initially, the development and operation of a facility specifically for the confinement of serious youthful offenders was expected to fall under the purview of the MDOC. The path taken by Michigan officials was quite different. For a state heavily populated and politically influenced by labor unions, a move toward privatized corrections for adults would have been surprising. Michigan's decision to pursue a contract for private vendor correctional services for juveniles raised many eyebrows. There were two foundational reasons for the support of a private prison of this sort: a) legislative/gubernatorial initiative; and b) the cost savings inherent in contracts between the state and a private vendor.

Past state representative Mike Nye (R-Hillsdale) takes credit for initiating "privatization discussion with other Republicans." His support of a privatization-initiative was inspired by a trip with some of his colleagues to a private prison in Tennessee. The facility Nye toured offered a variety of programs to inmates, such as drug rehabilitation, counseling, and mandated facility jobs for residents. Nye's support for a privatized facility was not solely the result of his travels, but also because he wanted the State of Michigan to avoid using an existing facility to house youths sentenced as adults. He felt that many of them were old. Private corrections providers offered services considered by Nye to be the "...best [we] could get."

Nye's site visit was catalytic - strengthening the case for a private vendor rather than the MDOC. Others felt the impetus behind the push for privatization was much different. In fact, the private facility was referred to by many as being

the “Governor’s baby,” since Engler was a “big fan” of privatized corrections. Furthermore, a state-run facility was never an option. Not even the Michigan union of state correctional employees wanted to handle Michigan’s “worst of the worst” juvenile offenders. With the lack of support by the Michigan corrections union for this type of facility remaining under state control, the Republicans recognized Engler’s initiative as an excellent opportunity for a pilot project, which if successful, could spill over into other forms of corrections across the state. There were other stakeholders, however, who had reservations over the use of a private vendor. In fact “deep concerns” were expressed by individuals, such as state Senator William VanRegenmorter, one of the state’s foremost politicians whose legislative efforts focused primarily on Michigan’s criminal justice system.

To attribute the development of the MYCF as being the result of individual efforts of certain legislators and Engler’s desires would be incomplete since a salient factor that affects governmental decision-making is money. The concept of the MYCF as being an institution run by a private organization was not only driven by a “dollars ideology [rather than] the potential for rehabilitation,” but was explained as being the result of corrections “just [coming] down to dollars and cents.”

In the mid-1990s, sending a serious youthful offender to the Maxey Training School cost the state approximately \$150.00 per day. In comparison the cost to send the same youth the MYCF would equal just over \$67.00 – less than half that charged by the state’s own corrections agency. The *bottom line*, as far

as the privatization initiative was concerned, was to achieve for the state a cost savings no less than 5% as mandated by civil service law.

Wackenhut's Fast Track to Baldwin

During the summer of 1996, two committees comprised of various Michigan departmental officials met to begin the process of drafting a Request for Proposal (RFP) – a type of invitation for individuals or organizations to submit bids for future services to be rendered to identify an appropriate vendor to build and operate the MYCF. Since the RFP was focused on the construction and operation of a maximum-security juvenile prison, several members of the MDOC traveled to the Joliet Youth Center in Joliet, Illinois, the state's only maximum-security youth facility. While on-site, officials assessed the facilities education programs, physical and mental health services, as well as the construction of the facility in order to obtain benchmark data to establish best practice upon which the RFP would be centered. Frustrations were since voiced by members of the Michigan's Family Independence Agency (FIA) regarding their lack of involvement in the development of the RFP. It seems as though some felt it was only common sense that the agency otherwise responsible for youth corrections in the State of Michigan to have significant input into the development of a youth prison.

Regardless, in 1997 the State of Michigan issued a single RFP for facility construction and operation. Rather than issuing two RFPs (one for the design and construction, and the other for the facility's operation) the state issued only

one, arguing that the process involved to review and approve two bids would take too long. The resultant single RFP, written by state employees Mary Levine and Kathy Jones, was extensive.

The response by vendors to Michigan's RFP was overwhelming, even being described as resulting in the "death of a forest" due to the substantial amount of paper submitted by each prospective vendor in attempt to win the contract. Bids from vendors were then submitted to two State of Michigan review committees coordinated by the MDOC. One committee focused on the design and building portions of bids while the other concentrated on operations.

Once the deadline for submitting bids to the state had passed, the committees reviewed the submissions and invited three vendors (i.e., vendors they felt offered the best combination of programs and services for the best price) to make a proposal presentation to the state. According to a senior MDOC official "Wackenhut made a slick presentation and lowered their initial offer." The committee was impressed with the Wackenhut Corrections Corporation (WCC) since it made concrete promises (i.e., physical and mental health programs). Kathy Jones was then charged with the responsibility of conducting a due diligence audit of the corporation's financial positions. After working with an independent accounting firm, which attested to WCC's financial stability, the contract was awarded to them.

In 1988, the WCC became a wholly-owned subsidiary of the Wackenhut Corporation, which was founded in 1954 and based in Palm Beach Gardens, Florida. WCC claims that their corporate function is to provide detention and

correction services to government agencies throughout the world that are more cost-effective for governments, yet a lucrative endeavor for the corporation's bottom-line.

In addition to providing incarceration services, the WCC was also required under contract to provide other services, such as drug, alcohol, and impulse control therapy, a high school education, and vocational training (Richard, 1998). However, the prison was not met with unwavering acclaim as evidenced by comments made by State Senator Jim Barryman (D-Adrian): "When you have to build a children's prison, I think that's an admission of a failed state policy on children" (*Detroit News*, 1998, p. 7C).

Now that the contract and responsibility were in the hands of the WCC, the state government estimated a cost savings of approximately \$33 million in construction and \$4.5 million per year in operating costs as compared with the reality had the state endeavored to complete the project on its own (Richard, 1998).

Engler's long-awaited plans for constructing the MYCF were finally solidified on March 3, 1998. On this day, he traveled to the town of Baldwin in Lake County (located in the northwestern lower peninsula) to take part in a groundbreaking ceremony for the construction of the 480-bed prison (Richard, 1998).

In response to the celebration, Engler declared that: "This prison gives judges an additional sentencing option, it keeps young offenders segregated from the adult prison population and it send a strong message to gang members

and other violent young offenders that they will be severely punished” (quoted in Richard, 1998, p. A5). Engler’s trip to Baldwin and the construction of the MYCF in that locale is intriguing. The brief vignette of Lake County that follows provides an understanding of the conditions in this area of the state that were conducive to the establishment of the MYCF within its borders.

Lake County: History, Intrigue, & Economics

Driving through the lush timberland of Lake County, Michigan near the town of Baldwin, it is difficult to imagine that the area is home to many of Michigan’s most violent youth. This feature of the contemporary Lake County lies in stark contrast to yesteryear. For an area so secluded in northern Michigan, Lake County has a long and rich African American history. In Baldwin, and its neighboring township of Yates, lies an area known as the Idlewild Lake community – a resort primarily populated by aging blacks who are the vestige of a once glittering vacation and entertainment hotspot.

Answers as to why Lake County’s proportion of minority residents is the second highest in the state (the first being Wayne County – that in which greater Detroit is located), can be traced back to the vision of two brothers, Erastus and Albert Branch, who were residents of the area in 1912.

Up until the early part of the twentieth century, northwest Michigan was prime timber country. By 1912, however, much of the forest surrounding Idlewild Lake was depleted. It was at this time that the Branch brothers (both of whom were white) purchased a significant portion of land at Idlewild with the intent to develop the property into a resort community specifically for blacks (Walker &

Wilson, 2002, pp. 6-7). Social structures in the early twentieth century excluded blacks from the benefits normally enjoyed by whites. The Branch brothers recognized the opportunities inherent to providing blacks with a resort community since white resorts systematically prevented blacks from enjoying their benefits.

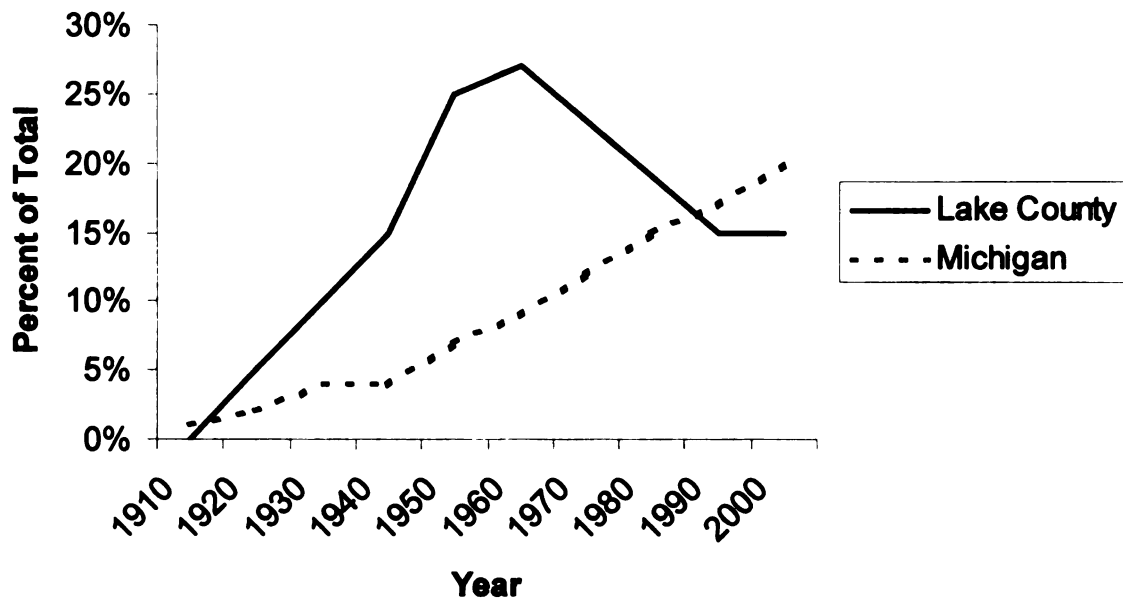
Although the Branch brothers are historically credited with the resort's inception, others were also involved with its development, including Chicagoan Dr. Wilbur Lemon (primary financier), William Sanders, Albert Flogus, Arthur Riffe, William Green, and Carl and Marion Arthur (Walker & Wilson, 2002, p. 16). These individuals, organized by Lemon, purchased an additional 2,700 acres of land at Idlewild Lake around 1915 in order to help "fulfill the vision of a 'Black Eden'" (Walker & Wilson, 2002, p. 17).

The latter half of this decade witnessed the running of ads in various locales, including Atlanta, Chicago, Gary, and Peoria, which advertised resort lots for sale (Micinski, 2002). What is more, bus excursions from Chicago, Cleveland, Detroit, Grand Rapids, and Indianapolis were organized to escort a cache of economically advantaged blacks to Idlewild Lake in hopes that they would purchase resort property (Walker & Wilson, 2002, p. 17).

The popularity of Idlewild grew tremendously, and in 1925 the Branch brothers and Lemon entered into an agreement that affectively established the Idlewild Resort Company. In a separate agreement, interest in this company between the former and the latter were split into 40% and 60% allotments, respectively (Walker & Wilson, 2002, p. 13). Year-round minority residents of Idlewild increased significantly between 1910 and 1960 as shown in Figure 4.

Interestingly, it was not until recently (i.e., 1990) that the total percentage of minority residents of the State of Michigan surpassed the similar percentage of minority residents in Lake County. To the uninformed observer, total percentages of minority populations as witnessed in Lake County even in the present, illustrate a phenomenon that is difficult to explain should one not be privy to the history that drew minorities in droves to the shores of Idlewild.

Figure 4. Minority Populations as a Percentage of the Total Population for Lake County and the State of Michigan



Source: United States Bureau of the Census

Several contractual agreements ensued between various parties involved with the Idlewild Lake resort community and included among other things, several changes in the name of the resort owners' "association" during the course of its existence. However, one thing remained unchanged until relatively

recently – the resort’s popularity with blacks nationwide. Between 1915 and 1927, Idlewild accommodated between 5,000 and 6,000 summer resort-goers, not including temporary vacationers (Walker & Wilson, 2002, p. 29). Increases in the number of summer residents brought increases in the number of businesses. Up until the 1950s, over a dozen nightclubs and hotels alone were constructed at Idlewild (Walker & Wilson, 2002, p. 51).

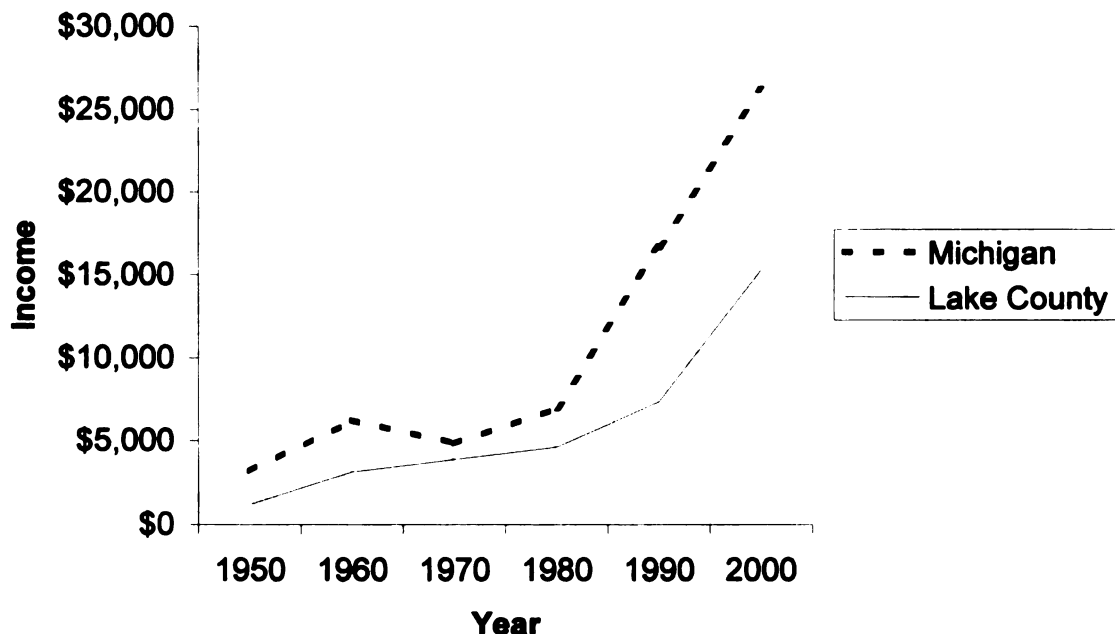
Just as entertainment was a salient feature at exclusive white resorts, so too was entertainment an important feature at Idlewild. “At one time or another many of the most notable intellectual, musical, and artistic talents were nurtured at Idlewild” (Walker & Wilson, 2002, p. 70). Walker and Wilson’s tale of the development of the Idlewild community lists entertainers who performed there that reads like a “Who’s Who” of black talent. This list includes such persons as Louis Armstrong, William “Count” Basie, James Brown, Cab Calloway, Bill Cosby, Sammy Davis Jr., Duke Ellington, Billy Eckstine, and Aretha Franklin to name only a few (2002, pp. 71-88). The visits by these celebrities greatly contributed to both the resort’s success and growth until the mid-1960s, and interestingly, drew large numbers of whites to see the performances.

The mid-1960s were also a time of dramatic social change in the United States – a time when society began to recognize that blacks should enjoy the same rights and benefits as white citizens. The civil-rights legislation boom at this time brought with it the passage of the Public Accommodations Act, which made it an illegal practice for traditionally white establishments to systematically discriminate against black patrons (Walker & Wilson, 2002, p. 126). With their

new-found rights and freedoms, blacks and black performers were no longer relegated to Idlewild. Over several years, black patrons began to vacation at other resorts that had been previously “off limits.” The results were devastating for Idlewild. In the past four decades, the once thriving resort community has witnessed the erosion of its economic foundation, businesses close, nightclubs and hotels be demolished, and its once living history become nothing more than a legacy for blacks worldwide.

The economic conditions of the greater Lake County are similarly bleak. As Figure 5 shows, Lake County’s median non-family household income has traditionally been much lower than the average for the State of Michigan. In fact, according to the United States Census Bureau, over 20% of Lake County residents live below the poverty line.

Figure 5. Median Non-Family Household Income for the Years 1950-2000



Source: United State Bureau of the Census

The MYCF's placement in Lake County was for purely economic reasons. Due to its staggering unemployment levels and number of people living at or below the poverty line, the Governor's Office chose to relocate the facility from its desired southeastern Michigan location to Lake County. Perhaps the strongest rationale for doing so was the situation in Jackson, Ionia, and Marquette, Michigan whose economies were built on the prison system. In turn, Michigan authorities felt that the state's poorest county could get an economic boost and be revitalized by an influx of jobs resulting from the county's very own, home-grown piece of the Prison Industrial Complex.

Construction Continues

Automatically becoming the largest employer in the state's poorest county (Guthrie, 1999; Kolker, 2000a), it was not surprising that over 2,000 people attended a job fair in Big Rapids and applied for prison jobs. This seemed to be a promising sign, especially considering resident's willingness to accept less pay than their state-employed equivalents (*Detroit News*, 1999, p. B7). Since the WCC was a private entity whose corrections officers were not part of any state or national union that would enforce standard state correction-officer pay, initial hourly rates for 90 new WCC officers at the MYCF would be \$10.29, which was \$3.00 less than their MDOC counterparts. However, by reducing labor costs, the WCC was able to, in part, fulfill its mission to increase shareholder returns. Although the turnout at the Big Rapids job fair was impressive, its resultant correctional officer yield was not. After applying for positions, applicants were screened by the State of Michigan to ensure that there was no record of felonies, sex offenses, and/or past employment with the MDOC that ended in termination. Of the over 2,000 applicants who applied for positions with the facility, most were rejected, in part due to the stringent policies of the MDOC with regard to the above listed criteria. The facility administration's inability to fill their correction officer positions proved to haunt them in the coming year. Lake County's human resources seemed to have been "tapped-out" before the facility even opened its doors.

While construction carried on, one key staff member of the facility was hired – Luella Burke. Ms. Burke, one of the most respected individuals in the

MDOC by both Democrats and Republicans, and had a twenty-five year record of excellence within Michigan's correctional systems. Prior to her position with Wackenhut, she had served as the warden for the Saginaw Correctional Facility in Freeland, Michigan for five years after serving as warden for almost five years at the Western Wayne Correctional Facility in the Detroit area. One of Burke's first public actions was to respond to the general concern of Baldwin residents when she stated that "The number one priority here [at the facility] is the protection of the public" (Roelfs, 1999a, p. A1).

Burke, however was not the only MDOC veteran that was expected to be within the walls of the MYCF. Jim Armstrong, a senior MDOC official, was assigned to be the contract monitor for the state per the contract between Michigan and Wackenhut. As contract monitor, Armstrong's role was to oversee that all stipulations within the contract were followed (further analysis of the contract can be found in Chapter VI), as well as to review critical incidents within the facility and report them to the state.

Discussion

Perhaps the strongest connection to existing theory that the information presented within this chapter exhibits is addressed by the fourth guiding question from Chapter II. This question addresses past research on prison placement as described by Hallinan (2001), specifically the factors considered by political decision makers when making their choice of a locale prime for construction.

Hallinan's (2001) research suggests that the location of a facility is usually determined by both the state's desire to provide jobs to the unemployed in an economically depressed area, as well as to functionally exile those incarcerated there from their normal environment. The MYCF has, in essence, achieved both of the above objectives.

First, from the demographic data presented earlier specific to Lake County, there is no question that the area is one of the most impoverished in the State of Michigan. The county's high rate of unemployment was perceived by the state to offer both a substantial pool of candidates that would "benefit" from employment in the Governor's pet project and relieve part of the financial burden on the state at that time to provide welfare assistance to a large portion of the county's residents. Unfortunately, the state's "master plan" for economic rehabilitation of the area was unable to be fully achieved due to the number of local residents disqualified for positions within the facility.

Second, the functional exile of the facility's inmates from their normal environment was demonstrated by its large inmate population originating in the Detroit-metro area. Hallinan (2001) found that the location of correctional facilities is often times far removed from the area where most inmates originate. This makes it very difficult for inmates to receive visitors that provide some social connection and support from the "outside world." The facility's Lake County location, over 250 miles from Detroit, makes such visits from family difficult and infrequent for many, and impossible for others.

Irony is an integral component of the tale of the facility from a location perspective. Specifically, the State of Michigan did not initially intend to place the prison in Lake County, rather the Governor's objective was to place the facility near the Detroit-metro area precisely because the majority of its inmates would come from that region of the state. The irony is evident in that that what began as a campaign to place the facility near Detroit (which would have challenged the research of Hallinan (2002) ended with its placement in a remote area riddled with economic problems. Hallinan's predictions were on-target.

Irony is also evident regarding prison placement from an economic perspective. Whereas more affluent areas in the Detroit-metro area were able to place political pressure on their representatives to keep the "punk prison out," Lake County was caught in a "catch-22." On one hand, even if the county did not want the prison to be placed there, it could not fight such plans due to its incapacity to obtain and utilize resources necessary to do so. On the other, the county had a dire need for the resources a prison *could* provide (i.e., jobs). Either way, the county "never stood a chance."

Plans to open the new 163,000 square foot, \$40 million facility, were accomplished on July 19, 1999 when it accepted its first 40 youths who were transferred from the Handlon Michigan Training Unit in Ionia (*Detroit News*, 1999, p. B7; *Grand Rapids Press*, 1999). However, the operation of the facility did not begin without problems, and has continued to face some serious obstacles along the way including suicide attempts, prison escapes, violations of the state contract, lack of appropriate prison staff, weeks of bad publicity, and a Michigan

State Senate formal investigation. These and other issues will be explored in the following chapter.

CHAPTER VI

Disposition: Problems and Progress

All was not “smooth sailing” for the MYCF during its first several months of operation. It seemed the “Governor’s baby” was “sick,” according to exposé articles written in several Michigan newspapers after the facility’s opening. Perhaps the driving force behind these articles were reports of difficulties Wackenhut was facing in several of its approximately 40 facilities around the United States from New Mexico to Louisiana.

Wackenhut’s problems were not only being played out in their remote venues, but were also reflected in their shaky start-up operations in Michigan. The series of reports coming from the prison and plastered throughout Michigan’s newspapers regarding heightened rates of violence and suicide attempts, not to mention their failure to comply with the contract they signed with the state, played out in a state inquiry into the operations on site. In addition, debates ensued throughout the state as to whether the privatized path was a proper one to follow in the first place.

A Series of Debacles: Wackenhut Nationwide

Was Wackenhut an appropriate choice of corrections providers to handle some of the most difficult juvenile offenders in the State of Michigan? Several newspapers around the state raised such concerns over several months following the opening of the MYCF. Reports included allegations of inmate

sexual abuse in Texas' Coke County facility, a Louisiana State investigation regarding poor training, security, and rioting (Sinclair, 1999, p. D1). Also, indictments of twelve former Wackenhut employees from the Travis County Community Justice Center in East Austin, Texas were reported and were based on charges ranging from sexual harassment to rape of 16 female inmates (Kolker, 2000b, p. A20). Another Wackenhut facility that received attention in the newspapers regarding improprieties was the Jena Juvenile Justice Center located outside New Orleans.

In February of 1999, the United States Department of Justice released a report that cited Wackenhut officers as demonstrating excessive force, abuse, mistreatment, and humiliation of inmates. In the very same facility, 125 employees (officers mainly) were fired during their first year as Wackenhut employees for having sexual relations with inmates, using excessive force, smuggling contraband into the facility, and/or for falsifying documents (Kolker, 2000b, A20).

As if a national recognition of the WCC's shortcomings was not enough bad publicity for the vendor, on August 31, 1999 a riot broke out in the Guadalupe County Correctional Facility in Santa Rosa, New Mexico. During the incident, inmates stabbed to death a 35-year-old prison guard and set prison property on fire – all this only one week after an inmate in the facility was killed with a laundry bag full of rocks (*Grand Rapids Press*, 1999b; Kolker, 2000b). Wackenhut's problems in New Mexico went beyond the Guadalupe riot. During the year preceding the riot, three inmates were stabbed to death in Wackenhut's

Hobbs facility in New Mexico. Furthermore, a class-action lawsuit was filed that claimed mentally ill inmates were abused and humiliated in both previously mentioned New Mexico facilities, in ways similar to those highlighted in Wackenhut's Louisiana facility (Kolker, 2000b). An organization, already bruised and battered by public outcry and federal inquiries was about to have a similar experience in Michigan.

Difficulties at Home: Wackenhut in Michigan

From July-October 1999, operations at the MYCF continued with seeming placidity until Luella Burke, the facility's first Warden, announced that she would be retiring from her post. Ms. Burke claimed that advice from her doctor indicated that her recovery from a surgery conducted prior to her assumption of the position was slowed due to the strenuous nature of her job. After Burke's departure, Wackenhut hired David Trippett, another MDOC veteran and past Warden of the Thumb Correctional Facility in Lapeer to take the reigns (*Grand Rapids Press*, 1999). Trippett had no idea that he had just inherited what would prove to be one of the most turbulent organizations in Michigan - one that would be the primary focus of politicians, the public, and reporters over the coming year.

The bomb dropped on April 30, 2000 when the *Grand Rapids Press* issued their debut article, entitled *Problems at "Punk Prison" - "They're breedin' killers here"* that began a lengthy series regarding supposed 'punk prison' injustices. In the article, reporter Ken Kolker claimed that the MYCF was more

violent that Michigan's six adult maximum security facilities, five prison guards sustained serious injuries from youths housed there, and twelve suicide attempts had occurred since the prison had opened less than a year before, and understaffing had resulted in 70-hour workweeks (2000c, p. A1).

Although Kolker's articles would prove to be the impetus for a State investigation of the facility, the information he reported about the current climate in the facility was somewhat inflated, especially regarding the suicide attempts. In fact, some have stated that he "must have been trying to win a Pulitzer." Further investigation into the high number of suicide attempts at the time of Kolker's articles revealed that many of them could be explained not by mental illness, but by teenage hormones.

In 1999, David W. Roush, Director of the National Juvenile Detention Association's Center for Research and Professional Development in cooperation with the National Commission on Correctional Healthcare published the *Standards for Health Services in Juvenile Detention and Confinement Facilities*. In this document the "Two-Level Suicide Prevention Protocols" are outlined. The MYCF followed these standard protocols for those youths at-risk for committing suicide. According to the protocol for *High-risk suicidal juveniles* – those who have actively attempted or threaten to immediately attempt suicide, they "should be placed under constant watch – physically observed by staff on a continuous, uninterrupted basis" (Roush, 1999, p. 185).

It seems as though an attractive female corrections officer had been assigned to the medical/observation ward in the facility. The youths housed in

the facility quickly realized that by claiming they had thoughts of suicide, the facility would be compelled to place the youths under observation, specifically under the observation of the female corrections officer. Even though these youths had no real intention of committing suicide, their claims of such were required to be reported to the state, thus the large number of “suicide attempts.”

Kolker’s reports did not go without comment by both Trippett and the Executive Director of the Michigan Corrections Organization (MCO), Fred Parks, both of whom agreed that the prison was problematic, but problematic fundamentally rather than functionally. Accordingly, Trippett offered this explanation for the difficulties experienced within the prison:

You’ve got all these hormones. They’re active...You get a lot of people without self-control. Adults are easier to handle. Most of the adults, you can reason with. Here, you’re speaking to a child, and kids are kids (2000c, p. A1).

Similar sentiments were offered by Parks who observed:

At the Punk Prison, you’ve got 300 youthful violent offenders. Nobody is there to put a clamp on them, to set the society norms for a prison. In other prisons, older prisoners will tell youthful offenders to sit down, knock it off. It’s no different than having an older brother, a parent (2000c, p. A1).

Kolker’s reports of understaffing were perhaps a little more accurate than those regarding suicide attempts. Although it was unemployment in Lake County, that made the location an attractive option for placement by the state, finding minimally qualified individuals to enter correctional officer roles proved difficult. In fact, appropriate staffing has been an ongoing problem at the MYCF since it first opened. Several factors have contributed to this challenge. First, the population of the facility was not attractive to large numbers of potential

applicants. The opportunity to supervise the most hardened of juvenile offenders was not necessarily a dream job since they are a “real challenge, destructive, and challenge [officers’ authority] constantly.” Second, the staff that Wackenhut was able to procure was relatively young and inexperienced. Lastly, the pay offered to new correctional officers, although somewhat attractive to Lake County locals, was not necessarily enough to draw large numbers of potential employees from greater distances.

Staffing issues at the facility became a major concern of the state early on. By the end of April 2000 (approaching one year from its opening in July 1999) the prison was still 120 prisoners shy of its rated capacity. The facility was understaffed by 18 guards, and suffering from public scrutiny due to reports emanating from within the prison’s walls of difficulties faced by its employees. In early May it was announced that State Corrections Director Bill Martin would no longer authorize continued transportation of new inmates to the facility until it met the employment requirements per its contract with the state (Kolker, 2000a). Wackenhut failed to “provide a trained and efficient work force in sufficient numbers to ensure adequate staff coverage of both five (5) day and seven (7) day duty posts (24 hours per day, 7 days per week, 365 days per year),” which was stipulated in the 1999 contract between the State of Michigan and Wackenhut (hereafter, contract). Even though the state only guaranteed Wackenhut an occupancy level of 240 beds for the first year of operations (Contract, 1999, §39.4), the facility was motivated to increase staffing in order to

increase the likelihood that they could fill additional beds and increase per-diem payments.

Achieving adequate staffing levels was not the only issue Wackenhut was facing during this time period. Under the contract with the state, Wackenhut was required to provide counseling services to residents. These services were to be provided to inmates based on their assessed needs at the time of intake to the facility, and were to include group counseling that encompassed sex offender therapy, as well as assaultive offender therapy. In addition, should offenders need substance-abuse intervention, such services were to be provided (Contract, 1999, §§23.1-2). However, these programs were not being provided, or at very least, were not provided adequately. At the time, Wackenhut's staff of psychological specialists included four individuals with degrees in social work, but had established no particular curriculum or program to provide contractually required mental-health services. Wackenhut mentioned to Kolker that it did plan to provide these services as soon as they hired additional social workers (Kolker, 2000d).

Wackenhut's commitment to improving the facility's conditions of confinement, almost one year after opening their doors, failed to buffer outside interest. Prompted by *The Grand Rapids Press* reports on the conditions within the MYCF, as well as blatant evidence of Wackenhut's non-compliance with the contract, the Senator William VanRegenmorter (R-Georgetown), Chairman of the Senate Judiciary Committee, informed *The Press* that his committee would hold hearings to investigate conditions at the MYCF (Kolker, 2000d).

In quest that could be described as nothing short of muckraking, the press around the State of Michigan continued to report statistics to the public regarding the MYCF, such as its purported numbers of rapes, beatings, and suicides at rates nearly three times higher than their maximum security adult counterparts (*Michigan's Devil's Islands*, 2000). While many experts on juvenile corrections were aware that problems were common with start-up facilities and that many of the numbers being reported from the MYCF were either inflated, inaccurate, or provided without necessary explanation, state politicians were called to action by constituent pressure.

Following continued reports of difficulties within the facility, it was not suprising that State Representative Charles LaSata (R-St. Joseph), who was Chairman of the House Appropriations Committee, claimed that he would ask for quarterly rather than yearly reports (as required under the contract) from the facility. In a statement to *The Grand Rapids Press*, LaSata said:

I am equally concerned with the safety of the corrections officers as well as the inmates at the facility... This is an extremely important issue. Our goal is to make sure they [Wackenhut officials] are following the contract" (Kolker, 2000f, p. C1).

From Blunders to Business: Wackenhut Recovers

On May 19, 2000, one week after Kolker's interview with LaSata, it was revealed that MDOC officials had committed a blunder of their own. At that time, it was revealed that the state had been violating its own law (1953 PA 232) passed in 1996 that mandated that only offenders who had committed their crimes at age 16 or younger could be housed in the MYCF until their twentieth

birthday. It seems as though state corrections officials had misinterpreted the law and had been sending all “qualifying” individuals aged 19 and younger to the facility regardless of when they committed their crime(s). In response to these infractions, the state was forced to remove almost half of the 330 inmates housed at the facility, and place them in other prisons run by the state (Kolker, 2000g). Although the state was required to pay Wackenhut for a “guaranteed occupancy” of 240 beds, the removal of so many inmates was a blow to the WCC who would not be compensated for the 110 inmate differential (from 330 to 240 inmates) due to inmate removal and was already receiving less than the expected 200 new inmates per year (Kolker, 2000g).

In June of 2000, Governor Engler approved Public Act 211 (or 2000 PA 211). This Act revised that previously described regarding the placement of juveniles in the MYCF. Under the new provisions, the MDOC was authorized to house all offenders aged 19 and younger at a youth facility run by either the state or a private vendor (MYCF included), and also required all youth offenders aged 16 and under to be housed in such a facility unless deemed in need of special security, safety, or due to physical or mental needs (§20g (1)). Furthermore, the Act called for the separation of youths aged 16 and under from those aged 17 and older (§20g (2)). Policy alterations specific to whom the state could house within the MYCF were a coup for Wackenhut. With Wackenhut finding it difficult to reach maximum occupancy (for maximum profit) under the old laws, the passage of new laws “widened the net.” Now, there were no restrictions on which juveniles could be sent to the MYCF enabling the state to fill the facility’s

differential with a significant portion of non-violent youthful offenders. What had originally begun as a prison for the “worst of the worst” had become a prison for some youths that were not quite the “worst.”

Following the attention the MYCF had received from lawmakers and the press, Wackenhut spokesperson Patrick Cannan acknowledged that the facility was a “dangerous place,” and informed *The Grand Rapids Press* that Wackenhut was taking steps to improve the safety and quality of the facility. This was to be achieved through increasing training of correctional workers, creating a Director of Training position, formulating a specialized task-force with an Ombudsman to address inmate complaints, creating an office of Professional Responsibility to investigate employee misconduct, commencing anger management classes with other forms of counseling to follow, and training 40 new guards (Kolker, 2000h, p. A1).

In May of 2000, several Michigan lawmakers, including Senator VanRegenmorter, toured the MYCF and seemed pleased with the steps that WCC officials were taking to improve the prison’s conditions (Kolker, 2000i). A little more than two months following the tour of the facility, a report from MDOC officials to a Michigan House panel was issued that attested to the increase in safety within the facility. Following the lifting of the previously described “new inmate placement ban” instituted by Bill Martin in 1999, by August the MYCF was approaching capacity with approximately 400 inmates. These inmates, as promised by Wackenhut, were being offered sex offender counseling, a new computer literacy program, as well as a more organized physical education

program (Kolker, 2000j). The prison had also managed to address those staffing concerns that were one of the main impetuses for the placement ban.

Specifically, the facility was able to reduce average correctional officer overtime from approximately 100 hours per month to between 32 and 64 hours (*Grand Rapids Press*, 2000, p. A12).

Even more promising for Wackenhut's future were the words of Marsha Foresman, a state MDOC official who was in charge of ensuring Wackenhut's contract compliance for the state. Regarding disturbances in the prison, Foresman said: "I am seeing the rate of criticals [critical incidents] going down as staff matures and prisoners get more acclimated to the prison" (*Grand Rapids Press*, 2000j).

The MYCF Today

The MYCF has made significant improvements in its operations over the past three years. Granted, many of the improvements that the facility made were already required in the contract, but they were made nonetheless. Residents at the facility are now offered an array of counseling and therapy services including alcohol and substance abuse therapy and sexual offender counseling. In addition, vocational training specific to custodial management and computer technology is offered. All residents who have not completed high school at the time of placement are also required to obtain their Graduate Equivalency Degree (GED) on the pain of forfeiting any personal responsibilities and privileges they may possess. Lastly, staffing levels are currently being maintained at levels

adequate to sustain the population of inmates (hovering around maximum capacity of 450). Such improvements have brought the facility into contractual compliance.

Inmates are also encouraged to take full advantage of the library and computing services available on site, and are given special privileges to use the facilities during their free time should they so choose.

The facility also has a new Warden. David Trippett resigned his post in early 2001. The reasons for his departure from the facility are twofold. First, he originally accepted the Warden position as a “retirement job” following his years in Michigan’s correctional system. He quickly realized that the position was more strenuous than he had expected. Second, Wackenhut was looking for an individual who had vision, and the ability to lead the organization into a favorable light – they needed an individual with “fire in their belly.” Therefore, Wackenhut hired Frank Elo, yet another past Warden from the MDOC system. Elo’s resume, much like his predecessors, was extensive and included work at Michigan’s Thumb Correctional Facility and the State Prison of Southern Michigan where he served as Warden of the south complex.

Perhaps one of the greatest achievements of the facility over the past three years has been the accreditation rating they received from the American Correctional Association (ACA). According to the contract with the State of Michigan, Wackenhut was required to obtain ACA accreditation within two years of its commencement of operations. Fortunately, the facility was fully accredited and is a source of pride for both the employees of the facility as well as the

Wackenhut Corrections Corporation. In 2001, the facility was given an accreditation rating of over 99 percent – the highest accreditation rating of any facility in the state.

The facility is still experiencing some “growing pains.” On March 10, 2002, inmate Richard Nelson, convicted of murder and sentenced to the MYCF escaped from the facility. Insiders indicated that the escape could be attributed to a romantic relationship that had developed between Nelson and a female corrections officer. On the morning of the 10th, the officer provided Nelson with a pair of wire clippers and during his recreation time, cut through the facility’s fences and escaped.

Although the facility had state-of-the-art motion sensors on the fences and monitored in the control room, Baldwin had been experiencing high winds for several days, thus tripping off the alarms on multiple occasions. When the alarm sounded that morning, officers assumed that it was another “false alarm.” Fortunately, Nelson was found four hours later, outside wearing only boxer shorts and a sweatshirt, with the wind-chill below freezing. He was apprehended without incident (Fischbach, 2002, p. 1).

Discussion

Considering there are only seven months remaining before the state’s contract with Wackenhut expires, and considering the recent election of Democrat Jennifer Granholm as Governor of the State of Michigan, two questions have yet to be asked: *What is in-store for the facility as the state transitions to a Democratic administration?* Or more specifically, as outlined in

the fifth guiding question: *Will the correctional philosophy of the State of Michigan shift back to a rehabilitative focus centered on decreased prison construction and the alteration of existing legislation in a way that limits how far the “net” is cast?*

First, it seems as though the MYCF and Wackenhut are here to stay. Inside sources have indicated that contract negotiations have already commenced with Wackenhut for the renewal of their original contract, and that there is little chance that the vendor would abandon or divest their significant investment in the facility. However, both parties have undisclosed revisions they wish to make to the existing contract. Such revisions will certainly include an increase of Wackenhut’s current per diem set at \$69.25. Should contract negotiations be completed before Granholm takes office, her administration will have little influence on the current operations of the facility. Ironically, with only one month left in his position, Governor Engler may still be able to keep his “baby” alive for at least another four years.

Interestingly, over the past year, both Republican and Democratic policy makers have questioned whether corrections as we know it, is the preferred methodology for addressing youthful offending. All individuals interviewed during the course of this research have either hinted at, or plainly stated that there will soon be a shift to a corrections philosophy aimed at prevention and rehabilitation, thus lending credence to the pendular effect discussed previously. This shift would support the research of Colvin (1992) and Jacobs (1977). Over the past 12 years under the Engler administration, the state has arguably operated under

a *class society* philosophy in that prison was used as a form of social control through the limitation of individual rights (i.e., juvenile waiver statutes). By providing the public with a new focus, politicians were able to refocus their constituencies on the need for “get tough” measures rather than focus on the dire economic conditions the state was experiencing.

There will also be another aim of the corrections system in the State of Michigan – offender reentry once their time in confinement is complete. The State of Michigan has the programmatic foundation to be one of the most progressive systems in the country with a growing emphasis on Balanced and Restorative Justice (BARJ). As for reentry programs focused on addressing the needs of incarcerated youthful offenders prior to their release from confinement, only now has the federal government recognized the need for such programs and has begun providing grants for what could be called “holistic” approaches toward reentry. These funds support an integrated, community-wide network of support services to youths upon release.

With new Democratic Governor-Elect Granholm ending the reign of the Republican administration that lasted in excess of a decade, the steps she may take concerning the MYCF are unclear. The most likely approach she will take will be one of avoidance – not necessarily avoidance of juvenile justice issues in general, but most likely avoidance of the MYCF exclusively due to it remaining a political “hot-potato.” In fact, Granholm’s policy analysts indicated that she has not even issued a formal position on corrections within the state, let alone one addressing the MYCF specifically.

CHAPTER VII

Concluding Thoughts

The information provided throughout the present research has consistently demonstrated the influence of economics on prison construction and placement, including the construction and placement of the MYCF. From an applied perspective, however, how can the compilation of this data influence policy and best practice within the juvenile justice system – especially within the State of Michigan?

Periods of economic downturn (as explored in Chapter IV) have resulted in both philosophical shifts regarding the general purpose of the criminal justice system (rehabilitation versus just deserts) and dramatic increases in US prison populations (both adult and juvenile). For a state that depends heavily on the revenues of the automotive sector and on the employment opportunities it provides, the recession of the early 1990s became the proverbial "straw that broke the camel's back" – or in this case, the state's back. With massive layoffs and the resultant fiscal strain on the state to provide assistance to the unemployed, "get tough" programs including Engler's "punk prison" became a form of social control, or at least, a form of social distraction.

One of the most interesting findings that arose through discussions with many of the state's top Republican policy makers was the speed at which many of those individuals took ownership for developing the plan for the facility. Certainly, the MYCF cannot be attributed to any one individual's efforts, but the

efforts of many in various positions and departments throughout the state. All Republicans did affirm that this project was nothing short of a gubernatorial mandate, and that they were charged with the responsibility of “making it happen.”

In short, the future politics revolving around the MYCF have been described as “SCUD missile politics – one huge issue bomb.” There is currently much philosophical dissent within the ranks of both the Democratic and Republican parties in the State of Michigan regarding the facility, such that it has in essence, become a non-partisan, albeit emotionally charged, issue.

Philosophically speaking, there are many individuals with considerable political clout that have extraordinary divergent opinions about the underlying message a prison reserved for youthful offenders sends. On the one hand, proponents have called the facility an example of a “compassionate and realistic approach [rather than an indicator of] ‘get tough’” measures. On the other, some pundits have said that “we need to quit hating kids for some of the things which some of us did in our own youths.” Granted, the latter comment was not referring to offenses such as murder, rape, or arson. Nevertheless, the message is clear: “our kids need to be looked at as a resource and not objects at which we express our fear and hatred through public policy.”

Governor-Elect Granholm has also remained distant with regard to her views of the facility and corrections throughout the State of Michigan in general. Although her primary focus throughout her tenure as Michigan’s Attorney General was on matters concerning consumer protection, those seeking reform

of the justice system see her as being their “last ditch effort” at affecting positive change and a movement away from many of Governor Engler’s harsh initiatives during his 12-year administration. The information provided within the pages of the present research provides an avenue to explore several policy issues within the State of Michigan. First, the impact of a community on the development of a child needs to be considered. Although it has become somewhat of a cliché in the past several years, the title of Hillary Rodham Clinton’s 1999 book, *It Takes a Village, and Other Lessons Children Teach Us*, says it all. Clinton (1999) posits that children are an investment that reaps a return equal to that which is deposited. Positive role models, excellent education, and neighborhoods committed to reducing crime and violence, as well as many other key ingredients, are necessary for children to become productive members of society. When Clinton’s book is considered in tandem with the fact that federal grants to research and community organizations have recently focused on holistic approaches toward the re-integration of violent offenders into the community following the completion of their sentence, the importance of community involvement in the well-being and development of both adults and children is a clear message being communicated from all fronts. Those housed in the MYCF are no different. As described earlier, their placement in Baldwin effectually exiles them from their respective communities. Separating juveniles from their ties to positive influences in their community – especially their families – could be assumed to have nothing short of a devastating impact on their potential to become productive citizens should they eventually reenter society. Therefore,

measures should be taken by the State of Michigan that would support, either through complete financing or significant subsidies, opportunities for family members of those incarcerated at the MYCF to travel to Baldwin in order to see their relations.

Second, the importance of workforce planning became quite evident throughout the MYCF staffing debacle. The State of Michigan, attracted to the Lake County area due to its poor economic status, failed conduct workforce planning activities or staffing feasibility studies. From a Human Resources perspective, a critical analysis of Lake County's labor market demographics may have demonstrated the staffing difficulties the prison would have faced. These staffing difficulties led to bad press, a state legislature inquiry, lost revenue for Wackenhut when additional prisoners were not sent to the MYCF due to inappropriate staffing levels, and placement difficulties for the Michigan (i.e., inability to send new prisoners to the site). Perhaps these past difficulties, as well as the present staffing difficulties the prison faces, could have been avoided had more extensive research been conducted prior to the prison site's determination. In the future, the ability of a locale to sustain the human resources a prison such as the MYCF requires should be considered more thoughtfully.

Finally, the State of Michigan should focus on alternative means to address juvenile crime, rather than traditional incarceration approaches. Whereas the objective of state policy makers during the 1990s was to "get tough on crime" as cheaply as possible, future policy makers should leverage existing

research that advocates alternative forms of treatment for juvenile offenders. If the true motive of governmental bodies is to reduce fiscal strain, drastic measures must be taken in the near future to curb the ever-increasing number of inmates – including juveniles. Legislation that concentrates on incarcerating only those individuals that pose a real and substantial threat to society at large therefore seems both necessary and inevitable, and would begin the cycle of rehabilitation/just deserts anew as described by Colvin (1992) and Jacobs (1977).

The saving grace for reformist may not come with the fresh initiatives of Michigan's first female Governor. Rather, they may result from the ironic fact that even though the state took measures to reduce fiscal strain by hiring a private vendor to construct and operate the MYCF, such actions were insufficient as far as the greater correctional system is concerned. Even the support that the Republicans gave to the concept of privatized corrections based on cost savings to the state has waned over the past three years. No longer do individuals in Michigan address the question of public or private facilities. The question they do address is "Can we conceivably open more facilities?" The answer to this question seems to be a resounding "no." Even though the 1990s saw the prison "industry" as one defined by almost endless growth – continued growth may be coming quickly to an end. Michigan, which is rapidly running out of prison beds, is also practically tapped-out of funds to operate its 43 existing facilities let alone pursue any additional construction or re-openings. Recently over 100 employees, mostly correction officers, have been laid-off due to insufficient funds

to maintain their positions in addition to many middle managers being demoted in status.

Chapter VI touched on irony as being an integral component of the story of the MYCF. Perhaps the greatest irony is the relationship between the inmate demographics of the facility and the historic population of the Baldwin area, specifically Idlewild Lake. The Idlewild resort in its heyday offered blacks nationwide a place of peace, relaxation, and refuge from the social constraints they faced in white-dominated society. Not only was the resort a mixing pot of both the crème de la crème of black society – industrialists, scholars, and entrepreneurs – but also blacks of average income and status. Idlewild was also the place that many of the most famous black entertainers of the twentieth century went to both vacation and to perform.

Idlewild's nightclubs are gone – torn down long ago. The voices of Aretha Franklin and Ella Fitzgerald no longer drift through the soft breeze across the lake on warm summer nights, and Louis Armstrong is only a memory. What has become a reality for the area is the MYCF only a few miles down the road. Busses still do travel to Baldwin. The busses and caravans that once brought black vacationers from the inner city, now bring black teens to the MYCF to serve sentences for the serious crimes they have committed. What was once referred to as a “Black Eden,” can now be considered a “Black Perdition” (Walker & Wilson, 2002).

The story of the MYCF elicits numerous questions, and provides limited answers. However, one thing is known for sure. Without the financial benefits

the MYCF as part of the PIC brought to poor little Baldwin, the town may never have experienced the joy of getting their very own McDonald's, but that is another American business story.

APPENDIX 1

Core Questions

- 1. Do you feel that the Michigan Youth Correctional Facility can attribute its development to social pressures on politicians to “get tough” on juvenile crimes?**
- 2. If prisons ceased to exist, or at least, further construction was halted, what would the ramifications be to those dependent on such institutions for employment?**
- 3. What do you feel is in store for the Michigan Youth Correctional Facility in the future? For Michigan's juvenile justice system? For Michigan's system of juvenile corrections in general?**

APPENDIX 2

Common Questions

- 1. How was Wackenhut chosen to be the private vendor? Were bids submitted?**
- 2. What do you feel the impetus was for choosing a private a private vendor rather than the State Department of Corrections?**
- 3. Do you feel that the Michigan Youth Correctional Facility faced hardships when it first commenced operations in 1999? If so, what were they and why do you feel they existed? Do you feel that the Michigan Youth Correctional Facility continues to face hardships? If so, what are they and why do you feel they exist?**
- 4. Do you feel that the Michigan Youth Correctional Facility opened prematurely?**
- 5. Do you support punitive dispositions for convicted juvenile offenders? If so, under what circumstances?**
- 6. Do you support rehabilitative dispositions for convicted juvenile offenders? If so, under what circumstances?**

APPENDIX 3

Exclusive Questions

- 1. When did you begin work for the Wackenhut Corrections Corporation? In the Michigan Youth Correctional Facility?**
- 2. Do you feel that this facility is fundamentally problematic due to its inmate composition?**
- 3. Do you feel that the media initially sensationalized their reporting regarding the Michigan Youth Correctional Facility?**
- 4. When did you begin work for the Michigan Department of Corrections?**
- 5. Did you have any involvement in formulating the “idea” of the Michigan Youth Correctional Facility as a prison for youthful offenders? If so, in what capacity?**
- 6. At the time that a private prison for juvenile offenders was proposed, did you support such an idea? Do you now?**
- 7. Do you feel that the contract between the State and Wackenhut is adequate?**
- 8. Did you have any involvement in the development of laws that would widen the range of juveniles subject to prosecutorial waiver to include those 14 years of age? If so, in what capacity?**
- 9. Did you have any involvement in the development of laws that would allow a private vendor to operate a prison for juvenile offenders? If so, in what capacity?**
- 10. Census data that compares Lake County with the State of Michigan, indicates that the population of minorities in Lake County is disproportionately large. Why in your opinion is this so? At what point in time, or during what period did the increases in the minority populations become most evident?**
- 11. Do you feel that Lake County's high population of minorities and low-income households contributed to the placement of the Michigan Youth Correctional Facility in this region?**

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